

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 MEADOWDALE ESTATES SUBDIVISION
RECOMMENDATION FOR A NEW HOME ELEVATION

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6 THE STENOGRAPHIC MINUTES of the above entitled matter
7 by NANCY L. STRANG, a Shorthand Reporter commencing on
8 April 14, 2020 at 6:00 p.m. held via Zoom Video
9 Conference

8 BOARD MEMBERS:
9 PETER STUTO, CHAIRMAN
10 CRAIG SHAMLIAN
11 STEVEN HEIDER
12 SUSAN MILSTEIN
13 CHIP ASHWORTH
14 LOU MION
15 PAUL ROSANO

16 ALSO PRESENT:
17 Sean M. Maguire, AICP CECD, Director, Planning and
18 Economic Development
19 Kathleen Marinelli, Esq., Counsel to the Planning
20 Board
21 Zachery Harrison, Planning and Economic Development

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1 MR. MAGUIRE: Before we get going here, this
2 meeting will be recorded and also is streaming live on
3 YouTube. Our practice here in keeping these meetings
4 running an orderly and efficient is that we will leave
5 the Board on camera and allow them to remain under muted
6 - - in this case I don't think we have anybody from the
7 public attending. I would normally keep them muted and
8 we do the same for the applicant.

9 If I do notice any background noise, I will
10 mute folks, but you do have the ability to unmute
11 yourself. If the meeting becomes disorderly, the Chair
12 will direct me to take control as such an we will mute
13 people.

14 So, with that, you will see a note on the top
15 left corner when the meeting is recording and
16 streaming. Once that's all set, I will turn it over to
17 the Chair to start.

18 One minute please.

19 Pete, we are live on YouTube and recording.
20 The meeting is yours.

21 CHAIRMAN STUTO: Thank you, Sean. Welcome
22 everybody to the Town of Colonie Planning Board meeting.
23 We have three items on the agenda.

24 Sean, I would like to ask you one technical
25 thing which occurred to me when we were talking before

1 the meeting. I was getting texts from some people that
2 wanted to be unmuted. You said that was something that
3 could be rectified. I don't mind doing it. Did you
4 have a solution for that? The Board Members were
5 asking to be unmuted.

6 MR. MAGUIRE: Everybody has control over their
7 mute tonight. What we will do is we will keep it that
8 way. If people are speaking out of order and you would
9 like me to take control of that again, we will remove
10 that function.

11 CHAIRMAN STUTO: Our Board Members can never
12 speak out of order, by definition.

13 MR. MAGUIRE: They are all unmuted. If they
14 muted, they muted themselves. In the bottom left corner
15 is the microphone if you want to unmute yourself.

16 CHAIRMAN STUTO: I would unmute Kathleen and
17 whoever the TDE is, unless it causes some technical
18 problem.

19 MR. MAGUIRE: I think everybody is either
20 unmuted that needs to be unmuted. We are all set. I will
21 unmute you right now, but if you want to mute yourself
22 again, you will have control of that.

23 CHAIRMAN STUTO: As I started to say, we have
24 three items on the Board agenda. We had some discussion
25 off-line about one particular thing and that is public

1 comment. It has been my experience and practice of the
2 Board, with some exception, to take public comment only
3 when we are voting on an item. So, unless the Board
4 disagrees with me and they can speak up - - not being
5 our practice, which is over and above what we are
6 required to do by law, we will be taking comment on the
7 first one if there are members of the public who would
8 like to speak and also on the third item. The second
9 item is a sketch plan and therefore we will not be
10 taking any comment on that.

11 That said, we will call it the first item on
12 the agenda which is recommendation for a new home
13 elevation in the Meadowdale Estates Subdivision.

14 Sean, do you or one of your staff people have
15 any introductory comments before we turn it over to
16 the applicant?

17 MR. MAGUIRE: I'm bringing up on your screen
18 the subdivision -

19 CHAIRMAN STUTO: I'm having trouble with your
20 audio, I don't know about anybody else.

21 MR. SHAMLIAN: I am, as well.

22 CHAIRMAN STUTO: Try again.

23 MR. MAGUIRE: Can you hear me now?

24 CHAIRMAN STUTO: Yes.

25 MR. MAGUIRE: I'm going to keep talking, but

1 I'm going to switch to the phone in a minute just for a
2 better connection.

3 So, when the Planning Board first saw this,
4 there were 12 different elevations that were approved
5 here. The builder has come back with an additional
6 elevation for the Board to also consider.

7 That's this elevation right here
8 (Indicating).

9 I just switched to the phone and you can hear
10 me now okay, right?

11 CHAIRMAN STUTO: Yes.

12 MR. MAGUIRE: So, we have had an additional
13 elevation added to here. It was our recommendation after
14 reviewing the prior elevations that were approved that
15 this is not a substantial difference here that would
16 affect the character of the development. So, we would
17 recommend that this additional elevation be approved for
18 the Meadowdale Estates subdivision.

19 CHAIRMAN STUTO: Okay, so for clarification,
20 it's additional and it's not in lieu of, right?

21 MR. MAGUIRE: This will be added to the
22 additional approved elevations.

23 CHAIRMAN STUTO: I know Craig had some
24 questions on this.

25 Craig, do you want to make some comments?

1 MR. SHAMLIAN: Yes, please.

2 First I think that you need to make sure in
3 the future when we get elevations and elevation
4 request changes from developers, we need to see
5 colored renderings. This isn't an even a straight on
6 shot. It is on an oblique angle. So, that's just kind
7 of a housekeeping item.

8 Specifically to Meadowdale - - I was not on
9 the Board when Meadowdale was approved, but I know
10 that there was a line of evergreens that was planted
11 as a buffer to the North Colonie Maintenance Facility.
12 After those were planted and shortly after those were
13 approved, I came on the Board. That entire line of
14 evergreens died and was supposed to have been
15 replaced. To my knowledge, it has never been replaced.
16 So, when is it going to be replaced? This is now gone
17 on a couple of years.

18 As a starting point of conversation, my vote
19 for approving this elevation is contingent on an
20 absolute time frame of when they're going to get those
21 evergreens - and any other landscaping that hasn't
22 been taking care of on that project, completed.

23 MR. MAGUIRE: Okay, I don't have answers to
24 that, but where we are in terms of residential
25 construction is not essential so this is not going to be

1 something that happens right away. If you want to table
2 this, we can take any questions that the Board has and
3 address that and bring it back in the next meeting or
4 two.

5 CHAIRMAN STUTO: I think he was just saying
6 that he wants the landscaping straightened out as a
7 contingency for this being approved.

8 MR. SHAMLIAN: That's correct. I see no reason
9 to bring a back other than it would be nice to get a
10 report back perhaps, but we do not need to bring the
11 project back, at least not as far as I'm concerned.

12 MR. MAGUIRE: Okay.

13 CHAIRMAN STUTO: The applicant is not going to
14 speak, I take it. Is that right, Sean?

15 MR. MAGUIRE: Zach, do we have anybody from
16 Bonacio?

17 MR. HARRISON: I don't believe so. I don't
18 believe anybody is here from there.

19 CHAIRMAN STUTO: Okay, we will open up the
20 floor to any of the Board Members, if they would like to
21 speak.

22 Anybody?

23 MR. HEIDER: I know exactly what Craig is
24 talking about. There's no question about it that they
25 have been lacking in replacing what's died over there.

1 CHAIRMAN STUTO: I have seen it, too.

2 Does somebody want to make a motion to
3 approve this elevation contingent upon ensuring that
4 the landscaping is completed?

5 MR. SHAMLIAN: I'll make that motion.

6 MR. HEIDER: I'll second it.

7 CHAIRMAN STUTO: Any discussion?

8 (There was no response.)

9 I would just ask this: Are there any members
10 of the public here, Sean, looking to speak?

11 MR. MAGUIRE: I hear somebody say my name.

12 CHAIRMAN STUTO: I think it's Kathleen.

13 MS. MARINELLI: Yes, can you hear me?

14 MR. MAGUIRE: Yes.

15 MS. MARINELLI: I know the plantings are
16 contingent upon the Executive Order being done, but do
17 we want to put a time frame on this? If we leave it
18 open, this item may not come back before us and we may
19 be in the position where we are now where years go by
20 and the plantings not having been done.

21 MR. SHAMLIAN: Kathleen, just looking around my
22 neighborhood and looking around the Town a little bit,
23 landscapers, I think are exempt. They are all out
24 working.

25 MS. MARINELLI: Actually, you're right. My

1 landscaper is out working.

2 MR. HEIDER: I don't think they're supposed to
3 be. Cosmetic landscaping is not essential. Maintenance
4 would be, but not plantings, probably.

5 MR. MAGUIRE: Okay.

6 CHAIRMAN STUTO: I don't have a strong opinion
7 on the deadline. Do any other Board Members -- Craig,
8 it is your motion.

9 MR. SHAMLIAN: No, I have no special times. I
10 just don't want to be looking at it this year and the
11 plantings not being replaced. If you want to pick a time
12 frame, I'm happy to leave it up to Sean and staff -- some
13 period of time after the Executive Order is lifted that
14 they have whatever -- 60 days or 90 days to get the
15 landscaping taking care of.

16 MR. HARRISON: Sean, I want to verify that's
17 part of the subdivision. I remember when they did two
18 separate projects for this. They did the apartments
19 where the actual project is and then they did the
20 residential aspect, too. We just have to make sure what
21 project those evergreens are part of.

22 MR. MAGUIRE: Okay. Craig and Pete, we will
23 verify your concern about the line of evergreens by the
24 bus garage and one project that is associated with. If
25 it's tied into the Meadowdale Estates -- we can say the

1 motion is to approve the additional elevation contingent
2 on fulfilling the landscaping plan previously approved.

3 CHAIRMAN STUTO: That sounds good, but can you
4 look to enforcement anyway on that?

5 MR. MAGUIRE: Of course.

6 CHAIRMAN STUTO: I think you have mechanisms by
7 which to enforce that, through the Town Attorney's
8 office and so forth.

9 MR. MAGUIRE: So, Craig and Pete, that would be
10 my suggestion to amend that motion.

11 MR. SHAMLIAN: That sounds good to me.

12 MR. HEIDER: Yes.

13 CHAIRMAN STUTO: Okay, so amended. Any more
14 discussion?

15 (There was no response.)

16 All those in favor, say aye.

17 (Ayes were recited.) All those opposed, say
18 nay.

19 (There were none opposed.)

20 For the record, I do not hear any nos, so I
21 will assume that everybody is affirmative, unless
22 somebody speaks up.

23 Okay, thank you.

24 (Where is the above entitled proceeding was
25 concluded at 6:15 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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NISKAYUNA, NY 12309

