

PLANNING BOARD
TOWN OF COLONIE

COUNTY OF ALBANY

LUPE WAY CONSERVATION SUBDIVISION

8 LUPE WAY

PUBLIC HEARING

AND

APPLICATION FOR SEQRA AND FINAL CONSERVATION

SUBDIVISION APPROVAL

THE STENOGRAPHIC MINUTES of the above entitled
matter by SUZANNE T. HARRINGTON, a Shorthand
Reporter, commencing on August 7, 2018 at 7:46 p.m.
at the Public Operations Center, 347 Old Niskayuna
Road, Latham, New York.

BOARD MEMBERS:

PETER STUTO, CHAIRMAN
KATHY DALTON
BRIAN AUSTIN
LOU MION
CRAIG SHAMLIAN
SUSAN MILSTEIN
STEVEN HEIDER

ALSO PRESENT:

Kathleen Marinelli, Esq., Counsel to the Planning Board
Joe LaCivita, Director
Joseph Grasso, PE, CHA
James Easton, PE

David Golden
Richard Barrett
Tara Barrett
Kristine Lanners
Dan Lanners
Ralph Schimmel
Craig Slezak
Jeff Emptage
Michael Flynn
Sally Burchhardt
Mike Wesselowski
John Rzeszuto
Robert Loftus
Sean McGee

CHAIRMAN STUTO: We'll talk about the next item on the resolution. We'll take a couple minute break. Lupe Way Conservation Subdivision Public Hearing, 8 Lupe Way. Application for SEQR Environmental and Final Conservation Subdivision Approval, review and approval of 44 lot single family subdivision.

And again, we'll take public comment. We ask sign in on the sign-in sheet. Joe LaCivita, can you give us an introduction to this project, a little bit of history?

MR. LACIVITA: Sure, Pete. This is a project that's been around for a couple of years as well. We first saw it at our town departments, at our DCC meeting on December 15, 2015. We came to sketch here shortly thereafter on January 26 of '16. Saw it several times through the re-zoning process through February, then again later in that year. And we granted concept on January 24th, 2017.

The rezoning went from industrial zoning to the SFR zone which we see today. And with us is Jamie Easton who is going to take us through the project.

CHAIRMAN STUTO: Mr. Easton.

MR. LACIVITA: And this is a public

hearing. We have to get the public hearing notice out.

CHAIRMAN STUTO: We'll read the public hearing in.

ATTORNEY MARINELLI: Town Planning Board, Town of Colonie, Albany County, New York. Notice is hereby given that pursuant to Section 276 of Article 16 of the Town Law, the Town Planning Board of the Town of Colonie, Albany County, New York, will meet and conduct a public hearing in the Public Operations Center, 347 Old Niskayuna Road, Latham, in said Town of Colonie, County of Albany, New York on the 7th day of August, 2018 at 7 p.m. for the purpose of hearing all persons regarding the approval, modification or disapproval of a certain subdivision and site plan approval in the Town of Colonie, County of Albany known as Lupe Way Conservation Subdivision, located at 8 Lupe Way, which consists of a 49 lot subdivision that has 44 residential lots, two stormwater lots and three open space lots, dated July 25th, 2018, Latham, New York.

CHAIRMAN STUTO: Okay. The hearing having been opened up, we'll turn this to the applicant, Mr. Easton -- represented by Mr. Easton. You have the floor.

MR. EASTON: Good evening, Board. My name is Jamie Easton with MJ Engineering. For the public, just as we go through this, as you're looking at this plan, on your far left hand side is Cordell Road. My subdivision is toward the top, but this is Morocco Lane and Lupe Way at the end of the cul-de-sac.

Most of you are aware that to get to this project, you've got to go through Bonner Ave, in some sense Nutwood, and like that. As I go through this, I'll go through the history a little bit like Joe mentioned.

The original zoning of this parcel of land was industrial. We went through the zoning process and got the 60 acres re-zoned from industrial to single family residential. We thought that was a better fit for this area, and due to the surrounding communities, we thought that was best. Also due to the fact that the wetlands kind of chopped up the parcel.

So the only industrial area that was really left was near the single family homes, and that didn't seem from a Planning Board point of view to be a good location, so that's why we went through the re-zoning process.

From the original time when we went

through a couple different sketch plans, we looked at a couple different models. But basically what you generally approved in the concept plan hasn't changed at all.

Originally, at the end of the existing Lupe Way there is a dead end cul-de-sac right now. We have those houses off of there. We kind of talked before about carriage homes at the end of those.

Why did we pick carriage homes? They have a little smaller lot frontage and a little narrower in size. And we wanted those because they were a little shorter in depth than your normal traditional lots.

So that was one, two, three, four, five, six -- six out of the 44. Which really, the remaining 38 proposed lots we kind of, like I mentioned before, wanted traditional home lots.

The traditional home lots, just again, 80 foot frontages, like the town code requires, have the standard setback that the town has for other residential subdivisions. We wanted to follow the larger lots that exist on Morocco Lane. We didn't want a bunch of 8000 SF lots.

So when we went through this process, our lot size, just like before, average lot size is

13,200 SF, around that number. So that's where we ended up on the lot size. For -- as we did this conservation subdivision, of course we take out the steep slopes, the wetlands and things like that, it was roughly about 22 acres out of this 60 acre site.

Time we take out the 40 percent constraints -- or the minimum 40 percent of the unconstrained lands to get to the town, we're kind of left with a little area that was left over.

In general, the easiest way to look at that is out of 60 acres, 42 percent of the land is going to be turned over to the Town of Colonie, 42 acres out of the 60 acres.

I'll say that again. Out of the 60 acres, 42 acres is going to be turned over to the Town of Colonie. So 72 percent of the site will be forever wild, will not be built upon. We're only building on approximately 18 acres of the 60 acre site. That's what we're doing.

So as we went through that and talked about the traditional home size and things like that during original meeting and during the concept plan, we advanced that through the review process. Certainly, the concept never really changed. The end of the cul-de-sac, the concept

plan didn't really change, but we wanted to at least go over -- let me go to the second page.

And in your map -- and this will maybe help the general public understand what's going to the town and what's being built. Certainly we have the existing houses at the top of the page.

And at the very top, it's hard to see, is Morocco Lane as it comes down with these existing homes. The green and brown is obviously our houses and our new roadway. But in this large parcel of land, all these trees all the way out to Cordell Road will now be turned over to the Town of Colonie.

That's approximately 42 acres of forested space. Eventually this would be turned over to the Pine Bush and anybody will have access to this site.

Also, for the local residents, as we went through the Planning Board process, we were asked to shave off about 15 foot of this lot to provide a walking path for people to walk through and get easy access to the existing trail.

If you've been down there, certainly down the NIMO power lines there is an existing very wide trail that ATVs and things are driving on, whether that's legal or not is a totally other

story, but at least there's the foot path that's going in and out.

Also by expanding the area all the way to Cordell Road, and this is the town's property, if they wanted to make a trailhead parking location in the future, you have access to do that later on.

The Pine Bush also liked that they would have access from Cordell Road to get into the Pine Bush Preserve.

Some of the -- as we had gone through the review process, there were two requirements that the Planning Board asked during the concept plan that we did. One was widen Bonner Ave, a section of Bonner Ave. for approximately 1000 feet. The existing roadway width is about 19 feet.

We talked about changing that over to a full town road section, changing it to something else or not doing anything. What we determined was we wanted two 11 foot lanes. And that plan is shown within the construction drawings, that we're going to take up the pavement, we're going to widen the roadway to 22 feet.

Morocco Lane right now -- typically what happens is binder course is placed down, you drive on the binder course. And when all the houses are

built and the town comes in and paves the top course, that's when we'll be paving the top course of Bonner Ave.

That was the request of basically the DPW, and that's typically what they do on many different subdivisions. You see that people drive on the sub-base of the road for many years until the houses are completed. Then the town comes in and paves the top course.

The same concept was going to be done on Bonner Ave. because -- previously some members of the Board and public were concerned about truck traffic, if you build this road, they would beat up the road and everything else. And what's going to happen to the roadway, that catch-22.

So the object is, we put that portion of the roadway in first, you have binder. So if tractor trucks come in to build the project site, they're driving on that town rebuilt road. Then when they're done, we pave that road out and give you a nice top course of pavement, per the town's requirements.

Another one of the Planning Board's request was another off site improvement to the existing pocket park on Nutwood. And within the construction drawings we have proposed to build

off the existing asphalt, due to the problem that the tennis courts -- certainly if you have been out there this week, they have a lot of puddles in them.

So we're milling that all off, repaving it, shimmying it up so it drains away. We're re-striping it so we'll be able to utilize that pocket park much more often. Planning Board asked for some improvement to that.

We talked to the developer, that's what we plan on doing. We thought that was the best, you know, instead of just painting the fence and doing some cosmetics. We wanted to do something that was more long-lasting and tangible so people would use it. So that's what we did.

We included that in our construction drawing set for that. I know Joe has reviewed it over at CHA. The other item, I know some people -- I know there was certainly a planning comment or fire department comment during the concept review phase, that we needed to speak to the fire department, whether these houses would have sprinklers or not.

Certainly Mr. Grasso and myself met with the fire chief. We talked about this project, due to the single point of access coming in off of

Bonner Ave. and our subdivision, and basically having two points of access.

At that time it was determined that sprinkler systems were not required for the building, but we had to provide information to the buyers that a sprinkler system for the house was available. And that if they wanted to so choose, they could put sprinkler system in the building. We had no objection to that, per the fire department's request, and we included that within the plan sets.

At this point I would turn it over to the Board and see if you have any general questions. But those are the main highlights from the concept plan that people were concerned about on and off site and we'll go from there.

CHAIRMAN STUTO: Okay. As with the other projects, this project has been reviewed by our town's designated engineer, CHA, represented by Joe Grasso. Joe, could you please give us your comments. And then we'll hear from the public.

MR. GRASSO: So in your packets is a letter from CHA dated June 4th. That's our 5th review letter that we've issued on the project. And there's not too many items, there's nine items in total.

The first comment basically goes through some of the stacks on project site, talks about its conformance with the conservation overlay district. As Jamie had mentioned, based on the size of the project site and the amount of unconstrained lands, the maximum allowable density on this project site is 69 lots.

And, as such, you know, the 44 proposed lots are well below the maximum allowable density. The second comment, I'm actually going to ask Jamie to touch on this too, because we had commented about the grading and vegetation removal up to the existing residential property lines, and had recommended that a wooden buffer be provided to afford screening toward existing homes.

Jamie has provided us a revised plan since our June 4th letter went out. But I do want him to speak to this on the record for the Board's information.

MR. EASTON: So certainly for the Board, the tree clearing limit line was basically up to the property line due to the site grading and things like that. So we have the existing property lines.

And we show for a portion of the houses, due to their being graded up to the back of their

yard and they have no vegetation, we proposed trees along those lots. But certainly at the corner of Lupe Way and Morocco, this house up here in the corner, he has a shed. There's a huge maple sitting in the back and there is existing vegetation for these two houses, about 15 foot that exists due to topography that, you know, I didn't think to put a tree on top of a hill, blocking -- on the back side of their house, was really functional, by any means.

But if the Planning Board so chooses that they want more vegetation along there, we're not objecting to it. It's just a decision that the Planning Board has to make. And same thing down here, there's existing vegetation on the existing land owner's property, extending 10 to 15 feet into their property.

If they so choose to clear it, that's fine, but our main focus was to provide a visual block for our lots that the existing homeowners already cleared up to their property line.

So that was a decision that Joe wanted to make to the Planning Board. And whatever decision you guys make, I'm certainly willing to entertain or do whatever you'd like. I'm okay with either way on that.

MR. GRASSO: Other item I wanted to bring to the Board's attention in our letter is the usability of the backyards, based on this being a cluster plan. And when you look at the proposed grading plan, some of the rear yard slopes were really steep coming right out of the back of the house.

We'd like to see there's at least 20 feet of usable backyard in order to reduce the environmental impact, just to provide a more typical lot setting. So Jamie, if you could explain how that comment was addressed? And this was only for a few of the lots.

MR. EASTON: Yes. So for a few of the lots on the Lupe Way cul-de-sac in this general location, they have a walk out basement. Certainly any of you that have been there, you've driven to the end of the Lupe Way existing cul-de-sac. The grade kind of falls off relatively quickly.

Some people are putting leaves and debris in that area. But in that area we have a walk out basement. And the lots, because we wanted to make them carriage home lots, we made them kind of narrow or less in depth.

So originally we had a very large

footprint house on that location. So when we did the grading plan, it seemed kind of extreme, I'll say.

So once we made the houses more in an actual footprint, which you're looking at up here is about 1500 SF in size for a footprint of a house, for those carriage homes, which is a large house, we were then able to very easily provide that 20 foot behind the back of the house before any three-in-one grading occurred on that.

The other one was one of these two lots down in here, and these two lots up here in the corner. And some of that just had to do with me taking a very constant slope out of someone's backyard. I would say a one-on-ten to a one-on-six or something like that. Just stretching those contours a little bit farther away to really show that there's a 20 foot level area behind the house.

Again, the traditional homes that we highlighted up here before, like I said, the 38 lots; we showed a 2000 SF footprint house, so that's a very large footprint. We expect the houses to be smaller than that actually.

So Joe's recommendation of 20 feet behind anybody's house of level will much likely be much

larger than that in reality.

MR. GRASSO: In terms of the drainage, the project will have a closed storm sewer system and open stormwater management areas. All of those are away from the existing residential development, and the flow comes through the project site, you know, towards the -- I'll call it the southwest side of the project site.

So we don't anticipate any drainage impacts on the existing residential neighborhoods. The improvements to Bonner Road, I think, is a really important feature of the project site. Not so much that it's making the road much wider than it is, because we're limited based on how narrow the roads are along that stretch of Bonner Road.

But I think they did a really sensitive design trying to follow the existing alignment and working with existing grades. And the fact that they will be making those improvements to Bonner Road as part of the first phase of construction of the project site.

Obviously, like Jamie said, they'll come in after the construction is done and top the road as the final phase. We have some other minor comments, you know, engineering related comments that Jamie has addressed in working with the

departments.

So the last comment is regarding the SEQR information. So just as a reminder, this project has gone through a re-zoning application, but there was a previous SEQR determination that was only relative to the previous re-zoning application. So there's a new SEQR determination that's required for the Board.

If you choose to grant final subdivision approval tonight, there's a new SEQR determination that would be required in support of the subdivision application. So we'll deal with that later.

CHAIRMAN STUTO: Okay, we'll turn it over to the public. Dave Golden.

MR. GOLDEN: I'm Dave Golden. I live on Morocco Lane. I think one of the key things that Jamie said in his presentation was single point of access, and that's Bonner Road. I mean this is splitting hairs, that there's two -- once you're in this -- the original subdivision, it's really splitting hairs that there's two access points. There's only one, and that's Bonner. And if you widen it to 22 feet, a fire truck -- I don't know how wide a fire truck is, but it's more than half, 22 feet.

I still think that there will certainly be issues with emergency vehicle access to the existing subdivision as well as the new one. I've said it before to you guys, that there really has to be a second point of access to this subdivision. This really, I don't feel complies with the 2015 International Fire Code which says you need two points of access.

As far as SEQR goes, I mean the traffic study they did, there was five hundred trips daily at Nutwood and Bonner, five hundred. And there's about 50 existing houses there now. So you add 44 houses, it will go up to nine hundred trips a day, and maybe that's a conservative estimate.

If you've ever been in Bonner and Morocco Lane, there's dozens of kids --

PUBLIC SPEAKER: 44, I counted them.

MR. GOLDEN: Right, 44. There's dozens of kids running around with their bikes and everything. That will change if the access is all just Bonner Avenue. And, like I said, there's only one single point of access and that's Bonner.

So I really don't think that this plan has the spirit of the fire code or the letter of the fire code. That's just the way I feel. Thank you.

CHAIRMAN STUTO: Okay. We'll ask for a response on that. Is there a possibility for a second point of access and can you defend that this complies with the code?

MR. EASTON: Certainly this was exhaustedly looked at during the concept plan that the Planning Board asked for. We had looked at certain locations, going through the existing pond on Bonner Avenue as part of the old road. Going through the wetlands and going out to Cordell Road.

We looked at all those possibilities and none of them were feasible at all. So those were certainly looked at. From the fire department standpoint, a letter was issued, from my recollection, during the concept plan phase about the concern of a narrow 20 foot road at that current time and accessing this rear new subdivision.

They did not have an objection to it, but certainly we want to widen the road to help out traffic and go through this area. So that was -- I believe that was the case, so those -- and we did meet with the fire department per the Planning Board's request and per the fire emergencies requirements. And we talked to them and they had

no problem with this plan and it does comport to the code.

CHAIRMAN STUTO: Even the new change in the code that we discussed?

MR. EASTON: Yes.

CHAIRMAN STUTO: Do you have any reaction to that?

MR. GRASSO: No, but I think we did exhaust all options in terms of trying to look for a second means of access when the project was working through its concept approval. We acknowledged this is a single point of access. And that was closely scrutinized by fire services and our office.

And we did feel like there was mitigation proposed as part of the project. You know, the density has been drastically reduced from where it was originally proposed. And they are making some modest improvements to Bonner Road to try to maintain a certain level of accessibility. But there's a development there now off a single point of access, and that development will get bigger as part of this project.

CHAIRMAN STUTO: Okay. Richard Barrett.

MR. BARRETT: I want to say thank you to the Board for allowing me to have the time to

speak. For those of you who don't know me, my family is the newest, probably, in that development. We live at 78 Bonner Avenue, which is -- for reference, it's right at the point of Lupe Road and Bonner, so I live at the mouth of that.

All of this traffic will pass my house. As mentioned, 44 children, I have three of those children. We moved to this neighborhood from Exchange Street, which was an extremely busy street, and I was very concerned about my children, the traffic that passes there.

Now I'm mortified for my children playing outside. We moved here so that we could have a place to ride bikes, that we could play outside, that we could play with other neighborhood children.

Any given night there's a crowd of seven, ten, fifteen, twenty children that travel all these streets. There's zero sidewalks. And not to mention Bonner, the entrance, widening that to 22 feet is great, but it's still a single point of access.

As I sat here through the other development, and I hear -- and I'm not sure what your name is -- but you were very pleased about

having a second emergency access.

I looked at the topography of the area. There's a cell phone tower next to the solar panels. There's a road there through those wetlands. If they could create a road there, why can't they create a second point of access for this neighborhood?

I understand building, I understand the town expanding, but this development needs a second point of access. We paid a premium to live in this neighborhood, and I feel like we're losing that premium, we're losing the neighborhood. It was a great neighborhood.

My question is, and I'll get all my questions out, are: If this does go forward and it's a single point of access, what guarantees -- are there any lines that will be painted in the road? Crosswalks for these roads?

All that traffic is going to pass right in front of our home. How do our children get safely to the other side of the street? There's no stop signs there at all for Bonner. I also hear, and I'm very concerned about; if Bonner Avenue is redeveloped and widened, several years of no pavement there -- I lived on Exchange Street. It was horrifying when it wasn't paved

very well.

CHAIRMAN STUTO: There will be a course layer of pavement.

MS. BARRETT: A course layer, okay. So it's a quiet, quiet neighborhood. It's amazing at nighttime to have your windows open and not hear anything. You add all these houses with a single point of access, those are all cars coming down Lupe with headlights shining on our property.

It's beautiful back there. I've seen my first pileated woodpecker for the first time. So I'm very concerned about more woods being knocked down. There are deer that go through there. There's all kinds of wildlife back there. I feel that we'll lose a lot of that if this development does go forward.

Overall, love living in Colonie, love everything about it, but I don't think this development feels right. The other development I saw before this was very little impact. If you look at all the people here versus that other development, I think numbers make representations. I wanted to say thank you for your time.

CHAIRMAN STUTO: Thank you. Are there any signs or striping or so forth --

MR. GRASSO: There's no striping

proposed. You know, there should be stop signs, obviously, and that's something that the town does control, so we can follow up on that and make sure that's put in place. The town controls all traffic control signage within the town, so we would make sure that that's done.

CHAIRMAN STUTO: So that's not our purview?

MR. GRASSO: That's not the Planning Board's purview, but it's a great comment, and we can follow up to make sure it gets attended to. But it's important that this project site -- when the original development went in, it was set up to allow access to this project site.

It's not to say that it was always planned to build this project site, but there was access provisions and stub streets for that. This is what this project is building off of, but it is an additional 44 lots.

We don't think it would significantly impact the character of the neighborhood. We spent a lot of time there looking at it. We think this is the right scale project that fits into that character.

I can say, though, that the way this project is designed, there are no other provisions

for extensions of these roads to accommodate additional developments. So we think this will be the last development that will be tying into this existing neighborhood.

CHAIRMAN STUTO: Wildlife impact? It might be good to talk about that a little bit. I see you're preserving 42 acres --

MR. EASTON: 42 acres, we're preserving 72 percent. So certainly there are existing tree stands and deer hunting stands within this area and wildlife, but due to the fact that this butts up to --

CHAIRMAN STUTO: You can fire guns in this area?

MR. EASTON: No, probably bow and arrow. There is over three to four -- I can count four, at least, in my head of tree stands in this area. So yes, the deer are going to be displaced a little bit, but they're being displaced into 42 acres that butts up to the Pine Bush Preserve. They have a large corridor. There's other town lands that adjoin this property.

Right next to us I know DEC is purchasing that piece of land from Traditional Builders -- or they have purchased that. I'm not a hundred percent correct on that. But they asked for my

mapping of my project so they could map the boundary of the adjacent property so they could buy it. So that, again, extends the preserved lands with nothing really being built in this area.

CHAIRMAN STUTO: Okay, thank you.
Christine and Dan Lanners.

MS. LANNERS: Hello. I live at 2 Lupe Way which is the corner, so you can pretty much be sure I'm concerned about the traffic, speeds, the bus stop on the corner. People like to make U-turns in front of our new neighbor's house. So I would like to know about speed.

You did studies on the traffic and how fast people go. When you look at the lots, 44. If everybody has two cars, that's 88 more cars. That's my biggest concern.

As well as if we have to walk to the pocket park, we have to go through the neighborhood, the new area of Bonner. So I don't know how helpful that's really going to be to the neighborhood, because it's not right in the neighborhood.

And the third thing, after looking through the plan, was the water pressure. It states that there is no -- it has to tap into --

there's no separate -- so I don't want my water pressure to all of a sudden be nothing.

CHAIRMAN STUTO: Okay. Sir, did you want to talk before --

MR. LANNERS: Yeah. When we bought our house back in 2000, we were the only property on Lupe. And back then it was Rose Gardens and it was supposed to be three phases. We were in the first phase. Morocco was in the second phase, and there was a phase three.

And that phase was more or less where this new development is going to be, but that phase was going to have its own separate entrance.

MS. LANNERS: That's what's we were told.

MR. LANNERS: When we bought into the place that was the plan at that time. And I don't know what's changed since then, why it's no longer feasible to have a separate entrance. And I know in the past there's been another development that they tried to put in between then and now, where the fire department determined that -- they didn't grant them the permit, something to that effect. Because they needed a separate entrance and there wasn't a separate entrance proposed for that project.

MS. LANNERS: So we're confused by the

history of the whole project being here since 2000.

CHAIRMAN STUTO: We'll recount what we can. I'm not sure we can do a perfect historical reiteration, but -- okay, is that it? Any other questions?

MS. LANNERS: No, I'm all for progress. I get to live there because you opened that up to the development. I'm not against progress. We just want it to be thoughtful progress, please.

CHAIRMAN STUTO: Okay, thank you. I don't know who can speak to the history. I know the history, I think, since I've been here -- was this part of the Pine Bush where we reviewed all the zoning back there? And it was industrial at that point?

MR. LACIVITA: Yes.

CHAIRMAN STUTO: So industrial is obviously not appropriate at that spot. To me, that's obvious. We recommended to the town board that this particular location be turned into residential so it fit with the adjacent neighborhood.

MR. LACIVITA: Yes.

CHAIRMAN STUTO: That's where I started out and then, you know, they could have built 69

lots. We recommended a conservation subdivision. We're down to 44 lots. I can't go back any further in my own -- I don't know if anybody knows any history before that.

MR. EASTON: I certainly don't have any history past that point, but in regards to that, someone could have just had a concept plan, where someone's drawn a magic line on a piece of paper saying, this is what I'm thinking about --

MS. LANNERS: -- who owned the property, who built the house --

MR. EASTON: Then what happens is different environmental laws kick into place and make that not feasible any more. And that's where -- as we went through that process --

CHAIRMAN STUTO: If you could address us, Jamie.

MR. EASTON: Sorry. As we went through that process, we looked at multiple points of access, and that's where we determined there was really only one way in and out of the project site, and that was really Bonner Avenue.

And I don't know if the public remembers this, but that was one of the conversations we had, as she had mentioned, about speed and traffic. And we did do that speed study and

people are really doing 30 miles per hour on Bonner Avenue. That was a speed study that was done. They were doing 30 miles an hour. And a lot of that had to do with the existing roadway width.

I gave the analogy at the time, just as you cross the twin bridges, people have the tendency to slow down because the bridge approaches are closer to you. Even though the lane widths are still 11 feet, you feel confined, so you naturally take off the accelerator and go slower. It's a very common thing that people do.

So people on Bonner were going pretty slow. But Nutwood, people were actually going fast. That's what we showed in our traffic report. So part of the decision making that we talked about was, what are we going to do with Bonner Ave?

How far are we going to widen it? Are we going to widen it to a town road section and really increase the speed and make it a thoroughfare or narrow it down?

We compromised on 22 feet, trying to keep the speed down and not impact the people's houses along Bonner Ave. front yards. That's what we determined, based upon all the information that we

had, to really make it 22 feet.

CHAIRMAN STUTO: Water pressure, can you address that?

MR. EASTON: Water pressure in this area is actually very good. But in regards to individual houses as we extend the water lines, they should not be impacted unless a valve is not working.

If we have to turn off the water, they would get notice of that by Latham Water Department that we did temporary -- had to shut down their water for two or three hours. Then we make the connection, and then their water -- then their house is back on.

Water pressure, due to this project, there would not be a decrease of water pressure at all within their neighborhood.

CHAIRMAN STUTO: Do you agree with that?

MR. GRASSO: Yes, and there will be a looped water main through that development, so there will be two points of connection. If anything, we think it should strengthen water pressure in this and the existing neighborhood.

CHAIRMAN STUTO: Okay. Thank you.

MR. SCHIMMEL: Thank you for the opportunity to speak. My name is Ralph Schimmel,

I live at 5 Lupe Way. I have addressed this Board before for the preliminary subdivision review. And just for your memory, I'll tell you that this particular lot was originally proposed to be developed as an industrial site.

And in that proposal which was before the Planning Board there was, in fact, access from that industrial site to Cordell Road. And so tonight I speak again in support of these people in objection to the single point of access.

And I think you're making a grave mistake by overfilling that area. It's like trying to drain a bathtub with a dropper. You're just congesting everything. And it has an impact on people and I think that's something you ought to think about.

Gentlemen, we talked about greenery -- what happened to this area right here on that house, right along this road here? What type of --

CHAIRMAN STUTO: Okay -- can you get -- do you have other questions?

MR. SCHIMMEL: Yes. The only other questions I have is, has anybody -- in terms of the impact from this development, looked at what the noise from the adjacent railroad is?

CHAIRMAN STUTO: I'm not sure I understood that question.

MR. SCHIMMEL: There's a railroad line, a main transit line, that runs up adjacent to this property.

CHAIRMAN STUTO: On the new houses?

MR. SCHIMMEL: Yes. I'm wondering if anybody looked at that impact.

CHAIRMAN STUTO: Any other questions?

MR. SCHIMMEL: No.

CHAIRMAN STUTO: We'll try to address those. Screening on those houses and noise impact on the newer homes.

MR. EASTON: So currently there's nothing proposed on this side of the house, screening it from this rear yard, generally. This elevation is certainly very high in this general location. But if that's a Planning Board concern, that additional vegetation can be installed on any of these rear properties.

In regards to the trains, we went over that during sketch and during concept plan. And certainly we talked about noise, but the distance away requirement from the railroad tracks to these houses -- if I remember -- I guess I have to flip back, but I think this is over 800 feet away.

But most people, what is required for single family, is less than one hundred feet away from a railroad track. That's the information, that's the literature that was provided. But we're over 800 feet away from any railroad tracks from these houses.

CHAIRMAN STUTO: Let's go back to the screening. Do you live in one of those houses, sir?

MR. SCHIMMEL: I live adjacent to this house. This gentleman lives there (indicating).

MR. WESSELOWSKI: I didn't sign the paper, sir.

CHAIRMAN STUTO: You can get on the end here, if you want to come up here and sign in.

MR. EASTON: What are the pros and cons?

CHAIRMAN STUTO: And Joe Grasso, I want your help too. I'm not sure I fully understand the elevation changes and why you're not recommending any screening.

MR. EASTON: I guess, just like some of these side yards are right adjacent to each other, there's no vegetation between it. Most of this person's side yard is facing the rear. Most houses don't have windows on the side of their houses. It's typically in the front and back of

very traditional homes.

So, you know, time we get to this person's backyard, we're into the existing vegetation for this existing homeowner. That's why I did not propose it.

But again, if the Board feels that additional screening from this proposed house to this house, we're not objectionable to that at all.

CHAIRMAN STUTO: How does the Board feel about that?

MS. MILSTEIN: My feeling is we can leave it up to the individual homeowners to decide what they want.

MS. DALTON: That's what I was thinking.

CHAIRMAN STUTO: Okay. Why don't you go ahead.

MR. WESSELOWSKI: So my name is Mike Wesselowski and I live at 1 Morocco Lane --

CHAIRMAN STUTO: Can you point to your house?

MR. WESSELOWSKI: Right here (indicating). I wanted to touch again on the train tracks. My house shakes pretty good where I'm at, so I can only imagine these houses being closer. And I don't know if they're gonna be

aware of that when they buy these houses.

I know that's not up to you guys or up to you, but I'm telling you my house shakes pretty good now. So I'm not feeling that this is a good fit for houses with the train tracks.

MR. SCHIMMEL: What about the coverage there?

MR. WESSELOWSKI: I mean I'm okay if they're going to be putting trees in between where I live and the new division, right?

MR. EASTON: I'm fine with that. So we'll take it from the rear of -- what we'll do is we'll show on the final setup plans, we'll show from the rear of this house all the way back to the top of your hill where -- we'll put a row of evergreens along that to block this person's backyard from you, looking through your backyard.

Will you agree that your property goes way up in the back right there (indicating), goes up pretty high?

MR. WESSELOWSKI: Yeah, I got a pretty good view.

MR. EASTON: We have no problem.

CHAIRMAN STUTO: Let's do it then.

MR. EASTON: That's fine.

CHAIRMAN STUTO: Craig Slezak.

MR. SLEZAK: Craig Slezak, I live on 67 Bonner Avenue, so this project means every single vehicle is going past my house. So what was it, five hundred cars a day? Probably going to double it, because you're doubling the size of the project from the existing houses to the new houses.

So you're going to have nine hundred, a thousand cars going by my house now. But like the previous speaker, when a freight train goes by, you can hear everything in -- I'm probably, what -- you're saying this development is 800 feet, so I'm probably another 600 feet -- 1400 feet away from the train tracks. You can hear them coming through, shaking the house.

And by them adding this second track -- they put signs up now that 80 miles per hour trains going through there now. So, you know, Amtrak is going to fly through at 80 miles per hour now since there's two tracks.

So how is tearing down all these trees going to do for the sound? It's going to make it worse, I'm assuming. I mean you're cutting down how many acres of trees? I think the sound is going to go -- get louder.

Bonner Avenue, it's a good idea repaving

it. It's a disaster. I don't know how many of you been down there in the last six months. This winter destroyed the road. There is a sewer grate on the corner of Nutwood and Bonner that's actually collapsing in.

The road is actually falling into the sewer and the town put two cones there. So when you try to make the turn, it's kind of impossible. My concern is the school bus stop is on Lupe and Bonner, right there.

So all the kids into the neighborhood from all these houses converge in that one corner for the school bus --

PUBLIC SPEAKER: No one has talked about that, that's right in my yard.

MR. SLEZAK: My concern is all the construction vehicles, the school buses, with all the kids walking; because there's no sidewalks. You talked again that Bonner Avenue is very narrow. So what is the -- I don't know, plan or -- something has to be done about this project -- do something about the school buses.

Because with all these kids walking, the school bus comes at 7:00 in the morning. Then there's a late bus for the elementary kids. Then a couple buses -- I almost got ran off the road by

a school bus, because the road is so narrow, even on Nutwood.

So I just want to know, has that been looked at for the school buses and the school bus stop, that now every single vehicle for construction is going to go through that school bus stop? And no one stops there anyway, like you said.

CHAIRMAN STUTO: Can we address school bus in some fashion?

MR. GRASSO: There's hasn't been any mitigation proposed to deal with that, and that's a concern. There are going to be construction related impacts. We had a discussion early on about whether or not this project should phase out over a number of years.

But the consensus was based on the relatively small scale of the project, that it would be better to let it occur in one phase, just to shorten up the duration. But there are going to be impacts during construction.

I agree, it is a single point of access. So, you know, the occupations and uses of Bonner Road and Lupe Way that are there now are going to have construction related traffic, as well as traffic that's going to go by after the project is

done too.

In terms of the level of traffic, I'm not sure where the five hundred cars per day came from, but that's not in the scale with what's expected with this project. There's going to be maybe 30 to 40 cars during the peak hours, maybe get a couple hundred cars a day.

There will be additional traffic. Like I said with the last project, all developments create additional traffic. But the scale of the project relative to the existing neighborhood is not significant to drastically change the character of it.

MS. DALTON: Would it make sense -- I mean one of the reasons why the school bus stop is where it is, is because the other houses don't exist yet. But would it be appropriate to move the school bus stop back to the new road that will be built?

MR. GRASSO: It's a question that could be asked -- our experience is we allow the schools to dictate how they procedurally and operationally want to handle their pickups and drop-offs based on the needs of their --

MS. DALTON: But wouldn't that be a safer location if they moved it a block in?

MR. GRASSO: I'm sure any time a new development takes place, there's reconsideration regarding the bus routes and where the bus stops are.

MS. DALTON: I just wanted to make the point that the school bus stop could be moved, based on the fact that there will be more kids --

PUBLIC SPEAKER: There's three already. Like I said, there's 44 kids in the neighborhood.

CHAIRMAN STUTO: Joe, can you tell me how you communicate with the school district on these issues?

MR. LACIVITA: Well, they had get a submission at concept level. And they get all their projects that they look at. And once a year we do meet with them as to what projects are approved and the timing, and what is the estimate of the number of houses that are coming online at that particular time.

And we do that at the end of every school season, and then they can plan for the following year. That's how some of these bus stops do turn around or change -- or their pickups change.

CHAIRMAN STUTO: So it's the school district's call in the end, right?

MR. LACIVITA: Correct.

MR. AUSTIN: I have a question for Joe Grasso. Was there a traffic study done there?

MR. GRASSO: There was.

MR. AUSTIN: That 500 vehicles per day, is that a --

MR. GRASSO: I think what they were referencing was per day, but I don't remember exactly what count that was, at what intersection. But I don't think it's an accurate calculation to say, okay, well 500 cars a day was based on 40 homes going past a certain point. And by adding another 44 homes, that we should double the 500 to a thousand cars a day.

That's not an accurate calculation. This level of development is not going to generate five hundred cars a day.

MS. DALTON: I thought that big number was at the corner of Nutall --

MR. GRASSO: Nutwood and Bonner.

MS. DALTON: Nutwood, sorry.

MR. GRASSO: Again, I don't understand which movements it was picking up, but it wasn't just picking up 40 homes. Because 40 existing homes in this area would not generate five hundred cars a day.

MR. AUSTIN: We've done a lot of other

projects and you have to have a lot to generate five hundred --

MR. GRASSO: Yeah. New developments normally generate about one vehicle trip per peak hour. So the peak hours being either in the morning or -- again, what I'll say is -- everybody says homes typically have two or three vehicles.

But when you actually go through the analysis and you look at larger scale developments; the average ratio during those peak hour is about one trip per hour.

Even though we understand each household will have two or three vehicles, sometimes even four vehicles, when you look at the actual trip generation, it's about one trip per household.

CHAIRMAN STUTO: For that hour?

MR. GRASSO: For that hour.

CHAIRMAN STUTO: That's an average?

MR. GRASSO: Yeah.

CHAIRMAN STUTO: Some people don't go, some people put out two, some people put out zero?

MR. GRASSO: Yeah.

MR DEILY: Jeff Emptage.

MR. EMPTAGE: I want to thank the Board for letting me speak. I'm a newbie on Morocco Lane. My wife Barbara and I moved there in March.

And so a lot of the details about this project, I'm kind of gathering them as we have gone along the last few months.

And one thing that was apparent to me, from almost day one, was the inadequacy of that section of Bonner Avenue. There's a sign right there at Nutwood and Bonner, no outlet, says it right there.

Okay. That probably prevents people from thinking they're going to get someplace by coming into Bonner Avenue and Morocco Lane, Lupe Way. However, one Sunday morning -- I go out of that area every Sunday morning between 8:00 and 8:30 in the morning. I couldn't get through -- I was wanting to get through that old section that's been proposed to widen, to get through.

There was a car waiting for me. I'm not as wide as a fire engine. Those people on that section of Bonner Avenue have a right to have family, weekend gatherings or a party or whatever, and park on the road. And a fire vehicle couldn't have gotten through if they had to.

So I'm definitely, along with everybody else here that's spoken, am asking that the Board consider a secondary egress in and out, not only during the construction phase, but of course in

the completed phase.

I think it's absolutely necessary. The folks on the older section of Bonner and down in the Lupe Way newer section of Bonner, they're just going to get hammered with the traffic. My house is directly across from the proposed access off of Morocco Way into the new area. I'm not worried about headlights or anything like that.

I happen to think that that's probably going to be the least used exit out of the new area. I think Lupe Way is going to be hammered with the new area. So I'm asking the Board to consider a secondary egress, if they would.

CHAIRMAN STUTO: Thank you. Michael Flynn.

MR. FLYNN: Michael Flynn on 4 Morocco. I have a couple questions. One, I'm curious about the expansion for Bonner during the development of the new area. What access would the construction trucks actually have? Would they be limited to coming in on Bonner and going right up Lupe to this area?

Or would they have access all the way down and into the back end which would expand the access? And would that prohibit them from being on Morocco at all?

And is there any recourse the neighborhoods have, should the trucks start swaying from where they can be? Obviously the longer they drive down a residential area, a truck during development would be a risk for the children. Ideally you want to limit when they can go through a neighborhood.

Second, I would be curious if that report about the single access could be made public? I want to be clear that when it was done, it was from the point of access of Nutwood and Bonner and it took into account not the 42, but the over one hundred houses that are really to be considered for that single access.

Because sometimes, in this type of work, it may have been overlooked when presented to the fire department. And I'd be inclined to see the report myself, that they explicitly addressed the over one hundred houses that are being affected by this single point of access.

And lastly, statistically, you may want to say the average of traffic is two. Right now based on the population in the existing Morocco area, it's well over that. Because what you're not taking into account is the number of teenagers that now have cars.

And so at the time that schools go out, you're having both mother, father and teenagers that have cars. So probably, and they would be an outlier, statistically. But the volume of cars right now based on age of the population that's in that existing area exceeds two, especially at the peak times of school.

So although you have young children that are at the school districts, you're increasing by the fact that you have kids, high school aged and college aged kids that are also going at the same time that the parents are going to work.

So I think that particular area may be an outlier, so you may have to revisit that study to take that into account and specify that access point you want to look at, being the Nutwood and Bonner corner, and that's the real concern.

MR. EASTON: I'll respond to that. The analysis was taken all the way to Nutwood and Bonner. There was 138 homes that I think were existing and proposed that were looked at, at the intersection of Nutwood and Bonner.

We did the traffic report all the way down to Nutwood and Albany Street because the public had a concern about traffic volumes and speeds along that road. So the traffic report

actually went very far.

We took into account the proposed, the existing homes, everything in that location, speed studies -- and they were certainly done. And traffic report, I'll say, has been at least two years or three years. It's been around, certainly during the concept plan. I know that that's been submitted to the town. And certainly you could obtain a copy if you so choose to.

MR. GRASSO: I think it's important, because that was a critical part, was understanding how many homes were already served by a single point of access. And now we'll be adding another large number of homes.

This development was originally proposed at a higher density, but all that was really taken into consideration and looked at closely to make sure that the density was low enough so we didn't feel like it was going to be a significant impact.

You did bring up a comment, though, about the construction traffic restrictions on Morocco. And that is not something that has been stipulated yet, but if it's something that the Board --

CHAIRMAN STUTO: What's your recommendation?

MR. GRASSO: I personally think it would

be an appropriate restriction. And we often see these types of construction access restrictions on developments. So if it's agreeable, you know, to the public -- I don't want to create a situation that's more impactful for one neighbor, because I would think most of the construction traffic is going to go down Lupe anyway.

But if it's a concern, and the Board agrees, I think that's a restriction that could definitely be put into the plan. They would have to do it through signage. So there would be additional signage in the existing development to direct all construction traffic down that way.

I will say, though, that there are some homes proposed actually on Morocco Lane. So logistically I wouldn't be surprised, even with signage, there's going to be some construction traffic that's going to go straight down Morocco to get to those home sites.

MR. FLYNN: How do I request that traffic report?

MR. LACIVITA: You can go to the planning department --

MR. GRASSO: Yeah, our original letter is in there, Jamie's responses. There's a lot of information there.

CHAIRMAN STUTO: Okay. We'll hear what everybody else has to say about that. Sally Burchhardt.

MS. BURCHHARDT: I basically just have one question for the Board because everything has almost been answered. I have a couple comments. The train -- I live at Nutwood and Albany Street. I hear the trains at my house, so I don't know if trees, when you're 800 feet away, is going to help.

Second of all, emergency access, that's my main concern, safety. I would never want to buy a house someplace where I have one access route.

Second of all, as far as the construction, how do they get to Morocco? Are they going to go up Nutwood? That does not have a restriction on weight, but every other street does, or how is that is going to work?

CHAIRMAN STUTO: Outside of the neighborhood, how are they going to get there?

MS. BURCHHARDT: Yes. Because our street, Nutwood, if anybody's been on it, you cannot put two cars side by side --

PUBLIC SPEAKER: Or school buses.

MS. BURCHHARDT: You can't walk on the

street. Everybody knows -- they should know by now. Thank you.

CHAIRMAN STUTO: Thank you. Construction vehicles outside the neighborhood, how are they going to approach?

MR. EASTON: I would imagine most of them taking Cordell Road. That's your main thoroughfare, double yellow. Then coming all the way through on Bonner, coming straight through to the site. That's what I envisioned, to keep site traffic off of Nutwood and things like that.

We're no objectionable to whatever the Planning Board wants, for the trucks to go in a certain direction or take Cordell Road to stay off Nutwood or whatever. We can certainly direct the contractors to do that. We're not objectionable to that by any means.

CHAIRMAN STUTO: Okay, thank you. Mike -- I'm not sure of the last name, begins with W.

MR. WESSELOWSKI: I already spoke, sir.

CHAIRMAN STUTO: Okay. John Rzeszuto.

MR. RZESZUTO: Hello. My name is John Rzeszuto. Everybody pretty much touched on everything. The things that I'm concerned about is -- I'll say this is pretty much a done deal. I live on Nutwood. Across from me there's a pocket

park. There's a lot of people that walk off their evening dinner. There's also dog walkers.

There's kids in the park.

They just got done expressing all the concerns about the speeding. More times than not I've seen people speed up and down the street. There's nothing being done about it. We can sit here and point fingers all evening.

The thing is that until a youngster either gets hurt or killed is when it will be taken into action. First of all, I would like to have more speed controls, talking to the officer here --

MR. HEIDER: Used to be.

MR. RZESZUTO: Okay. Well, just the same, now that I stand corrected. But there has to be more patrol there. There has to be tickets. Now somebody has a point, as far as signage goes, for three things I would like to see.

One is a weight restriction. That will prohibit a lot of concerns about people with the trucks -- you've got double axle, you've got single axle dump trucks going through. And they just take it upon themselves to do 40 miles per hour in a 30 miles per hour zone. Which they just expressed, that there's no lane for them to pass.

So how is that going to stop from somebody being out in the road walking their dog with no sidewalks? Somebody is going to get taken out. It's just a matter of when, not if.

The other one is if you can put a speed reduction in there, instead of 30 miles per hour, you could put it down to 20.

Nobody wants a one-way street. In Albany they have more signs, as far as stop signs. The other one is -- other than the weight reduction and speed signs as far as, you know, more officer patrol to watch what's going on. I've already had death threats.

I've had one gentleman that flew up the street with a twin axle dump truck with a bent wagon on it that was going back for his excavator. I gave him the motion to slow down. He basically looked at me and stepped on the gas and drove right on.

So what I did, both my vehicles are licensed and registered. I have one parked one side of the road and one on the other side, just to get him to slow down.

Then we had a confrontation and he turns around and he threatens me with a gun. Now what am I to do? Now I'm going to put myself in the

line of action, only because I'm going to save somebody's kid from getting nailed. But I'm watching these trucks, and also the cars that they're concerned about, fly up and down Albany Street -- or Nutwood. So again, that's got to be dealt with. Those are my concerns.

Now last, but not least, there's one knucklehead that lives on Bonner -- I won't mention names or point fingers -- that he has a lead foot. The minute he leaves Bonner, his foot is in the gas tank, and he's flying all the way down until he gets to Albany Street.

There's one day I'm in my driveway and I'm watching the ducks -- talking about wildlife -- they were walking across the street. And as they're walking across the street, I can hear this guy coming down the street.

So the ducks picked up the pace before they got to the other side of the street. He's mowing right for them. I stepped right out in front of the car, I go to slow him down. He turns around and gives me a piece of his mind and a few other absurdities. Once that is said, two nights later, my truck is vandalized. Filed a report, nothing is done about it.

So other than, you know, standing here;

if I gotta be the poster child to save somebody's kid from getting hit, or somebody out walking off their meal, something's gotta be done about the speed.

You're talking about traffic control. 44 more houses, two cars per house. That's 88 cars, on top of what's going through there now. So I can address their concerns the same as mine. Thank you.

CHAIRMAN STUTO: Thank you.

MR. GRASSO: So there was a couple things there, Pete. In terms of the weight restriction, that's something that the highway safety committee could look at, to see what weight restrictions are appropriate.

Obviously weight restrictions wouldn't cover the construction related traffic, because they basically got to get to the home sites. The speed reduction, 30 miles per hour is the lowest you can go in a town in New York State. That's a state law. You can have cautionary signs, but you can't post a regulatory speed limit from 30 down to 20.

CHAIRMAN STUTO: Tara Barrett.

MS. BARRETT: I just have one quick question. Every single person in here has talked

about the single point of access, but nobody has explained why there cannot be another entry into the neighborhood, so that's my question.

CHAIRMAN STUTO: I think they did try to address it, but --

MR. GRASSO: -- it's really two things.

CHAIRMAN STUTO: And let me just say, this question has been asked many, many times at every stage in this process, including from the Board. And, you know, we do have to have some trust in our professionals who are advising us --

MR. GRASSO: And we were probably the first ones to be convinced, but I think it bears repeating. There's two primary drivers. One is the topography that that road would have to cross in order to get out to Cordell.

And then the environmental constraints and whether or not you could do it physically to make the grades work. You wouldn't be able to do it to a town road section and comply with the town road standards because of the topography that's out there.

And you would have to cross a large wetland complex. There's been discussions with DEC. They would not even entertain that level of environmental impact to serve a residential

development that's 40 or 50 lots.

If it was serving a, you know, five hundred unit development, they would possibly look at it differently. But they just won't, based on the limited development that they see occurring in this area.

So it was something that was looked at extensively, but those two constraints were the primary drivers.

CHAIRMAN STUTO: Thank you. Robert Loftus.

MR. LOFTUS: I'm Robert Loftus. I live at 172 Nutwood and I'm a little concerned about, where are you developing Bonner? From Cordell to Nutwood?

MR. EASTON: From the intersection of Bonner and Nutwood all the way back into the subdivision where it widens out to the wider town road section, that one thousand feet --

MR. LOFTUS: So not from Bonner to Nutwood -- or Cordell? I'm sorry.

MR. EASTON: Bonner is not being expanded or widened from Nutwood to Cordell.

MR. LOFTUS: So I spoke a few times about Nutwood. I live at 172 Nutwood, next to the pocket park. The town decided to put a park

there, on a 19 foot road, same as Bonner. The traffic study showed an average speed of 36 miles per hour. With 85 percent of the traffic that turns left from Nutwood into Bonner, coming -- all the traffic comes from Nutwood onto Bonner, except for 15 percent of it. So nothing that I've heard from any proposal has addressed that issue.

It's great that you're going to fix the park, because the town's doing nothing about the park. But what are we doing about the speed on Bonner? I gave three proposals. I wasn't here at the last meeting and I think Joe was kind enough to read my text or e-mails.

I proposed a few things, because anybody can complain, but you should have a solution. I think I had three of them. One was making Nutwood from Overland to Bonner one way. That would reduce the traffic in half. We have other roads already in place, Fisler, that can go out to Cordell, not through Bonner, but another way.

You can make that going one way the other way, so we kind of share the wealth or lack of wealth, however you want to look at it. The other was stop signs as Overland and Nutwood.

And the other was -- there was three proposals, I forgot the third one, but none of

that has been addressed. And I don't think the Board -- what was the determination on those proposals, compared to widening Bonner from Nutwood on?

That's great, I'm not against that. But I don't think that solves the problem of speed on Nutwood where all the traffic is, based on their study, right?

MR. EASTON: Yes.

MR. LACIVITA: We presented those proposals to the traffic safety committee. And actually nothing had come back one way or the other. I think they were waiting to see where this project was morphing to. Jamie, I don't know if you had anything to add to that --

MR. EASTON: No, certainly within our traffic report, one of our recommendations based upon the speed study analysis, that the existing neighborhood was traveling very fast down Nutwood, was to add that stop sign and break that, actually, at Overland. So we put that in our traffic report, that's in there as a recommendation for you guys to consider.

MR. LOFTUS: You have to remember Nutwood has a town park on it. So the town has put a very -- you know, has put themselves in the

position to put a park to draw people to it. Parking is on Nutwood. The original proposal on that park was on Kellogg. The town changed it. There's nothing in the town record to say why.

So now we have cars parking on Nutwood, in a three car parking lot of the pocket park, and other people park on the road. So it seems like we're ignoring Nutwood.

I understood the Board has said, how far does this applicant have to go as far as access? But Nutwood is really the access. It's 85 percent of the access. So I don't understand why we're not addressing that. That's basically my concerns.

CHAIRMAN STUTO: Okay, we'll talk about that. And I remember talking about that before with you. And at least as far as my role went, we tried to direct you to the traffic safety committee. But I would like to follow up on that as much as we can.

MR. LOFTUS: The average speed on Nutwood is 36 miles per hour, which equates to 78 in a 65 mile an hour zone. And that's on a road that has multiple lanes going one way. And we have a high speed of 75 on that road.

So people drive up -- it's like a runway.

If you look at it from Albany Street to Bonner, it's a runway. It's just natural to do it. I've probably done it myself.

But it's something that should be addressed, because we're going to have double the traffic almost, or a third of the traffic, however you want to look at it, going down Nutwood. I think everyone here -- who doesn't not go down Nutwood --

CHAIRMAN STUTO: Okay, you have to address the Board.

MR. LOFTUS: The Board should ask, how many people here that don't live on Nutwood, go down Nutwood --

CHAIRMAN STUTO: Okay, the traffic study said 85 percent. We get the point.

MR. LOFTUS: Well there's a hundred percent here.

CHAIRMAN STUTO: Okay, any other members of the public that would like to speak to address those issues. You can just go up and say your name.

MR. MCGEE: Sean McGee. I live at 9 Morocco Lane. I drive Nutwood Ave every day. And the point that keeps coming up is single point of access. And it's good that they're going to

expand Bonner, I think you said to 22 feet.

CHAIRMAN STUTO: Right, a foot on either side.

MR. MCGEE: On either side. You'll see in some of these pictures, that's nice, but it's not really going to solve the problem.

CHAIRMAN STUTO: We're happy to look at them, if you want.

MR. MCGEE: Nutwood Ave. is -- this would be Nutwood, then there's several pictures of Nutwood and Bonner, mostly highlighting the limited access that's going to be there for -- my main concern would be for emergency traffic, fire trucks, ambulances. There's a few pictures there of school buses where you really can't get by.

The speed factor is obviously something else to consider. But when we keep addressing the single point of access, Bonner Ave. is the issue, but Nutwood Ave. is the main point of use for all these cars that are going out to Albany Street or Central Ave.

For Colonie residents, that's where they're heading. So the 85 percent I think is pretty important and relevant. The 19 feet that are available there, it's just not a safe situation. I know there's hasn't been an issue up

to this point.

I'm very surprised to hear that Fire Services looked at that situation and said it's acceptable to have over a hundred homes with a 19 foot access point, and no other way to get in or out of that neighborhood. So that, I guess, would be my main concern.

All the other things are valid points, but as you look at those pictures there's definitely times during day or night, that there's no way a fire truck or ambulance is going to be able to get into those neighborhoods.

CHAIRMAN STUTO: Thank you. Is there anybody else? Because then we'll get back -- okay. We'll close the public hearing. And let's talk about the off site or off -- outside that development, what your view is? I know we talked about this --

MR. GRASSO: Our recommendation -- it's beyond the authority of the Planning Board to dictate traffic control signs, off site. But I do think this Board can suggest to the highway safety committee, that based on the new development, we do think it's something that should be looked at. And the Board can go so far as to say, we do support the installation of an all way stop at a

certain intersection.

I think that's appropriate, given this development, and understanding what the speed study has shown. But it should not be a requirement of the project, only because this project can't dictate that.

CHAIRMAN STUTO: Can we do a resolution to that effect and have it delivered to the traffic safety committee? In other words, as a separate action tonight? Let's talk about what we think should be considered by that Board and do a resolution and have it delivered.

MR. GRASSO: Yes. I tried to cover the speed limit. We can cover the weight restrictions as well as installation of all ways stop.

CHAIRMAN STUTO: Can somebody take notes and jot while we're going through this?

MS. DALTON: We also talked about other kind of postings, like go slow, children playing signs --

(Public talking all at once.)

MS. BURCHHARDT: I can go like this in front of house, but they would run me over.

MS. DALTON: I don't live in a neighborhood like yours but --

MS. BURCHHARDT: It's an older

neighborhood.

MS. DALTON: And when we had teenagers, I would stand in the street, and I would actually pound the cars as they went by, and they would think they hit something and they would jam on their brakes. And I would say, aren't you glad that wasn't a kid.

MS. BURCHHARDT: We throw empty water bottles.

MS. DALTON: So I do understand.

CHAIRMAN STUTO: Let's see what the Board has to say.

MR. MION: I would recommend stop signs and Nutwood and Bonner and Nutwood and Overland, four way stops at both. Because history has dictated that, with the car dealer at the end of the street on Central and Nutwood --

MS. BURCHHARDT: That has nothing to do with it.

MR. MION: They used to test drive them --

MS. BURCHHARDT: They do not anymore, believe me.

MR. SCHIMMEL: Nutwood and Bonner has a 4 way stop.

MR. MION: Either way, if we put a stop

sign there -- also, the 75 miles an hour somebody was driving -- you saw them, I guess?

MR. EASTON: Our speed trips, we picked it up. It was about 4:00 in the morning that someone was doing about 75 miles per hour down Nutwood --

MR. MION: They might not even notice the stop sign at that time of night anyway.

MR. EASTON: Certainly the speed on that road, based upon the existing community driving on it, they were doing very well on Bonner on the speed results. But on Nutwood, people's feet kind of got into it. And some of that has to do with the very long linear stretch without that mid-block stop at Overridge (sic).

MR. MION: Maybe I shouldn't be talking in this particular way, maybe refer over to the Chief. What would your opinion be on that, as a retired former --

MR. HEIDER: This didn't make me popular when I was a police officer and it's not going to make me popular tonight. Sean McGee is here. He's been a cop for a long time. Stop signs do not slow down traffic.

In the general municipal law, in the vehicle traffic book that's about this thick, it

says you can't use stop signs to slow down traffic. Stop signs are supposed to be used to control intersections, and control intersections where there's been a noted record of accidents or near accidents and that kind of thing.

For those of us old enough to remember Colonie in the 60s, there was stop signs everywhere. Every hundred feet in the road there was a stop sign. In the 70s they took all those stop signs down because somebody took them to court on it and the town lost, because the sign was there to control speed and not vehicular safety. That's one thing.

Two, I have heard that 85 percent of the people that use Nutwood turn left to go down to the development. Then you're complaining about your own neighbors. And I've had to say this at meetings before. You're complaining about the people who live in your neighborhood. They're the 85 percent driving too fast, speeding down Nutwood.

I'm familiar with Nutwood. I don't disagree it's a very narrow road, Bonner is too. However, the Bonner Avenue residents complained about the original Morocco Lane being built. Okay? Technically it was a single point of

access. We should just put a road in there now and throw you all out.

Because adding 44 more houses doesn't make it any more or less safe than your first house on -- who lives at the corner of Lupe? It makes it no less safe than having your single house there, past that point of single access.

I understand. I live on a street with single access. So what we hope is that catastrophe doesn't happen. The width of Nutwood, the width of Bonner, you're probably not going to change to any notable amount, but any foot here or foot there is going to make a difference.

Don't get me wrong, traffic enforcement in this town is very difficult. You won't reduce it from 30 down. If you did reduce it from 30 down to 20, your average would still be 36 miles per hour. That's just the nature of the American public.

I'm not in disagreement -- we're talking about one way. However, you never one way in the middle of the block, cause all you're doing is just throwing that traffic onto your neighbor's property.

For every action with traffic enforcement and traffic management, there's a reaction. If

you make one a one way, you're just doubling the traffic on traffic street.

If you have a problem with enforcement, you should call the Chief of Police, call in a supervisor, and they will send people up there.

However if they frequently go up there, and I know they did under my administration, but the speeds just weren't there to issue tickets. Don't get me wrong, 30 miles an hour on Nutwood or Bonner looks very fast to the naked eye, because it is for that street.

But that is the municipal speed limit that we have to live with within New York State, unless you're a village, and they can go down to 25. But to be honest with you folks, if you lowered it to 25, you wouldn't see any noticeable difference.

But to that 85 percent of you who are going up Nutwood and taking a left out of the development, slow down. It's your own people. I looked at this -- and don't get me wrong, it's not a perfect situation. But as somebody already said, they were told there would be a section three. This is phase three.

Phase three could have been a blacktop plant in the back, that's what it was zoned for.

For a cement plant, for a nursery, like across the street on Cordell Road. So at some point, some smart people decided this should be residential.

Well, to go from 76 homes to 44 homes, I think you won your battle.

PUBLIC SPEAKER: Don't you think this is more -- everyone is talking about a quality of life issue for all of us that live --

MR. HEIDER: I don't dispute that.

PUBLIC SPEAKER: Nobody is really against the proposal --

MR. HEIDER: I've been on Bonner, I've been on Nutwood many times. It's two of the narrowest streets in the town. There was some discussion at one point whether Nutwood was actually a town road. I don't know how that ever came out. But during this development process there was a question of whether Nutwood was even a town road, and if you owned property on Nutwood, whether you actually owned your own property. So I don't know how --

PUBLIC SPEAKER: So I can stop paying my taxes --

MR. HEIDER: My point very much is this. It is a quality of life issue. I think at the end of the day is your quality of life less affected

by 44 homes versus 76? And is it less affected by 44 homes instead of an asphalt plant built in a forest?

PUBLIC SPEAKER: I hear what you're saying but --

MR. HEIDER: For you, this is the end.

PUBLIC SPEAKER 2: Forever wild, they're never going to build on it --

MR. SCHIMMEL: But Chief, they rejected the asphalt plant.

MR. SHAMLIAN: But there's a difference between somebody saying it's forever wild and it being deeded forever. Deeded forever wild is forever wild. A thousand years from now, it's forever wild.

PUBLIC SPEAKER 2: That's what this is?

MR. SHAMLIAN: Yes.

MR. EASTON: The 42 acres is deeded forever wild.

MR. SHAMLIAN: It's different than a developer saying 20 years ago, yeah, that will be wild forever. That was commonplace for people to say and it didn't mean anything. This is different.

MR. MION: I would like to address the single point of access concern. I feel for Mr.

McGee, Sean, with being on Morocco and it's a dead end street right now and it's going to be a single point of access. But if you were to make another point of access, then you're asking for more traffic.

You're asking for more people to cut through, because that's the way it works in Colonie. They look for different ways to go. That's what we were talking about in the last project. That's why the lady on Oxford Drive said, I'm concerned about them cutting through Oxford Drive to Sparrowbush.

There were people here from another neighborhood that were concerned about the traffic and speed of traffic because they cut through to Pollock. So a lot of cut through, Colonie is known for cut-through traffic. And unfortunately that's the way it's been designed and that's the way they use it.

People get stuck in traffic, they find another way. If they go down Bonner, maybe it's connected to Lansing, people go up to Lansing. The people on Lansing would go through Bonner. There would be a lot more traffic, I think in general, looping through your neighborhood than you would want.

PUBLIC SPEAKER 3: It wouldn't happen.

MR. MION: Or if they came off Cordell?

PUBLIC SPEAKER 3: No, it would be a waste of their time.

PUBLIC SPEAKER: What we're saying is, this development would have its own entrance. It wouldn't connect up with where we're at right now.

PUBLIC SPEAKER 2: And you talked about phase 3. Phase 3 was proposed with its own egress and now --

MR. MION: That was for the industrial plant. I wasn't here for that.

CHAIRMAN STUTO: We have already closed the hearing. Chief, I agree with everything you said, by the way. I think you said it well and you made a lot of concise points.

MR. HEIDER: If I can make one more comment?

CHAIRMAN STUTO: Absolutely.

MR. HEIDER: If you had the second point of access on Cordell Road, that would probably mean that was developer land. And instead of getting 44 homes, you would have gotten 144. Think of it that way. No developer is going to take a road over property that can't be taken unless they can develop that.

So if our engineer, who I have immense faith in, says you couldn't have built a road there, then that means you couldn't have built a road there. But if you could have, that's zoned single family residential, and that would be just that many more houses.

CHAIRMAN STUTO: Craig?

MR. SHAMLIAN: I agree with what the Chief had to say as well. I do understand certainly the concerns about emergency vehicles, but just as we rely on our TDE to provide us with engineering expertise, we rely on Fire Services to provide us with guidance on what they feel is an acceptable situation.

I think I probably reasonably assure you that if a fire truck has to get down these streets, and there's cars on both sides, it's going down the street. The cars are getting knocked into front yards. The fire trucks will get through. If they said they can get through, they can get through. And that's what we have to rely on.

They're saying that --

(Public speaking all at once.)

MR. SHAMLIAN: The point is, we're relying on Fire Services to tell us whether or not

they find it an acceptable situation. If they didn't, we wouldn't be here with this project. But they're telling us that they don't have an issue with the situation.

MR. SCHIMMEL: May I say one thing?

CHAIRMAN STUTO: Susan, do you have any --

MS. MILSTEIN: I just have one question. There's so much concern about the safety and they're expanding the road from 19 feet to 22 feet on Bonner, is there any way of putting sidewalks along parts of it, that might help?

MR. EASTON: Due to the -- even though there's a 50 foot right of way, the -- one area of the houses I'll say, which would be on the east side of Bonner -- most of the houses sit lower than the road.

To put a sidewalk in that area would be very difficult. And on the other side, a couple of the homes actually are pushed really close to their property line.

I mean it's right there, ten feet, literally from the existing edge of pavement. So to try to put a sidewalk through that area would be difficult on the west side, you know. It would just be very difficult in that location, just due

to topography issues.

MS. MILSTEIN: I don't know if there's any other places where a sidewalk might have a place?

MS. BURCHHARDT: I would love a sidewalk.

PUBLIC SPEAKER: How do you weigh public comment against other considerations? I mean --

CHAIRMAN STUTO: Kathy, did we already do this? Are you done or --

MR. MION: I kind of got on the fire truck thing...but Ladies and Gentlemen, if it's a serious enough situation, and there's multiple homes on fire and there's a car in the way, the fire truck is going to push the car out of the way.

I was with volunteer fire services for many years too. And we, you know -- if you're in the way and you don't get out of the way, the fire truck has the priority to get through there, to help whatever is going on.

So if you're parked legally -- if you're parked out in the road too far -- that's the way it is. You've seen people -- it happens all the time in the city, where they bust through windows because people are parked in front of fire hydrants.

I'm not saying we're barreling down the road, blowing cars out of the way. But if it had to happen in one instance, whatever -- but would it ever happen? Chances are very very slim. So you shouldn't really take that as, you know -- take it for what it's worth, okay?

PUBLIC SPEAKER: Since the point of contention is this report, is there an opportunity for --

CHAIRMAN STUTO: Public -- we're not taking open questions anymore. I'm sorry.

MR. AUSTIN: All I can say is I agree with everything that's been said here. We hear you. And I think this project is a good project. I hear your concern about the one way in.

I had an issue with that since the beginning of this project, but I also understand why they can't do it. So I think it's a good project, myself.

MS. DALTON: So I've been around long enough to remember when this was zoned industrial as the Chief was talking about. And I remember public comments during those periods of time where people were adamant, absolutely adamant, that this was supposed to be a single family residential neighborhood.

So the zoning was changed, the town listened. I understand everything that you all have said. I truly appreciate you coming out and taking your time to talk to us about it.

I know it's never easy to come to a meeting like this and have to wait your turn, and be here until 10:00 at night when you have other things to do. So it's not like we're taking comments and ignoring you.

It's really important to recognize all of the things that we're weighing. And one of you asked, you know, we're weighing the fact that this has been asked to be a residential neighborhood instead of an industrial neighborhood.

If it was industrial you might have had, you know, less cars going by, but giant trucks. I can remember when this was supposed to be, what was it 66 or 80 --

MR. EASTON: It was in the high 60s, yes.

MS. DALTON: And people showed up against that. They were adamant that was too many houses on a small piece of property, especially given the constraints of this piece of land. We went through conservation overlay. We insisted they drop down the number of houses.

I get this is not ideal, but this

developer has worked consistently with the community over a number of years to try to bring this project to fruition, and people have a right to developed their property.

So my last comment is, I completely get your problems with the traffic. As I mentioned, you know, when you get teenage kids especially, you get more problems than you expect.

I really encourage you, the way you showed up with us tonight, you really need to be working with the police department. You need to be working with the supervisor.

You need to get your voices heard with people that can do something about that. But that's not within our purview. We can't fix that. You need to step up, make your voices heard.

Again, that's what community involvement is all about. I thank you all for being here tonight.

CHAIRMAN STUTO: Thank you to the neighbors, thank you Kathy. Chief said it, what I wanted to say, but better than I could have said it, so I won't repeat that. There does come a point after meeting -- I don't know how many public meetings we have had on this, and we have heard a lot of public comment and a lot of good

comment.

And we have done our best to try to answer the questions. And after a while it gets somewhat repetitive, and that's fine too, but there comes a point where it all has to come to a head and we have to either vote yes or no and do what we're paid to do.

I'm suggesting that right now is the time to do that. I think we do need to talk through a couple points. What are we going to recommend to traffic safety, if anything, specific or general, and also with respect to construction traffic restrictions.

My suggestion is to designate the town designated engineer as the point person to communicate the thoughts we had today, and between you and the head of the department, Joe LaCivita, to work -- as part of this project, to bring these issues to the town -- to the traffic safety committee.

You heard what the Chief said about the stop signs, and we heard what the neighbors said. So if we can get that on the agenda and have a discussion -- do they have public meetings, Joe?

MR. LACIVITA: Yes, they have open meetings and review all the projects --

CHAIRMAN STUTO: Are you pretty confident you can get it on their agenda and discuss these issues?

MR. LACIVITA: I believe so.

CHAIRMAN STUTO: And I also -- with respect to construction traffic, I personally am comfortable delegating that to the town designated engineer of the department. I don't know how everybody else feels about that. I don't know if I can give particular opinions on each corner and so on and so forth.

And I would also ask for a specific communication with the school district, just so that they're fully aware, with respect to the bus stops.

Okay. That said, we do have to take these items up. And we have time periods legally that we're obligated to take votes on these things, so we have to do it.

I think the first thing would be the environmental review on this, before we take action items on the other things.

MR. GRASSO: It's an unlisted action so it does not require the preparation of a full environmental assessment form, but a short environmental assessment form was prepared.

Part 1 is prepared by the applicant. It basically describes the proposed project and the environmental setting of the project site.

Part 2 is the actual impact assessment, which is the responsibility of the lead agency. There's 11 questions that talk about the project's relative impact on things such as land use, intensity of use of the land, the character or the quality of the existing community.

Whether or not there's critical environmental areas that would be impacted. Talks about the changes in the level of traffic. Touches on the impacts on energy usage, infrastructure of the town, including water supplies and sewer facilities. Talks about the project's impact on historic, archeological and other aesthetic resources. Talks about the impact on natural resources, such as wetlands, water bodies, ground water, air quality, flora and fauna.

It also talks about the potential for drainage impacts of increased flooding and erosion. And then it also talks about the impact on human health.

You know, these forms acknowledge the fact that development is always going to create

some level of impact, but it's more important about trying to understand the significance.

And whether or not, if significant impacts are determined, whether or not they could be appropriately mitigated. So based on the way the project has been designed, it's our recommendation that it's either a no or a small impact will occur on those things that I highlighted.

So based on that, Part 3 is the actual determination of significance, which is the responsibility of the lead agency. And basically this determination means that based on the analysis in the short environmental assessment form and the supporting documentation in the project files, that the project will not result in a significant adverse environmental impact, and therefore is not needing to go into further environmental study.

CHAIRMAN STUTO: Okay. I would like to make an observation, which is the conservation subdivision, which allows the developer to build on smaller lots and allows a lot of the lands to be preserved; can you tell me the acreage again?

MR. EASTON: Of preserved lands?

CHAIRMAN STUTO: Yeah.

MR. EASTON: 43.01 acres.

CHAIRMAN STUTO: Okay. And that's 72 percent?

MR. EASTON: That's 72 percent.

CHAIRMAN STUTO: I think that's significant, that's a significant mitigation, over what could have occurred on this site. In addition to that, can you give me the numbers on the residentials that could have been built, and then are being built?

MR. EASTON: That could have been built was 69 units, and proposing 44.

CHAIRMAN STUTO: I think that's a significant mitigation too. So that's my comments on the environmental impact. And we'll have preserved lands deeded to the town, eventually to the Pine Bush. Any other comments?

MR. GRASSO: There's a resolution in your packets for consideration by the Planning Board. I would be happy to paraphrase that --

CHAIRMAN STUTO: We would ask you -- you're talking about the SEQR resolution?

MR. GRASSO: Yes, SEQR resolution only.

CHAIRMAN STUTO: Is that something you can give to the stenographer?

MR. GRASSO: Yes.

CHAIRMAN STUTO: So we'll ask the stenographer to enter the entire resolution into the record.

MR. GRASSO: NOW, THEREFORE, BE IT RESOLVED that the Planning Board declares itself lead agency for the purposes of SEQR review and.

BE IT FURTHER RESOLVED that based on a thorough review of the project by the Planning Board, that there would be no significant adverse environmental impacts and no EIS will be required and

BE IT FURTHER RESOLVED that the attached negative declaration be adopted in accordance with SEQR.

CHAIRMAN STUTO: Do we have any discussion on that?

(There was no response.)

CHAIRMAN STUTO: Do we have a motion? Kathy? Second? Second, Lou. All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it. Next item for consideration is the land use law conservation findings. Joe, can you help us with

that?

MR. GRASSO: Sure.

CHAIRMAN STUTO: Do we have a resolution here? We'll ask the stenographer to put the entire resolution in.

MR. GRASSO: Yes.

WHEREAS the Planning Board has determined that the subdivision design would benefit from a reduction in lot size and reduction in minimum front yard setback in order to preserve additional existing vegetation within the project limits; and.

WHEREAS based on the amount of unconstrained lands and a base residential density of two units per acre, the maximum allowable density for the project site is 69 units, and the applicant is only proposing to build 44 units which is well below the maximum allowable density, and

WHEREAS, the proposed subdivision has been designed with a minimum lot size of 8400 SF, minimum lot width of 60 feet and minimum front yard setback of 20 feet, to reduce the overall grading limits of the project and permit additional existing vegetation to remain; and.

WHEREAS the applicant is proposing to

preserve 48.6% of the unconstrained lands within the project; and.

WHEREAS, when the amount of constrained lands is included, 72.1% of the existing parcel will be preserved, totaling 18.72 acres.

NOW THEREFORE BE IT RESOLVED that; based on the Planning Board review of the subdivision application and conservation analysis, the Planning Board hereby determines that the project complies with the requirements of the Conservation Development Overlay District. Note: Total 43.01 acres of constrained and unconstrained lands.

CHAIRMAN STUTO: Can we make a notation on that, to put the total --

MR. GRASSO: What's that total, including the constrained and unconstrained?

MR. EASTON: Total of constrained and unconstrained is 43.01 acres.

MR. GRASSO: Okay.

CHAIRMAN STUTO: Make sure that she gets that.

MR. GRASSO: Because I have it wrong in my draft resolution. I was only counting the unconstrained.

CHAIRMAN STUTO: Any comments on that resolution? Do we have a motion? Craig made a

motion. Do we have a second? Lou, second. All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it. Main question before the Board is on the subdivision -- on the question of the final subdivision approval. Subject to the conditions that we set forth today -- or as set forth by the town departments, and as set forth in the town designated engineer's communications.

Also, to repeat what we requested is that the town designated engineer work to his best ability with the town department head to get on the traffic safety committee to discuss the issues that we discussed tonight on the surrounding roadways, to see what mitigation or changes could be made there to improve the situation.

Also, the power to designate where construction should go on the site is delegated to the town designated engineer and the department head. And --

MR. GRASSO: Just -- I would like to interject just for clarity on the issues to be brought to the highway safety committee's

recommendation. One is -- just to make sure that the Board is comfortable with going in these directions. One is to restrict construction traffic on Morocco Lane --

CHAIRMAN STUTO: To the extent -- I want you guys to study it more.

MR. GRASSO: Understood, but I don't want to go against something that the Planning Board is supportive of.

MR. SHAMLIAN: My personal thought is that -- take a look at it, because there are some houses that -- by preventing it from being at all on Morocco, or 90 percent of it on Morocco, you're hurting other people.

MR. GRASSO: Understood.

MR. SHAMLIAN: I think there needs to be a balance.

MR. GRASSO: So that will be looked at. The second would be weight restricting Nutwood. And then the third would be additional traffic controls at those two intersections?

CHAIRMAN STUTO: Right, and you can look at one ways as well, but you just have to make sure that they thoroughly consider all those issues. That's what we're asking you to do.

MR. GRASSO: My recommendation, from an

engineering perspective, is that the one ways should not be considered in this type of setting, so I wouldn't recommend that --

CHAIRMAN STUTO: You looked at it closely?

MR. GRASSO: We have, yes.

MR. SHAMLIAN: What about things like speed humps? I mean I --

MR. HEIDER: We don't care. DPW would care.

MR. GRASSO: Let me just add a generalization about additional speed control measures; whether it be signage, speed humps, enforcement, whatever.

MS. DALTON: With regard to the traffic safety, would it be acceptable and appropriate that if any of these community members want to go to the traffic meeting, when you get on the agenda, Joe; can they sign up with you to be informed what the date would be?

MR. LACIVITA: I don't know how they notify their meetings, Kathy. I'd have to look into that.

MS. DALTON: Right. What I'm suggesting is that we not ask them to notify, but when you know when you'll be on the agenda -- so anybody

tonight, if they want to contact you and say, please let us know when you're going to be on the agenda, could you get back to them and let them know?

MR. LACIVITA: I will do my best, yes.

MS. DALTON: So if anybody in the community would like Joe to try to reach out and let you know when and if he gets on the agenda, please e-mail him -- I know you're giving me a look, but --

MR. LACIVITA: Kathy, you put me in a very tough position, because if I miss one person, it will be very tough -- so I'll do the best I can.

MS. DALTON: And the onus is on the citizen to reach out to you and give you their information to begin with. Please understood that if there are any mistakes, this is not something typically do, so we'll do our best. Okay? Thank you.

MR. MION: Joe -- Joe Grasso, just to clarify about the signage. Even though Chief said, and I totally agree, stop stops are just a Band-aid, they don't really fix the problem.

But to really look at that, because it might help a couple people slow down. It might

help with that one person who's flying down there, and sees that straightaway, then sees stop signs --

MR. GRASSO: The reason why -- and this comment comes up all the time, and I agree with chief. Three way stops, four way stops are not intended to be a speed control device but -- and we do this study all the time.

And sometimes we do recommend, if there's a lot of other factors that we take into consideration about safety, sight distance, pedestrians. So there's things that would get looked at if the traffic safety committee wants to consider it.

MR. MION: The residents have been very vocal about this.

CHAIRMAN STUTO: Do you have enough?

MR. GRASSO: Yes.

CHAIRMAN STUTO: Okay. Back to the motion. Construction traffic restrictions, general traffic issues just outside of Bonner, and also to notify -- if Joe can notify the school district, so they could consider where the buses -- do we have a motion?

MR. HEIDER: Let me add one thing. Don't get me wrong. I understand about the construction

traffic. I don't know if the whole Board knows. Bonner runs all the way down to Morocco, right?

MR. GRASSO: Yes.

MR. HEIDER: So what you're saying is you want to put all the construction traffic over Lupe Way. Who's here from Lupe Way?

MR. SCHIMMEL: I'm here.

MR. HEIDER: At the end of the day, the portion of Morocco affected by heavy traffic is only about five hours. It's at the end of Morocco. Am I correct or not?

PUBLIC SPEAKER: That's correct. But the concern is running the length of Bonner where there's 30 houses, versus affecting a smaller number of --

MR. HEIDER: I get what you're saying, but I want the Board to understand that it's Morocco -- Sean, where you live on Morocco, you won't have a truck in front of your house. It's only the very end of Morocco that will be affected by this. I'm just concerned about the people on Lupe Way also.

CHAIRMAN STUTO: That's why I'm suggesting --

MR. HEIDER: -- part of this construction will be at the end of Morocco.

CHAIRMAN STUTO: And we're delegating that to Joe to work out.

MR. GRASSO: Yes.

CHAIRMAN STUTO: So that all said, do we have a motion?

MR. HEIDER: I'll make a motion.

CHAIRMAN STUTO: Chief makes a motion. Second? Brian seconds. All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it. Thank you. We are adjourned.

(Whereas the above entitled proceeding was concluded at 10:00 p.m.)