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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

1 ALICE AVENUE - THE PRESENTATION OF AMENDED
CONCEPT PLANS FOR DISCUSSION ONLY

THE TAPED AND TRANSCRIBED MINUTES of the above
entitled proceeding BY NANCY STRANG-VANDEBOGART
commencing on November 10, 2009 at 7:02 p.m. at the
Public Operations Center 347 Old Niskayuna Road,
Latham, New York 12110

BOARD MEMBERS:

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

Also present:

Joe LaCivita, Director, Planning and Economic
Development
Brad Grant, PE, Barton & Loguidice
Daniel Hershberg, PE, Hershberg & Hershberg

1 CHAIRPERSON DONOVAN: Joe, you can give
2 an explanation of this? This is 1 Alice
3 Avenue, presentation and amended concept plan
4 for discussion only.

5 MR. LACIVITA: Correct. The 1 Alice
6 Avenue was the Alzheimer nursing home/assisted
7 living that came to us before - actually we've
8 been before the board twice with this. This
9 board has seen it twice.

10 Dan Hershberg has met with the Supervisor
11 via conference call with the property owner
12 and this came up with what we believe might be
13 another revision. The Alzheimer's home has
14 since left the plan and Dan certainly can
15 speak to where the changes have come.

16 MR. HERSHBERG: Thank you. Since the last
17 time we were here, we had an Alzheimer's unit
18 located in this area here (Indicating). Those
19 34 units went away. We reduced the size of
20 this 90 bed -- it used to be 94 but we
21 increased the length of one and took another
22 length of another and the edge of the slope.

23 This area here - we originally had 198
24 units and we had another wing that came down
25 very close to the top of the slope. We kept it

1 back in here (Indicating) so that this area
2 here, which does have some fill on it, will
3 all be excavated for basement parking at this
4 location here.

5 One element was the scope of the roadway.
6 We had a roadway that was about 8% at this
7 location and people thought that was much too
8 steep so we put in a road that was about
9 5.75%.

10 I took the liberty of making a model of
11 the 5.75% road. That's what it looks like.
12 It's not particularly steep. It's less than
13 what the code would allow us. On a subdivision
14 it could take 8% with permission from the
15 board. The standard on a site plan would
16 normally be 6% and this is somewhat less than
17 that. That 5.75% is carried all the way from
18 this intersection (Indicating).

19 We redid this intersection coming from
20 the other apartments.

21 There is a concern about this long sweep
22 so we made it a more right angled intersection
23 in and out. We left the roadway the same from
24 there down to Route 2, which is about 6.6%
25 That's the existing driveway.

1 Some of the concerns were the proximity
2 to the steep slope, the roadway grades and the
3 density. Originally we had 198, 94 and 34,
4 which was 326 units. Now, we're down to 170
5 and 90. Some of these units were made a little
6 bit smaller for a purpose because the density
7 is very important to be able to afford all of
8 the improvements here.

9 We did talk about enlargening the two
10 SWPPP basins here. We added a SWPPP basin for
11 the roadway area here (Indicating) and another
12 SWPPP basin down here for this. A question was
13 raised about trucks coming down here
14 (Indicating). We put in a T-turn in this
15 direction that would go back up in here and
16 out.

17 This would be gated for emergency exits
18 only. There would be no exit out to 1 Alice
19 Avenue for any purpose other than emergency.
20 The only time that even an emergency vehicle
21 would come that way is if there was something
22 wrong to make the main access drive an access
23 road. It would be if an emergency existed here
24 and there was a car that was on the roadway or
25 a water main broke that made that

1 inaccessible. This emergency exit is not one
2 that is used normally for an emergency except
3 for when an emergency is used and they can't
4 use the main access driveway. We changed the
5 roof so that we only have a single crossing of
6 a National Grid line here (Indicating). We
7 reduced the impact on wetlands.

8 The original greenspace on the site was
9 78.1% and we raised it to 85%. The purpose of
10 this is that last time we heard some very
11 critical comments from both Joe Grasso from
12 Clough Harbour as well as from members of this
13 board. I wanted to see whether or not we're on
14 the right way to getting approved from this
15 board. We wanted to see if you think that
16 we're heading that way and see if we can come
17 up with a concept that would eventually be
18 what this board would recommend to the Town
19 Board for a PDD.

20 CHAIRPERSON DONOVAN: How many units did
21 you say there were before?

22 MR. HERSHBERG: That's 324.

23 CHAIRPERSON DONOVAN: And now?

24 MR. HERSHBERG: There are 260.

25 MR. NARDACCI: Dan, could you just

1 explain the two buildings? What are we looking
2 at there?

3 MR. HERSHBERG: Yes. These are
4 independent living apartments. They are
5 apartments for people over 55 where one member
6 of the family is more than 55 years or older.
7 They will have a significant level on the
8 first floor. There is a fitness center and a
9 small convenient store so people can pick up
10 stuff without going out during the bad
11 weather.

12 We anticipate having potentially some
13 good services in here. We can have a visiting
14 nurse coming in once a week. We can have
15 potentially a hairdresser. Those are services
16 that people would potentially like to have.
17 I'm saying that it might not be five days a
18 week. It might be someone coming in a couple
19 of days a week and providing services. That's
20 sort of the idea of this section right
21 here (Indicating).

22 MR. NARDACCI: How many units in that
23 building there?

24 MR. HERSHBERG: That's 170. We provide
25 for 190 cars worth of parking below the

1 building. People can go in underneath the
2 building, get in an elevator and go up to
3 their apartment.

4 CHAIRPERSON DONOVAN: That's two floors?

5 MR. HERSHBERG: No, three.

6 MR. O'ROURKE: That's assisted living?

7 MR. HERSHBERG: No. This is independent
8 living.

9 MR. NARDACCI: This is over 55
10 independent living.

11 MR. HERSHBERG: This is 90 units of
12 independent living over here (Indicating). The
13 assisted living is over here.

14 Assisted living is obviously another
15 layer of senior services. These are people
16 that need assistance sometimes in the morning.
17 They need help sometimes getting food and it's
18 not up to a nursing home level and certainly
19 not to an Alzheimer's unit level, but it is
20 for people that need assistance. These 90 beds
21 would do that.

22 Those will all be places that will not
23 have full service kitchens. It will be a mini
24 kitchen with like a microwave and a
25 refrigerator, cabinets and a kitchen table.

1 There will be a common dining room on multiple
2 floors of this thing. There will be common
3 dining facilities. It is designed with the
4 cluster effect that all 90 residents will not
5 eat together. There will be like three
6 different eating areas so that they will have
7 more camaraderie and more capability of
8 meeting their friends and sitting together.
9 This is, I think, the proper sizing because we
10 did a market study.

11 We originally had 94 units and that was
12 what the market study told us that it was a
13 good market for. The thing that was really an
14 excess market for that was an independent
15 living for seniors where people don't need
16 assistance. They like the facilities. They
17 like the capability of not having to worry
18 about their house. They like the capability of
19 going down to a health club and having people
20 over for dinner and a nice dining facility. We
21 originally thought that we might be as high as
22 \$1,600 a month. We've reduced the size of
23 these and it will probably be a range of
24 \$1,150 and up.

25 MR. LANE: How does it meet the

1 requirements of a PDD? How does it provide
2 recreational area? It has to provide to the
3 large community and not just that assisted and
4 independent living. It has to be some link to
5 the larger community.

6 MR. HERSHBERG: We circumnavigate this
7 area here (Indicating) with the fitness trail.
8 We have the fitness information here. We do
9 have walkways up and around. We believe that
10 the mixed-use of the commercial use inside the
11 building is consistent with the PDD - the
12 small commercial uses.

13 The benefit to the community is
14 anticipated that both of these facilities are
15 taxable facilities and they would not be tax
16 exempt. It increases the tax base
17 significantly.

18 People can certainly come up here. The
19 view from this area will be spectacular. We
20 anticipate that people will come up here in
21 the park over here and look at that view or
22 use the fitness trail around the building.

23 We had talked originally about putting a
24 nature trail out here but with these slopes
25 from a security standpoint, we did not want to

1 encourage people to walk through this wooded
2 area and get lost. They could very well
3 stumble over a hill in this location.

4 MR. LANE: What's the slope there? Is it
5 dense wood area?

6 MR. HERSHBERG: This is a very dense
7 wooded area all the way down here
8 (Indicating).

9 MR. LANE: It doesn't mean that it's
10 necessarily dense for walking through it.

11 MR. O'ROURKE: I don't want my mother
12 walking through there.

13 MR. LANE: I think that under the PDD, it
14 has to be available to the larger community.
15 That's my understanding of it.

16 MR. HERSHBERG: We will offer the benefit
17 of having people come in. They can use the
18 fitness trail. They can park here. We think
19 that the views will be spectacular. There is a
20 little park area internal to this area
21 here (Indicating) and that will be open to the
22 public.

23 MR. NARDACCI: The Comprehensive Plan
24 calls for additional senior housing needs in
25 the town. The fitness trail seems kind of weak

1 as far as the public is concerned. For us,
2 generally here, at least for me, I can't see
3 it. I think that part of this would be that if
4 we're going to do this kind of preconcept type
5 thing, I don't want to make the applicant go
6 through the whole process of providing all the
7 prints and everything that they need to
8 provide.

9 An 8 ½ by 11 would have been a benefit
10 tonight, just so I had something to look at
11 before I came in here.

12 This is not on you, Dan, this is on us
13 internally. We're trying to work though a new
14 process and try to provide opportunities like
15 this to get feedback and it's hard to get
16 feedback.

17 MR. HERSHBERG: I can certainly make
18 additional copies. I'm not really looking for
19 an approval tonight.

20 MR. NARDACCI: This is for us as a board.
21 This isn't really you. I'm trying to listen to
22 everything that you say and try to weigh this
23 and I'd like to give you a sense of where
24 things are.

25 How did you achieve the 5% grade this

1 time, Dan?

2 MR. HERSHBERG: We took a building and
3 cut an extensive gabion wall down this side
4 here (Indicating) in order to make the grade.
5 It turned this access road from like a
6 \$300,000 access road to about a million dollar
7 access road.

8 MR. NARDACCI: It's hard because I can't
9 see the bridge -

10 MR. O'ROURKE: I hear what you're saying
11 Tom, but I also remember how bad this project
12 was. I'm speaking only for myself. I believe
13 that there is some inherent public benefit
14 just in the provision of something within the
15 community that is lacking right now. That's my
16 take on one of the requirements for even being
17 issued to be -- I'm not as opposed to
18 listening to this, especially with the grade
19 and removing the Alzheimer's unit. Although I
20 think that it was great, I just didn't think
21 that this was the site for it.

22 There are other states that certainly
23 have all those things together and they
24 provide a benefit, in my opinion, to some of
25 the elderly within the community that

1 certainly in Colonie we don't have.

2 That said, I also understand what Tom is
3 saying and other people on the board that may
4 not have seen 1 Alice come before us before
5 and some of the difficulties.

6 That being said, I don't know if parking
7 lots up on the hill are a public benefit. I'd
8 ask for some reasonableness also from your
9 side.

10 MR. NARDACCI: in the Land Use Law,
11 Objective 1, all approved PDDs shall provide
12 an adequate integrated system of open space
13 and recreation areas designed to tie the PDD
14 together internally and link it to the large
15 community.

16 I think the question is: Does this idea
17 with the retail -

18 MR. O'ROURKE: Again, we issued one out
19 in the Boght. Where does that tie into the
20 community? It's going to be pretty much its
21 own community. So I think that there is some
22 leeway that we as a board have in terms of
23 making parameters, in regards to that.

24 I do hear what you're saying.

25 MR. NARDACCI: One of the intents of this

1 is complying with the Comprehensive Plan and
2 those objectives which is exactly what you
3 have said and what I have said.

4 CHAIRPERSON DONOVAN: Because if this
5 wasn't developed as a PDD, there would be a
6 lot more limitations on it. Is that what
7 you're saying, Tom?

8 MR. NARDACCI: Right.

9 CHAIRPERSON DONOVAN: Dan, if I recall,
10 this parcel was split off from another parcel;
11 is that correct?

12 MR. HERSHBERG: From this parcel, the
13 City of Watervliet was a part of one parcel
14 and this parcel was a separate parcel owned by
15 a religious order. They were tied together and
16 when they applied for the exit, this area went
17 through a site review by the Town of Colonie
18 but this parcel was in the City of Watervliet
19 and these apartments were approved by the City
20 of Watervliet.

21 The same owner, Peter Gullo, who is now
22 deceased and Stu Hoffman who is still alive
23 and kicking in Texas. He's actually the
24 guiding person behind this. He's been
25 operating senior complexes in Texas for a

1 number of years.

2 CHAIRPERSON DONOVAN: If I recall, one of
3 the reasons that it wasn't developed
4 previously was because of all the site
5 constraints with the slope constraints.

6 MR. HERSHBERG: It was that and also at
7 the time I think that it was zoned the old R1
8 or whatever that only allowed lots on either
9 one or two acres. You couldn't gain access to
10 the site and do all the infrastructure
11 improvements and build 17 single family
12 houses.

13 MR. LACIVITA: What is the current zoning
14 on this Dan? Is it single family?

15 MR. HERSHBERG: Yes.

16 MR. LACIVITA: Which you know that single
17 family isn't going to go in this area, anyway.

18 CHAIRPERSON DONOVAN: I guess what I'm
19 getting at is that what's left was created by
20 the applicant. What you have left there was a
21 created situation.

22 MR. NARDACCI: Dan, do you have a general
23 idea about stormwater at this point? Do you
24 have some thoughts?

25 MR. HERSHBERG: We already took a look at

1 this thing and we temporarily sized a couple
2 of basins at this point. Again, I think that
3 it is the intent to use the dry basin and use
4 the sand filter and the dry basin rather than
5 introduce standing water into the site. There
6 are some federal wetlands here, but they're
7 not wetlands that normally have a lot of
8 standing water in them. They're wooded
9 wetlands. The draw here would be to probably
10 use the systems of a catch basin and a filter
11 basin with overflow. We think that the
12 discharge would probably be down to the dry
13 river.

14 I already talked to somebody from Fraser
15 and Associates that already called me. There
16 is actually a dam here in the dry river, a
17 flood control dam and we're going to certainly
18 keep our controls to a 100 year level. We are
19 going to allow no more water to come into the
20 site than the 100 year storm that comes off of
21 here. They were satisfied with that.

22 We were also talking about getting an
23 easement to this property because getting to
24 that dam with these very steep slopes is a
25 very slow process. It's an area that was used

1 probably when the dam was built. You can see
2 them. You can't see an area from there because
3 it's too small. There is an area here
4 (Indicating) where it's actually graded to
5 allow a vehicle to get down there. The City of
6 Watervliet was considering granting an
7 easement so that they could get down there.

8 MR. O'ROURKE: What type of commercial
9 applications are you going to have there?

10 MR. HERSHBERG: We're talking about a
11 small convenient store. Probably some sort of
12 medical service like a visiting nurses
13 association. We're also talking about possibly
14 a hair dresser and a barber shop. Those are
15 sort of convenient type things that people
16 like and want so that they don't have to go
17 out very far for. We don't believe that the
18 convenient store will be large. It will be
19 sort of the size of some of the gift shops
20 that you see in some of these senior
21 complexes.

22 MR. O'ROURKE: Let me ask you: Is there
23 enough room? The Sisters of Carondelet, as
24 part of their PDD, had created some meeting
25 type room areas. Is that something that the

1 applicant would be willing to do for the
2 community's behest?

3 MR. HERSHBERG: We certainly can. As a
4 matter of fact, on the first floor here, they
5 intend to have dining facilities that have
6 been broken up into smaller rooms so we can
7 make some of those available for meeting rooms
8 also. The floor plan on there called for a
9 major dining room and then three or four
10 smaller dining rooms. People want to have a
11 dozen people over for a party or whatever.
12 They can be broken down into meeting rooms.

13 CHAIRPERSON DONOVAN: What is the area
14 zoned now?

15 MR. LACIVITA: I believe that it's SFR.

16 CHAIRPERSON DONOVAN: Single family
17 residential?

18 MR. LACIVITA: I believe that it is, yes.

19 CHAIRPERSON DONOVAN: You may not know
20 this off the top of your head, but how many
21 single family homes you could get in there?

22 MR. HERSHBERG: Well, if we applied under
23 a cluster situation, my guess is that with a
24 cluster subdivision, we have a total of 36.60
25 acres. By the time that you got the

1 constrained wetlands and slopes, you probably
2 have about 18 acres. Like I said, 17 or 18
3 single family uses is probably all that you
4 could build on.

5 MR. LANE: That's 17 or 18?

6 MR. HERSHBERG: Yes.

7 MR. NARDACCI: I know that it's steep.
8 I've actually been down to the dry dam area
9 one time. Can you just go around the site and
10 explain how steep the slopes are and if a
11 trail would or could work outside just around
12 the building? I remember there were very steep
13 areas there.

14 MR. HERSHBERG: It was very steep but
15 from about this point here, this grade here is
16 about a 20% and here it's about a 50% grade.
17 It's a very steep grade. As a matter of fact,
18 the people went out to do the wetland
19 delineation - they couldn't get by that area.
20 They physically couldn't get down that. They'd
21 have to repel down that to really get down
22 that slope. This piece of slope right here
23 (Indicating) is that very steep slope. If
24 you've been down there before, you see this
25 very steep slope. You have to look up from the

1 dry river and that situation goes around
2 here (Indicating).

3 Originally I've shown a nature trail sort
4 of hanging around the top of that slope and
5 coming around the top of this slope and around
6 here. We may be able to include that as a
7 capability. There was a major concern here
8 that I heard from members of this board. What
9 happens if a senior citizen gets down there
10 and gets incapacitated?

11 MR. NARDACCI: That's the problem. The
12 PDD is meant for assisted living there and it
13 doesn't really work as a nature trail.

14 CHAIRPERSON DONOVAN: Why didn't you want
15 to develop it single family?

16 MR. HERSHBERG: If it was developed
17 single family, it would not be worth it. For
18 the 17 or 18 single family houses or whatever
19 the case is -- first of all, we'd try to
20 cluster it together because building along
21 infrastructure couldn't be supported. Just
22 doing the access road, the Water Department,
23 even though they have gone through our site,
24 they wanted us to rebuild a portion of that
25 water main. It's getting up in age. So, if we

1 had to do that for a single family house, the
2 development would not be worth the developing.

3 When Peter Gullo and Stu Hoffman split it
4 off originally, they thought that they might
5 have some capability to do that. They
6 envisioned some very large lot homes up here
7 but we don't think that the market exists for
8 that. I think that the value of those lots
9 would have to be \$400,000 lots in order to be
10 able to afford the improvements. You're
11 talking about five million dollars worth of
12 improvements plus the land costs. One reason
13 that's driving the density of the site is in
14 doing a reasonable financial plan, it says
15 that you can make that much investment and get
16 your money back. If we did a SFR zone, that
17 development would sit there.

18 CHAIRPERSON DONOVAN: Back in the days of
19 the old zoning, I guess you could say that the
20 applicant already paid the reasonable return
21 on this property. To ask us to do this, I'm
22 just not certain.

23 MR. HERSHBERG: I don't think that Stu
24 Hoffman is crying wolf or Peter Gullo's widow
25 is crying wolf that they're going broke.

1 MR. LACIVITA: Do they have ownership of
2 the apartments that are currently there?

3 MR. HERSHBERG: There have been two or
4 three different owners since they built it.
5 They built it and sold it about a couple of
6 years after they built it. They didn't really
7 want to operate the apartments. They were
8 developers. I think that Benderson bought it
9 for awhile.

10 MR. LACIVITA: My only thought was that
11 the density that you're trying to gain in that
12 area - the only possible way would be to go to
13 apartments if they had a controlling interest
14 in the original apartment. That would be the
15 only way that you could get up in there.

16 MR. HERSHBERG: You know, apartments can
17 be done here. These are senior apartments.
18 They are nothing more than apartments that are
19 going to be pretty close to what we're doing
20 here. We're just targeting a certain market.

21 MR. LACIVITA: What I'm saying is the
22 accessibility through the current
23 infrastructure that's there and not having to
24 build all of that other stuff.

25 MR. HERSHBERG: That is a major cost but

1 again, if we think that it's necessary to meet
2 the concerns raised by this board and also to
3 have a safe situation there -- we did this
4 also to prevent it becoming a raceway so we
5 made it a little more curvy roadway so that
6 people will be less inclined to build up speed
7 going down that hill.

8 CHAIRPERSON DONOVAN: I remember that we
9 had neighbors from the roadway -- and there's
10 no access to that now, right?

11 MR. HERSHBERG: Right, and there will be
12 no access to that unless, as I said, there is
13 an emergency access. We did agree to develop
14 out to the same level as a town road. It's
15 currently like a driveway.

16 CHAIRPERSON DONOVAN: Does anybody else
17 have any comments?

18 MR. HERSHBERG: I didn't really expect
19 any action tonight, but if in fact this board
20 would be more comfortable if I got additional
21 copies of the plans for you folks to have a
22 chance to look at them in more detail -

23 MR. LANE: That and the narrative would
24 be good.

25 MR. HERSHBERG: The narrative is pretty

1 much the same as before. I just knocked out
2 the Alzheimer's unit. I don't think that it's
3 going to change very much but I can give you
4 those and you could set it up for another
5 agenda. I don't know if you have time in
6 December. I'd be willing to come back and let
7 you study it in more detail.

8 CHAIRPERSON DONOVAN: Would you be
9 looking for us to take action in December?

10 MR. HERSHBERG: Ideally, we'd be in some
11 position to hear action taken some day but at
12 least if I could find out how close we are to
13 that point and if there are further decisions
14 to be made, that we could compromise the
15 details of what we want to do here -- we've
16 been at it for five years. At this point
17 another month doesn't bother us.

18 CHAIRPERSON DONOVAN: I was wondering if
19 the TDE had been brought into this again, Joe?

20 MR. LACIVITA: Yes; Clough Harbour.

21 CHAIRPERSON DONOVAN: You've been working
22 with Joe Grasso?

23 MR. HERSHBERG: Yes. I ran it by them
24 quickly, but this was not really the formal
25 meeting tonight. If you want me to, I can give

1 him the copies of the updated plans so that
2 you can review the comments.

3 MR. CLARK: I have a question. Are there
4 a number of community gardens in the Town of
5 Colonie? Is that something that's popular in
6 the town?

7 CHAIRPERSON DONOVAN: I don't think that
8 we have any.

9 MR. O'ROURKE: Brad, I'm glad that you
10 brought something like that up. I, myself,
11 would like to see something more. For us, as a
12 board, to grant you PDD status, we want
13 something in return; something for the
14 community. So call the guy in Texas and tell
15 him that they want something. You have to do
16 something. I don't think that it's a bad
17 project, but I think that there has to be
18 return to the community and that's where I'd
19 stand on it.

20 MR. SULLIVAN: I was going to ask if
21 there are any flat areas that could be
22 converted to a field. Even if the access is
23 only acceptable from Eastern Avenue or Alice
24 Avenue, is there any way that a field, say a
25 ball field or anything could be made?

1 MR. HERSHBERG: No, a ball field would be
2 too much. Community gardens, we would have
3 space for but not a ball field. A lot of these
4 grades just aren't accessible.

5 MR. LACIVITA: The comp plan calls for
6 five to seven acres in a given area, Dan. I
7 don't know if that could be accomplished in
8 any of the areas that could potentially be
9 graded off.

10 MR. HERSHBERG: You're talking about an
11 athletic field?

12 MR. LACIVITA: No, it would be just like
13 a passive park or whatever they would be able
14 to do.

15 MR. HERSHBERG: We might be able to
16 incorporate that into this plan here with the
17 fitness trail and walking area. We could
18 consider the community gardens. We show a
19 parking area where people could come up and
20 park.

21 Again, these areas are adjoining Eastern
22 Avenue and the federal wetlands. This is only
23 accessible through these lots here
24 (Indicating). I don't think that you could
25 develop those. There are some small portions

1 of the site which are relatively level. We
2 could certainly do something there. Something
3 the size of an athletic field wouldn't work.

4 MR. NARDACCI: I still like the community
5 garden idea. As you're thinking about the
6 architectural - have you given thought to that
7 yet?

8 MR. HERSHBERG: Yes.

9 This is the view of the independent
10 living. We think that it's an attractive view.
11 It's three stories with a pitched roof and
12 this is where the roadway drops around the
13 back (Indicating).

14 This third area doesn't exist anymore
15 because we took that portion of the building
16 away. The building would end right here
17 (Indicating). That would be the view from the
18 point about here, looking in.

19 This building here, we had an elevation
20 previously before but that had a third wing on
21 it.

22 The goal here is to do something that we
23 can do at market rate apartments. We're not
24 going to be tough on the design of it.

25 MR. NARDACCI: Some of the other

1 projects - some of the things that we've seen
2 architecturally have been designed to reflect
3 the Shaker heritage in the town. That might be
4 something that you might want to consider. I
5 don't know how far along you are, but it might
6 be something to think about, too. This is only
7 informational but I think that it's something
8 that the board has reacted to pretty
9 positively. We have seen that and developers
10 are really trying to tie in -- especially
11 Carondelet. There was another commercial
12 project that did the same Shaker aspect.

13 MR. HERSHBERG: Okay, we can take a look
14 at it. These are just elevations to give you
15 an idea of what the developer thinks it might
16 look like.

17 CHAIRPERSON DONOVAN: The last time I do
18 recall that there was a concern with the
19 traffic coming off of the apartments with a
20 development of this size. Do you have any
21 traffic analysis?

22 MR. HERSHBERG: We have not yet but I was
23 trying to avoid additional expenses. We can do
24 it. At the point where we think that this
25 board has a possibility of approving this

1 plan, we'll do whatever studies you folks
2 want. I think that we were so far off the mark
3 last time. We're now apparently a little bit
4 closer to the mark and I don't really think
5 that I want to tell my client to go ahead and
6 spend \$10,000 to do a traffic study on it if
7 in fact, this isn't what you folks are
8 favorable to. So I think that there is plenty
9 of time for us to do that.

10 I will get the members of this board
11 enough copies to Joe - full sized copies so
12 that you can look at it at your leisure and
13 get you the narrative and get it to Joe Grasso
14 and then you can put it on the agenda for
15 December and then whatever action that you
16 want to take -

17 MR. NARDACCI: Investment in the roadway
18 is a big deal. I recognize that. It's a big
19 investment. With that, like anything could be
20 the deal breaker. It's an unsafe situation. I
21 think that the PDD in trying to incorporate
22 benefits. It's a great idea that Brad came up
23 with and I support that.

24 MS. VAIDA: It would also be helpful, at
25 least to me, when you do your narrative if you

1 could maybe include a brief description of how
2 you addressed the issues that we had before.

3 MR. SULLIVAN: With respect to the
4 traffic analysis: If it were to be done, at
5 the previous meeting or the previous
6 presentation you mentioned that many of the
7 seniors would have different peak hours than
8 those going from 8 to 5 jobs. However, if the
9 independent living could have families where
10 there are working couples with an older family
11 member in the unit, how would you handle that
12 in the analysis?

13 MR. HERSHBERG: Most of the senior
14 independent apartments are couples where just
15 one person 55 or older - I don't know whether
16 or not the standards would say you cannot have
17 a 23-year old son living there and going to
18 Siena College or someplace else. That could
19 always be. I think the goal would be that
20 there would be no families living there. It
21 would primarily be couples. That's the goal
22 and that's the mark that we're striving for.
23 That's what we did the market study for. We
24 did the market study and we asked the people
25 that did the market study to limit it to the

1 Town of Colonie, the adjoining City of
2 Watervliet and not go -- it's supposed to be a
3 50-mile radius. We realize that most people
4 want to live where they're living now. They
5 don't want to pick up and move 30 or 40 miles
6 away. It may be in the same area as their
7 friends and everything that they're looking
8 for is here. The market study showed that
9 there is a significant market for the
10 independent living and for the Alzheimer's.
11 These figures were made up based on the market
12 analysis that we only have to have 3% or 4%
13 evasion into the market value. We don't have
14 to get 10% of all the people there. The market
15 study shows that there is definitely a market
16 for independent senior living. In the Town of
17 Colonie is what the Comprehensive Plan
18 identified and we think that it's going to be
19 good for the town.

20 MR. SULLIVAN: I did have one other
21 question. When you reduced the footprint of
22 the independent living, are you able to
23 flatten out the slope at all? There were
24 slopes there that were 8%.

25 MR. HERSHBERG: No. The maximum of this

1 roadway is still the 5.75%.

2 MR. SULLIVAN: Okay and any sidewalks
3 around there -

4 MR. HERSHBERG: We won't need any
5 railings on any of the sidewalks.

6 CHAIRPERSON DONOVAN: Does anybody have
7 any other comments?

8 Elena?

9 MS. VAIDA: No, I'm good.

10 CHAIRPERSON DONOVAN: Mike? Joe? C.J.,
11 Tom?

12 ***(There was no response.)***

13 CHAIRPERSON DONOVAN: This was really
14 just for presentation purposes. I don't know
15 if anybody has any comments from the audience.
16 There are not too many people here tonight.

17 MR. HERSHBERG: Like I said, I'll get
18 these copies out and the comment letter to Joe
19 Grasso. I'll tell you what was different about
20 the original plan and this plan so you can
21 compare it. I will also go through a revised
22 narrative of the site and what we're going to
23 include in the building.

24 MR. O'ROURKE: Joe, in our packets can we
25 have for the upcoming meeting all the old

1 meeting -

2 MR. LACIVITA: Meeting minutes on this
3 one?

4 MR. O'ROURKE: Yes, please.

5 CHAIRPERSON DONOVAN: Thank you, Dan.

6 MR. HERSHBERG: Thank you.

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8

9 ***(Whereas the proceeding concerning the***
10 ***above entitled matter was***
11 ***adjourned at 7:39 p.m.)***

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CERTIFICATION

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*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 December 21, 2009