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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

HOFFMAN SENIOR HOUSING, PDD
1 ALICE AVENUE
APPLICATION FOR AMENDMENT TO PDD

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing on
October 16, 2018 at 7:51 p.m. at The Public Operations
Center, 347 Old Niskayuna Road, Latham, New York

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

ALSO PRESENT:

Kathleen Marinelli, Esq., Counsel to the Planning
Board
Joseph LaCivita, Director, Planning and Economic
Development
Luigi Palleshi, PE, ABD Engineers.
Joseph Grasso, RLA, CHA.
Donna Mitchell.
Dorothy Mitchell
Kim Dingley
James Maloney

1 CHAIRMAN STUTO: Hoffman Senior Housing, PDD, 1
2 Alice Avenue, application for amendment to PDD, 140
3 Senior Apartments with 90 unit assisted living facility.

4 Joe LaCivita, do you have any comment on this
5 before we go to the applicant?

6 MR. LACIVITA: Sure, Peter. Just to give you a
7 brief history on the project here, we adopted this PDD
8 for the use. It was a combined use under June 2011
9 Resolution 353 of 2011. The applicant has been working
10 with the Town Departments and the Town Supervisor's
11 office on seven iterations of the project. We have a
12 Resolution before us for 2018 to make some minor changes
13 to the overall PDD and that's why we are here this
14 evening to see this amendment.

15 MR. PALLESHI: Good evening. Luigi Palleshi
16 with ABD Engineers. I am here tonight, as Joe LaCivita
17 has mentioned, for 1 Alice Lane. I have a couple of
18 boards here. I will start with the 2011 that was
19 prepared and received concept approval back in 2011.

20 The project is 36.6 acres. It had gotten
21 approved for the Hoffman Senior Planned Development
22 District. The main access drive is off of New York
23 State Route 2, Eastview Drive. This is Eastview
24 Apartments at the south end of the site (Indicating).

25 There is an existing residential neighborhood

1 off of Eastern Avenue. The reason it is called 1 Alice
2 Lane is there is a dead-end called Alice Avenue and
3 the parcel addressed is off of 1 Alice Avenue.

4 The eastern portion is the dry river. There
5 are steep slopes down in the easterly portion of the
6 site. There is a National Grid Easement or lands, I
7 should say, that bisect the land. When this project
8 got approved for conceptual three-story buildings,
9 there were two of them with a large parking surface.
10 It was 170 senior market rate apartment units, as well
11 as a 90-bed assisted living memory care facility.
12 There is a secondary access off of Alice Lane, but
13 that was used as emergency only. Back in 2011 there
14 were stormwater regulations and there was some design
15 that was put forth on this since 2011. Obviously,
16 stormwater regulations have changed. So, here we are
17 in 2018 asking for an amendment to the PDD because
18 there are a few minor changes. I think they are for
19 the better. So, here we are.

20 We had the same conceptual idea here. The
21 main access off of Eastview Drive - - there is a
22 little different configuration coming in the site here
23 (Indicating). We did do a preliminary grading plan to
24 look at how we would rate this. As you can imagine, if
25 you have been to the site, there are some steep slopes

1 that we have to work around.

2 We consolidated the building. Instead of two
3 buildings we are proposing one building. It is the
4 same thing. Instead of 170 units, we have reduced the
5 number of units to 104 units. So, just alone by
6 reducing the units, a lot of the SEQR items that
7 already went through with the first phase of this
8 first approval - a lot of the water usage, sanitary
9 usage and items like that will also get reduced with
10 this concept.

11 By reducing the number of units, it is a
12 positive benefit, environmentally.

13 We are, as part of this amendment, keeping
14 what we call Phase II. That is the 90-bed assisted
15 living/memory care. If we go through with this PDD
16 amendment, we will be bringing the 140-unit senior
17 market rate apartments before the Planning Board to be
18 a detailed site plan. Phase II will be part of the PDD
19 Resolution, as was in 2011. That will be set up and we
20 will bring that back before this Board when we are
21 ready to construct that.

22 Again, the driveway coming north to Alice
23 Lane - it is the exact same configuration as what was
24 approved back in 2011. It will also be proposed as
25 emergency only. There is water and sewer available on

1 site. There is an existing water main that is a
2 10-inch main that runs north of the property and
3 through the property and we will obviously be
4 connecting to that.

5 Sewer is available on Alice Avenue. Due to
6 the grades, we will have a grinder pump station and we
7 will force main it up to Alice Avenue. As I mentioned
8 earlier, the stormwater - the newer regulations
9 obviously need to incorporate green infrastructure
10 whereas previously it did not. So, when we looked at
11 the preliminary grading, we do have several areas for
12 stormwater management areas and bio retention because
13 the soils on site don't accommodate infiltration.
14 There is hardly any sands out on the site.

15 The bigger notes that I would like to
16 highlight tonight is previously along Eastern Avenue,
17 the proposed driveway was 161 feet. What we are
18 proposing is 175. So, what we are trying to do --
19 because after reading a lot of the minutes and the
20 history that this project has, it is to preserve a lot
21 of these trees for the residents on Eastern Avenue.
22 So, not only did we pull the driveway further away, we
23 also pulled the building further away. So, originally
24 the concept was about 570 feet. What you see here - we
25 would like to amend it to 600 feet. We are angling the

1 buildings so that there is a great view looking east.
2 Having the L-shaped building actually provides a nice
3 view for the residents that will be there.

4 We also took into account the topography of
5 the site whereas it is a three-story building, but
6 because the grades drop from west to east or north to
7 south let's say, we are able to do a walkout basement
8 on the backside of this. So, you would come in the
9 main entrance and this will all be a three-story
10 building. I have a building elevation conceptually
11 here, but you would come in and there is a drop-off
12 area and also circulation all the way around the
13 three-story with a walkout.

14 We are at about 1 1/2 parking spaces per
15 unit.

16 The federal wetlands on site - there are some
17 that will be disturbed, but very minimal. As I
18 mentioned, there is about more than 80% open space on
19 this project. Again, we are trying to consolidate a
20 lot of things to preserve the screening to the
21 residents.

22 Some of the other items as part of the PDD
23 Resolution will still apply. Some of those things are
24 the proposed outlook - a lot of the things you read in
25 today's PDD Resolution will be also proposed. Nothing

1 else will change other than the highlighted things
2 that we are asking tonight, as far as building
3 configurations and obviously a reduction in the number
4 of units and things like that.

5 This is the building elevation that we
6 conceptually put together (Indicating). As you can
7 see, this is looking at it coming in from the main
8 entrance.

9 This is the main entrance porte cochere. We
10 have stone façade mixed with vinyl siding and some
11 cedar shakes, Gables and architectural shingles. The
12 height of what you see here is in conformance with
13 what the conceptual improvements was approved for, as
14 part of the 2011 PDD. I know there's a lot to this
15 project. I know I probably missed a few things, but at
16 this time I will turn it over to the Board if there's
17 any questions.

18 CHAIRMAN STUTO: We will follow our normal
19 procedure. We have had this reviewed by our own Town
20 Designated Engineer, again it is CHA.

21 Joe Grasso, could you offer us your comments,
22 please?

23 MR. GRASSO: Sure. I handed out a letter. It
24 did not make it into your packets, but it is dated
25 September 18 from our office. It basically reviews the

1 project.

2 Luigi did a good job describing the changes.
3 We agree that the change to the project, since it was
4 originally conceptually approved and the PDD was
5 approved, takes the project in a good direction. We
6 think that it is less impactful on the environment and
7 the neighbors and just a better overall more refined
8 site plan approach.

9 There are couple things that I just wanted to
10 bring to the Board's attention. The original PDD
11 approved back in 2011 had required pedestrian
12 accommodations along the development roadways. The
13 amended narrative indicates that due to the lack of
14 existing pedestrian facilities along Route 2 and the
15 steepness and length of the internal access road, that
16 a sidewalk connecting off-site is not being proposed.
17 That dovetails into our next comment where it says the
18 previous PDD plan included a continuous pedestrian
19 connection down to a long road heading north - not
20 that we knew where the terminus was. We thought that
21 was a very desirable and important feature of the
22 project. Again, this is a PDD so public benefits is a
23 required component. Although we agreed constructing a
24 sidewalk at this time with no logical terminus may not
25 be prudent, additional investigation and review into

1 the native pedestrian improvements as part of this
2 project should be provided. I think that is something
3 important for the Planning Board to understand and
4 weigh in before the project gets a new PDD approval.

5 The project is in the Boght Road/Columbia
6 Street GIS -

7 CHAIRMAN STUTO: Let's talk about that -
8 pedestrians. What is your opinion? What are you saying?

9 MR. GRASSO: We think that this type of project
10 is going to be a generator for pedestrian activity. We
11 would like to see a sidewalk connection to local
12 roadways. Obviously, Route 2 is a state road. There are
13 no pedestrian facilities there. Nonetheless, because of
14 the scale of the project, we feel that it may be nice
15 for people to want to walk off the site and get into
16 other neighborhoods. We think it is something that
17 should be looked at certainly at least before it's just
18 dismissed and taken off the plans. Again, it's not just
19 about the internal road pedestrian system. The Board may
20 say that's all that should be provided for the project,
21 but we just think at this stage of the project, we
22 should take the more holistic view and see how this fits
23 into other areas where pedestrians may want to walk.

24 CHAIRMAN STUTO: What does everybody think?

25 MR. MION: I've walked the property and it is a

1 pretty steep hill. Like I said, you have to be a
2 mountain goat to walk the property to begin with. It is
3 pretty steep back there. I don't really think a sidewalk
4 would be necessary, myself. I think it would be more of
5 a hindrance to the people who are going to be living
6 there.

7 MR. SHAMLIAN: Internal sidewalk - - it's not a
8 public benefit. That is internal to the property. I
9 don't think that we should have them put in sidewalks on
10 Route 2. We should look for public benefit that actually
11 has some benefit. There are that many people who walk on
12 Route 2. Maybe there would be if there was sidewalks.
13 It's going to be a short piece of sidewalk.

14 Internal is different. Despite the fact that
15 it is not an easy walk, they probably should be. That
16 has nothing to do with public benefit.

17 MR. AUSTIN: Joe, is the nature trail
18 considered a public benefit?

19 MR. GRASSO: A public benefit is something that
20 would benefit - other than the people internal to the
21 development -

22 CHAIRMAN STUTO: Can the people from Eastern
23 get over, or are able to make their way over to it, or
24 would it connect somewhere else? It has been a while
25 since we have seen this project.

1 MR. GRASSO: I believe that they can through
2 the emergency access drive. They can get to the site and
3 then connect to that system. I don't know if that is
4 intended to be a public trail. I didn't interpret it
5 that way as it is designed.

6 CHAIRMAN STUTO: Well, they have already
7 approved the PDD.

8 MR. GRASSO: But it was approved with a
9 pedestrian connection down Route 2 and then to the north
10 where it just stopped.

11 CHAIRMAN STUTO: What is the public benefit? I
12 cannot recall. It has been a while. What was the public
13 benefit?

14 MR. GRASSO: We were not involved back in 2011.

15 MR. PALLESHI: If I could just add to it? Being
16 that there are steep slopes, we don't want to encourage
17 seniors to walk out onto Route 2. As Joe Grasso
18 mentioned, there is no terminus point. There are not
19 sidewalks on Route 2. I would hate to see my clients
20 spend foolish money on Route 2 and put in sidewalks that
21 people may never use. I would rather put that money to
22 good use and have my client have some sort of mitigation
23 fee for sidewalks or someone else can actually use it.

24 CHAIRMAN STUTO: How much time do we have to
25 make this decision or study this? You are asking for an

1 amendment on the PDD. I know they're not going to get
2 their final vote tonight, correct?

3 MR. LACIVITA: That's correct. The intent was
4 to bring it here because it was a slight change to the
5 number of units and a slight design change. So, we need
6 to amend the PDD. The question of the pedestrian access
7 and what was going to be done internally was still sort
8 of a question. That's why we didn't do a finding
9 statement and submit to the Town Board. We have an
10 opportunity to look at that again while we and work on
11 the pedestrian conditions.

12 MR. GRASSO: If it is desirable and the Board
13 is supportive of an off-site pedestrian connection, we
14 can look at it with the value of that improvement and
15 then take that and bring it back to the Board. Really,
16 it is a PDD approval. So, it is something that the Town
17 Board often weighs in on - the level of public benefit -
18 and see if there is another use like Luigi is
19 suggesting. There could be another public benefit that
20 is more beneficial to the public other than a sidewalk.

21 CHAIRMAN STUTO: That is an important issue
22 that we have to consider.

23 Okay, if you could keep going through your
24 letter?

25 MR. GRASSO: Sure.

1 So, it is in the Boght Road/Columbia Street
2 area GIS so mitigation fees will apply. Since the
3 project was originally approved, the stormwater
4 management design guidelines have substantially
5 changed - the DEC regulations - so they will be
6 required to modify the stormwater in accordance with
7 the current regulations.

8 We had some comments about the specific types
9 of stormwater management they are looking to use and
10 some of the limitations of those that they will have
11 to take into consideration. Again, that is something
12 they would normally address as they go through a
13 preliminary and final design process.

14 Luigi said this is tributary to the dry river
15 drainage system which flows down to the City of
16 Watervliet which experiences flooding with the
17 drainage area downstream of the site. Concern had
18 previously been raised by the City of Watervliet
19 regarding stormwater discharges from this project. We
20 recommend, as the project advances through the design
21 process, that we engage the City of Watervliet as well
22 as obviously our office in the Town's stormwater
23 management office so that we all feel comfortable
24 regarding the stormwater management approach and
25 ensure that there aren't going to be anymore or any

1 exacerbated flooding issues off-site down in the City
2 of Watervliet.

3 The last comment was regarding our SEQR
4 review. Because of the reduced scale of the project
5 and the reduced level of traffic and environmental
6 impacts, we believe that the previous negative
7 declaration that was issued for the project still
8 remains valid. That is something that we will continue
9 to review that documentation to make sure that there
10 is nothing in this project that would trigger the need
11 for additional SEQR review. If it is, then we will go
12 through that process accordingly.

13 CHAIRMAN STUTO: Any comments before we go to
14 the public?

15 (There was no response.)

16 I think the first person on this project is
17 Donna Mitchell.

18 MS. DONNA MITCHELL: The first thing I would
19 like to mention is that I know that you spoke about soil
20 studies. Are you aware that it is not soil? The majority
21 of that is clay. Fennimore Trace Apartment buildings
22 have already been mitigated once because they are
23 sliding toward Watervliet. You can see when you're
24 driving up Route 2 - the wall that has been put there to
25 try to retain that.

1 If you go by there on a daily basis, you will
2 notice that signage is flipping again. Fennimore Trace
3 is sliding towards Watervliet. I don't know if you
4 want all of your elderly people sliding into
5 Watervliet, just saying. Thank you.

6 CHAIRMAN STUTO: Okay, we will have that
7 addressed in a moment, ma'am, or at least discussed.

8 Dorothy Mitchell.

9 MS. DOROTHY MITCHELL: I would just like to say
10 that if you are in that neighborhood at all at any time,
11 you will see that it is not equipped to have a lot of
12 traffic going in and out on Eastern Avenue.

13 I am concerned about Alice Avenue. I'm the
14 only house on Alice Avenue. When we moved there over
15 40 years ago my husband and I paid to have that road
16 put in because there was no road there at the time. It
17 is barely enough room for one car. Eastern Avenue
18 can't handle that traffic either - in or out with a
19 lot more pedestrian traffic or passenger cars. So, I
20 would like to know what effect it's going to be with
21 my home. I have to know that I can get out at any time
22 or have emergency vehicles come to my home if I need
23 them. Thank you.

24 CHAIRMAN STUTO: You are off the end of Alice
25 Avenue? I have a map here.

1 MS. DOROTHY MITCHELL: Yes.

2 CHAIRMAN STUTO: We will discuss your issue, as
3 well.

4 Kim Dingley.

5 MS. DINGLEY: Tonight you brought up Alice
6 Avenue being used for emergency vehicles. Is that the
7 only way emergency vehicles will enter?

8 MR. LACIVITA: That's a secondary -

9 CHAIRMAN STUTO: Ma'am, you have to address the
10 Board.

11 MS. DINGLEY: If that's the only way emergency
12 vehicles are going to come in and out of that
13 neighborhood, we can't even get firetrucks to come down
14 in front of our house.

15 CHAIRMAN STUTO: It is through Eastview Drive
16 and Alice.

17 MS. DINGLEY: Secondly, the wetlands that are
18 going to be disturbed. How is that going to impact our
19 property for homes on Eastern Avenue? We already have
20 swamps in our backyards because of wetlands. If they
21 disturbed that, how much are we going to be able to
22 utilize our yards?

23 The traffic flow - we can handle traffic in
24 the neighborhood. Our school bus has to maneuver
25 around cars now. To add additional traffic, we can

1 handle it. We can't get a snowplow up there, but twice
2 a day in a bad snowstorm. It is not an ideal
3 situation. We have stop signs. We don't get the police
4 to come up and monitor to remove the no parking. We
5 call over and over again. If you had more traffic to
6 this neighborhood, our roads -- they have been paved
7 in I can't tell you how long. I have lived in this
8 neighborhood 23 years. I have seen it paved maybe
9 once. It's not sustainable to take on traffic.

10 CHAIRMAN STUTO: You are referring to Eastern?

11 MS. DINGLEY: Eastern - I live on a dead-end. I
12 have traffic that flies down.

13 CHAIRMAN STUTO: Which road are you saying here
14 has not been paved?

15 MS. DINGLEY: Eastern, or Western, or Rose or
16 Lillian; those are the four streets in our neighborhood.
17 We get patch jobs. We don't get a full pave. We haven't
18 had it.

19 MS. DOROTHY MITCHELL: Just one quick thing.
20 You can't get Alice Avenue without going through Eastern
21 Avenue. It's not possible.

22 CHAIRMAN STUTO: We will have an alternative
23 route after this.

24 Let's try to address those questions. We will
25 go to the applicant first and if Joe Grasso wants to

1 help, he can.

2 Soil content - all clay - I'm not sure if
3 buildings are shifting or not.

4 MR. PALLESHI: That's not for me to determine.
5 Fred Dante actually did soil analysis on the site back
6 in 2011. We are actually consulting with them as we
7 advance with our grading and utilities plan, if we
8 advance this plan. They will certainly be reviewing it
9 because as it is noted from 2011 with any project you
10 need to see what type of soils are there. You have to
11 design your structures based on the soils. So, we would
12 definitely have a geotechnical engineer who does this
13 professionally. We will review our grading plan to
14 resolve any issues there.

15 CHAIRMAN STUTO: Joe, do you agree with that?

16 MR. GRASSO: Yes. All I would add is typically
17 projects don't involve the use of a geotechnical
18 engineer at this stage of a project. Obviously, because
19 of the soils and the slopes on the site, obviously the
20 applicant is concerned about this issue as well. They
21 are engaging one of the best geotechnical engineers in
22 the area, Fred Dante. So, we are confident so long as
23 Fred does a thorough investigation, we review it and put
24 the appropriate design in place, that they can build on
25 the site in this location without any concerns for

1 slipping.

2 CHAIRMAN STUTO: Can you just give an example?
3 If it is all clay - - just a hypothetical example of
4 what you would do.

5 MR. GRASSO: You change your grading. You
6 change the maximum slopes that you are allowed. You
7 establish additional protections to reduce the risk of
8 erosion and slippage on the site. Sometimes you reduce
9 some of the loading on the slopes now. There are a
10 number of techniques, but it dovetails into what your
11 proposed program is on the site and designing
12 accordingly based on that. I think the important thing
13 is that it is a great concern and it is something that
14 we are aware and the applicant is and we are going to do
15 additional engineering methods to make sure that it is
16 designed appropriately.

17 CHAIRMAN STUTO: Since it is related, what
18 about stormwater and what the impact will or will not be
19 on the adjacent residences.

20 MR. PALLESHI: So, that refers to some of the
21 wetland questions that she had asked. Eastern Avenue is
22 on the westerly side. That is uphill from our project.
23 The stormwater will flow easterly, away from the
24 residences. The wetlands in this area - yes, it is
25 flatter up in there and that is why there are wetlands.

1 It is capturing all the development and flowing onto our
2 property, but it does naturally drain and it is
3 tributary to the dry river. We are proposing minimal
4 wetland disturbance, but we are crossing them and
5 putting in culverts. We are not blocking the flow of
6 water. The culverts will allow the water to continually
7 flow through, as you see today. I believe we are at 1/10
8 of an acre disturbance of wetlands.

9 CHAIRMAN STUTO: Do you agree with that?

10 MR. GRASSO: Yes. There won't be any impacts.
11 Like Luigi said, all the drainage is away from Eastern
12 Avenue/Alice Avenue. Obviously, all the stormwater
13 runoff is going to be maintained and treated for water
14 quality and quantity before it is released downstream,
15 but it is going to head southeast down toward
16 Watervliet.

17 CHAIRMAN STUTO: So the bigger issues are down
18 toward Watervliet - on the end of the property.

19 MR. GRASSO: Yes.

20 CHAIRMAN STUTO: Traffic and road conditions -
21 can we talk about that?

22 MR. PALLESHI: Yes. Alice Avenue is for
23 emergency only. It is not the only emergency entrance to
24 this project.

25 MR. GRASSO: So, that's gated and no through

1 traffic.

2 MR. PALLESHI: No through traffic.

3 MR. GRASSO: There should be no traffic on
4 Alice Avenue or Eastern Avenue as a result of this
5 project, unless there is an emergency - none, zero.

6 MR. PALLESHI: All of the residents that will
7 be going in and out of this facility is off of Route 2
8 and the Eastview Drive driveway that is currently there.
9 They will circle in and circle out. This is only used
10 for emergency only.

11 CHAIRMAN STUTO: Does Alice Avenue need to be
12 beefed up at all?

13 MR. PALLESHI: I don't know, but that is
14 something that we can certainly look at. My initial
15 thinking is only one resident is using it right now or
16 maybe two. The amount of traffic that is using it right
17 now - I can't imagine that it is in bad shape, but we
18 will certainly look at it.

19 MS. DOROTHY MITCHELL: I have to know where
20 this emergency exit is going to come onto Alice Avenue
21 and how it will go off - - and let other traffic in and
22 out.

23 CHAIRMAN STUTO: Can you describe the gate that
24 is there?

25 MR. PALLESHI: Yes. So, it will be something

1 that will be further detailed. It will be a crash gate
2 that will be to the Fire Department standards.

3 CHAIRMAN STUTO: They said it was a wooden
4 fence, I think, right?

5 MR. PALLESHI: No, it will be metal.

6 MR. GRASSO: But it will not be across Alice
7 Avenue. It is across your driveway.

8 MS. DOROTHY MITCHELL: I know it is not across
9 Alice Avenue, but it will be running east and west. I
10 have to go toward the west to get out.

11 CHAIRMAN STUTO: It's not a block you in.

12 MR. LACIVITA: It is on their property.

13 MS. DOROTHY MITCHELL: And that road is not
14 wide.

15 MR. PALLESHI: It is wide enough to
16 accommodate -

17 CHAIRMAN STUTO: We are going to analyze that
18 and take a look at it. If you go close to it, he will
19 show you where the gate will be.

20 MR. PALLESHI: Only in the case of an
21 emergency, the Fire Department will have a key - there
22 is a lock and key or it is a crash gate, depending upon
23 the emergency, they may crash through their to get to
24 where they need to be.

25 CHAIRMAN STUTO: Any other questions?

1 (There was no response.)

2 We will turn it over to the Board.

3 Susan, do you want to go first?

4 MS. MILSTEIN: I just have a question about the
5 soils, since you are looking for a redesign of the
6 building. Whether you affect the side of your building
7 the way it is proposed - - like, one building as
8 compared to the higher configuration?

9 MR. PALLESHI: The reconfiguration of the
10 building wasn't determined due to the soils. It was
11 simply due to the fact of trying to utilize the
12 topography on the grades.

13 MS. MILSTEIN: I understand that, but would a
14 further analysis affect the determination of whether it
15 should be a one building or -

16 MR. PALLESHI: Not necessarily because as Joe
17 Grasso mentioned, it all depends on your foundation
18 design to withstand the soils and the loads from the
19 proposed buildings. Whether you do a wider footing,
20 whether you deepen your footing to get harder grounds -
21 things like that. Lines are done in geotechnical borings
22 go down to make sure that whatever the foundation design
23 is, it is stable for the building.

24 CHAIRMAN STUTO: Any other comments or
25 questions from the Board?

1 MR. HEIDER: I have just one quick question.
2 You're talking about phasing this with that second
3 building, right?

4 MR. PALLESHI: Yes,

5 MR. HEIDER: That emergency loop would be
6 created for the emergency access.

7 MR. PALLESHI: That would have to be for the
8 secondary emergency access, yes.

9 CHAIRMAN STUTO: Can you show the elevation of
10 the building again?

11 MR. PALLESHI: Yes.

12 CHAIRMAN STUTO: I think you have addressed a
13 lot of the neighbors' concerns and they are valid
14 questions. I think the stormwater is not going to get
15 any worse. The traffic is not going to get any worse in
16 the sense that it's all going to be accessed by
17 Eastview, Route 2, except for the emergency. We will
18 analyze Alice to see if it's adequate for the emergency
19 vehicles and so forth.

20 I think the pedestrian versus a different
21 public benefit is an important discussion to have. I
22 think that you should talk to Town Hall and the Board
23 Members, as well, because this is a two-part process;
24 it's us and the Town Board approving a PDD.

25 The architecture - it doesn't really even

1 look like the building because it is a V-shaped
2 building.

3 MR. PALLESHI: Yes. That's looking at the side
4 of it (Indicating). The other side will be similar. So,
5 these two sides are similar in than the grade drops.

6 CHAIRMAN STUTO: I think that we would like
7 more detail on that.

8 MR. PALLESHI: We can certainly add that, yes.

9 CHAIRMAN STUTO: And all the other things that
10 are mentioned in CHA's letter by the Board - if you can
11 study that a little further. You are reducing the size
12 of what is already approved. I think that's a positive
13 and I think the Board seems to be okay with that. So, I
14 think you are getting positive feedback with all of
15 those suggestions.

16 I don't think we need to take a vote tonight,
17 Joe, right?

18 MR. LACIVITA: Correct.

19 CHAIRMAN STUTO: So, we will see you back with
20 more detail, as these issues get worked out.

21 MR. PALLESHI: Just help me understand the
22 process so I can get back to my client. We have to
23 ultimately get back to Town Board, correct?

24 MR. LACIVITA: Correct.

25 MR. PALLESHI: So, would these further details

1 as far as - at this point, it would be architectural and
2 the emergency access.

3 MR. GRASSO: And the public benefit.

4 MR. PALLESHI: The public benefit - I thought
5 we agreed that we would be looking to put money in
6 escrow -

7 CHAIRMAN STUTO: I don't know if we agreed to
8 that. It is either pedestrian versus that, versus
9 another specific project.

10 MR. GRASSO: We have to understand the value,
11 if you wanted to talk to the Town Board Members about it
12 to see if there are things that should be applied to in
13 lieu of that and bring it back to the Planning Board and
14 discuss it with the Planning Board and see if you are in
15 agreement.

16 CHAIRMAN STUTO: Right, and look at the history
17 of what the public benefit was because it was a while
18 ago.

19 MR. GRASSO: And then the need for improvements
20 to Alice Avenue.

21 MR. PALLESHI: Okay. So, we will look at that
22 and be back here and then maybe at that point the Board
23 has to officially make a recommendation back to Town
24 Board.

25 MR. LACIVITA: Correct, and we have to have a

1 finding statement.

2 CHAIRMAN STUTO: Even if you have one issue
3 that is a variable, you can either say public benefit A
4 or public benefit B, we can draft that in the
5 alternative. We do have to have an officially drafted
6 PDD amendment. The more you talk to staff and Town Hall
7 - Town Board staff, the more you will come back with -

8 MR. PALLESHI: Understood, thank you.

9 CHAIRMAN STUTO: There is one other gentleman
10 who wants to speak; James Maloney.

11 MR. MALONEY: I would just like to know where
12 your gate is going to be.

13 CHAIRMAN STUTO: Okay, we can take this
14 discussion off-line after the meeting. You either
15 address the Board - we can't tie everybody up why you
16 guys are talking.

17 MR. PALLESHI: What he is referring to is the
18 location of the emergency access. It's in the exact same
19 location as it was conceptually approved in 2011.

20 We can certainly preserve as many trees along
21 the back of your property and/or a dad additional
22 buffers - pine trees or whatever. That is something
23 that we can certainly work through. The location is
24 what it is. It is the same location we had it in 2011.
25 You can't move it further east because we are already

1 at the end of Alice Avenue.

2 CHAIRMAN STUTO: When you come back, can you
3 tell us what you are proposing in order to screen that?
4 You can talk to him after the meeting.

5 Thank you.

6 (Whereas the above entitled proceeding was
7 concluded at 8:09 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and
Notary Public in and for the State of New York, hereby
CERTIFY that the record taken by me at the time and
place noted in the heading hereof is a true and
accurate transcript of same, to the best of my ability
and belief.

Dated: _____

NANCY L. STRANG
LEGAL TRANSCRIPTION
2420 TROY SCHENECTADY RD.
NISKAYUNA, NY 12309

