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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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CRISAFULLI SENIOR LIVING  
PLANNED DISTRICT DEVELOPMENT  
28 EVERETT ROAD  
SKETCH PLAN REVIEW

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing on  
February 2, 2020 at 7:00 p.m. at Memorial Town Hall,  
Loudon Road, Newtonville, New York

BOARD MEMBERS:  
PETER STUTO, CHAIRMAN  
CRAIG SHAMLIAN  
STEVEN HEIDER  
SUSAN MILSTEIN  
CHIP ASHWORTH  
LOU MION

ALSO PRESENT:  
  
Kathleen Marinelli, Esq., Counsel to the Planning  
Board  
Michael Tengeler, PEDD  
Michael Crisafulli  
Daniel Hershberg, PE, Hershberg & Hershberg  
Joseph Grasso, RLA, CHA

1                   CHAIRMAN STUTO: Welcome everybody to the Town  
2 of Colonie Planning Board. We have three projects up for  
3 discussion. They are significant projects, I would say.  
4 They happen to only be sketch plan reviews, so there  
5 will not be public comment taken. I just want to get  
6 that out up-front. If they come back, assuming they come  
7 back, there will be plenty of opportunity for public  
8 comment. I think it's a good opportunity for the Board  
9 to see the initial proposal from the applicants. All the  
10 drawings and a general project description is online.

11                   For the people who haven't been here, and the  
12 new location we are simulcasting online. It's an  
13 online video of the proceedings tonight. We have an  
14 enhanced video projection system here. It worked  
15 pretty well the last two times and we're hoping that  
16 it still does. We have the projections behind us, as  
17 well.

18                   Mike Tengeler is from the Department of  
19 Economic Development and Planning.

20                   Do you have any business comments before we  
21 get started?

22                   MR. TENGELER: No, not tonight Peter. We can  
23 get right into this.

24                   CHAIRMAN STUTO: First project is Sam's Club,  
25 fueling station, 479 Troy Schenectady Road. The

1 application is for a new 192 square foot fueling station  
2 with a 4,787 square foot canopy.

3 Is the applicant here?

4 (There was no response.)

5 Okay, we will table that. I'm not sure what  
6 happened.

7 Actually, we have Crisafulli up at 7:10. I'm  
8 afraid were going to have to wait six minutes. We will  
9 stand in recess for six minutes.

10 (There was a break in the proceedings.)

11 We will call up the next project.

12 Crisafulli Senior Living Planned District  
13 Development, 28 Everett Road. The proposal is to  
14 construct a four-story, 49,400 square foot building  
15 with 153 independent living apartments for 55 plus and  
16 60 parking garages. We will turn it straight over to  
17 the applicant.

18 MR. CRISAFULLI: Just to clarify, the footprint  
19 is 49,400 square feet. I think that's an error on the  
20 agenda. The building is actually four times the size.

21 CHAIRMAN STUTO: Okay, thank you.

22 MR. CRISAFULLI: Sure.

23 CHAIRMAN STUTO: Mike, can you make note of  
24 that?

25 MR. TENGELER: Yes.

1                   MR. CRISAFULLI: My name is Michael Crisafulli  
2                   with Crisafulli Associates. Tonight's proposed project  
3                   consists of 153 active adult living apartments on 10  
4                   acres on Everett Road.

5                   The intention behind this project was to  
6                   fulfill a very large need that has been identified. In  
7                   looking at demographic studies within the five-mile  
8                   radius around the project site, the total population  
9                   is expected to grow only 1.2% by 2023. However, those  
10                  age 65 to 74 is expected to grow by 14.5%. The age of  
11                  75 to 84 by 14.1% and ages 85 and over by 4.1%.

12                  This represents a very large growth in the  
13                  senior audience. It has been well documented over the  
14                  last couple of years. Our research shows that there is  
15                  an extremely high occupancy level for senior housing  
16                  projects in the area and a large need for additional  
17                  senior housing projects. A recent survey that we  
18                  conducted of senior housing projects in the Town of  
19                  Colonie show 99% occupancy rate. This project will, of  
20                  course, be age restricted to 55 and older as well so  
21                  it will be in the active adult category.

22                  We believe that there's a very large  
23                  opportunity in the affordable or middle-market space.  
24                  A lot of the projects that you see are expensive or  
25                  subsidized. Not being that we are a not-for-profit

1           entity, we are subject to all the property taxes and  
2           everything else. We can't compete with subsidized but  
3           we believe because we built, we manage, develop and do  
4           everything ourselves, we can get to a price point that  
5           hopefully can capture this audience that seems to be  
6           missing out. We're seeing a lot of things on the  
7           higher end and a lot of things on the subsidized end.  
8           The higher end is keeping people out. The subsidized  
9           often has two-year waiting lists. We are trying to hit  
10          that middle with this project.

11                         This is a similar concept to the complexes  
12          that we own on Aviation Road which is not age  
13          restricted, but it is larger and a multi-story  
14          building that is highly amenitied and well staffed and  
15          well-kept and well-managed. We intend on bringing that  
16          concept to this site for the senior audience.

17                         Careful consideration has been given to the  
18          design of the site in the buildings. We have arranged  
19          the buildings on the site to minimize the impact on  
20          the adjoining residential uses, as well as to maximize  
21          the green space of which we have 65%. We were able to  
22          negotiate a shared access point to the lands of the  
23          Zaloga Post, which is the property in front. We  
24          believe this will create the best possible scenario  
25          for both properties. We also believe that to develop

1 this property with the least impact on the traffic and  
2 to fulfill the largest need that exists - we cannot do  
3 that under the existing NCOR zoning. That's why we are  
4 seeking a PDD.

5 I think it's important to note at one point  
6 early on in this process that we had planned 105,000  
7 square feet of medical space, all of which would've  
8 generated 6 1/2 times more traffic than this proposed  
9 project. That was a zoning compliant project. We  
10 intend on complying with all the design standards of  
11 the planned development district. We of course intend  
12 on identifying a public benefit that will be in line  
13 with similar multi-family PDD's that have been  
14 approved by the Town and we will work with the Town to  
15 identify that, should we get to that point.

16 From there, I will turn it over to Dan to get  
17 into the particulars of the site plan.

18 MR. HERSHBERG: Thank you Michael. Dan  
19 Hershberg from Hershberg and Hershberg. We are the  
20 consulting engineers for the project.

21 I will point out that the site is 65% green  
22 which exceeds the capacity. There is a stream course  
23 at the bottom and this is a 100-foot setback and is a  
24 significant environmental area (Indicating). We don't  
25 plan on doing any disturbance to that area. We don't

1           need any significant area variance. The project  
2           attempted to stay away from the adjoining residential  
3           basically by putting a large green area there. We will  
4           add screening at the site here (Indicating).

5                         We talked to the people at Pure Waters  
6           Departments. We could hook up to a sewer here and here  
7           (Indicating). Two sewer locations are preferable  
8           because to have such a large building, you have to run  
9           a pipe at 2% to go across the building and it might be  
10          better to have two sewer connections than one. If one  
11          is needed, that sewer is deep enough to accommodate  
12          it.

13                        We propose to bring a water system in from  
14          Everett Road.

15                        By the way, I apologize. The application  
16          actually said 28 Everett Road. This is 28 Everett Road  
17          Extension. It led to a lot of confusion. This is not  
18          that at all.

19                        The water main is on the opposite side of  
20          Everett Road Extension. We would bring a water main  
21          into the site and run it around here and go down and  
22          out this road right here (Indicating). We would put  
23          another hydrant here, which was requested by the Fire  
24          Services Department at the DCC meeting. All the  
25          radius's work so the fire truck can access the front

1 of the building, or the rear or any other point on the  
2 building. So, we've already considered that from a  
3 fire safety standpoint.

4 As Mike said, there are 60 garages there are  
5 180 surface parking spots. That gives us 240 total  
6 parking spaces. That's 1.57 per unit for 153 units.  
7 The Code does not differentiate for senior housing. It  
8 calls for two parking spaces per unit. We think that  
9 would be significantly excessive for senior housing.  
10 We proposed a PDD to only qualify for the parking that  
11 we intend to build. We are not even sure, as we get  
12 into the final details here, whether or not we might  
13 want to bank a small portion of that which is not  
14 being needed even for 240 parking spots. It may be  
15 excessive for the needs.

16 There is a stormwater management issue here.  
17 I think it's a porous pavement area. The soil survey  
18 shows that it's hydrologic Class A and B soils. This  
19 is ideal for porous pavement.

20 For roof drainage, we can either put it  
21 subsurface in the pavement area with a subsurface  
22 infiltration basin to distribute it, or we could have  
23 plenty of space back here to put some sort of  
24 infiltration basin in. Our preference is to keep it  
25 all interior to our parking area. It won't be

1 noticeable at all and nothing really to maintain other  
2 than they serve those catch basins.

3 From the traffic standpoint, as Mike  
4 mentioned, there are other uses that we considered. We  
5 actually went through three or four iterations of  
6 plans for medical office buildings and general office  
7 buildings. We ran the IT numbers on them. We checked  
8 with James Merkel from Albany County Department of  
9 Public Works - the traffic engineer. He says my God,  
10 that would be a disaster putting that in. This roadway  
11 already backs up drawing peak a.m. times and p.m.  
12 times. It may be okay, but getting in at peak a.m.  
13 times would be difficult or making a left turn out at  
14 p.m. peak times would be difficult.

15 When Mike thought of going with senior  
16 housing, I said that will be a great relief to the  
17 traffic engineers. Senior housing is one of the lowest  
18 generators of traffic demand. We sent the figures out  
19 to Jim Merkel and he couldn't comment until he gets an  
20 actual application in front of him, but he said that  
21 looks much better.

22 Also, the Zaloga Post has a driveway here.  
23 Talking with the Zaloga Post, the Crisafulli's we're  
24 able to arrange for a joint driveway so we're going to  
25 take this driveway and move it a little bit in this

1 direction - a little bit north east of here and close  
2 this driveway (Indicating). So, there will be one  
3 driveway. There will be the same number of curb cuts  
4 that there are now. There is a curb cut permit set for  
5 the site. That is down here which I don't know how we  
6 would use, given the traffic situation in the a.m. and  
7 p.m. hours. It will be very difficult to get traffic  
8 out there. We don't intend to use that. We think  
9 essentially from a fire safety standpoint that it does  
10 not need a second entrance. You have less than 200  
11 units in a multi-family residential construction that  
12 is sprinklered. You do not have to have a second  
13 entrance. We could have shown a second entrance going  
14 down here, but we thought it was better to show it  
15 without it, being that Fire Safety is okay with it as  
16 long as it is fully sprinklered.

17 CHAIRMAN STUTO: How hard would that be to  
18 accomplish?

19 MR. HERSHBERG: A portion of the roadway would  
20 have to be rebuilt but other than that, we could do it.  
21 It's not a huge big deal. Having checked with Joe  
22 Bisognano from Fire Safety, he said there is no need for  
23 it. So, we would like to not do it. If it is determined  
24 later that there is a reason to do it, we could  
25 certainly do it.

1 Sewer, water and storm water facilities are  
2 all available to us or could be made available. A lot  
3 of it is already secondary scrub growth. There's not a  
4 huge number of large trees. There are some trees  
5 upfront here which some of them in the right-of-way  
6 are not particularly attractive. We want the ability  
7 to landscape the area to make it look nicer. The goal  
8 here would be to landscape this area to provide  
9 screening. Obviously, there is internal landscaping.  
10 We actually meet the Code requirements for 20 square  
11 feet per parking space with our islands. We are  
12 meeting those design standards.

13 I'm prepared to answer any questions that the  
14 Board may have.

15 CHAIRMAN STUTO: Okay, as with all of our  
16 projects here for the Planning Board, they are reviewed  
17 by our Town Designated Engineer which is an outside  
18 engineer hired by the Town to do exactly that. Today we  
19 have CHA. Joe Grasso is here.

20 Joe, I know you haven't completed a formal  
21 review, but have you looked at this project enough to  
22 give us comments?

23 MR. GRASSO: Yes. I will go through my notes.

24 Because it is a PDD application, it starts  
25 with a referral from the Town Board. We assume that

1 the Town Board has already passed a Resolution  
2 referring this to the Planning Board. We will need a  
3 copy that to refer to it in some future documents.

4 The project looks to use the frontage from  
5 another property. That would typically trigger the  
6 need for an open development area application. We are  
7 looking for confirmation on that. We couldn't tell  
8 from the plan whether or not a land transfer is going  
9 to occur. Regardless, it appears like in ODA may be  
10 required for that.

11 CHAIRMAN STUTO: Mr. Hershberg, do you agree?

12 MR. HERSHBERG: Again, if we don't own the  
13 frontage where the roadway is going, we do have to apply  
14 for -

15 CHAIRMAN STUTO: Is that so? Do you know if  
16 that is so?

17 MR. HERSHBERG: We would have to apply for in  
18 ODA.

19 MR. GRASSO: So, that's a request that goes to  
20 the Town Board.

21 MR. HERSHBERG: The Zaloga Post is going to  
22 continue to own that area. We are going to have an  
23 easement over it.

24 CHAIRMAN STUTO: Do you have frontage on any  
25 road?

1 MR. HERSHBERG: Yes, we have frontage on the  
2 road.

3 CHAIRMAN STUTO: So you do have frontage.

4 MR. HERSHBERG: We have plenty of frontage. The  
5 problem is that the definition says that the frontage  
6 needs to be where your ingress/egress takes place.  
7 That's why it triggers the ODA.

8 MR. SHAMLIAN: Where is the actual property?

9 MR. HERSHBERG: The parcel is here and it comes  
10 out here (Indicating). That light green is the limits of  
11 our property. This piece is owned by the Zaloga Post.

12 CHAIRMAN STUTO: That's what we are asking. It  
13 doesn't look like you have any frontage because there's  
14 grass there.

15 MR. HERSHBERG: The normal frontage definition  
16 is your right-of-way. That right-of-way line -

17 CHAIRMAN STUTO: So, it's governmental  
18 right-of-way.

19 MR. HERSHBERG: Yes, that's normally how you  
20 define it.

21 CHAIRMAN STUTO: It looks larger.

22 MR. HERSHBERG: We have plenty of technical  
23 road frontage, but we don't have frontage when we intend  
24 to make access to the site which we believe triggers the  
25 requirement for an ODA. I think Joe Grasso concurs.

1                   CHAIRMAN STUTO: I don't need to belabor the  
2 point. It's confusing as to what you own and what you  
3 don't own.

4                   MR. HERSHBERG: It took a large right-of-way  
5 when they put Everett Road Extension in because they had  
6 drainage facilities in there. Some of these are also  
7 made up by what the parcel limits were. If they were  
8 cutting off a piece of parcel and it only left a little  
9 piece of it, than they took it over to another property  
10 line so as not to leave a small piece of parcel with no  
11 use. That's why some of this has this odd shape.

12                  MR. GRASSO: So, just to discuss the procedure  
13 - the way the ODA starts is the applicant makes the  
14 request the Town Board. The Town Board considers it  
15 initially. They make the referral to the Planning Board  
16 for review and comments similar to the PDD. The Planning  
17 Board then gets that and considers that. We would  
18 recommend that the ODA and the PDD get considered at the  
19 same time, but we need those Resolutions on file in  
20 order for us to go to this application.

21                  From a SEQRA standpoint we would expect that  
22 the Town Board is going to be lead agent, as they  
23 typically are, for PDD and ODA applications. So, the  
24 Planning Board won't be required to make a SEQRA  
25 determination.

1                   In terms of the access, Everett Road is a  
2 highly trafficked commercial corridor. We know that  
3 there is queuing that occurs at the signals. We want  
4 to make sure that this access point isn't impacted by  
5 the current operations of Everett Road and that we  
6 have a safe access point being proposed for this as  
7 well as the Zaloga Post. So, we would recommend a  
8 detailed traffic study be provided at the concept  
9 stage, so that we can make sure that there are no  
10 operational concerns with the access point of both. If  
11 there are any concerns that come out of that traffic  
12 study, this project site does have frontage on Duffy  
13 Street which is a side street off of Exchange Street.  
14 Access could also be considered there. Then, if you  
15 come out of that other street, you've got access to a  
16 signalized intersection which would be a safer  
17 intersection location of controlled access on Everett  
18 Road. We're not totally sold on the access arrangement  
19 for this project.

20                   CHAIRMAN STUTO: On traffic, do you agree with  
21 their statement? Will the alternative uses net 6 1/2  
22 times the traffic? Is that just a.m./p.m.?

23                   MR. GRASSO: Typically during the p.m. peak  
24 hour, which is the one they typically look at, I agree  
25 that there are a lot of uses on the site. The most

1 highly intensive would be an office use that would  
2 generate a lot more traffic. It is something for the  
3 Planning Board to consider.

4 CHAIRMAN STUTO: The 6 1/2 times thing -

5 MR. GRASSO: That's something that I'm not  
6 prepared to say. The 6 1/2 times is a great number, but  
7 we will get a traffic study and we will validate what  
8 those numbers are. They could be three or four times. We  
9 will see that later on in the process. It is a  
10 substantial increase between an age-restricted apartment  
11 complex compared to office use.

12 In terms of the parking, you don't need a  
13 parking waiver because this is a PDD so you're able to  
14 establish unique parking demands based on your  
15 proposed use. We generally support a reduction from  
16 the Town's two spaces per unit requirement because it  
17 could promote green space surface area.

18 CHAIRMAN STUTO: How many spaces are shown on  
19 the drawing? I wasn't clear on that.

20 MR. HERSHBERG: The number is 240.

21 CHAIRMAN STUTO: That would be normal Code?

22 MR. HERSHBERG: No, that's 1.57 parking spaces  
23 per unit which is less than Code for much more than you  
24 normally need for senior housing.

25 CHAIRMAN STUTO: So, you would be in favor of

1 banking parking?

2 MR. HERSHBERG: If the one.57 was available to  
3 us, we would make a more detailed review prior to coming  
4 back to folks and say a portion of this we would even  
5 like to bank because we don't think we even need the  
6 157. The 157 was picked out because it was sort of  
7 between halfway between one and two. A lot of senior  
8 housing are now putting 1.3 parking spots per unit.

9 MR. GRASSO: There is industry parking  
10 generation data that we are going to rely on as to what  
11 the rational parking ratio should be based on the  
12 proposed use. We know it's going to be less than two  
13 spaces per acre, but we want to validate it to make sure  
14 it's the right number. Obviously if there is a risk  
15 factor, than we can look into that land bank parking and  
16 use the number that's currently proposed. Just in terms  
17 of the underlying zoning - again, this is a planned  
18 development district which changes the zoning. The  
19 underlying zoning is NCOR,  
20 neighborhood/commercial/office/residential. That zone  
21 allows a maximum building footprint of 15,000 square  
22 feet. The building that they are proposing has a  
23 footprint of 49,400 square feet. That's something for  
24 the Planning Board to consider. That's part of the  
25 reason that they are asking to go with a planned

1 development district.

2 CHAIRMAN STUTO: Just so that everybody  
3 understands, if they went by the conventional zoning  
4 they would have to break the building up.

5 MR. GRASSO: That's right.

6 CHAIRMAN STUTO: It would be two or three or  
7 four.

8 MR. GRASSO: Yes. So, the maximum height  
9 allowed in that zone - the underlying zone is 40 feet.  
10 So, the way I look at it is with a 15,000 square  
11 footprint and a 40 foot maximum height, you could  
12 probably do a three-story office building - small-scale  
13 office building. A three-story office building is going  
14 to fit within the 40 foot height. So, the maximum  
15 building size with a 15,000 square feet footprint is  
16 45,000 square feet. As the applicant had said, this  
17 building is just shy of 200,000 square feet - total  
18 building size.

19 Because it is a PDD and we want to look at  
20 the change in density, we would recommend that they go  
21 through a constraints analysis to determine the  
22 maximum development potential under the existing  
23 zoning. It is a 10 acre project site. If all of the  
24 area was unconstrained - and we know that there are  
25 some constraints because of the wetland corridor and

1 street and existing slopes. But if it was  
2 unconstrained, the zoning allows 18,000 square feet  
3 per acre. So, you would be allowed to develop the site  
4 with 180,000 square feet of space.

5 When you take that maximum commercial number,  
6 80% of that can be converted to a residential use. So,  
7 if you did that, that would allow 48 single-family  
8 homes to be developed on the site. That would be with  
9 a minimum lot size of 6,000 square feet. So, that's  
10 what would be allowed. If you wanted the comparison to  
11 be what the underlying zoning allows from a  
12 residential standpoint, 48 single-family homes - -  
13 again, this is all based on totally unconstrained  
14 lots. They are currently proposing 153 apartments. So,  
15 that's the change in density and change in land use  
16 that the Planning Board has to consider.

17 CHAIRMAN STUTO: So, you would suggest that we  
18 get a layout - if it were unconstrained and built  
19 according to Code?

20 MR. GRASSO: First, as part of that concept  
21 submission, I would at least like to see the constraints  
22 analysis done so we can be talking in real numbers. So,  
23 we want to be talking about the real density numbers  
24 that the underlying zoning would allow.

25 Another step to that would be okay, we know

1           what the maximum would be allowed based on the math  
2           but what can you actually fit based on the  
3           configuration of the site and whatever that maximum  
4           scenario would be? That's something that we would want  
5           to bring up now to the applicant so they are aware. We  
6           would want to see what a total conversion to  
7           residential and the 80 percent would be. Or, we could  
8           say show us how the layout with 15,000 square feet of  
9           office space would be. Obviously there are multiple  
10          scenarios, but we would want to inform the applicant  
11          what is needed to help you make decisions.

12                   CHAIRMAN STUTO: I would ask the applicant: Do  
13           you know the height of the building?

14                   MR. HERSHBERG: It's about 60 feet high. It's  
15           four stories but because of the residential nature,  
16           floor to ceiling may be higher.

17                   MR. GRASSO: So, that's something to consider.  
18           So, the maximum height allowed per the underlying zoning  
19           is 40 feet. They are proposing a building of 60 feet.  
20           So, the Planning Board should consider that.

21                   There was some discussion about the public  
22           benefit. PDD's typically have a public benefit  
23           component. During the DCC meeting that the Town  
24           Engineering Department brought up some concerns about  
25           downstream flooding that currently occurs in the area.

1           There was some discussion about the need for study and  
2           possible improvements. That is something that could be  
3           looked at for public benefit. That is something that  
4           we have to get into that dialogue regarding - does a  
5           public benefit work and if so, what is the scale? Is  
6           it a monetary public benefit, or are there physical  
7           improvements - public improvements that should be  
8           built as part of the project?

9                       CHAIRMAN STUTO: I may not be remembering this  
10           right, but I thought I recall talking to Joe LaCivita.  
11           If they had done some kind of flooding study - Everett  
12           Road - - Mike Tengeler, do you remember? I think it was  
13           six or seven years ago, or was it just discussion?

14                      MR. TENGELER: I think it was just discussion,  
15           though I can't speak to the specifics of that.

16                      MR. HERSHBERG: If I may put on my former  
17           Albany Sewer Engineers hat, there is a constraint on the  
18           Albany side.

19                      The constraint is the Patroon Creek sewer is  
20           in a large pipe, but not large enough to handle. The  
21           sewer comes in through the Sand Creek and goes into  
22           the Patroon Creek. The capacity of the Patroon Creek  
23           to accept the full flow from the sand Creek is not  
24           there. So, consequently a lot of that water backs up  
25           into the Sand Creek and comes out and it's called the

1 West Albany flooding area which is what it is. This  
2 area is still called West Albany. There used to be a  
3 municipality called West Albany. It was partially in  
4 Albany and partially in Colonie. That's in the old  
5 days. I wasn't even around for that. That sort of  
6 constraint does exist and it's not apt to change very  
7 much.

8 To re-do the Patroon Creek interceptor sewer  
9 would be very expensive and the city has to reduce the  
10 flow to it so the city properties are not adversely  
11 affected by it, unless there was a joint municipal  
12 need to increase the size of it. There was a study  
13 done I think about 10 years ago now. I forgot who did  
14 it, but it was an engineering firm who is not Clough  
15 Harbor and not Hershberg and Hershberg.

16 CHAIRMAN STUTO: Would that be in the Town  
17 record somewhere?

18 MR. HERSHBERG: I think so. I don't know how  
19 complete the study was. I think I was gathering  
20 information to find out. I think people want to know: Is  
21 there a simple fix here that somebody missed? So, they  
22 took a quick look at it. I don't know whether they have  
23 gone into the depths of it of how you would handle it.  
24 You already to have a significant water storage  
25 structure off Exchange Street in the Town that stores

1 stormwater. The question is: What else would you do to  
2 prevent flooding there? It's not a simple problem.  
3 You've got a very large low-lying area with a number of  
4 dwellings on it. It does flood fairly regularly.

5 CHAIRMAN STUTO: Thank you.

6 MR. GRASSO: Another thing that should be  
7 looked at - we believe there is a single-family home on  
8 Duffy Street that's going to be demolished as part of  
9 the project.

10 MR. HERSHBERG: Yes.

11 MR. GRASSO: It looks like the project site has  
12 frontage on Duffy Street and there may be some other  
13 existing single-family homes that have access through  
14 the project site. We would just want some confirmation  
15 regarding the limits of the Town right-of-way and any  
16 access rights to the project site from those adjoining  
17 properties to make sure we are not compromising any  
18 access roads by the proposed project.

19 There was discussion about the emergency  
20 access. Even though Fire Services did not say that a  
21 second means of access needs to be provided because  
22 it's not required by Code, it's just something that  
23 should be considered from a planning consideration. If  
24 Duffy Street is there, access rights are available to  
25 it. An emergency access condition is something that

1 should be considered.

2 That's all we've got so far.

3 CHAIRMAN STUTO: Okay, we will open for  
4 questions.

5 Craig?

6 MR. SHAMLIAN: So, you are proposing a building  
7 at 60 feet and the ground elevation at the point of the  
8 building is what? I'm trying to get a sense of how much  
9 higher from Everett Road to the top of the building -  
10 what we're talking about.

11 MR. HERSHBERG: The ground in this area -  
12 Everett Road Extension has a grade on it anyway going  
13 down towards Sand Creek. We are significantly higher  
14 than the stream of Sand Creek. I think we are about 30  
15 feet higher than the bed of the Sand Creek. It's about  
16 20 feet higher than Sand Creek Road. Probably going from  
17 seven or eight feet higher at the Zaloga Post end of it,  
18 to 10 or 12 feet higher as it goes past our site. The  
19 ground we are building on is definitely higher than the  
20 average grade of Everett Road Extension.

21 CHAIRMAN STUTO: What would you estimate that  
22 to be?

23 MR. HERSHBERG: On an average, maybe eight or  
24 nine feet higher.

25 MR. SHAMLIAN: Joe was talking about

1 constrained lands. You have a calculation at this point?

2 MR. HERSHBERG: We haven't done a calculation.  
3 The constraints are the stream course, the significant  
4 environmental area and grades. I think the grades in a  
5 significant environmental area coincide. There doesn't  
6 seem to be very much more steeper grades, but it's  
7 primarily if you want to figure it out and you take a  
8 look at the site plan, if you figure from the edge of  
9 this significant environmental area to this line here  
10 (Indicating) which is another portion of Sand Creek Road  
11 and interceding property on it. The constrained land  
12 would primarily be from the significant environmental  
13 area to the property line. I'm looking at that and  
14 saying there's probably 2.5 acres or so. So, we're  
15 talking about 7 1/2 to 8 acres worth of unconstrained  
16 land.

17 MR. SHAMLIAN: I guess my thought would also be  
18 - - Joe brought it up. Is there any thought that Duffy  
19 Street should be the primary point of ingress and egress  
20 to this property? I know that it will obviously impact  
21 people on Duffy. I'm not proposing that.

22 MR. HERSHBERG: I would think our first effort  
23 is to show that the main entrance off of Everett Road  
24 Extension should be the primary entrance, therefore it  
25 won't affect people on Duffy Street and Exchange Street

1           because of the houses that would be impacted. We are  
2           entering off of Everett Road Extension. We have no  
3           residents who are impacted on that stretch there. It's  
4           the traveling public that is impacted. Our goal would be  
5           to do it and have the study evaluate the impact that is  
6           there. Again, I don't know whether or not we would want  
7           to do - - if the main entrance compromised anything, we  
8           might propose a time-limited turn situation. No  
9           left-turns out between certain hours, or things like  
10          that. There are other things you can do other than using  
11          that as the primary entrance to the site. I think the  
12          primary entrance of Duffy Street is potentially more  
13          impact on neighbors, but from a standpoint of marketing  
14          the site, it's very hard to tell people how to get there  
15          and getting to Duffy Street when you are on Everett Road  
16          Extension.

17                   MR. CRISAFULLI: I think it's also important to  
18          note that Duffy is not necessarily a Town standard-size  
19          road. It's a very antiquated road.

20                   The same as St. Francis de Sales Church - the  
21          side of the building literally borders on the road. It  
22          could be a one-way out, potentially. I don't know if  
23          it could be a two-lane main access point. We are  
24          trying to minimize the impact to the neighbors. We  
25          didn't show an emergency out because we were told it

1           wouldn't be necessary and also we prefer to screen  
2           from everyone else.

3                       MR. SHAMLIAN: I know it's first sketch, but so  
4           far I really haven't heard or have seen anything that  
5           said why this should be a PDD and not developed just  
6           conventionally.

7                       MR. HERSHBERG: It's clear that under the NCOR  
8           if you take out the restraining lands you have seven  
9           acres and you would be able to build 30-some odd units  
10          on it and then 20% of that is commercial space. This  
11          project could not be built with that many units. You  
12          can't have a 30-unit senior housing project. The  
13          smallest ones in the Town are may be 60 or 70-unit. A  
14          30-unit senior housing project would not work.

15                      Secondly, I think the applicant would have to  
16          go back. The only thing that the applicant decided to  
17          execute is an option for the property. The only thing  
18          to build there would be offices, which would create  
19          the same kind of concerns.

20                      CHAIRMAN STUTO: Susan?

21                      MS. MILSTEIN: I would just like to know little  
22          bit more about the project itself. Are they one-bedroom  
23          units?

24                      MR. HERSHBERG: We have one-bedrooms and  
25          studios.

1                   MR. CRISAFULLI: That's right. We have 94-one  
2 bedrooms and five studio apartments planned. The  
3 reasoning behind that is to capture the lower price  
4 point. It is an affordability issue. We are looking at  
5 single seniors on limited budgets.

6                   MS. MILSTEIN: How much are you looking for  
7 rents to be?

8                   MR. CRISAFULLI: They haven't been finally  
9 determined. I would say anywhere from \$1,300 to \$1,500  
10 for the one-bedrooms. The two-bedrooms would be about  
11 \$1,900.

12                  MS. MILSTEIN: What about the studios?

13                  MR. CRISAFULLI: That would probably be in the  
14 \$1,300 lower side. They are about the same size as the  
15 one bedrooms.

16                  MS. MILSTEIN: What is the length of the  
17 buildings?

18                  MR. HERSHBERG: I don't have the dimensions in  
19 there.

20                  MR. CRISAFULLI: We don't have any final  
21 floorplans.

22                  MS. MILSTEIN: I presume there will be  
23 elevators?

24                  MR. CRISAFULLI: Three.

25                  MS. MILSTEIN: And where would the elevators be

1 located?

2 MR. CRISAFULLI: There on each of the ends and  
3 then one in the middle by the porto cochere, so you're  
4 never too far from an elevator. There are also two trash  
5 dumpsters proposed, so you're never too far from trash.

6 MS. MILSTEIN: Are there any amenities;  
7 exercise rooms or anything like that?

8 MR. CRISAFULLI: The idea is to highly  
9 amenisize the buildings for that sort of senior  
10 life-style. We have a first-floor lounge, a common area  
11 kitchen, a private dining area, gym, fitness room,  
12 salon, a barbershop that's open for the residents, a  
13 library and arts and crafts room, outdoor fireplace and  
14 gazebo and private dining area. There will be five  
15 people that will be on staff there. The idea is to have  
16 a very nice community.

17 MS. MILSTEIN: What happens if you can't rent  
18 the units to 55 plus? Then what?

19 MR. CRISAFULLI: Then we have a problem. I  
20 don't know the answer to that, to be honest with you.  
21 The idea is that it would be 55 and older. Our  
22 feasibility studies have shown that these projects are  
23 working out and there's a big need for them. We are  
24 willing to take that risk.

25 MS. MILSTEIN: I just have a question about the

1 parking. To me, there's a really big difference in  
2 whether you have 55 and 60-year-old couples living there  
3 as compared to a 75-year-old. Depending upon which  
4 demographic you use - - what you really expecting to be  
5 age-appropriate?

6 MR. CRISAFULLI: We own a complex right now in  
7 Colonie. It's not age restricted. It has 1.6 parking  
8 spaces per unit, or 1.25 parking spaces per bedroom. I'm  
9 sorry it's 1.87 per unit and 1.2 per bedroom. We are now  
10 proposing 1.6 per unit and 1.25 per bedroom. It's got  
11 the same bedroom ratio as before. We expect 15% to 20%  
12 less cars. We are comfortable with the number. If push  
13 comes to shove, I think there are some areas on the site  
14 that we can add some parking.

15 CHAIRMAN STUTO: Lou?

16 MR. MION: I have an issue with the entrance  
17 being on Everett Road. I really would like you to  
18 consider looking at Duffy Street as an alternative way  
19 in and out.

20 Looking at this piece of paper I have right  
21 here, you own part of Duffy Street?

22 MR. CRISAFULLI: Yes, it's part of the parcel,

23 MR. HERSHBERG: A portion of Duffy Street is  
24 owned as part of this parcel and they granted an  
25 easement to the church to get in and out of their

1 property.

2 MR. MION: I just feel that if the age of the  
3 people that you are going to be renting it to - during  
4 the morning, they probably are not going to be out, but  
5 in the afternoon they're going to need an alternative  
6 way out and have an access to a light to get out. That's  
7 important. That's where I'm coming from.

8 MR. HERSHBERG: I think that's something that  
9 we would like the opportunity to present - with the  
10 traffic information to and to consider together.

11 We agree with Joe Grasso's recommendation  
12 when we come back for concept we will have a full  
13 traffic study rather than waiting until preliminary  
14 final.

15 CHAIRMAN STUTO: Chip?

16 MR. ASHWORTH: How many people do you expect to  
17 be working there; maintenance, management?

18 MR. CRISAFULLI: There will be a property  
19 manager, a leasing agent in the office. The property  
20 management people and a cleaner. So, five during the  
21 work week and on the weekend there will be a leasing  
22 agent and one other person.

23 MR. ASHWORTH: So, you're looking at five more  
24 parking spaces that you need.

25 MR. CRISAFULLI: Yes, during the workweek there

1 will be five. We have the same ratio now at the complex  
2 that we own. That doesn't present an issue. It's  
3 somewhat of an insignificant number, given the amount of  
4 parking spaces.

5 CHAIRMAN STUTO: I have a couple of questions.  
6 You are making comparisons to the Crossings apartments,  
7 is that correct?

8 MR. CRISAFULLI: Yes, for certain purposes.

9 CHAIRMAN STUTO: For the number of parking?

10 MR. CRISAFULLI: Yes.

11 CHAIRMAN STUTO: Do you think you're over  
12 parked at the Crossings? Do you have more than you need,  
13 or a lot more than you need - just the right amount?

14 MR. CRISAFULLI: We are good. But the one  
15 building - it's a little bit tighter than the first  
16 building at 48 Aviation Road. Actually, there is quite a  
17 bit more. We are good. We are totally comfortable with  
18 what we have.

19 CHAIRMAN STUTO: Could you live with less  
20 spaces there?

21 MR. CRISAFULLI: Probably a handful less.

22 CHAIRMAN STUTO: And the one building, that's  
23 what you're saying?

24 MR. CRISAFULLI: Yes, and the smaller building  
25 we could do away with a little less. It ebbs and flows.

1 It's really close to where it needs to be. That's a  
2 project with a lot of two-bedrooms and a lot of two-car  
3 households.

4 CHAIRMAN STUTO: Okay, thank you.

5 You brought up price point. You said this is  
6 more affordable perhaps than the Crossings. Is that  
7 what you're saying?

8 MR. CRISAFULLI: The idea is to make it more  
9 affordable than that. The idea is to do that through  
10 size of apartments, density and efficiency to be honest  
11 with you.

12 CHAIRMAN STUTO: I'm not understanding what  
13 you're saying, to be honest with you. Where does size of  
14 apartments connect to price points? What efficiencies  
15 are you talking about?

16 MR. CRISAFULLI: Because they are smaller  
17 apartments.

18 CHAIRMAN STUTO: Well, obviously a one-bedroom  
19 is going to be less than a two bedroom. How much do you  
20 charge for a one-bedroom at the Crossings?

21 MR. CRISAFULLI: Those are \$1,500.

22 CHAIRMAN STUTO: So, those are going to be \$200  
23 less; that's what you're thinking?

24 MR. CRISAFULLI: That's the idea at this point.

25 CHAIRMAN STUTO: You haven't said anything that

1 convinces me. You said it's going to the upscale. There  
2 are going to be amenities. I don't know how you can cut  
3 your margins. When you just say efficiency - you are the  
4 one that brought up that this is more affordable. You  
5 brought it up, so I am asking the questions.

6 MR. HERSHBERG: Mr. Chairman, one issue here is  
7 that the actual physical size of the apartments is less  
8 square footage than is on Aviation Road. So, building  
9 square footage means that you can cut the price - maybe  
10 not significantly, but a percentage of reduction in  
11 price; cost of construction, cost of the mortgage, etc.  
12 There are less capital costs.

13 CHAIRMAN STUTO: Is the quality of construction  
14 going to be any different than the Crossings?

15 MR. CRISAFULLI: No. The main reason is smaller  
16 apartments. It is one building. There are less  
17 construction costs, more efficiencies on the management  
18 side and the number of units. You're talking \$350 goes  
19 out the door on every unit to property taxes; another  
20 \$250 goes out to staff.

21 CHAIRMAN STUTO: How is that different here?

22 MR. CRISAFULLI: It's not. I'm just saying.  
23 When we throw out numbers like \$1,300, people say well,  
24 that's not affordable. I beg anyone to try to do for  
25 less. The idea is that we think our best success point

1 is to hit the middle market. That's the idea here. I  
2 know there have been other applications that have come  
3 through here for senior housing that are higher end.  
4 Higher end is what we are not trying to go for. That's  
5 my only point. I'm certainly not selling subsidized,  
6 very inexpensive complex. We are just trying to be a  
7 for-profit developer that brings to the table a project  
8 that will hopefully be affordable to a large number of  
9 people in here.

10 CHAIRMAN STUTO: And I am testing that  
11 statement - that is more affordable. I'm not seeing it.

12 MR. HERSHBERG: We would be willing to show you  
13 compared sites on non-subsidized housing in the Town to  
14 show you how, if we could keep the \$1,300 -

15 CHAIRMAN STUTO: I'm not saying that's  
16 affordable or not affordable. Except for perhaps the  
17 number of one-bedrooms and two-bedrooms -

18 MR. CRISAFULLI: That's a significant point.  
19 They are smaller.

20 CHAIRMAN STUTO: So, one-bedroom here will be  
21 smaller than a one-bedroom at the other place.

22 MR. CRISAFULLI: Yes, on average 80 square feet  
23 which is about 10%.

24 CHAIRMAN STUTO: Okay, now I understand.

25 I think everybody made good points on traffic

1 and possible alternative access. The thing that  
2 strikes me is the scale of this place. That includes  
3 the height and the size of the overall building. The  
4 normal Code would cause you to break it up. You look  
5 at what's around it and I don't see anything that  
6 perhaps has quite that mass. That is a concern for me.

7 MR. CRISAFULLI: Tobin's Packing?

8 CHAIRMAN STUTO: That's a building that's going  
9 to be demolished. I don't know when it was built; 30's  
10 or the 40's.

11 MR. CRISAFULLI: I'm talking about the eventual  
12 rebuild that's going there. I know that's early on.

13 CHAIRMAN STUTO: I am telling you my concerns.

14 So, we will see what this brings forward.

15 MR. CRISAFULLI: I just want to bring up a  
16 point that the PDD exists four types of sites for  
17 projects that don't fit into a box. This is a major need  
18 that we all know about. This fits that need. While it's  
19 large in both height and square footage, it's very  
20 minimally impactful on the surrounding environment given  
21 the use. So, I think that really needs to be taken into  
22 consideration. I think units per acre and green space  
23 are also very reasonable.

24 CHAIRMAN STUTO: Does anyone have anything  
25 else?

1                   MR. GRASSO: I would just say that there was  
2                   some discussion about the use and the scale obviously  
3                   and having gone to the project site, it's a very unique  
4                   area. Now that we've got some more facts about the  
5                   project, when you drive it, it's important to think  
6                   about the uses that were there. There was a mix of uses.  
7                   There some residential, some commercial and the scale of  
8                   the buildings are smaller. One has access on Everett  
9                   Road Extension. So, it's a very unique project site when  
10                  you drive it around. I think that's got to be taken into  
11                  consideration in determining whether or not a project  
12                  like this and a PDD is great for this project site, now  
13                  that you understand that the underlying zoning could  
14                  allow residential but it can also allow commercial. If  
15                  you say no to a PDD, you're almost saying okay because I  
16                  think the underlying zoning is a more appropriate for  
17                  this project site. So, that something to keep in mind  
18                  when you're out there looking at the site.

19                  CHAIRMAN STUTO: Thank you.

20                  (Whereas the above entitled proceeding was  
21                  concluded at 7:45 p.m.)

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CERTIFICATION

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  
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