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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

14 and 16 VERMONT VIEW DRIVE
16 Unit Multi-Family Building
SKETCH PLAN REVIEW OF SITE PLAN

THE STENOGRAPHIC MINUTES of the above entitled matter by SUZANNE T. HARRINGTON, a Shorthand Reporter, commencing on July 7, 2020 at 6:00 p.m. at the Colonie Town Hall, 534 New Loudon Road, Latham, New York.

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- PAUL ROSANO
- LOU MION
- CHIP ASHWORTH
- SUSAN MILSTEIN
- STEVEN HEIDER

ALSO PRESENT:

- Kathleen Marinelli, Esq., Counsel to the Planning Board
- Sean Maguire, AICP, CECD, Director, Department of Planning & Economic Development
- Zachary Harrison, Planning and Economic Development
- Dr. Laura Weed, Colonie CAC
- Joseph Grasso, PE, CHA Companies, TDE
- Luigi Palleschi, ABD engineer, for applicant

1 CHAIRMAN STUTO: Welcome, everyone, to the
2 Town of Colonie Planning Board. Are you picking it up
3 through the mask? Okay, this is our first physical
4 meeting in several months. We've been meeting on Zoom
5 prior to this.

6 I know the town board has been meeting in
7 this room. We're observing all the rules. I
8 just want to go over the rules of the road, and I'm
9 going to need your help, Sean.

10 We're all socially distanced, we're at least
11 six feet apart. We have the board up on the top dais
12 spread apart. We have the other half of the board
13 below, at floor level.

14 We have the audience spaced out, it looks
15 like, pretty well. Seems as though everyone is
16 wearing a mask. Are there any other rules of the
17 road?

18 MR. MAGUIRE: No, we're just keeping the
19 attendance in this room limited to no more than 25.
20 The room will accommodate 24 members of the public
21 including the applicants.

22 CHAIRMAN STUTO: Okay.

23 MR. MAGUIRE: We're just trying to maintain
24 the six by six, all around.

25 CHAIRMAN STUTO: Okay. And where are the

1 applicants going to speak?

2 MR. MAGUIRE: They can come right up to the
3 podium here (indicating).

4 CHAIRMAN STUTO: Okay. And the public
5 speaks where?

6 MR. MAGUIRE: They're going to go to the
7 center microphone.

8 CHAIRMAN STUTO: Okay, thank you. The
9 meeting has been called to order. I will note that
10 everyone is here except for Craig Shamlan, who's one
11 of the board members; is that correct, Sean?

12 MR. MAGUIRE: Correct.

13 CHAIRMAN STUTO: Okay. Next item on the
14 agenda is Report of the Planning and Economic
15 Development Director, Sean McGuire.

16 MR. MAGUIRE: I just want to update the
17 Board that we're going to present to you next week a
18 rezoning for 44 Waterford Avenue East. So we'll have
19 that prepared for the next meeting.

20 CHAIRMAN STUTO: Okay, thank you.

21 MR. MAGUIRE: Thank you.

22 CHAIRMAN STUTO: First item on the action
23 agenda, it's not really an item of action, but it's an
24 application. 14 and 16 Vermont View Drive.
25 Proposal's for 16 unit multi-family building. This is

1 a sketch plan review of a site with lot line
2 adjustment to construct a 16 unit two-story
3 multi-family building. A single family home will
4 remain.

5 The site is zoned MFR, which is multi-family
6 residential and it's been reviewed by our town
7 designated engineer as well. Sean, do you have any
8 comments before we turn it over to the applicant?

9 MR. MAGUIRE: No. Let them go ahead and
10 present their case.

11 CHAIRMAN STUTO: Okay.

12 MR. PALLESCHI: Good evening, Luigi
13 Palleschi with ABD Engineers, here tonight for 14 and
14 16 Vermont View Drive. There appears to be some issue
15 with the computer, so I'm going to hand out what I
16 have prepared in color, 11 by 17. There should be ten
17 copies. Can I hand them out?

18 CHAIRMAN STUTO: Sure.

19 (Whereupon the plans were handed
20 out to the Board to review.)

21 MR. PALLESCHI: So this is pretty much
22 mimics the site plan that was submitted through sketch
23 plan. It just has some color on it, and it overlays
24 on an aerial view so you can get an overall picture of
25 the project. So we are here tonight representing

1 Abbatiello with ARA Properties, which is also here
2 tonight.

3 This property is zoned in the multi-family
4 district. The total of the parcel is 2.8 acres,
5 approximately. There's an existing single family home
6 that sits there in yellow, as shown on the map that I
7 handed out, that has an existing driveway, which
8 surrounds with two curb cuts on Vermont View Drive.

9 We're proposing to do a lot line amendment
10 because both of these parcels -- there's two parcels
11 involved. 14 Vermont View Drive being one tax parcel,
12 and that's the single family home. And then there is
13 another parcel that's landlocked in the back, and
14 that's considered 16 Vermont View Drive.

15 So what we're proposing to do is propose a
16 lot line amendment --

17 CHAIRMAN STUTO: Can I jump in? They're
18 both multi-family residential, correct?

19 MR. PALLESCHI: Correct, both parcels are
20 zoned multi-family residential. So we're proposing to
21 do a lot line amendment that meets the zoning for the
22 single family home, and that will remain as a single
23 family home.

24 And we're proposing a 16 unit apartment
25 building, as situated on the site plan that I just

1 handed out to you. The building is positioned with
2 the appropriate setbacks as per the multi-family zone.
3 It's surrounded by multi-family zoning as well.

4 If you look to the north, there's an
5 existing apartment complex. And to the south --
6 basically all the way around this, except for the very
7 back of our property, everything is pretty much
8 multi-family.

9 And with our quick analysis, it looks like
10 the density on those parcels are roughly 10 units per
11 acre, when it was built -- approved and built back in
12 the day. The code today for MFR zone is six units per
13 acre.

14 When we went through the zoning
15 requirements, we're proposing 16 units on what we call
16 lot A -- no, I'm sorry, lot B. And what we're
17 proposing is 2.31 acres. And if you use the six units
18 per acre just on that area, 13 units are only allowed,
19 but we're proposing 16.

20 We are here tonight as a sketch plan review
21 to get some of the planning board feedback. We don't
22 feel that we're over density, basically because we're
23 surrounded. We're not changing the character of the
24 neighborhood. And more so, we did a lot a due
25 diligence on this property already, more than you

1 would need for a sketch plan review.

2 So we met with the Pure Waters Department,
3 and we thought that this project had capabilities of
4 connecting to the public sewer system. Well, there's
5 existing sewer lines right along Vermont View Drive,
6 but those are private because they were never -- when
7 Valley View Apartments were constructed, the sewers
8 were never dedicated to the town.

9 So instead of putting a septic system on
10 this parcel, we had talked to Pure Waters, and we got
11 the information needed to connect to the town's sewer
12 system on Johnson Road. It's roughly 800 feet, I
13 think it is, down the -- Vermont View Drive, where we
14 would extend the sewer system of Johnson Road to this
15 project and connect both this proposed apartment
16 project as well as the existing single family home
17 that's currently on septic.

18 So we're -- in order to do that, we need the
19 16 units to move forward, and we were hoping to get
20 your ideas on building position. So the other thing
21 was, the way that we have the building shaped as an
22 L-shaped building.

23 In order to keep this building, the 16
24 units, furthest away from the single family
25 residential in the back -- do you mind if I take this

1 off? It's hard to breathe. Sorry.

2 So in order -- with this L-shaped building,
3 it allows us to keep the building as far up front
4 towards Vermont View Drive, and keep it furthest away
5 from the single family residence on the back side.

6 And the parking would be all the way around
7 the proposed building. And we're proposing to keep
8 all the trees that you see on this plan, to provide
9 and offer to the residential neighborhood as well.

10 So sewer really drives the cost up, to make
11 this project work. As well as creating a GEIS
12 mitigation area, which is going to be another number
13 that we're not aware of yet. So we will apply for a
14 variance to go from the 13 units to 16 units. I don't
15 think it's heavy, but -- and then the other thing, to
16 back up a little bit, is the position of the
17 building.

18 When we were talking at the DCC meeting, you
19 know, part of the code states that the front of your
20 building has to face Vermont View Drive. So with this
21 L-shaped building, that's another reason why we
22 submitted the sketch, to get your take on the building
23 position.

24 I feel that the L-shaped building will look
25 nice. We will have, you know, one side of that

1 building facing Vermont View Drive, which will have
2 front doors. And we can certainly do some landscaping
3 along the side of that building.

4 And I think it will look nice from Vermont
5 View Drive, as you're going out Vermont View Drive,
6 you're actually looking at the inside corner of that L
7 shape. And, you know, it will be a nice looking
8 building, two stories in height. And a mix of ones
9 and two bedrooms for that building.

10 What else? The upper apartment spaces that
11 we're proposing on-site are adequate, the two parking
12 spaces per unit. And if we needed to, we can add more
13 or we could make some.

14 And then, you know, there's public water
15 utilities on Vermont View Drive that we'll connect to
16 the service, unilateral to each building. The
17 building will be fire sprinklered.

18 And then lastly, stormwater. Site
19 topography flows from Vermont View Drive to the rear
20 of the site. And our stormwater will be at the rear
21 of the site within the already cleared area. Most
22 likely there will be a viable retention system that
23 will meet the New York State DEC's stormwater
24 requirements.

25 So, really a few things that -- you know, we

1 can certainly discuss anything, but the two main goals
2 that we would like to walk away here tonight is
3 understanding your ideas on the density as well as the
4 positioning of the building.

5 CHAIRMAN STUTO: Okay, thank you. This is
6 being reviewed by our town designated engineer for the
7 town, or for the Planning Board specifically, and that
8 would be CHA Companies. Joe Grasso, do you have any
9 preliminary comments?

10 MR. GRASSO: Yes, Mr. Chairman, I do. Thank
11 you. We have done a review of the site plan. We have
12 also been out to the site and attended the town's DCC
13 meetings, for meeting with the various town
14 departments.

15 You know, the first thing I just wanted to
16 touch on was the project density. We agree with
17 Luigi's interpretation of that, that the maximum
18 allowable density for the site, based on the lot line
19 adjustment as proposed, would be 13 units. So a
20 variance to allow an additional three units would be
21 required, which would, I think, be a decision
22 ultimately of the ZBA.

23 Secondly, regarding the trees on the site,
24 because there are significant trees. If you go down
25 to the site, you'll note that there's a significant

1 stand of trees along the north side of the site that
2 provides, you know, a lot of screening of the site
3 itself, but also towards that first long apartment
4 building when you first come in Valley -- or Vermont
5 View Drive, you know, that first building toward the
6 Valley View Apartment complex.

7 And with the location of where this building
8 is placed, it's basically going to take out that
9 entire grove of trees there and all the vegetation on
10 the front half of the site would be eliminated. I
11 think they're proposing to building about ten feet off
12 the site property line. And there might not be an
13 opportunity to save any of those trees there along
14 that side if that's where the building ultimately
15 lands.

16 The other thing regarding the trees is there
17 are some significantly sized trees. It's right in the
18 center of the proposed parking lot, out in front of
19 the building. There's a number of 24, 30, 36 inch
20 diameter maples, which obviously are going to get
21 removed to make way for the development where it's
22 proposed.

23 So, you know, a consideration would be to
24 push the proposed building and the parking and access
25 drives further into the site and away from that

1 northern property line, to try to save some of those
2 significant sized trees in the center, and also try to
3 save some of the trees along that north property line.

4 It would push, you know, the building back
5 closer to the residential development to the east side
6 of the site. But, you know, based on the plan you can
7 kind of see that there is already an open field behind
8 the single family home. And pushing the building
9 parking area back would just occupy more of that open
10 area. And I don't think it would result in a
11 significant -- any more of a significant impact on
12 those residences to the east.

13 The other thing I wanted to mention is
14 there's a couple of encroachments on the property.
15 There's one from Valley View Apartments onto the site,
16 and then there's one of -- the horseshoe driveway that
17 serves the single family home that encroaches on the
18 adjacent property. This would be a good time, if we
19 could get those encroachments rectified, to get
20 everybody's improvement, you know, back on the
21 property that they have the rights to.

22 Just in terms of the sewer, Luigi touched on
23 it there. Looking at a public sewer extension, which
24 is really a public benefit, to provide some public
25 sewer to the other properties that they'll pass as

1 they extend out to Johnson Road. I think the only
2 parcel on septic is the single family home. I think
3 the others are connected to a private sewer; is that
4 correct?

5 MR. PALLESCI: That's correct.

6 MR. GRASSO: But this would afford them to
7 connect to a public sewer system, which could be seen
8 as a public benefit to some. The parking, we feel,
9 you know, meets the town code. And based on, you
10 know, the small scale of the development where we
11 wouldn't be supportive of land banking any parking,
12 just because there aren't opportunities for shared
13 parking on the adjacent site because they're under
14 separate ownership. So I think the parking number is
15 appropriate for the scale of the proposed project.

16 And then just lastly on the stormwater
17 management area, we would recommend that they try to
18 decentralize the stormwater management system as much
19 as possible, only because this site doesn't have any
20 points in concentrated discharge, and we wouldn't want
21 to create an issue for any of the downstream
22 properties, you know, when the runoff leaves the
23 stormwater management area as well as the rest of the
24 site. So that's where we are with our review so far.

25 CHAIRMAN STUTO: Okay. We'll turn it over

1 to the board members, see if they have any comments or
2 questions. Lou, do you have anything to say?

3 MR. MION: I like what Joe said concerning
4 moving the building back a little bit, and that's
5 about it. I like the project itself, but I think
6 possibly if you could move the building back out a few
7 more feet, it would give it -- it would save some more
8 trees and would also give it a better look.

9 CHAIRMAN STUTO: Chief.

10 MR. HEIDER: The building itself is a lot
11 smaller than a lot of buildings that are in Valley
12 View right now, so I have no problem with the size of
13 the building. I would like to see the architectural
14 of the outside of the building to see how it fits in
15 with the wooded area.

16 My only concern with moving it back is that
17 means you move the stormwater back further, which
18 means you're clearing more land, plus it's a
19 residential area. So I would be very concerned about
20 that. I love the big maples in the front too, but
21 sometimes you have to look at the whole picture,
22 whether or not those few red maples are worth
23 literally clear-cutting that whole back area as it
24 borders the residential. That's it.

25 CHAIRMAN STUTO: Chip.

1 MR. ASHWORTH: I would like it if they would
2 show us where the dumpster is going to be. They don't
3 show how they're going to change the driveways -- part
4 of the land next to --

5 CHAIRMAN STUTO: Okay.

6 MR. ASHWORTH: -- the driveway for
7 the houses.

8 CHAIRMAN STUTO: For the single family?

9 MR. ASHWORTH: Yes.

10 CHAIRMAN STUTO: Does the applicant want to
11 address those items?

12 MR. PALLESCHI: Yes. The driveway, we
13 talked about in DCC, that in order to avoid any ODA
14 requirements, we would move the driveway onto the
15 front of that parcel. So we would avoid the ODA for
16 the driveway. We possibly may consider having it
17 connected to the other one, just for circulation
18 purposes. But we will have at least one driveway
19 within the frontage of the single family lot.

20 And then as far as the dumpster, we did talk
21 about the dumpster. That would probably be positioned
22 toward the rear of the building, straight back. And
23 all we've got to do is provide the turnaround for the
24 garbage truck's turning maneuverability, depending on
25 where we put it. So we may put it next to the seven

1 parking spaces on the south end of the parking lot
2 there, the southeast, next to the stormwater, in that
3 corner. Just so that we can sweep in with the garbage
4 truck and they can access it.

5 So we'll certainly add that. And I
6 apologize, it should have been on the sketch plan to
7 begin with. But it's something that we did discuss at
8 DCC and we'll get it on the plan.

9 MR. ASHWORTH: The driveway is going to come
10 off the driveway for the apartment complex; is that
11 what you said?

12 MR. PALLESCHI: Yes, we may still consider
13 that connection, however we may need to move the other
14 driveway entrance as well.

15 CHAIRMAN STUTO: Okay. Paul Rosano.

16 MR. ROSANO: Luigi, when I walked this a
17 couple times, the house at number 14 has a mailbox
18 that says 16 on it. Is that just a mistake there or
19 is that actually --

20 MR. PALLESCHI: Well, they own both parcels,
21 so maybe their address is going by 16, I'm not sure.
22 But both of those parcels are considered 14 and 16.
23 I'm not sure what the current owner --

24 MR. ROSANO: Okay, that's a minor point.
25 Going back to the building, if you were to bring the

1 building back and then turn it to the east -- because
2 none of the buildings in Valley View are
3 straight-lined. And if that could come back, turn it
4 to the east -- it looks like you have a lot of
5 property behind that single family home, the one
6 that's existing. So basically if you come back and
7 down into that open area, I think you might be able to
8 save some of those trees. Why don't you just consider
9 that?

10 MR. PALLESCHI: Okay.

11 MR. ROSANO: Thank you.

12 CHAIRMAN STUTO: Susan.

13 MS. MILSTEIN: How many one bedroom and how
14 many two bedrooms are proposed?

15 MR. PALLESCHI: I don't know. I would say,
16 you know, 50/50 split right now. We're not sure. A
17 lot of them will probably have a one bedroom with a
18 den. And then that can be converted to a two bedroom,
19 depending on the tenant. But I would say 50/50 for
20 now.

21 MS. MILSTEIN: And the approximate square
22 footage of each?

23 MR. PALLESCHI: About a thousand square
24 feet.

25 CHAIRMAN STUTO: Okay. The position of the

1 building, where it's located, the orientation and the
2 position seem to be a key issue. Chief made an
3 argument one way. Joe Grasso made an argument, in a
4 sense, in another way.

5 Joe, can you address what Chief Heider had
6 said? Can you also tell us how big those lots are, on
7 the two single family homes that are there? The lots
8 look big, but I'm not seeing any dimensions.

9 And also the larger lot, the very large lot
10 on the north side, what is that zoned? So I just want
11 to understand the whole context, if you can address
12 that. I'm sure you all can get together and see what
13 the best position balancing all those things is.

14 MR. GRASSO: So your question about the
15 single family lots, those are the ones more towards
16 the north off that other development, off Johnson
17 Road?

18 CHAIRMAN STUTO: Yes.

19 MR. GRASSO: I would guess they're probably
20 about an acre in size, on average.

21 CHAIRMAN STUTO: Lot 22 looks like a big
22 lot.

23 MR. GRASSO: Yes, 20, 22. I would guess
24 that they're well over a half an acre.

25 CHAIRMAN STUTO: Well, the new lot B is

1 2.31, so maybe it's not so big. Is that --

2 MR. PALLESCHI: No, no. The single family
3 lot there, lot A, is just under a half an acre.

4 MR. GRASSO: Yes, and they're definitely
5 much smaller.

6 CHAIRMAN STUTO: Okay.

7 MR. GRASSO: I would guess an acre or so.
8 But there's a row of trees that starts, you know,
9 towards the back of this property, once you go through
10 that large clearing area. And I think by shifting the
11 building back even, you know, 75 feet or so, you still
12 wouldn't have to impact those trees at the rear of the
13 site.

14 Obviously the building would be closer, so
15 any activity to the back stands a greater chance to
16 start to impact those. But possibly some of that
17 parking pavement can be pulled up to that side and not
18 the space behind the building, so the building can go
19 back.

20 And maybe there's a way to creatively, you
21 know, work around a couple of those trees, just to try
22 to save them. You know, those are 50, 75 year old
23 trees up in that area there. And then, you know, just
24 try to protect some of those woods along the north
25 side there. I think they're right up on the property

1 line.

2 So I understand that some of that could be
3 shifted back. I know Chief had some concerns about
4 getting closer to the residences, but I think that
5 there's a way to address all the concerns.

6 CHAIRMAN STUTO: Okay. So when you go
7 forward, I'll ask the applicant to work with Joe
8 Grasso and Sean to try to balance those efforts. I
9 have no further comment. Anybody else?

10 MR. PALLESCHI: As far as the L-shape style
11 building, it seems like, you know, we're okay with
12 that. It's just the positioning of that building,
13 front to back, left to right rotation.

14 CHAIRMAN STUTO: Nobody has objected to it.
15 Anybody want to add further comment?

16 MR. HEIDER: I think the only comment I made
17 is I would like to see the architectural renderings as
18 we go forward.

19 MS. MILSTEIN: I guess I would just say
20 whatever you design within that area, anything you
21 provide, we'll work with that.

22 MR. GRASSO: In terms of the process,
23 because it will have to go for a variance, and it may
24 not be worthwhile to through a variance with a site
25 plan that's going to change; are we thinking like they

1 should come back with an alternative site plan?

2 CHAIRMAN STUTO: To address what?

3 MR. GRASSO: To address the layout of the
4 site before they go for the variance? Because the
5 variance will be tied to the specific site plan. And
6 once they deviate from the plan --

7 CHAIRMAN STUTO: You mean not an L shape?

8 MR. GRASSO: In terms of the location of the
9 building.

10 MR. PALLESCHI: Well, that's not going to
11 affect the variance, right? We're going to variance
12 on density. We'll stay within the site setbacks, so
13 we're not asking for variances on that. And this
14 would be worst case scenario, it's a bigger building.
15 If we don't get the variance, then we'll go with a
16 smaller building.

17 CHAIRMAN STUTO: Right. I think that's post
18 variance -- or post ZBA meeting. That's how I see it.

19 MR. GRASSO: Okay.

20 CHAIRMAN STUTO: Okay, thank you.

21 (Whereupon the proceedings in the
22 above-entitled matter concluded at 6:28
23 p.m.)
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C-E-R-T-I-F-I-C-A-T-I-O-N

I, SUZANNE T. HARRINGTON, 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.

SUZANNE T. HARRINGTON

Dated: 7-15-2020