

PLANNING BOARD
TOWN OF COLONIE

COUNTY OF ALBANY

TRAFFIC STUDY AS IT RELATES TO THE
PROPOSED WAL-MART SUPERCENTER
AT 1 AUTOPARK DRIVE - CONTINUED

THE TAPED AND TRANSCRIBED MINUTES of the above
entitled proceeding BY NANCY STRANG-VANDEBOGART
commencing on October 20, 2009 at 7:20 p.m. at
the Public Operations Center 347 Old Niskayuna
Road, Latham, New York 12110

BOARD MEMBERS:

JEAN DONOVAN, CHAIRPERSON
MICHAEL SULLIVAN
ELENA VAIDA
TIMOTHY LANE
C.J. O'ROURKE
TOM NARDACCI
PETER STUTO, Jr. Esq.,
Attorney to the Planning Board

Also present:

Joe LaCivita, Director, Planning and Economic
Development

Victor Caponera, Esq., Wolford Associates

Tom Barrett, Barton & Loguidice

Brad Grant, Barton & Loguidice

Lindsey Zefting, Bergmann & Associates

Tim Nichols, Albany County Legislator

1 CHAIRPERSON DONOVAN: Also on the
2 agenda this evening is an update on the
3 traffic for the Wal-Mart on Autopark Drive.

4 Our town designated engineers are ready
5 to address mainly the Bergmann study that
6 was a traffic study that was conducted by
7 Wal-Mart.

8 MR. BARRETT: My name is Tom Barrett
9 and I'm with Barton and Loguidice engineers.
10 On October 14th we submitted our comments to
11 the Town Planning and Economic Development
12 Department. I'm here to talk about some of
13 those comments that were made and hopefully
14 answer any questions that you may have.

15 The list that we have provided in the
16 letter contains 20 comments. I'm prepared to
17 go through each and every one of them. Some
18 of them are minor.

19 The first one has to do with basically
20 the traffic data report. We're recommending
21 that the recent report of 2008 be used in
22 the study. So there was nothing too pressing
23 on that. The data isn't very different.

24 MR. LACIVITA: This is March 12th?

25 MR. BARRETT: The October 14, 2009

letter.

MR. LACIVITA: This was supplied via
e-mail. Did you supply a copy to the board,
Tom?

MR. BARRETT: Yes.

MR. LACIVITA: Which one did you send?
The one that we got, Brad, shows the
March 7, 2008 -- those were the attachments.
I didn't see the letter.

MR. GRANT: This one here -

MR. LACIVITA: Right, that's the one
that I submitted to the board.

MR. GRANT: The one that I had e-mailed
you today was just to make sure that they
had it.

MR. LACIVITA: This one went to Mike
Lyons and I didn't see this one here to give
to the board.

MR. O'ROURKE: Can we take a quick
bread and get copies?

1 MR. LACIVITA: Sure. I'll make copies
upstairs.

2 CHAIRPERSON DONOVAN: While they're
3 making copies for us, we'll just give you a
4 very brief summary of where we are in the
project.

5 Wal-Mart is approximately a
6 190,000 square foot retail center that has
7 applied to go off of Autopark Drive, which
is not far from the 9/9R intersection on
Route 9.

8 We have been attempting to work with
9 the State of New York because Route 9 is a
10 state road and with CDTA, CDTC, Capital
11 District Transportation Committee and the
12 Capital District Transportation Authority
and the town to come up with a traffic plan
13 that meets the needs of all the parties. One
14 of the issues that the town has and one of
the issues that we've been working very hard
to make certain is that the substantial
15 traffic that comes out of a Wal-Mart, a
16 186,000 square foot Wal-Mart, will not be a
burden to town roads or the town residents.
That is what we've attempted to work on.

17 Mr. Caponera, who represents Wal-Mart,
18 is well aware of it and he's been working on
19 this also. That's where we are now.

20 Wal-Mart did present a traffic study,
21 this Bergmann study, which our town

22 designated engineers did have the
23 opportunity to analyze and that's the report
24 that they're going to give us this evening.
So, that's where we are.

25 MR. LACIVITA: The remaining part of
Tom's packet is the attachment that you guys
have already.

MR. BARRETT: The comments are minor
but we can go through a few or we can go
over the main ones which happened to be
circled on your copy of your letter. We can
go through the second page.

CHAIRPERSON DONOVAN: Since this is an
analysis of the whole thing, why don't you
go through the points that are pertinent?

1 MR. BARRETT: Yes, the New York State
2 DOT traffic report was used as a reference.
3 We'd like to use the 2008 as the most recent
4 and to verify that the data used in this
5 study reflects the most recent report. It's
6 pretty straight forward.

7 Next, the nationwide Wal-Mart
8 Supercenter study - - we agreed that the
9 study data from the Wal-Mart study is
10 acceptable when compared to the ITE data
11 which is the Institution of Transportation
12 Engineers, which is the accepted bible for
13 trip generation of traffic for commercial
14 and residential type developments.

15 The one question that we did have is:
16 How does the trip generation data in the
17 Wal-Mart study compare to other Wal-Mart
18 stores in the area; specifically the
19 Halfmoon store? The data used in the study
20 was 4.5 trips per thousand square feet of
21 floor space. Other studies have shown that
22 the Wal-Mart in Halfmoon are 4.61. At the
23 previous meeting it was discussed that this
24 was a relatively small number of vehicles.
25 However, we'd just like a reason why the
Halfmoon numbers weren't used in a more
conservative manner.

Comment number two is just a reference
to locations of the 32 stores analyzed in
the Wal-Mart study. I believe that the board
had the same comment at the last meeting
too.

The U.S. Route 9 and Dunsbach Ferry
Road intersection is actually a yield sign
and not a stop sign.

The fourth comment is that there is a
restriction of the percentage of the
vehicles and the annual daily traffic and
existing conditions of the report. So, just
let us know what the percentage was of heavy
vehicles that was used in the analysis.

Number five would be the review of the
turning movement counts in the Appendix. The
weekday p.m. peak hour is actually 4:45 to
5:45 p.m. and not 5:00 to 6:00 p.m. as
stated in page five of the report.

1 So to just verify the peak hour and
2 update any associated findings or analysis.

3 Number six: From 2004 to 2007 we agree
4 that the growth data should be 0%. As it may
5 seem amazing to all of us, traffic has not
6 grown from 2004 to 2007. However, the study
7 continues that 0% growth rate into the
8 design here. We do not have 2008 counts so
9 we can't actually verify that it's a 0%
10 growth rate. We suggest using the 1.5%
11 growth rate from that period of 2007 and on
12 up. That's pretty simple.

13 Seven: Explanation on how U.S. Route 9
14 weekday p.m. traffic volumes were developed
15 at the Latham Autopark Drive intersection.
16 The volumes do not appear to have been
17 collected in the turning movement counts
18 which are located in Appendix B. So please
19 provide a description on how the volumes are
20 obtained.

21 Accident data analysis - please include
22 that in an Appendix.

23 Nine: Please provide a brief
24 description including the locations of
25 proposed developments in the area and in the
26 2010 or 2011 volumes used in the prediction
27 to the traffic volume. In other words, we
28 want to know what development that you're
29 aware of that's going on in the area, what
30 the town is aware of and how that was
31 included in the analysis and accounted for.
32 There is a lot of things going on and a lot
33 of developments. There are potential
34 developers that just want a record of what
35 was used in the analysis so that we can look
36 at that and include that as another view of
37 the analysis.

38 I understand that there were volumes of
39 work put in there but we need to know the
40 specific developments and how much traffic
41 per development.

42 Table four shows what we call level of
43 service results. Level of service A is the
44 best and F is the worst.

45 The approach to Route 9, as you're
46 facing the Northway -- so picture yourself
47 coming down 9R toward the Northway and

1 you're approaching Route 9 and there is the
2 intersection and there are two lefts, a
3 right and a through. The existing delay
4 analysis is approximately 53% and 54% per
5 vehicle at that approach. The analysis shows
6 an increase of up to 204 seconds per vehicle
7 at that approach.

8 There appears to be a significant
9 increase in green time on Route 9 which
10 means that the green light on Route 9 stays
11 on longer and stays on less on the side
12 roads. It shows that there would be an
13 increase of approximately four times in the
14 analysis on the approach. So, we'd like to
15 know what kind of degradation and delay will
16 do to the roadway number adjoining Route 9
17 such as Old Loudon Road and how it effects

18 9R going all the way back to Johnson Road.

19 Eleven is kind of tied here to this. We
20 are looking for a queuing analysis. We'd
21 like to see the analysis of how far the
22 backup will be at that light. If you have
23 204 seconds of delay, there is going to be a
24 certain number of cars that are going to be
25 backed up and they could back up through the
intersection of Old Loudon Road. That's the
queuing analysis and we'd like to see that
as part of the report and how that will
impact the secondary intersections along
Route 9.

Twelve: When you come up Route 9 and
you use the slip ramp up toward Latham Ford
and supposed you've got to get to points
north. We're backed up all the way on
Route 9, all the way down Route 7. So you go
up and make a left at Latham Ford and go
down Old Loudon Road and make a right on
Route 9 near the Century House.

If we have a large amount of delay on
Route 9, what will that do and how will that
affect drivers that may shoot down
Cobee Road and go up Old Loudon Road and

then make the slip ramp and clog up the left
turns. What will the delays and the time be
to the traffic which is the bypass of that

1 intersection to the secondary roads. It's
2 part of a master plan model, and then to do
an area wide model with that approach.

3 Thirteen: The analysis uses a signal
4 control right turn to the existing
condition. What I'm getting at here is that
5 on Route 9 North - and you have the slip
6 ramp that goes to 9R - the analysis shows an
existing condition to that is a permitted
7 turn. A permitted turn means that you can
make a right on red or it could be a right
on green, but not a slip ramp that is there
right now.

8 The analysis with the mitigation shows
9 that a free flowing movement which means
that's a level of service A. So using a
10 permitted movement which has more
restriction on the existing condition will
11 add a little more delay to the overall
intersection and existing condition. When
12 you turn it into a free flow with the
proposal it will help the overall
13 intersection and the delay and the radiant
level of service.

14 Also the analysis uses an additional
15 through lane to the Northway on 9R. This is
comment number 14.

16 As you're approaching the Northway
17 coming down from Latham Ford on 9R, it uses
two through lanes. Actually it's a through
18 lane and a through right. We're adding a
through lane where we only have one right
now. So, that is used in the analysis but
19 it's not mentioned as an improvement in the
recommendation section at the end of the
20 study. We'd like to know if this lane is
part of the mitigation that is being
21 proposed or not?

22 Fifteen: This was just a minor comment
to see how the existing signal timing was
determined for this intersection.

23 Sixteen: The signal warrant analysis
24 should be updated to comply with the
national manual of vehicle and traffic
25 control devices and the New York State
supplement. Just update it to the federal
document which was recently been replaced in

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New York State.

Seventeen: On table four, there are through level of service and delay entries missing. Please revise the table to include this information.

Eighteen: In the recommendation section of page 22 of the study, it talks about the coordination scheme to coordinate the traffic signal between Route 9 and Century Hill and the proposed signal at Autopark Drive. What we'd like to do is really see that scheme and see how it's going to work and show the analysis that actually can work. There was some concern and some information and conversation that DOT has made that it may not work. Saying that you can coordinate a traffic system and actually making it work - you really need to prove that it can be done.

Nineteen: The day of opening date is predicted to be 2010. We'd probably want to make that 2011 or 2012. That, of course, would affect the analysis.

Twenty: Part of the conditions of the Latham Autopark Drive access was to coordinate connections to the parcels to the south and develop a revised access scenario.

Left turns to Route 9 would be made from a common intersection such as the Autopark Drive/Route 9 intersection. This is discussed in the Creighton Manning Engineering Boght GEIS Route 9 update final technical memorandum dated January 2009.

In that memorandum, they included letters from property owners and businesses in that corridor such as Acura and the Fitness Place that they would be open to having a right in and right out access at their places of business and left turns coming out through a common intersection.

So, I think that we need to discuss those plans and discuss any plans that you have to coordinate that and incorporate this access management within the Wal-Mart project.

1 Twenty one: Please briefly discuss why
2 traffic during the summer and the Saratoga
3 Race season was not counted or accounted for
4 in the analysis.

5 This was gone over in a previous
6 meeting. We'd just like a statement or
7 paragraph as to why you did or did not
8 include that data.

9 Twenty-two would be to please update
10 the summary and conclusions on page 21 and
11 any recommendations as a result of the
12 adjustments of these comments.

13 That was it. That was what we had.

14 CHAIRPERSON DONOVAN: That was the
15 traffic update?

16 MR. BARRETT: Yes.

17 CHAIRPERSON DONOVAN: We'll start with
18 Tom.

19 Did you have any questions or comments
20 in relation to the update that we've just
21 received, or the briefing that we've just
22 received from Barton and Loguidice?

23 MR. NARDACCI: I was wondering if you
24 had any conversations with the neighboring
25 property owners in the Boght connections and
through Century Hill that you know of. Were
there was any recommendations for that and
what is the status of that? What were the
conversations, if any?

 MR. BARRETT: Well, there was nothing
in the study that talked about that. It does
mention the access road being there but I
know that the GEIS update did cover that and
does have those letters in there. We haven't
done anything as TDE for this project. They
are willing, based on the documentation that
we have to entertain that at Autopark Drive.
As far as Century Hill, I don't have the
answer for that.

 MR. NARDACCI: I don't think that I've
seen anything with regards to Century Hill
with the property. Is there anything with
regard to that?

 MR. CAPONERA: I'm not sure I
understand your question. There are two
things that we're talking about. I think
that what Tom was talking about was the

1 properties south of Autopark Drive; the
2 Court Club and 950 New Loudon. There was a
3 provision made for access to the rear of
4 those buildings. Actually not the rear, but
5 so that they don't have to go north. I think
6 that when Autopark Drive was being developed
7 there was provided ways for the vehicles to
8 get out to at signalized intersection to go

9 north to regulate the traffic flow.

10 I think that your question pertains to
11 a connector road from Autopark Drive to
12 Century Hill Drive.

13 MR. NARDACCI: And I was inquiring if
14 there had been discussions with those
15 property owners.

16 MR. CAPONERA: Which property owners?

17 MR. NARDACCI: The property to the
18 north.

19 CHAIRPERSON DONOVAN: Mr. Bette.

20 MR. NARDACCI: On page 22 it says
21 create a connection between Latham Autopark
22 Drive to Century Hill Drive to facilitate
23 traffic flow.

24 I was just wondering if any of those
25 discussions were had with that property
owner.

MR. CAPONERA: Yes, there were numerous
discussions had with Mr. Bette and with
various numbers of LLCs. We've talked to
many of those properties up there and we've
talked about where this is going to be built
and an access road. That's all in works. It
has pretty much been done.

MR. NARDACCI: The other question that
I had is with regards to a signalized
intersection. What is the current status of
DOT? Where are they? Have there been any new
developments in that regard about a traffic
light?

MR. CAPONERA: You mean at Autopark?

MR. NARDACCI: Yes.

MR. CAPONERA: They are willing to
accept a light there provided that various
other interconnections are there. Therein
lies the problem. We're working on that and
working on getting that accomplished through

1 our work and the traffic engineers, B&L who
2 is getting into this thing, as well as the
3 town departments, Creighton Manning and of
4 course, DOT. So that is where we are at this
5 point.

6 MR. BARRETT: Just so the board knows,
7 I was employed by Creighton Manning at the
8 time that the GEIS was being developed. So,
9 I'm familiar with what is in there.

10 Some of the recommendations in that
11 study call for two left turn lanes going
12 south down on Route 9 to Old Loudon Road.
13 The study recommends a 300-foot addition to
14 that single left turn. DOT hasn't made an
15 official point on which way they want to go
16 with it.

17 There is also a discussion of
18 connection from the Starlite Music Theater
19 down to Old Loudon Road. There is a
20 connection there, if it's possible through
21 there, to talk about. So there are still a
22 lot of things out there that are
23 possibilities and it really has to be looked
24 at on a broader perspective.

25 We have to look at the impacts to the
town roads due to this development and then
mixed into the other developments that will
be there. That was part of the main issue
that we had with the studies that really
focused directly on Route 9. It didn't
really extend out into the local roadway
network. Some of the analysis delay time
shown on some of the secondary roads looked
to me as if the green time was significantly
reduced to make Route 9 look better. So, we
really need to balance the road. There is a
lot of things going on.

MR. NARDACCI: Is there a
recommendation as to how far they should go?
You mentioned tonight that sometimes there
are backups to Route 7. Is there a
recommendation as to how far this should go
and at what point a geographical area should
be incorporated?

MR. BARRETT: The key analysis will
show that the gridlock that you have -- and
that will be directly related to the delay

1 time and the signal analysis is done within
2 the simulation. So that will pretty much
3 determine how far back you have to go and it
4 will link that intersection. As soon as you
5 have a backup to the next light and you
6 start to expand on it a little bit more, the
7 study area gets broader and broader. That's
8 how you determine it. It just goes back
9 until you don't have an impact. You have to
10 think of the bypass traffic and people who
11 are looking to avoid this. All this has to
12 be looked at. Sometimes origin and
13 destination is necessary for that. I don't
14 know if that's necessary for this project as
15 of right now. We'd have to look at what the
16 results are when some of the secondary in
17 the town roadway network is looked at as a
18 whole with what's going on in the corridor.

11 MR. NARDACCI: I think that with all
12 the meetings that we've had on this just
13 this year that the board is very concerned
14 about the traffic and the impacts. It's not
15 just the signal time and the wait times on 9
16 or around 9 but it's as you get back into
17 those places people look for an alternate
18 route. I forgot the terminology. Mike would
19 know it.

16 MR. LACIVITA: Mitigating.

16 MR. LANE: Self-mitigation.

17 MR. NARDACCI: Yes, self-mitigation.
18 That's something that we need to think
19 about.

18 MR. BARRETT: I live on Boght
19 Road - the one off Johnson Road and I come
20 through that intersection every day.
21 Sometimes I cut over to Latham Ridge and go
22 north.

21 CHAIRPERSON DONOVAN: How do you like
22 that roundabout?

22 MR. BARRETT: I designed it. I think
23 it's awesome.

24 If you knew the ton of drainage that
25 went underneath that thing, there will never
be a flood there ever again.

25 MR. NARDACCI: Those are all the
questions that I had for right now. I'm sure

1 that there is a lot more to discuss right
2 here going forward.

CHAIRPERSON DONOVAN: Tim?

3 MR. LANE: Last time I asked this and
4 I'll bring this up to you.

5 The projections are to 2010 and as you
6 know, there are four or five other
7 developments that are being considered over
8 the next several years. I was wondering if
9 you see any issue with the fact that the
10 projections might change next year or even
11 10 or 20 years down the road. Even if it is
12 only 1.5%, it doesn't sound like a lot but
13 when you go over 10 years, that's 15%. We're
14 already experiencing issues with the
15 intersections right now.

16 MR. BARRETT: The applicant is not
17 required to go beyond that, but I do
18 understand your concern. That's why we like
19 to look at what developments are being used
20 in the study to get us out to 2011. Now we
21 can have a better idea of what the longer
22 term impacts would be from what else could
23 be built and how that would effect us. Are
24 they using projected traffic data that is
25 conservative and is it in line with what is
zoned and what is on the books? What is
going to be on the books? Then we can get a
really good idea of how it would work in
that longer time frame that you're talking
about. So that's very important to have that
data of what is being used in this analysis.

We have received a memorandum from
Bergmann Associates but we have not
completed our review of that. It will have
our comments here and hopefully we'll be
able to work that into the next submission
of the traffic study. So they have addressed
some of these comments that I've talked
about here because they came out of the last
meeting. But we have not finished our review
on that portion of it. So, this pertains
directly to the study that was submitted and
dated February 2009.

CHAIRPERSON DONOVAN: I just want to
clarify that this study is based on Route 9,

1 9R and Autopark and the traffic light up by
2 Century Hill. Is that correct?

3 MR. BARRETT: Yes.

4 CHAIRPERSON DONOVAN: Any idea when
5 Autopark will actually become a dedicated
6 town road?

7 MR. CAPONERA: It should be soon. A lot
8 of it depends on getting our client moving
9 forward and we're moving in that direction.

10 CHAIRPERSON DONOVAN: Elena?

11 MS. VAIDA: I think that you just
12 answered my question. I was wondering if you
13 had seen the response dated the 13th from
14 Bergmann Associates that talks about what
15 was imported in the project.

16 MR. BARRETT: Yes, and we have a copy
17 of it here too if anybody would like to see
18 it.

19 MS. VAIDA: But that's not included in
20 the comments that you just made, right?

21 MR. BARRETT: No, it's not.

22 MS. VAIDA: I think that you've
23 addressed one of my questions. What projects
24 or future development should be considered
25 in the traffic study? They list here
certain projects that have been before the
board that are in development and they also
talk about the Starlite development
specifically not being included because
nothing has been basically filed on that.
But it seems like there is future
development or it's possible that should be
considered in the traffic study. I was
wondering if you agreed with that.

MR. BARRETT: Yes. The Starlite
property itself, with the conceptual idea of
a connection from that directly to the
Autopark Drive intersection of 9 would be a
reasonable mitigation for that property with
any kind of development. I'm not sure of the
town's position on that connection through
there or what would be built back there but
that certainly is a reasonable mitigation
strategy for that property so that you
wouldn't have any additional traffic at the
Old Loudon Road intersection or 9R. It would

1 come right out to a signal and that may be
2 at Autopark Drive.

3 MR. STUTO: Do you think that it's
4 worthwhile to study that property in the
5 context of the GEIS?

6 MR. BARRETT: I think that it's
7 absolutely reasonable because it does have
8 an impact on the roads right in the Boght
9 corridor.

10 CHAIRPERSON DONOVAN: The road actually
11 has to go somewhere so it would go out by
12 Johnson Road, but I don't believe that the
13 Boght GEIS area extends out to Johnson Road;
14 is that correct?

15 MR. LACIVITA: No, because it goes back
16 to all the housing developments too.

17 MR. BARRETT: That's correct.

18 CHAIRPERSON DONOVAN: Thank you.

19 Elena, anything else?

20 MS. VAIDA: No, thank you.

21 CHAIRPERSON DONOVAN: C.J.?

22 MR. O'ROURKE: No. Honestly, I was just
23 handed -- and what I asked for was some
24 information that goes back to the State of
25 New York as far back as '96 in regard to
26 that traffic light, they're not in support
27 of it; February 28, 2007, not in support of
28 it; February 4, 2008, not in support of it
29 because of the detrimental effect that it
30 will have to the Route 9 corridor.

31 In effect, if it affects those things,
32 it affects every single housing development
33 and every single resident in Latham. It
34 affects them adversely by putting a light
35 there on Route 9.

36 As a matter of fact, two Fridays ago
37 with that accident on the Northway, it took
38 me 42 minutes to get from Lowe's to just
39 beyond the town line so that I could make a
40 left. So, I 100% agree that when it backs up
41 and gets gridlocked, it's unsafe for every
42 resident for the Town of Colonie and Latham
43 in particular. I'm anxious to see further
44 study as this project goes on.

45 CHAIRPERSON DONOVAN: Thank you C.J.
46 Mike?

1 MR. SULLIVAN: I don't know if you had
2 a chance to look over the Bergmann memo. I
3 know that you weren't commenting on this
4 tonight but the mitigation strategies that
5 they propose - are you familiar with those?
6 I had questions on those.

7 MR. BARRETT: I don't have any final
8 thoughts, but we can discuss it if you'd
9 like to discuss it. I'll let you know if I
10 can't make a comment.

11 MR. SULLIVAN: Okay, because I don't
12 want to put you on the spot.

13 Southbound on Route 9 going eastbound
14 on 9R, currently there is one left turn lane
15 there and they're saying that they're going
16 to extend the storage there from 200 feet to
17 300 feet, but they also said that would also
18 go into the left through lane on 9 - the
19 southbound lane. How would that work? I was
20 confused as to how they were going to have
21 increased storage without impacting
22 something. Is it impacting the left turn
23 median or going out into the left turn lane
24 which would also cause delay.

25 Then you had mentioned that the
approach on 9 northbound going to 9R
eastbound - they're going to do away with
the yield there so that would be a free
flowing movement?

MR. BARRETT: The yield can be
considered free flowing as well because it
yields to other vehicles. The problem with
that is that if you put more vehicles
turning left because they need to be, there
is less chance for you to make your move and
have to yield more often. So, that would be
more backed up.

MR. SULLIVAN: That was my concern.

MR. BARRETT: That's not in the
analysis but when it's balanced out, the
free flow could be considered. A yield can
be considered a free flow as well.

MR. SULLIVAN: I was concerned that
they would do away with the yield and then
the right lane would just be packed all the
time. You won't be able to get into the
right lane if you want to get to Johnson

1 Road if you're coming south on Route 9.
2 There would be no leaving there.

3 MR. BARRETT: It's very difficult the
4 way it is right now.

5 MR. SULLIVAN: And that would make it
6 worse. I was wondering how they're getting
7 the extra storage because it's still level
8 of service F, but they reduced the delay.
9 The delay is still 153 seconds.

10 So, my other concern was that I believe
11 the cycle that they had proposed was a 100
12 second cycle but the delay is 153 seconds.
13 You're going to be sitting there for a few
14 cycles. Even if you get there late when the
15 light turned green, you're at the back of
16 the line and you're going to wait for three
17 cycles, probably. So that was my main
18 concern.

19 MR. BARRETT: It's tough to coordinate
20 other signals with signals like that when
21 you have to give and take from different
22 movements. That's why I'd like to see that
23 plan. I'd like to see a picture of how
24 that's going to work. It's a simulation that
25 could be done. There are various programs
that could do that.

MR. SULLIVAN: There is only so much
time and you're going to be taking it from
somebody so something else is going to be
reduced in their capacity.

MR. BARRETT: The delay times were
reduced in the memorandum. We haven't looked
at that just yet.

Did you guys figure out how you're
going to get that extra land there? The
right shoulder is very wide as you're going
to the Northway, so maybe they could be
stealing from some that.

MR. SULLIVAN: I'm talking about the
left hand turn lane. Are you going to have
two left turn lanes or is it still going to
remain one left turn southbound on 9 to 9R.

MS. ZEFTING: We extended the storage
lane on the existing southbound left turn
lane. I did double check that to make sure.
We basically just shortened the two way left

1 turn lane that's currently there. It's not
2 any roadway improvements. It's just
3 restriping. We wouldn't be extending it far
4 enough to block or impede the two way left
5 turn lane as opposed to driveways on
6 Route 9. Currently we're just utilizing the
7 two way left turn lane that's not used for
8 turning movements.

9 MR. SULLIVAN: But you'll still have
10 the same two lanes on 9R eastbound; one lane
11 from the approach from 9 northbound and just
12 one lane to handle the left turns from 9
13 south.

14 MS. ZEFTING: Yes, the lane
15 configuration on the southbound approach
16 will be the same.

17 MR. SULLIVAN: The other question that
18 I had was that you were able to confirm the
19 trip generation for the Wal-Mart. It was
20 like 4.5 to 4.61. Were you able to find
21 anything out about the pass by trips? There
22 was like the 25% reduction factor in the
23 pass by. It was like 800 cars in the peak
24 hour but 200 of them were considered to be
25 going there anyway so they weren't accounted
for in the volume.

MR. BARRETT: Well, there's nothing
documented with that. It does seem like a
high number. The traffic engineers are
looking for studies and something to compare
it to but as of right now, you want to look
at the big picture with the rest of the
comments and do some more investigating on
that. We weren't able to find anything
concrete that would be able to disagree with
that number.

I know that there was some discussion
on the types of Wal-Mart stores that were
used to determine that number and it is
consistent with the ITE journal as well. As
of this point right now, we haven't found
anything or researched enough to make a
final determination on that, but we will and
will document those files.

MR. SULLIVAN: Thank you.

MR. GRANT: At the last meeting, we
asked about a supercenter as a standalone

1 store or if they were studying like what
2 there is up at Latham Farms. As I recall the
3 answer was that the supercenter is a
4 standalone facility.

5 MR. BARRETT: It's tough to think that
6 I would pass by Latham Farms if Halfmoon is
7 my destination. I wouldn't stop at Latham or
8 Albany if I lived near one in Halfmoon. I
9 might go home first.

10 MR. O'ROURKE: Unless you were sitting
11 there for 40 minutes of traffic and you were
12 hungry.

13 MR. BARRETT: I was by Siena College
14 that day. I was there for 45 minutes trying
15 to get to Lowe's. While you were leaving
16 Lowe's, I was trying to get to Lowe's.

17 MR. SULLIVAN: Thank you very much.
18 That was all that I had.

19 MR. O'ROURKE: One other quick thing.
20 Can you explain to me why they took the
21 three lanes north off the table? Was that
22 strictly DOT?

23 MR. BARRETT: Three lanes north?

24 MR. O'ROURKE: Three lanes northbound.

25 MR. BARRETT: That was an older issue,
I believe.

MR. O'ROURKE: That was Creighton
Manning.

MR. BARRETT: To turn it into an urban
corridor - a real urban arterial type
roadway, that would be the way to go to move
all the traffic through and they believed
that it would ruin the character of the
area. That's not something that we wanted in
that area. If you get three lanes, then
you're really cruising. That's why they took
it off.

Also the extensive expense of the right
of way, as well. All these things together
built that up. I don't have the exact
specifics but that's the gist of it. The
character of the road, people not being able
to turn to get into other businesses and
then the right of way impact of acquiring
the property necessary to put another lane
through there. Just to put those lanes
through there, you'll have to get rid of the

1 two way left turn lane and widen out. That
2 would be a very long process to do that.

3 CHAIRPERSON DONOVAN: Joe, do you have
4 any comments?

5 MR. LACIVITA: No. Having sat in on a
6 number of the meetings with DOT, I like it
7 that Tom mentioned that we should really
8 look at the Starlite property for future
9 development because I know that DOT said
10 that if they're looking at that light, they
11 can't just do it for one side, which happens
12 to be the Autopark. They want to see
13 something happen on the other side.

14 CHAIRPERSON DONOVAN: And we don't want
15 the impact to be on Old Loudon Road.

16 MR. LACIVITA: Right.

17 MR. BARRETT: People going to Route 9
18 North instead of cutting through Latham Ford
19 and hitting one of the mechanics - not that

20 we've ever seen that, right? But to take
21 that bypass road around the Starlite to
22 connect to Route 9 would take a lot of
23 pressure off of 9R and Old Loudon and 9 down
24 there as well. So those are long term
25 investigations that we're ready to look at.
26 We've got a very congested area with a lot
27 of potential, but also a lot of potential to
28 do the right thing as well.

29 MR. LACIVITA: You could design another
30 roundabout there.

31 MR. BARRETT: We'd love to.

32 CHAIRPERSON DONOVAN: Our primary
33 discussion tonight was traffic so I don't
34 know if anyone has a comment on traffic but
35 that's the situation that we're dealing
36 with. The rest of the proposal for Wal-Mart
37 will be dealt with at a time after we look
38 at the traffic situation ironed out for the
39 town. It also has to be accepted by the
40 State of New York. Like I said before, CDTA
41 and the Capital District Transportation
42 Committee are involved. So, there are a lot
43 of parties involved in this and it's not
44 just the town.

45

1 But from the town's perspective, again,
2 our main goal is to have the least possible
3 impact on our neighborhoods and our town
4 road.

5 The first proposal that came in front
6 of us was to put the traffic onto Old Loudon
7 Road. Old Loudon Road is a town road. It's a
8 narrow road and it's windy in parts. I don't
9 think that it was ever designed to take a
10 lot of traffic from a major retail
11 operation. So, that's one of our objectives
12 is to keep the traffic off of Old Loudon and
13 off of the other residential roads as much
14 as possible. We know that there is always
15 going to be an impact of some kind when you
16 have a development like this with traffic,
17 but the way that we look at it is to
18 minimize it for our town residents.

19 Mr. Caponera, do you have any comments
20 that you would like make?

21 MR. CAPONERA: No, not at this time;
22 thank you.

23 CHAIRPERSON DONOVAN: Brad?

24 MR. GRANT: No. I had addressed some of
25 the comments in our letter. Some of them are
26 a reiteration of Tom's comments.

27 CHAIRPERSON DONOVAN: Mr. Caponera,
28 you've heard from our town designated
29 engineers and their comments. I would ask
30 that you go back and come up with a traffic
31 plan and work with them as much as you need.
32 Of course the state will always have its
33 input and let's see what you can come up
34 with.

35 MR. CAPONERA: We're already doing
36 those things that you were talking about.

37 CHAIRPERSON DONOVAN: Thank you. Once
38 we get that report then we will then
39 schedule another meeting for further
40 discussion on the traffic issues.

41 I hate to ask people to come to a
42 meeting and sit there and not have anything
43 to say so if anybody has anything to
44 say -- I know the traffic got to you, didn't
45 it? I know it did. If you have a comment,
46 we're more than glad to hear it.

1 FROM THE FLOOR: How do they deal with
the traffic on Wolf Road?

2 CHAIRPERSON DONOVAN: How do they deal
3 with it? Well, Wolf Road was before my time.
4 It was years ago. I remember the golf course
being there.

5 FROM THE FLOOR: It would seem that
6 Wolf Road has more traffic there than what
7 we'd be seeing here.

8 CHAIRPERSON DONOVAN: You know I live
9 off of Sand Creek Road and one thing that I
10 can tell you is the difference between the
11 traffic on Sand Creek Road when I was a
12 child years ago, compared to what it is now.
13 There are many roads off of Sand Creek and
14 therefore a lot of the roads off of Sand
15 Creek have had significant impact to those
16 neighborhoods. If nothing else, you learn
17 from the process and that's what we're
18 trying to present to this area of the town.

19 MR. O'ROURKE: And we only have one
20 chance to do it right.

21 FROM THE FLOOR: I just have a quick
22 question. Do you have an idea of how long
23 this might take for your approval? You must
24 have an idea of how long you think it might
25 take after it's approved, right?

CHAIRPERSON DONOVAN: It reached us
about two years ago and then we were in the
process of trying to update the Boght area
GEIS which is the generic environmental
impact study area, which is where the
project is located. There were other issues
connected with this project. I believe that
it was even in the town before 2008.

Victor, wasn't there an application
filed before then?

MR. CAPONERA: There was an application
filed in December of 2007.

CHAIRPERSON DONOVAN: So, to answer
your question: No, not until we get the
traffic situation done. Then we can deal
with the entire project. So, the traffic has
made the most impact and that's what we're
attempting to deal with now.

MR. NICHOLS: I'd just like to comment.

1 First of all thank you for taking the
2 time to thoroughly look at this situation
3 from the start. Traffic is always an issue
4 and it's certainly an issue with this
5 project. It always seems to be the leading
6 issue with a lot of people and I can see
7 what an issue it is with the neighborhood.
8 That project will have, I believe, a very
9 detrimental effect on our neighborhoods and
10 quality of life.

11 I applaud you guys for taking the time
12 to really look at this where you are and I
13 hope that you continue to ask all the right
14 questions and get all the right information
15 that we need and whatever the decision is,
16 you're not going to please every single
17 person. At some point in the future, we can
18 feel assured that you are making the right
19 decision. So far I think that you've done a
20 tremendous and excellent job on this traffic
21 study and I applaud you on that and I
22 encourage you to continue doing that.

23 CHAIRPERSON DONOVAN: Thanks, Tim. You
24 know you're right. Whatever decision we
25 make, there is somebody that's going to be
unhappy and there is somebody that's going
to go away happy. Our job, I feel, is to
make certain that whatever decision that we
make is made in the best interest and the
best possible way that we can and that's
what we're trying to do. So, thank you.

Anybody else?

FROM THE FLOOR: In terms of the
current Wal-Mart store in Latham Farms. As
Wal-Mart is developing a new superstore, are
they going to do anything in working on how
to mitigate the impact of the Latham Farms
store as it's going to be a major loss to
the Latham Farms area? Right now, it's one
of the anchor stores in there and there will
be a lot of excess space there when it's
gone. I'm just wondering what they're doing
to mitigate the loss.

CHAIRPERSON DONOVAN: We're not yet to
that point but if I'm not mistaken,
Mr. Caponera, I believe that Wal-Mart does
work with the community in trying to find a

1 suitable client for any store that they are
2 vacating. I could be wrong.

3 MR. CAPONERA: Yes, we do work with the
4 town.

5 We will also work to perhaps find
6 smaller retailers. Obviously we're not going
7 to find someone in there to compete with
8 them so they're going to find smaller retail
9 and perhaps break up the larger area there.

10 MR. NARDACCI: This really is an issue
11 because maybe two months ago in the Business
12 Review there was an article about excess
13 space and those areas that are still vacant.
14 I think that this really is a big concern.
15 I've heard other people say that they are
16 concerned with this.

17 FROM THE FLOOR: Latham Circle Mall is
18 a prime example of that.

19 MR. NARDACCI: Each site has its own
20 challenge. We just did the Fresh Market
21 project on Route 9 and you'd think that
22 Route 9 would be a prime area and it's a
23 great area of town.

24 MR. O'ROURKE: And you hit it on the
25 head. In 2007 there was a Land Use Law
passed by the Town of Colonie that did no
justice to anybody that lives here. There
was nothing that was looked at
intelligently, nor reasonably in that Land
Use Law. That is the answer to everything as
we move forward. We can't change what
happened in 2007 with that passing, but
going forward I take a charge to ensure that
as we move forward that the Land Use Law has
to be relooked at and redone.

26 CHAIRPERSON DONOVAN: And what we have
27 to do is provide incentives through the
28 board to the developers to redevelop the
29 sites in the town. There is no question
30 about that. When you look at the areas in
31 the town that are left for development,
32 there aren't many. Most of the areas of the
33 town have been developed. So, in order to
34 prevent it from becoming an area of
35 abandoned buildings, we're certainly looking
at ways to help them to redevelop in those
areas of previous development.

1 MS. PERRY-POTTS: I just wanted to
2 bring up the Land Use Law and the way that
3 it changed over on the western side of town
4 near Curry Road.

5 Many of those properties are now
6 nonconforming. That area over there in a few
7 years could be a bunch of abandoned
8 warehouses. This really does need to be
9 looked at.

10 MR. O'ROURKE: Absolutely.

11 MR. CAPONERA: You'll be taking that up
12 shortly, by the way.

13 CHAIRPERSON DONOVAN: How do you know
14 that Mr. Caponera?

15 MR. CAPONERA: Ms. Perry, as you know,
16 has been to several of these meetings and
17 not only to this enlightened board but the
18 Town Board.

19 I have represented several property
20 owners over there that have joined in that
21 effort to look at that zoning which I
22 believe was mistakenly rezoned.

23 CHAIRPERSON DONOVAN: It was
24 unfortunate when -- and I don't want to go
25 into the 2007 Land Use Law, but it's
26 sufficed to say that it did nothing to help
27 the areas of the town. Each of the areas of
28 the town, whether it be Latham, the western
29 portion of town, the Central Avenue
30 district, down by Tobin Packing Company or
31 out in Loudonville - each area is unique.
32 Each has its own unique problem. That law
33 did very little, if any, to address those
34 problems.

35 MR. LACIVITA: Just so the Planning
36 Board is aware, there is no application
37 formally before the Department of Economic
38 Development to look at the rezoning. That is
39 absent or different from what you might hear
40 in the papers. In the several phone calls
41 that I have received of irate residents from
42 that area, they're asking why we're even
43 looking at such a thing when the Town of
44 Colonie had spent a number of years rezoning
45 the town. There is no formal application
46 before the Planning Department or before the
47 Planning Board.

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CHAIRPERSON DONOVAN: Understood.
Welcome to the Town of Colonie Planning
Department.

Does anyone have anything else that
they'd like to add? Comments?

(There was no response.)

CHAIRPERSON DONOVAN: I know you'll
leave here and we'll never see you again. I
just have that funny feeling.

We will be back to look at this issue
one more time and keep moving forward.

Thank you all very much.

***(Whereas the proceeding concerning the above
entitled matter was adjourned at 8:20 p.m.)***

CERTIFICATION

***I, NANCY STRANG-VANDEBOGART, Notary
Public in and for the State of New York,
hereby CERTIFY that the record taped and
transcribed 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.***

NANCY STRANG-VANDEBOGART

Dated November 18, 2009