

1 PLANNING BOARD

COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 1148 Troy Schenectady Road
5 British American Mixed Use
6 Concept Plan Review

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7 THE STENOGRAPHIC MINUTES of the above entitled
8 matter by SUZANNE T. HARRINGTON, a Shorthand Reporter,
9 commencing on July 7, 2020 at 6:30 p.m. at The Colonie
10 Town Hall, 534 New Loudon Road, Latham, New York.

10

11 BOARD MEMBERS:

- 12 PETER STUTO, CHAIRMAN
- 13 PAUL ROSANO
- 14 LOU MION
- 15 CHIP ASHWORTH
- 16 SUSAN MILSTEIN
- 17 STEVEN HEIDER

16 ALSO PRESENT:

- 17 Kathleen Marinelli, Esq., Counsel to the Planning Board
- 18 Sean Maguire, AICP, CECD, Director, Department of Planning
& Economic Development
- 19 Zachary Harrison, Planning and Economic Development
- 20 Dr. Laura Weed, Colonie CAC member
- 21 Nicholas Costa, Advance Engineering & Surveying, for
- 22 Applicant
- 23 Brad Grant, PE, Barton & Loguidice, TDE
- 24 Lee Sitzer, Pepper Woods, LLC, architect
- 25 Jack Faddegon, land owner

1 CHAIRMAN STUTO: Okay. We'll get set up for
2 the next item on the agenda, which is 1148 Troy
3 Schenectady Road, British American, Mixed Use, concept
4 plan review of a site plan to merge two parcels and
5 develop three four-story apartment buildings, with one
6 level of parking and a total of 70 apartments.

7 Six two-story apartment buildings, with a
8 total of 68 apartments, and 12 one-story buildings
9 that range from two to four cottages, for a total of
10 42 cottages.

11 The total number of units will be 180
12 residential units. A one-story clubhouse is also
13 proposed for use of the residence. The site is zoned
14 CO, which is commercial office. We have seen this a
15 number of times. I think it was sketched before Sean
16 got here.

17 Sean, do you have any comments before the
18 applicants begin their presentation?

19 MR. MAGUIRE: You know, just that we looked
20 at this and we're really pleased with the direction
21 it's going. And we did have some initial
22 conversation. I think we answered some preliminary
23 questions from board members ahead of time, so we'll
24 have the applicant present their case.

25 MR. COSTA: Good evening, Nick Costa. We

1 have been in front of the board before for a sketch
2 plan review. And since that time we also were in
3 front of the Zoning Board of Appeals because we needed
4 a special use permit --

5 CHAIRMAN STUTO: Can I interrupt you for one
6 second? Lou is not hearing you and neither is Chief.
7 I'm not sure if that's the projection or the mike.

8 MR. COSTA: Let me know if this is better.
9 If I fall off, let me know. So we were in front of
10 the Zoning Board of Appeals to request a special use
11 permit because the use is residential and the zone is
12 commercial office, and the special use permit is
13 necessary to allow the proposed residential
14 development of the parcel.

15 There's two parcels. There's a parcel
16 that's up in this area right here that is owned by BA,
17 and then there's a parcel that's the remaining piece
18 that is owned by Jack Faddegon and his family. The
19 applicant is known as Pepper Woods. And they're
20 proposing to develop the site with 180 units. And the
21 180 units are broken into -- there's two-story
22 buildings, there is three of them here. And then
23 there's also two-story buildings back here that are
24 also apartments. And then you have the cottages,
25 which are depicted by those -- they're all four-plex

1 for the cottages.

2 The site is undeveloped and it has frontage
3 along British American Boulevard and also has frontage
4 along Troy-Schenectady Road for a short run here.
5 It's been used -- historically it's been used as a
6 nursery or for the products that are sold at
7 Faddegons. Their facility is right here. And it has
8 a lot of mature vegetation back here and it also has a
9 pond system that was also developed by the Faddegon
10 family over the years.

11 And I think that there's a treeline that
12 shows the rest of it, which is well vegetated and just
13 open where the pond area is. There are also utilities
14 along British American Boulevard. There's water,
15 there's sanitary sewer, and there's an existing
16 transmission main, a water transmission main that runs
17 from the treatment plant up to along an easement.
18 Then it runs across British American Boulevard,
19 continues and goes all the way up to the water tank --
20 water tanks, there's two up there.

21 That's a 30 inch transmission unit that's
22 not going to be used for us to access water for the
23 development. But there is -- there are water mains
24 along British American Boulevard with access.

25 The layout of the site, what we have done is

1 there's three separate driveways that are being
2 proposed. This building is kind of being developed
3 for its own driveway and has parking, and it's kind of
4 isolated in this area.

5 And then there's a driveway here that comes
6 in and circulates through the site and it also
7 connects out to -- back at British American Boulevard,
8 so it provides circulation through the proposed
9 development and also provides a parking area. There
10 is about 337 parking spaces, surface parking spaces,
11 and there's 30 parking space that are in garages.

12 I think the last time you saw this sketch
13 plan we were also proposing garages over the east
14 buildings. Since that time that's been changed.
15 There is no under the building garages being proposed
16 with this concept layout.

17 The other changes, these buildings I believe
18 they were four stories, three or four stories.

19 MR. SITZER: At one time.

20 MR. COSTA: At one time. In the sketch
21 plan, I believe they were multi-stories. So the
22 proposal, and it's shown in the concept plan, is to
23 take the water and move it throughout the site and
24 provide it to the individual water services, to each
25 of the buildings.

1 Same thing with the sanitary sewer. We'll
2 be bringing in the sanitary sewer and connecting and
3 providing municipals sewer service to each one of
4 these units.

5 Stormwater, we're going to try to utilize as
6 much as we can the existing pond. And also we'll be
7 doing some additional treatment of the water runoff,
8 stormwater runoff, as required by the stormwater
9 regulations the town has and also the New York State
10 DEC design manual requires.

11 The site does have existing wetland over
12 this area and it collects water that comes off of
13 British American Boulevard, and it collects water that
14 comes off -- there's a ridge right in this area that
15 water runs to the west, and it also runs toward the
16 pond.

17 The pond discharges through a continuation
18 of this swale, goes behind this building. Then it
19 continues, it goes out into Troy-Schenectady Road. It
20 makes it way across Troy-Schenectady Road and
21 eventually discharges down into River Road and into
22 the Mohawk River. That's the ultimate discharge for
23 the stormwater from this site.

24 The idea when we did the layout of the
25 roadway is that we -- in the gray -- we have done a

1 little bit of grading. The idea that Jack Faddegon,
2 who's here with us tonight, is to try to maintain as
3 many of the large groves of trees throughout the site,
4 and that's why you see these large areas behind the
5 buildings.

6 And the units are being developed by the
7 roadway system, so we have an opportunity to maintain
8 some of those specimens, some of those large specimens
9 and vegetation that's out there. There's very large
10 trees here. We're talking about 36 inch, 48 inch. If
11 you visited the site you would have a better
12 appreciation of the number of trees that exist on this
13 site.

14 And Jack's mandate to us is to try to keep
15 as many of those trees as possible. And we also would
16 like to request some flexibility, as we do the
17 construction of the project, as we move forward with
18 the construction of the project, that we have some
19 flexibility in adjusting some of the roadway alignment
20 to -- and even building placement, to avoid taking out
21 trees that should be staying.

22 So that's the summary of what's happened
23 since the last time we were here. The site has plenty
24 of green space, there is like 73 percent green space.
25 I have also brought some of the architectural

1 renderings of what the buildings are going to look
2 like. These are going to be the cottages. You know,
3 there is going to be a variation, but this is what the
4 idea is, to have a one level home, and then these are
5 the two-story buildings that are shown.

6 CHAIRMAN STUTO: Do you mind putting the one
7 on the left up so they can see it?

8 MR. COSTA: Sure. Is that good?

9 CHAIRMAN STUTO: I want to make sure
10 everyone can see it.

11 MR. GRANT: Is there an HOA?

12 MR. COSTA: No. These are all going to be
13 privately owned apartments, no HOA. There's a
14 clubhouse that is located right here and that will
15 have a mail kiosk there, so the residents can come in
16 and get their mail. And also there will be space
17 there for activities. There's a gym there. I don't
18 know that there's been a program developed for the
19 clubhouse, right?

20 MR. SITZER: Not yet.

21 CHAIRMAN STUTO: Can you go over that again?
22 There's no HOA, there's an apartment complex owner?

23 MR. COSTA: Yes.

24 CHAIRMAN STUTO: And the townhouses are
25 individually owned; correct?

1 MR. COSTA: No. These are all for rental,
2 they're all rental.

3 CHAIRMAN STUTO: So it's all going to have a
4 common owner?

5 MR. COSTA: Yes, it will have one owner that
6 will be responsible. There will be utilities easement
7 for the sanitary sewer and the water system that will
8 be deeded over to the town. The rest of it is all
9 going to be privately owned. The stormwater will be
10 privately maintained.

11 Everything else -- and that's one of the --
12 one of the advantage of having a layout with all these
13 curves and tight curves, because it is a private road.
14 If the town laid out the road, we might not be able to
15 do a horizontal curve like this. And also the roads
16 are a little narrower than a typical town road, but
17 they're private roads.

18 CHAIRMAN STUTO: Similar to the last
19 project, this is being reviewed by our town designated
20 engineer on behalf of the planning board. On this
21 case it's Barton & Loguidice, and we have Brad Grant
22 here representing them. Brad, can you give us your
23 comments?

24 MR. GRANT: Yes. Thank you, Pete. Is
25 everybody hearing me? Okay. I wasn't involved in

1 this in its earliest stages but I have looked at it
2 through the concept. And it's an interesting mix of
3 different residential styles and on an enviable site.
4 It is also reflective of mature trees, and some of
5 these looking to be 50 to perhaps even older, perhaps
6 nursery stock on some of them. But one of our main
7 points here is the project will need a detailed tree
8 and vegetation retention plan.

9 MS. MILSTEIN: Can you talk into the mike
10 more?

11 MR. GRANT: Sure. Maybe it's where I'm
12 looking -- but it will be important, I think, to kind
13 of up the ante on the survey. There's a lot of mature
14 trees. And particularly in the areas where there is
15 dense pavement in the parking areas, there needs to be
16 a little flexibility where that triangular island over
17 there on the left.

18 If that, you know, if there was taking out a
19 mature grove of trees, and if it were to be moved
20 30 feet the other direction and miss those, I think
21 that's an opportunity that needs to be realized.

22 It takes quite a while to get the kind of
23 shade structure and amenability of having a forest in
24 sight to the maximum extent possible. But I do like
25 the mix of multi-family and the cottages. Even got

1 the white picket fence, guys.

2 It's got a nice neighborhood feel,
3 particularly privacy on what would be the eastern end.
4 So I do think -- you know, my comment is having a tree
5 retention plan.

6 And obviously, you know, you're not going to
7 survey every four inch tree, but I think 12 inch and
8 up would be beneficial in some of these dense areas.
9 There is noted a lot of walking trails that goes
10 through here too?

11 MR. COSTA: Yes, thanks for that. There's
12 a -- the idea is that people can walk those trails and
13 enjoy the very dense mature forest that is there.

14 MR. GRANT: Again, flexibility, if you can
15 weave amongst the trees -- this is concept, and I
16 think a dedicated plan would be a helpful design aid
17 toward a final design. I threw this out knowing
18 there's a nursery owner in the room, consider green
19 roof for -- could be a good marketing aspect. I don't
20 know if any of these are flat roofs or if they're all
21 gabled. So parking structures, you know, maybe the
22 clubhouse is of that -- but it's something to be
23 considered.

24 MR. COSTA: Yeah.

25 MR. GRANT: Provide an up to date traffic

1 analysis. Show all delineated and approved wetlands.
2 You're still going through the process?

3 MR. COSTA: Yes.

4 MR. GRANT: What were they delineated?

5 MR. COSTA: This area right here was
6 delineated -- Jack, a few years ago?

7 MR. FADDEGON: That area is delineated now.

8 MR. COSTA: That was confirmed?

9 MR. FADDEGON: Yes.

10 MR. COSTA: So that area, but we do have to
11 do some more on-site. That's correct.

12 MR. FADDEGON: Yeah.

13 MR. GRANT: The project will require a full
14 swift. I do understand that some of the existing pond
15 systems here, you're looking to utilize some of that
16 and enhance it. And then like you said earlier, some
17 separate areas of green infrastructure near the
18 pavement.

19 The southerly entrance there out to British
20 American has a median. Even small areas can benefit,
21 by modest size, by retention. You're going to plant
22 something there interesting anyway, make it do some
23 work. The closed culvert system that would be
24 receiving the pond runoff, I just want to know more
25 about it, get some pictures.

1 And are there limitations of existing
2 flooding? Would this help or add to it? It's
3 certainly going to add volume just, because of the
4 changing land cover. Along the trail systems, is
5 there going to be lighting?

6 MR. COSTA: We haven't looked at that. And
7 like you said, I think we need to have some idea of
8 the vegetation of the canopy that's there. Then we
9 can make a decision at that point, you know, if it's
10 worthwhile to put some in.

11 MR. GRANT: A long time ago I lived in a
12 complex not too dissimilar from these apartments. And
13 it had so much vegetation that it was a little -- I
14 did not let my wife go out, security and --

15 MR. COSTA: This area right here, this is
16 already --

17 MR. GRANT: That's fairly open.

18 MR. COSTA: Yes. There's an aerial photo.
19 This entire area is --

20 MR. GRANT: I was thinking more of the other
21 wetland system up there. There's some nice trail
22 routes. I know it's early, but with being ADA
23 compliant, there would be some handicapped people here
24 somewhere.

25 MR. COSTA: Maybe not the entire route, but

1 there would be signs.

2 MR. GRANT: One building is labeled as a 12
3 story --

4 MR. COSTA: No, it's a one or two story.

5 MR. GRANT: Your culverts here in this
6 wetland system will probably be the archetype, with,
7 you know, a natural bottom for aquatic life still
8 maintaining their travel habits.

9 MR. COSTA: (Nods head.)

10 MR. GRANT: The environmental assessment
11 form, is that done yet?

12 MR. COSTA: We submitted that, Brad.

13 MR. GRANT: And this is located in the
14 airport --

15 MR. COSTA: Yes.

16 MR. GRANT: Mitigation fees for water would
17 be required. Some of the encroachments of -- not the
18 principal structures, but ancillary structures and
19 various utilities and hold harmless agreements.

20 MR. COSTA: Yes.

21 MR. GRANT: Is there any of these buildings
22 that would be sprinklered?

23 MR. COSTA: That I don't know at this point.

24 MR. SITZER: They're all sprinklered.

25 CHAIRMAN STUTO: Can you repeat the

1 question?

2 MR. GRANT: I was asking if the buildings
3 would have fire sprinkler systems.

4 MR. SITZER: Yes, they all would have
5 sprinklers, because they're all apartments.

6 MR. COSTA: Okay.

7 MR. GRANT: And usually that can happen
8 later, but if the fella wants to put some numbers on
9 water availability. I can't imagine it's deficient,
10 but just to be sure.

11 MR. COSTA: And we're moving the water --

12 MR. SITZER: Right back out to British
13 American.

14 MR. COSTA: Yes.

15 MR. GRANT: Provide cross-sections of the
16 stormwater management practices. This is going to
17 need a very good erosion and sediment control plan.
18 You'll need a good one. Is there a phasing proposed
19 here?

20 MR. COSTA: Yes, absolutely.

21 MR. GRANT: What's that?

22 MR. COSTA: I can tell you now that the
23 initial phase is these three buildings, most likely.
24 Then the next phase would be in this area right here.
25 Then there will be a connection made and eventually

1 this area will be done last.

2 MR. GRANT: Total height of each building on
3 the plan?

4 MR. COSTA: Yes. What's the maximum height?
5 The two stories would be, with the roof, probably
6 under 35 feet, I think for the height of the roof.

7 MR. SITZER: Height of the roof?

8 MR. COSTA: Yes.

9 MR. SITZER: It's going to be within
10 allowable limits. I don't know exactly what it will
11 be, but we're not asking for any variance.

12 MR. COSTA: But it's, you know, two stories
13 and then a peak.

14 MR. GRANT: The pedestrian accommodations --
15 is this going to have a CDTA bus stop?

16 MR. COSTA: We had -- I think there was a
17 comment made by CDTA or part of the town. That was
18 submitted, the same thing with the Capital District
19 Transportation. They already calculated for that
20 site; is that correct?

21 MR. MAGUIRE: CDTA didn't put a necessary
22 spot for a bus stop there. That was one of their
23 comments.

24 MR. GRANT: Okay. Has the applicant
25 considered the construction of sidewalks along the

1 premises?

2 MR. COSTA: There's already sidewalks.

3 MR. GRANT: You already have it covered?

4 MR. COSTA: Yes. There's sidewalks, right?
5 British American has sidewalks all the way up.

6 MR. GRANT: Particularly because, you know,
7 this is next to a business office zone.

8 MR. COSTA: Right.

9 MR. GRANT: There's going to be an
10 opportunity for people to bike to work, so we want to
11 see a good amount of bike racks.

12 MR. COSTA: We're hoping they'll walk.

13 MR. SITZER: Right.

14 MR. GRANT: If they're on the other end,
15 they may want to bike. Particularly with the bike
16 trail system not far away, having those connections
17 would be good. And also, you know, level two electric
18 vehicle charging stations be proposed for parking
19 areas.

20 MR. COSTA: Yes.

21 MR. GRANT: I know we mentioned four to
22 six. I'm not sure what the right number is, but
23 particularly for the apartments. You're seeing more
24 and more of them now.

25 MR. COSTA: Right.

1 MR. GRANT: And outdoor recreation and
2 public gathering areas. I think you mentioned
3 something up at the clubhouse?

4 MR. COSTA: Right.

5 MR. GRANT: That will be kind of like a
6 field there?

7 MR. COSTA: We'll explore that, depending on
8 the extent of the area we have to work with. There
9 may be an outdoor area, like a picnic area, barbecue
10 area maybe.

11 MR. GRANT: So overall there's a lot of
12 green space. I guess the only visual thing I have is
13 that trail area there, it's so dense there. I don't
14 know if any of those parking spaces could go along the
15 road on that -- yes, right in there, soften it a
16 little bit at least.

17 MR. COSTA: Increase the green area.

18 MR. GRANT: Yeah, just break up some of that
19 asphalt jungle there. But particularly, having well
20 landscaped and having a couple mature trees in that
21 triangular green space will help break that up a
22 little bit.

23 And obviously, with people walking in your
24 backyard on the trails, you know, could be important
25 to maintaining buffers, that you have privacy in your

1 windows.

2 MR. COSTA: We're thinking that the trails
3 will follow the edge of the water, so there's a buffer
4 between that and the homes.

5 MR. GRANT: So the permanent pool elevation
6 of the pond will be the same or higher, lower?

7 MR. COSTA: No, it will probably be the
8 same. We're going -- the idea that we have in mind
9 now is that we're going to install an outlet control
10 structure, so there will be multiple openings. Right
11 now there's one opening as an overflow into a culvert.

12 I think that with the outlet control
13 structure, the pond will obviously fluctuate when
14 there's surface water runoff, but that the permanent
15 pool is there most of the year and it would remain
16 that way.

17 MR. GRANT: Mm-hmm. You know, a few park
18 benches around that pond would be a nice place to
19 watch the sunset.

20 MR. COSTA: Yeah.

21 MR. GRANT: And you might even put a
22 fountain in that pond.

23 MR. COSTA: Yes, the fountain I think would
24 make it really a focal point.

25 MR. GRANT: Yes. Both the audio of the

1 water --

2 MR. COSTA: And landscaping, yes.

3 MR. GRANT: I think that's what I have.

4 CHAIRMAN STUTO: I think those comments are
5 very good. Can you make sure, if this project goes
6 forward, that you follow up on these?

7 MR. GRANT: Yes.

8 CHAIRMAN STUTO: Are there members of the
9 public that are interested to speak on this project?
10 We'll go in reverse order with the board. Susan, do
11 you have any comments or questions?

12 MS. MILSTEIN: The number of bedrooms, is it
13 like studios, one bedrooms, two bedrooms and three
14 bedrooms? Is that like two bedrooms, one bathroom,
15 then in the larger apartments --

16 MR. COSTA: I don't think we're doing any
17 three bedrooms. I don't believe we're set up for
18 three bedrooms. I believe they're mostly ones and
19 twos.

20 MS. MILSTEIN: On one of them I thought I
21 saw three bedrooms.

22 CHAIRMAN STUTO: Are there studios or not
23 studios?

24 MR. COSTA: I'm not sure that we have that
25 determined the floor plan for --

1 MR. SITZER: What's the question?

2 MR. COSTA: Is there going to be studio
3 apartments?

4 MR. SITZER: In the large building there is
5 going to be studios, yes.

6 MR. COSTA: So the three buildings up front,
7 there will be studio apartments. But Lee, we don't
8 have any that are three bedrooms, do we, Lee?

9 MR. SITZER: I'm sorry.

10 MR. COSTA: Three bedrooms? Is there any
11 three bedroom units?

12 MR. SITZER: No, no three bedrooms.

13 MR. COSTA: They're all ones and twos and
14 studios.

15 MS. MILSTEIN: The ones in that 12 unit, two
16 story building --

17 MR. COSTA: Those are -- I don't think those
18 are going to be three bedrooms. The floor plan shows
19 that?

20 MS. MILSTEIN: Yes.

21 MR. COSTA: There's no -- I think that we'll
22 be changing that.

23 MS. MILSTEIN: And I know you were looking
24 for flexibility -- flexibility in order to save trees,
25 as long as -- as long as there's contemplation and

1 preapproval and it's not just unilaterally decided.

2 MR. COSTA: Yes, I think that the
3 flexibility would be that we would discuss that and
4 communicate with the town departments if we wanted to
5 move something. It wouldn't be done unilaterally. It
6 would be something that would be discussed.

7 MS. MILSTEIN: So that would be the case?

8 MR. COSTA: Yes.

9 MS. MILSTEIN: I have nothing else.

10 CHAIRMAN STUTO: Paul.

11 MR. ROSANO: Thank you, Peter. Just for the
12 record, Dr. Laura Weed is here from the Colonie CAC.
13 I want to be sure that's on the record. I do want to
14 touch on one piece with you, Nick. As far as making
15 contact with the Niskayuna school system; at some
16 point in the project, because it's a phase project it
17 could be a while, but that will take place?

18 MR. COSTA: Yes, at the appropriate time
19 we'll be contacting the school district. There will
20 be contact made with the school district to discuss
21 the project, and let them know ahead of time that the
22 project is happening for number of units. I think
23 Sean, with the Department, has been part of that
24 process.

25 MR. ROSANO: And as part of the EV stations,

1 that's still in play?

2 MR. COSTA: Yes.

3 MR. ROSANO: Every project --

4 MR. COSTA: Yes.

5 MR. ROSANO: Thank you.

6 CHAIRMAN STUTO: Chip?

7 MR. ASHWORTH: Yes, thank you. The -- I
8 think the renderings that you showed of the elevations
9 of the apartments and the great palette of colors, it
10 looks like the colors were selected to make these sort
11 of recede into the background. My only -- I had two
12 observations. One is that I think in an apartment
13 building, that maybe if you took the white trim and
14 made it buff or at least an off white.

15 MR. COSTA: Yes.

16 MR. ASHWORTH: And I'm not crazy about the
17 parapets on the larger buildings, because it looks too
18 commercial. And this whole project looks, you know,
19 so cozy.

20 MR. COSTA: We could, certainly. We're
21 still working with the architect.

22 MR. ASHWORTH: I think it would look more
23 homey without the curtains.

24 MR. COSTA: Okay, thank you.

25 MR. ASHWORTH: How wide is the walking trail

1 going to be?

2 MR. COSTA: Those usually are anywhere from
3 60 feet deep and wide. Brad, am I correct in that?

4 MR. GRANT: Yes.

5 MR. ASHWORTH: So someone could ride a
6 bicycle on it too?

7 MR. COSTA: Yes, if the surface allows it.

8 MR. ASHWORTH: The other comment I have is
9 the parking for these buildings. You have got some
10 buildings there that are less than one and a half
11 spaces per unit. And you have some units here, well
12 this one in particular is a three unit, has nine
13 spaces plus access to half a dozen garage spaces. So
14 I think that could be spread out a little bit better.

15 MR. COSTA: We'll balance that --

16 CHAIRMAN STUTO: On that point, in the
17 comments from the town department, it says the project
18 shows 1.6 spaces per apartment or unit?

19 MR. COSTA: Correct.

20 CHAIRMAN STUTO: Is that still accurate or
21 has that been changed?

22 MR. COSTA: That's correct.

23 CHAIRMAN STUTO: So you'll be looking for a
24 parking waiver?

25 MR. COSTA: Yes, we are.

1 CHAIRMAN STUTO: Do you want to talk about
2 how you justify that? And I'll ask our town
3 designated engineer whether they agree with that.

4 MR. COSTA: What we found is that, and
5 there's studies out there, that most of the time two
6 parking spaces, you start getting into -- units that
7 are like over a hundred units, it's a little much,
8 it's over-parking.

9 One and a half -- one to one and a half is
10 more realistic. That's what the studies have shown,
11 and that's why we usually request a waiver to one and
12 a half or more.

13 CHAIRMAN STUTO: I'll ask our town engineer
14 to look at that. My sister lives in an apartment, I
15 won't name the apartment, but it seems like it's
16 under-parked. It's a relatively modern apartment
17 buildings, and it seems a little jammed. Maybe I'll
18 talk to you off the record about where it is, but I
19 would ask that you take a close look at that.

20 MR. GRANT: I think there is some pause for
21 redistribution of parking spaces.

22 CHAIRMAN STUTO: Let's give that some
23 thought.

24 MR. ASHWORTH: The other thing is maybe they
25 should go along with a two or three unit and bank

1 some.

2 MR. COSTA: That's a good point.

3 CHAIRMAN STUTO: You have enough real
4 estate.

5 MR. COSTA: Yes, exactly.

6 CHAIRMAN STUTO: All set? Chief Heider.

7 MR. HEIDER: A couple things. One, as a
8 board in the past we had an awful lot of these
9 proposals of significantly less, like ten percent of
10 this. We really honed in on the fact for a public
11 space, recreation space, like a walking trail.

12 I'm sure it will be beautiful, but there is
13 absolutely nothing around the individual buildings for
14 anybody to enjoy the outside, or at least it's not
15 shown. So I think that's a very important factor.
16 The clubhouse, I'm a little concerned, what did you
17 say it would be used for?

18 MR. COSTA: I think it will be offices for
19 management for the apartment complex.

20 MR. HEIDER: So there is no public space
21 there?

22 MR. COSTA: No, no. It will be offices and
23 it will have a common space for an exercise area or --

24 MR. SITZER: It will be a community room and
25 a gym and --

1 MR. HEIDER: I think that's very important
2 to have, but at that point you have to look at the 12
3 parking spots as not being adequate, and there's no
4 other area near that. So if you had 50 people there,
5 you have no place to park. Not that I would a big
6 parking lot, but you have to be one way or the other.

7 You have two beautiful ponds there, then you
8 have all this crap from all these roads being dumped
9 into them. Now it's just a wooded area to dump into
10 ponds. Naturally I'm very concerned about what kind
11 of sediment is going to wind up in that. I don't know
12 if forest pavement is an option here?

13 MR. COSTA: No, the soil is not equipped for
14 forest pavement, but there's other methods of
15 filtering that. And we're going to use some of those,
16 because the stormwater regulations require
17 filterization.

18 MR. HEIDER: I guess my concern is, being an
19 apartment complex, and I know it'll be beautiful,
20 you'll put tons and tons and tons of salt on this
21 every time you have a whisper of snow. And I would
22 just love to know where that salt is going to go.

23 Because I would hate to see it jeopardize --
24 I'd hate to turn these two beautiful ponds into toxic
25 waste dumps. I know Faddegon's wouldn't want that and

1 I know British American wouldn't want that either, so
2 that's a very big concern. I think that's it.

3 CHAIRMAN STUTO: Brad, I know you're a
4 stormwater guy. Can you talk about what the Chief
5 just raised?

6 MR. GRANT: Yes, I understand both points,
7 and the DEC type practices by retention I think was
8 mentioned as one. This is a tight soil site so
9 infiltration probably isn't going to happen much at
10 all. But each one of those systems has a treatment
11 mechanism, so you try to keep the sediment out of the
12 pond.

13 Quite frankly, the biggest sediment I'm
14 concerned about is during the construction process
15 itself. You know, once you retained as much
16 vegetation as you can, you have vegetated your lawns,
17 your shrubbery, everything is in there, you may have
18 some length of swales -- or pipe discharge to a swale
19 that filters out 50 to a hundred feet from the ponds.

20 There is lots of individual methods that you
21 can do. And quite honestly, even the water quality
22 would be enhanced by aeration of a fountain, not only
23 as an esthetic, but as a water quality treatment
24 device.

25 So I think there's many opportunities, and I

1 would like the type that are near the source of
2 imperviousness treated. Don't carry that for 500
3 feet, but treat it as close to the source. And that
4 means -- perhaps there's multiple means of treatment.

5 As far as water volume, the pond system,
6 there multiple outlets is going to be looked at to
7 make sure we don't overwhelm receiving culvert
8 systems. So yes, it can be done, just needs good
9 design.

10 MR. COSTA: And we have to use those
11 practices because for us to get coverage under the NYS
12 DEC program, we need to do what's called a runoff
13 conduction, and I don't want to bore you with the
14 details of that, but as Brad says, those multiple
15 practices have to be utilized to accomplish that.
16 We'll be looking at all the practices.

17 MR. GRANT: I encourage a natural treatment
18 system before you get into treatment in a box, a
19 hundred thousand dollars scenario, and this site
20 affords the opportunity for that.

21 CHAIRMAN STUTO: Okay. Lou Mion?

22 MR. MION: Yes, I tend to agree with the
23 chief; at least around the apartment, two-story
24 buildings, have some kind of recreational or what have
25 you. Other than that I think it's a great project and

1 it's beautiful back there, it really is. I have
2 enjoyed walking back there.

3 CHAIRMAN STUTO: I don't have anything to
4 add. I think all the comments were excellent. I
5 think the TDE's comments were excellent. And I think
6 the Board's comments were excellent. So if you
7 respond again, if and when you come back. The
8 question before the Board I think is for concept
9 approval, is that right?

10 It's concept acceptance, it's not an
11 approval. It's not an action under SEQOR, so the
12 environmental review will be done at final. But we'll
13 consider all the documents considered now up until
14 that time. Do we have a motion for concept
15 acceptance?

16 MR. MION: I can make a motion.

17 MR. HEIDER: Second.

18 CHAIRMAN STUTO: The motion was made by Lou
19 Mion, second by Chief Heider. Do we have any
20 discussion? All those in favor say aye.

21 (Ayes were recited)

22 CHAIRMAN STUTO: All those opposed, nay.

23 (None were opposed)

24 CHAIRMAN STUTO: They ayes have it. Thank
25 you.

1 MR. COSTA: Thank you.

2 CHAIRMAN STUTO: Sean, is there anything
3 further before this board or anything further you
4 would like to talk about?

5 MR. MAGUIRE: That's it.

6 CHAIRMAN STUTO: Next meeting is?

7 MR. MAGUIRE: Two weeks from now.

8 (Whereupon the above-entitled
9 matter was concluded at 7:12 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