

PLANNING BOARD
TOWN OF COLONIE

COUNTY OF ALBANY

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

THE TAPED AND TRANSCRIBED MINUTES of the above
entitled proceeding BY NANCY STRANG-VANDEBOGART
commencing on June 22, 2010 at 8:14 p.m. at the
Public Operations Center 347 Old Niskayuna Road,
Latham, New York 12110

BOARD MEMBERS:

CHARLES J. O'ROURKE, CHAIRMAN
MICHAEL SULLIVAN
TOM NARDACCI
TIMOTHY LANE
PAUL ROSANO
PETER GANNON
ELENA VAIDA
PETER STUTO, Esq.,
Attorney to the Planning Board

Also present:

Joe LaCivita, Director, Planning and Economic
Development

Lindsey Zefting, Bergmann & Associates
Tom Baird, Barton & Loguidice

William Serafin, Boght Area Neighborhood
Association

Michael Magguilli, Esq., Town Attorney
Bob Sweeney, Esq.
Susan Smith
Gerald Hausler
Tabor Ward
Jenna Sema
Tom Thompson

1 CHAIRMAN O'ROURKE: Last on the agenda
2 this evening we have a review of the
3 findings on the Wal-Mart traffic with Barton
4 and Loguidice and the Bergmann traffic
5 study.

6 Who is presenting from Bergmann this
7 evening?

8 MS. ZEFTING: We're just here to
9 respond to any questions that the board
10 might have.

11 CHAIRMAN O'ROURKE: Okay, very good.

12 Tom, would you like to bring us up to
13 speed on what Barton and Loguidice, acting
14 as the town designated engineer, has found
15 with the traffic study?

16 MR. BAIRD: Thank you, Mr. Chairman and
17 the board.

18 Over the course of the last six months
19 or so we have reviewed a number of analyses
20 and concepts that have been prepared by
21 Bergmann and Associates on behalf of the
22 applicant, Wal-Mart. In going through these
23 reviews, amendments, memorandums and comment
24 letters and such, we have come to the
25 conclusion that based on the latest

1 documentation received that we have verified
2 through that document that all revisions and
3 comments that we have made up to this point
4 are included in the final traffic impact
5 study which is six on your list there from
6 June 2010.

7 CHAIRMAN O'ROURKE: And that's the
8 document that the board received this
9 evening.

10 MR. BAIRD: Yes, from the applicant. We
11 had received pieces of that in the process
12 and have reviewed it in sections up to this
13 point and Bergmann formally submitted the
14 entire package to the town as recent as
15 today. We have reviewed everything.

16 CHAIRMAN O'ROURKE: I have June 18th.

17 MR. BAIRD: Yes, that's correct.

18 Our findings are that the measures and
19 analyst results have been proposed by
20 Bergmann and Associates - the measures to
21 the intersection and corridor will all be
22 necessary to accomplish the building
23 mitigation conditions as presented in the
24 final traffic impact study.

25 One question that I have come up in the

1 past was comparing the Saturday to the p.m.
2 peak traffic results. We did review the
3 traffic information presented by Bergmann
4 and do conclude and concur with previous
5 findings that the traffic impact on the p.m.
6 peak traffic period is greater than the
7 Saturday peak. So, we're going with the p.m.
8 peak traffic period as a design period.

9 What we have done is create a list here
10 going intersection by intersection, which
11 outlines the mitigation proposed by the
12 applicant and the results and what those
13 mitigation elements do for each
14 intersection. We have kind of a rough
15 outline here of the corridor and what we
16 plan to do tonight is kind of go through
17 each intersection and compare the no-build
18 condition with the build-up mitigation
19 condition and just highlight some of the
20 main points that are the biggest concern for
21 the town.

22 Dan is one of the engineers at Barton
23 and Loguidice. He'll come up with the slides
24 and we'll go through each intersection as
25 quickly as possible.

1 The first intersection is A on your
2 sheet, which is on page 2. The mitigation
3 proposed here is that the cycle length which
4 is the overall traffic signal cycle length
5 will be reduced from 155 seconds to
6 100 seconds and that signal will be
7 coordinated with the adjacent signals. This
8 intersection also includes the addition of a
9 westbound through lane and a westbound right
10 turn lane as noted by the arrows on the
11 plans. Thirty seconds of green time has been
12 removed from the westbound phase. What that
13 means is that when you're traveling down 9R
14 approaching the intersection - that light
15 that stays on very long for the green, much
16 to my benefit, on my way in during the
17 morning - we'll have 30 seconds removed from
18 it. This is due to the additional through
19 lane that's going to be provided so you'll
20 have more vehicles through the intersection
21 in a quicker amount of time. Therefore, that
22 extra green time will be put to other phases
23 of the intersection.

24 A minor point, but the yellow clearance
25 time has been reduced from four seconds to

1 three seconds. What that means is that the
2 time that the yellow light is on.

3 Also there will be a restriping of the
4 southbound left turn lane of Route 9 to 9R
5 with an additional 100 feet of storage. So,
6 Route 9 southbound making a left to 9R
7 towards Cohoes will be 100 more feet in that
8 turn lane. The results from this is a drop
9 of level of service for the northbound
10 Route 9 approach. It will go from level of
11 service E to level of service F. This drop
12 in level of service is necessary to make the
13 signal work and have the overall operations
14 work together. One of these legs needed to
15 be kind of like a sacrificial leg. That was
16 either going to be the Route 7 ramp which
17 would be the ramps to east bound 9R, or the
18 Route 9 northbound approach. Even though
19 we're dropping to level of service E to
20 level of service F, it is an overall change
21 of approximately 23 seconds. So overall the
22 intersection is going to stay an F and it
23 will be an F, whether we do the no-build or
24 we do the build with mitigation. Only the
25 northbound approach would suffer the slight

1 increase in delay.

2 The preliminary concept for the
3 widening Route 9 appears feasible. This is a
4 question that has come up. We have a number
5 of lane additions approaching Route 9. The
6 concept plan shows no right of way
7 encroachments, although the widening will
8 bring Route 9R within five feet of the right
9 of way with the Rite Aid Pharmacy. The need
10 for grading retaining walls, snow storage,
11 etcetera may require some right of way
12 taking in this area.

13 I want to try to explain that a little
14 bit. Using typical construction procedures
15 you may have a slight right of way taking at
16 this location (Indicating). However if you
17 get into a more expensive type of design or
18 expensive mitigation to eliminate that right
19 of way impact, it can feasibly be done
20 within that five feet. As you mentioned
21 earlier, you can do it - it's just how much
22 do you want to pay for it? If a right of way
23 is available from Rite Aid there, I don't
24 see an issue of building it a little less
25 expensive. If it's not available, there are

1 things that they can do to stay within that
2 right of way. We're okay for that proposed
3 mitigation on that approach.

4 Moving on to the next intersection -

5 MR. NARDACCI: Tom, I don't mean to
6 interrupt. I don't mean to extend this out a
7 long way, but because I haven't had the
8 chance to fully review this information
9 before coming here tonight, is it okay if I
10 just ask you a couple of questions?

11 MR. BAIRD: Absolutely. That's why
12 we're here.

13 MR. NARDACCI: Can you go back a slide?
14 Do you have the existing conditions for
15 levels of service prior to build-out and
16 prior to development?

17 MR. BAIRD: No, we didn't look at that.
18 We projected ahead to the no-build
19 condition.

20 MR. NARDACCI: So looking at this with
21 no-build or with three F level of service
22 intersections, right? We have mitigation and
23 we still have three F's right?

24 MR. BAIRD: We have existing or
25 no-build, we have two approaches, level of

1 service F and one will stay at F. The other
2 will go to D. It will improve by two levels
3 of service to D on 9R. Overall the
4 intersection will remain F. The way that the
5 analysis works is that you combine all of
6 the movements and all of the delay. Some of
7 them may go up and some may go down. So, in
8 order to make this work in the coordinated
9 system, one of the legs had to be
10 sacrificial. Route 9 north has the most
11 amount of storage available. This is
12 something that has come up with corridor
13 studies and is a concern with the Department
14 of Transportation. Mark Kennedy has
15 mentioned it before.

16 MR. NARDACCI: It's a very complicated
17 issue. We've been talking about it for a
18 number of months now. Like I said, this was
19 all given to us tonight. It was sitting here
20 on our desks when we walked in.

21 MR. BAIRD: The letter?

22 MR. NARDACCI: Yes, the letter. The
23 issue is I haven't had a chance to compare
24 what other traffic analyses have said. So, I
25 think that it would be helpful if we know

1 that there is a study there, and Creighton
2 Manning has done that, and what the existing
3 conditions are.

4 MR. BAIRD: The no-build is actually
5 the same or worse than those existing
6 conditions because it's projected into the
7 future. Over the last few years we've had a
8 negative, but overall, it's been
9 approximately 1.5% growth. That's what the
10 no-build is projected on for the existing
11 counts.

12 MR. NARDACCI: Those are projections,
13 but I mean like today. What is the existing
14 current? Am I not understanding correctly
15 how this works?

16 MR. BAIRD: No. We have existing
17 conditions and we have moved them up into
18 the build condition for Wal-Mart, which all
19 this traffic would appear on day one. The
20 study brought those existing projections up
21 a few years into the Wal-Mart build period.
22 The levels and the traffic study for the
23 no-build are very, very close to existing;
24 too close to call actually for those
25 projections. So they can be considered

1 existing.

2 MR. NARDACCI: So no-build can be
3 considered existing.

4 MR. BAIRD: It's only a few years off.

5 MR. NARDACCI: I'm just trying to
6 understand that.

7 CHAIRMAN O'ROURKE: Tom, how did the
8 letter just get into the board tonight?

9 MR. LACIVITA: That's my question,
10 C.J., because that was e-mailed to the
11 board.

12 CHAIRMAN O'ROURKE: Yes, I had it via
13 e-mail.

14 MR. LACIVITA: What I asked Lindsey to
15 do was give me a hard copy in case anybody
16 couldn't print it for their records. All of
17 this information was given to everybody via
18 e-mail.

19 CHAIRMAN O'ROURKE: Because June 16th
20 is the date on mine that I printed.

21 MR. LACIVITA: Because this document is
22 like 140 pages long, I asked her to supply
23 print documents so that everybody would have
24 them in case they didn't print them.

25 MR. NARDACCI: Well then I apologize. I

1 must have missed that e-mail.

2 CHAIRMAN O'ROURKE: No problem. I just
3 wanted to clarify.

4 MR. LANE: That's okay, Tom. I did too.

5 MS. VAIDA: I think that maybe in the
6 future that may be they should be printed
7 out ahead of time. If you don't want to have
8 them delivered, at least have them available
9 for pick up.

10 MR. NARDACCI: I would ask that in the
11 future that they be included in our packets.
12 We are given our packets and we knew that
13 this was coming up.

14 MR. LACIVITA: It wasn't ready at the
15 time that the packets went out.

16 MR. NARDACCI: I would say next time,
17 make it ready. That's all I'm asking.

18 CHAIRMAN O'ROURKE: In that defense,
19 there has been some issues with Bergmann
20 meeting deadlines. We've had to move this on
21 a couple of different occasions.

22 How many Tom?

23 MR. BAIRD: A couple; two.

24 CHAIRMAN O'ROURKE: Sufficed to say a
25 couple. I guess, Joe, what the board members

1 are asking -- in the future we'll take them
2 off. If it's not ready by the deadline, then
3 just pull the applicant off and hopefully
4 the applicant will realize that we're not
5 fooling around.

6 MR. BAIRD: I want to apologize. I know
7 that these were e-mailed out and then mailed
8 out the day after the packets were due. I
9 think that it was the following evening. It
10 was 1:00 or 2:00 in the afternoon that the
11 packets were done and by 5:00 they were
12 e-mailed that same day. In the future what
13 we may want to do is we can send them all
14 printed together, one for everybody and just
15 put a name on it.

16 MR. NARDACCI: I don't want to belabor
17 it, but it's a very important issue and
18 we've all spent a lot of time on it. I'm
19 pretty diligent about correspondence. I
20 apologize for missing it. I think that we
21 could have it in advance - it was a day
22 after, I realize.

23 MR. BAIRD: Part of the way that we set
24 this up was to try to have a visual for
25 going through each intersection. Hopefully

1 it's reasonable to follow. If anybody has
2 any questions in the middle, just stop me
3 and we'll go over it.

4 Just to reiterate a little bit, the
5 intersection stays at a level of service of
6 F. Route 9 northbound being the sacrificial
7 leg of the intersection. They have
8 improvements on 9 south, and 9R westbound.
9 The eastbound movement to the intersection
10 from Route 7 would remain at level of
11 service F.

12 The second intersection that we're
13 concerned with is the one with the new
14 signal at Auto Park Drive that's been
15 proposed by the applicant. In this location
16 here (Indicating), the signal installation
17 would control the northbound, the
18 southbound, and the eastbound approaches to
19 the intersection and would be coordinated
20 with the other Route 9 signals. The
21 northbound left turn lane would be striped
22 by the two way left turn lane. Based on the
23 queuing lengths required, this would extend
24 down to a little bit past the first drive at
25 the former Kirker's steakhouse into the

1 median area. So it would not cut off the
2 most southern access point of that parcel.
3 Old Loudon Road would operate as a one way
4 northbound with only a right turn movement
5 allowed under a channelized yield condition
6 which would basically be forced and turned
7 to go north on Route 9. Motor vehicle and
8 traffic law says that you can't have a
9 traffic signal and a traffic control device
10 such as a stop sign or a yield. So, the
11 applicant wouldn't be allowed to bring Old
12 Loudon into the intersection to be
13 controlled. So in order to have that free
14 northbound right turn movement, we'd have to
15 have it channelized and be more of a small
16 acceleration-type lane there. What that does
17 is the overall intersection would operate at
18 a level of service C. Route 9
19 northbound/southbound improvements would
20 operate at B and C respectively. So without
21 an intersection there right now, we really
22 don't have anything to compare it to - any
23 kind of an existing or no-build condition.

24 CHAIRMAN O'ROURKE: Tom, did I miss it?
25 Did you go through the half signal?

1 MR. BAIRD: I'm saving that for the
2 end. That's an extra special one. Sorry
3 about that.

4 CHAIRMAN O'ROURKE: No problem.

5 MR. BAIRD: The next one is New York
6 Route 9R and Old Loudon Road. Here we have
7 some cycle length reduced to 100 seconds and
8 this signal would coordinated with the
9 Route 9 signals. The other clearance and red
10 times reduced to 3.6 seconds and 1.4
11 seconds. That level of accuracy is a result
12 of the model developing the optimum
13 mathematical solution. I just think that
14 would be 3.5 and 1.5. So that's what's in
15 the report.

16 The addition of northbound and
17 southbound left turn lanes at Old Loudon
18 Road -- so when you're approaching the
19 intersection, you're coming up and the
20 dollar store is on your right and there will
21 be a left turn lane, a through lane, and the
22 right turn lane there (Indicating).

23 Some of the right of way lines on here
24 show that crossing over - I believe that
25 line may be incorrect. I know that there is

1 a lane there right now and the right of way
2 is there for that road. So, that's just how
3 it's presented on the plans, but I
4 anticipate that's an error so if anybody
5 caught that, that's what that is. Also,
6 there is a reduction in the storage length
7 of the eastbound left turn lane to
8 accommodate the Route 9 intersection
9 improvements. So, with that, the left turn
10 lanes would be shortened and it really won't
11 have much of an impact with the other turn
12 lanes added to the intersection.

13 Also, there is a removal of the
14 protected portion of the eastbound and
15 westbound left turn phases. There is a
16 protected portion where you have just a
17 green arrow and that would have to be
18 removed, but it does work in the analysis.

19 The results are there is a drop in the
20 levels of service for the southbound
21 approach from C to D. That is our leg that
22 will have a few more seconds of delay and I
23 believe that it's two seconds. There are
24 thresholds for levels of service, A, B, C,
25 D, and F and you got to cut it somewhere.

1 What happens is that leg will experience
2 theoretically two more seconds of delay, but
3 that crosses over into the next letter so
4 realistically there will be no change there.
5 This is the same for the eastbound approach
6 which is going -- I'm sorry, the westbound
7 approach from B to A. The improvement of
8 level of service for eastbound is going to
9 go from C to A, which would be a significant
10 improvement at that intersection as it backs
11 up today.

12 The preliminary concept plan of
13 improvements show minimal right of way
14 encroachments at the strip plaza. I talked
15 about that. These can probably be taken care
16 of without much issue, if the right of way
17 lines are exactly correct, according to the
18 deeds. So, we don't see that as that big of
19 an encroachment that it needs to be an issue
20 at this time.

21 MR. GANNON: Tom, you just made an
22 interesting point about the southbound.
23 Instead of two seconds difference causing a
24 letter switch -- to just go back to A, can
25 you compare X?

1 MR. BAIRD: Yes.

2 MR. GANNON: The build versus
3 no-build - is the blue F better or worse
4 than the yellow F from level A?

5 MR. ROURKE: They show an improvement
6 from 282 seconds of delay, and what is
7 proposed is 160 seconds.

8 MR. GANNON: That seems like a drastic
9 improvement, but not enough to bring it to a
10 level of D.

11 MR. BARID: D is 90 I think.

12 CHAIRMAN O'ROURKE: 85 to 90.

13 MR. BAIRD: So, you're looking at 85 to
14 90 to be a D, but we have a significant
15 improvement there. We're still in the F
16 range.

17 Moving on to US Route 9 and
18 Century Hill Drive, the cycle could be
19 reduced to 100 seconds and the signal would
20 have to be coordinated with the Route 9
21 signals to the south. There are no geometric
22 improvements proposed for this intersection,
23 which we agree with and are not required at
24 this time. The result is a drop in the level
25 of service for the northbound approach from

1 C to D and the southbound approach from B to
2 C from the no-build conditions. We've got
3 12 seconds and 12 seconds again - we're
4 right on that threshold. It just has to do
5 with the timings and the coordination that's
6 required with the other signals.

7 Drop in levels of service for the
8 northbound approach - the overall
9 intersection from E to D -- so we do get an
10 improvement overall in the intersection by
11 making these changes. We've gone through the
12 models that were done by Bergmann and we've
13 run through them and analyzed them and picked
14 them apart and we do concur with the
15 analysis. We've worked back and forth
16 together and I do have to commend Bergmann
17 on the conversations that we've had in the
18 back and forth in addressing comments and
19 concerns that we've had with the model. It's
20 been a very productive process to get to
21 this point.

22 The Route 9 corridor, overall, really
23 is in New York State DOT's hands, but the
24 mitigation proposed for the corridor is that
25 the traffic signals between 9R and Century

1 Hill Drive would be coordinated with a
2 common cycle lane via a time based
3 coordination.

4 Also, the establishment of special
5 timing patterns is going to be pursued for
6 managing traffic loads during I87 incidents.
7 What this means is that special timing
8 patterns could be set up at the Albany
9 traffic control center for when we have an
10 incident on the Northway to address and try
11 to get things moving quicker northbound on
12 route 9. I think that we've all experienced
13 that at one point.

14 The results of this coordination in the
15 corridor would be the average northbound
16 speed - you'll see a slight decrease in one
17 mile per hour average to the corridor.
18 Southbound speeds will increase about four
19 miles per hour over the build. Again, this
20 is more of a DOT corridor-wide issue and it
21 really won't effect the operations of the
22 intersections that are adjacent on the town
23 roads.

24 We have a couple of recommendations for
25 this and one is the study recommending the

1 time base coordination. It's our suggestion
2 that the signal equipment be modified for a
3 wireless or a hard wide coordination instead
4 of a time base. This allows it to react to
5 abnormal conditions and things that cannot
6 be predicted by having a time base
7 coordination.

8 Also, the study - one thing that it
9 didn't do is identify who would be
10 responsible for this mitigation. Special
11 signal timings, pursuing the linking of the
12 signals, and then the actual coordination of
13 the signal systems needs to be identified.
14 who is going to take care of that and who is
15 going to pay for that? That's one thing that
16 doesn't effect our findings statement here.
17 But it is something that will be dealt with
18 under New York State DOT and they will
19 handle that as part of the submission that
20 we're going to recommend that Bergmann
21 submit to New York State DOT as a result of
22 this.

23 MR. GANNON: Tom, these timing altering
24 devices - they seem to indicate that they
25 can be used in an emergency situation - an

1 accident or one day of repaving or something
2 like that.

3 Say the twin bridges are going to be
4 replaced and they are reduced to one lane a
5 piece. What other alternatives are there to
6 manage that traffic flow - the excess
7 traffic flow that you can get coming off of
8 87 onto Route 9?

9 MR. BAIRD: It would be a significant
10 back up. The plan for that kind of accident
11 management or delay management is really
12 handled corridor-wide by DOT with rerouting.
13 What they can do and what will be done is to
14 create this management plan that would
15 analyze or use the traffic modeling similar
16 to what was done here for the intersections
17 effected by Wal-Mart to come up with the
18 best case scenario, given the traffic
19 volumes that they have on the Northway.
20 There are counters and they get data every
21 day on that. That would work into a model,
22 depending on the situation and then you
23 could only get so much out of each
24 intersection. If there is something major
25 like where we have to shutdown the Northway,

1 all bets are really off. There is no timing
2 or any changes really that could be done to
3 really handle that. We just wrap it up and
4 deal with it. There is just that much
5 traffic.

6 MR. GANNON: And this project affects
7 that. Are we looking at the same situation
8 if they decide to reduce the twin bridges
9 tomorrow, versus 10 years from now if this
10 project goes bad? Or does this make it
11 worse?

12 MR. BAIRD: This project itself, the
13 build-out will be - the traffic will be
14 pretty much right away. We won't have any
15 gradual progression into it. Wal-Mart will
16 open its doors and boom, you have all the
17 extra traffic. Background traffic growth
18 addressed in the DEIS study does add a
19 certain percentage of traffic. I don't know
20 what the final numbers are. It's probably in
21 the range of 1.3%. It's a 1% to 2% per year.
22 Dealing with that is something that has to
23 be looked at corridor-wide. I know that DOT
24 and Tom Johnson, who is also with us, has a
25 Route 9 corridor study that's being

1 initiated right now to look into things like
2 that. So, we don't have that answer right
3 now, but I know that it's being handled on a
4 state level.

5 The applicant should formally submit
6 their analysis results and recommendation to
7 New York State DOT for their review.

8 From a Route 9 corridor-wide
9 standpoint, the total delay increases, and
10 the average speed increases slightly overall
11 for the build condition when compared to the
12 no-build condition.

13 With that, we end our analysis and I
14 open it up for any questions.

15 CHAIRMAN O'ROURKE: In your letter,
16 Tom, you talk about the cross connection.

17 MR. BAIRD: Yes.

18 CHAIRMAN O'ROURKE: As a mitigation and
19 you're concurring with the mitigation. There
20 is already a connection between Plaza Drive
21 which connects Auto Park and Century Hill.
22 That's privately owned.

23 MR. BAIRD: And the impacts mention the
24 cross connection and part of their
25 mitigation is to create a connection between

1 Latham Auto Park Drive and Century Hill
2 Drive. That's word for word. Yes, it does
3 exist. It's private. Their basis is that it
4 should be set up to facilitate traffic flow
5 and between the Wal-Mart and office
6 developments - now I don't know how you'll
7 accomplish that since it's a private road,
8 but certainly an agreement to provide an
9 alternate route for both roadways in case
10 there is an emergency or there is a road
11 closure is something that we would be for.
12 If in fact a public use of that roadway is
13 something that the applicant is suggesting,
14 then we do agree with that. However, the
15 cross connection usage was not a part of the
16 analyses and is not required to mitigate the
17 traffic impacts for Wal-Mart, based on the
18 study. That was not analyzed. There are no
19 vehicles being rerouted to that access road.

20 CHAIRMAN O'ROURKE: Okay, so it's not
21 part of your findings.

22 MR. BAIRD: It's not part of our
23 findings, no.

24 CHAIRMAN O'ROURKE: Okay, I just wanted
25 to clarify that for the record.

1 Paul?

2 MR. ROSANO: No, thank you.

3 CHAIRMAN O'ROURKE: Tom?

4 MR. NARDACCI: No thank you.

5 CHAIRMAN O'ROURKE: Elena?

6 MS. VAIDA: You may have answered this
7 and I apologize if you did. The traffic trip
8 generations - what was used -- because I
9 remember that we had a problem with the use
10 of the Wal-Mart traffic trip generation
11 study. We didn't feel that was accurate.

12 MR. BAIRD: The trip generations
13 used - the ITE manual - and Mr. Hershberg
14 mentioned it earlier - used a particular
15 number and I don't recall exactly what it
16 is, but then there was also the study done
17 for the Halfmoon store, which had a slightly
18 higher number. That number was used in the
19 analyses.

20 MS. VAIDA: Okay, so all of these
21 options are based on the higher number.

22 CHAIRMAN O'ROURKE: It's about 900.

23 MR. BAIRD: Yes, 600 and 300; that was
24 the split.

25 MS. VAIDA: I don't have any other

1 questions at this point.

2 CHAIRMAN O'ROURKE: Tim?

3 MR. LANE: No, I don't have any
4 questions. I apologize that I didn't see the
5 e-mail, otherwise I would have had the
6 opportunity to absorb this. I'm sure that
7 I'll have another opportunity down the road.

8 CHAIRMAN O'ROURKE: Mike?

9 MR. SULLIVAN: Has DOT had a chance to
10 review this? Specifically the half signal
11 intersection?

12 MR. BAIRD: The half signal - I meant
13 to get back to that.

14 Not to my knowledge. It has not been
15 submitted yet. There was some discussion at
16 one of the previous meetings. I believe that
17 it was the one before the last snow
18 removal - the viability of such an
19 intersection in this part of the country. It
20 didn't seem to get a warm fuzzy feeling out
21 of it. We did look at it because it was in
22 the traffic impact study. We do have
23 comments on it. If it's worth going through,
24 I can certainly discuss it.

25 MR. SULLIVAN: I'd like to hear them.

1 MR. BAIRD: The mitigation for this
2 half-signal - we do have a slide of it, too.
3 It's at the end. We did include it here just
4 in case.

5 There would be a signal installation
6 controlling northbound left turns and the
7 south bound approach and the eastbound
8 approach. So we're looking at Old Loudon
9 Road, southbound and northbound left turns.
10 For those who aren't familiar with this, the
11 northbound movement on Route 9 would have a
12 reflowing pattern. There would be no
13 stopping for northbound Route 9. The
14 northbound left turn lane would be striped
15 in the existing two way left turn lane, much
16 the same as the full signal option, and not
17 impacting the most southern driveway of the
18 old Kirker's restaurant. There would be a
19 curbed median installed on Route 9 to
20 channelize traffic coming out of Auto Park
21 Drive to make a left and travel northbound
22 with a median on their right and northbound
23 traffic on the right. They would then merge
24 into northbound in the area between say,
25 Kirkers and Century Hill. Old Loudon Road

1 would still operate as a one way northbound
2 with only right turn movement allowed under
3 a channelized stop condition, which we have
4 right now.

5 The results of this is that the overall
6 intersection will operate at a level of
7 service D with northbound left turns
8 operating at level of service E and
9 westbound right turns at F with very long
10 delays. There is no delay for the northbound
11 through movement. So corridor-wise,
12 northbound, it really speeds things up
13 through the corridor much the same really
14 the existing way it is right now. It won't
15 have an impact on northbound, but the
16 feasibility of this kind of intersection
17 working in this type of climate here comes
18 into question. We're not convinced as TDE
19 that it's really a viable alternative at
20 this intersection. That's really all I can
21 say on it.

22 MR. SULLIVAN: We'd still have a
23 situation where the center turning lane
24 would become an acceleration lane for the
25 northbound turns and they'd be basically

1 moving head-on against the southbound
2 traffic with no barrier in between them.

3 MR. BAIRD: Correct.

4 MR. SULLIVAN: And they would be
5 accelerating trying to merge into other
6 traffic coming up northbound.

7 MR. BAIRD: Another thing that comes up
8 is the access - the left turns into the car
9 dealership between Century House and Old
10 Loudon Road. They would lose their access
11 road for turning left and having lefts
12 coming out, as well. So those are some
13 things that need to be addressed. That's why
14 we didn't go very deep into that review. I
15 think that it needs to go to DOT and the
16 town could render an opinion on it. We would
17 recommend against it at this point, but
18 that's our feeling as TDE. That's where we
19 would go right now. We don't have any other
20 information that proves that this is a
21 variable for this area.

22 MR. SULLIVAN: I still have serious
23 concern about the safety of that
24 configuration.

25 MR. BAIRD: Exactly, and that's what

1 drives it.

2 MR. SULLIVAN: Does anyone have an
3 estimate of what these mitigation measures
4 would cost; the improvements at 9R and Old
5 Loudon Road and the additional through lane
6 at 9R westbound? Is there any estimate on
7 what that would cost? There are those
8 retaining walls that would have to be put in
9 along the Rite Aid property. I was just
10 wondering if we had a number to know what
11 this would cost with these proposed
12 mitigation measures.

13 MR. BAIRD: We haven't come up with
14 one. Bergmann is here today.

15 Do you have an estimate for those
16 improvements for the concepts?

17 MS. ZEFTING: We have one, but we don't
18 have one finalized.

19 MR. SULLIVAN: I'd like to know a total
20 for what this option would be - the total
21 mitigation.

22 The last question that I had, I think
23 that you answered already. That's about the
24 retaining walls. Is it physically possible
25 to fit those improvements on Old Loudon Road

1 southbound? There is a retaining wall at the
2 back of the Rite Aid property and there is a
3 large sign structure for the Route 9 and 9R
4 intersection that would probably be moved
5 for that additional through lane.

6 MR. BAIRD: Yes, that would definitely
7 have to be moved over. Yes, there is a way
8 to do it. Again, it's how much they want to
9 pay. They would need some type of structural
10 element to hold back the lane and it's to
11 accommodate the sign. There are a number of
12 different ways to do it, but they're all
13 expensive.

14 MR. SULLIVAN: You mentioned that the
15 left turn movement into the car dealership
16 would be effected. Would the movements in
17 and out of Latham Ford be effected if we
18 have a left turn southbound on Old Loudon
19 onto 9R? Will that back up and prevent
20 people from either coming up Old Loudon
21 northbound trying to turn into the Rite Aid?
22 If you're in the Ford dealer and you want to
23 get out, can you get out to go straight down
24 Old Loudon and not have to take a left?
25 Would you be blocked by the left turn

1 movements in storage?

2 MR. BAIRD: What would happen is when
3 the signals release, you get those gaps so
4 the signal would clear and the route would
5 be open. The queues in the peak time would
6 likely block that, but when the signal
7 released then it would open up and they
8 would have those areas. If we had a
9 roundabout there, it may be more difficult
10 because traffic keeps going. That's one of
11 the things to look at with roundabouts. In a
12 signal with the gaps that you get from the
13 signals, they would be able to move out. At
14 peak time, they may have a little bit more
15 delay. I think that it's reasonable to
16 expect that.

17 MR. SULLIVAN: I thank you. You did a
18 very thorough review and I thank you for
19 that. I have no other questions.

20 CHAIRMAN O'ROURKE: Thanks, Mike.
21 Peter?

22 MR. GANNON: I continually interrupted,
23 Tom. I'm done with my questions.

24 MS. VAIDA: Do we have copies of the
25 analysis somewhere?

1 MR. BAIRD: You will. We can get them
2 to you.

3 MS. VAIDA: Okay, that would be
4 helpful, if you can.

5 MR. NARDACCI: When you pull these
6 aerials off, is this a live shot?

7 MR. BAIRD: No, I wish. It's 2007.

8 MR. LACIVITA: C.J., before you start,
9 I just have one question.

10 Dan, could we go back a couple where
11 you're going towards the right of way that
12 you showed the expansion? We talked before
13 that you haven't figured out the calculation
14 or if it could be done. But with adding
15 those extra lanes in there, can the signals
16 be actually be carried that far across the
17 road?

18 MR. BAIRD: We asked Bergmann that.
19 They did the analysis for the span on that
20 and they said that it's feasible to do.

21 MS. ZEFTING: You could increase the
22 span lane a little bit longer. We haven't
23 done surveys as to whether or not a new
24 signal needs to be installed.

25 MR. BAIRD: I looked at it. We would

1 need taller poles and deeper foundations for
2 it. We looked at it a little bit. It is
3 feasible. There are poles and designs
4 available that can carry that span.

5 CHAIRMAN O'ROURKE: I had a couple of
6 things. I know that at one point when we
7 weren't sure of the ROW on 9R, it just
8 looked like the intersection itself was a
9 little bit kiltered. Was there realignment
10 that had to be done?

11 MR. BAIRD: Yes. We worked with
12 Bergmann on that alignment and now we're
13 coming in straight with no curvature at all.
14 What is shown here is something that we
15 worked together on coming up with that as a
16 feasible alignment for approaching Route 9.

17 CHAIRMAN O'ROURKE: Okay, so that's
18 worked out.

19 MR. BAIRD: That's all gone away.

20 CHAIRMAN O'ROURKE: As part of the
21 findings, with the light at Auto Park, there
22 is nothing about the possible connector road
23 that has been discussed, correct?

24 MR. BAIRD: Correct.

25 CHAIRMAN O'ROURKE: This mitigation has

1 been done without that connector road.

2 MR. BAIRD: The complete analysis and
3 mitigation results and mitigation proposed
4 and our analysis of that indicates that the
5 connector road is not included in this
6 analysis at all and it's not necessary for
7 the improvements proposed by Wal-Mart.

8 CHAIRMAN O'ROURKE: And the cost, we
9 could expect at what point?

10 MR. BAIRD: The cost of the
11 improvements?

12 CHAIRMAN O'ROURKE: Yes.

13 MR. BAIRD: We can put that together in
14 a couple of days. If Bergmann is still
15 working on them, we'd like to get them from
16 Bergmann and review them.

17 CHAIRMAN O'ROURKE: And as the town
18 designated engineer, are you of the opinion
19 that if the Wal-Mart project were to go
20 forward, all these mitigating improvements
21 would have to be done to handle that
22 traffic?

23 MR. BAIRD: Yes.

24 CHAIRMAN O'ROURKE: Before CO.

25 MR. BAIRD: Oh yes, absolutely. In our

1 first page, we state that the mitigation
2 measures at the intersections of the
3 corridor will all be necessary in order to
4 accomplish the building mitigation
5 conditions as presented in the final traffic
6 study. So, yes, all of these mitigation
7 elements would need to be in place before
8 the opening of the Wal-Mart. As I said, the
9 traffic will hit immediately. It's not a
10 gradual build-out.

11 CHAIRMAN O'ROURKE: I just wanted to
12 get that down on the record because Wal-Mart
13 is going to be coming in for concept now
14 that obviously the findings and this board
15 is going to accept the findings. The traffic
16 has been mitigated to the point that they
17 could proceed with a concept to come before
18 this board.

19 MR. BAIRD: Yes, I agree.

20 CHAIRMAN O'ROURKE: And that's your
21 opinion.

22 MR. BAIRD: And that's our opinion as
23 TDE, yes.

24 CHAIRMAN O'ROURKE: Now whether or not
25 DOT allows some of the mitigating issues in

1 the corridor, that would be -

2 MR. BAIRD: That's out of our control,
3 really.

4 MR. NARDACCI: So with regards to the
5 signal at Auto Park and Route 9 - without
6 the connector road, we'd have a four-way,
7 and that's something that will be part of
8 DOT's analysis when they get this study.

9 MR. BAIRD: Yes, if they concur that
10 there must be a four-way intersection at
11 Auto Park, as they said in the past, that
12 will be their conclusion. Our opinion is
13 that the traffic has been mitigated through
14 this analysis and mitigation plan. So, we
15 might differ on that, but DOT will also look
16 at corridor-wide stemming from
17 Sparrowbush Road up to Boght Road firehouse
18 and Freihoffer's which is being covered in
19 the GEIS. We didn't make a comparison of the
20 corridor that we have here because it's
21 really apples and oranges. It really stems
22 from the intersections north and south of
23 the project area. It is being covered in
24 another study. So we don't have to duplicate
25 work and spend useless money on that, we're

1 going to rely on the findings in the GEIS.

2 CHAIRMAN O'ROURKE: At this point we'll
3 open it up.

4 Anybody in the audience have questions,
5 comments for any of the engineers present?

6 Yes, sir.

7 MR. SERAFIN: I have a comment.

8 Actually, I'd like to read a letter. It has
9 nothing to do about the traffic, but I'm
10 very concerned about the traffic because I
11 live on 9R. My concern is what the town is
12 spending on trying to get this worked out. I
13 wanted to read a letter that I'm going to
14 mail to Paula Mahan. I'll give someone a
15 copy of that and I'd like to read it.

16 CHAIRMAN O'ROURKE: Sure. You may, if
17 you could for the record, just state your
18 name.

19 In terms of the town paying for these
20 studies - it isn't. The applicant, as part
21 of their process, is. Their traffic engineer
22 is Bergmann. Our town designated
23 engineer - the cost for their study is
24 picked up by the applicant. So the town has
25 no direct cost in these studies.

1 MR. SERAFIN: Well then maybe my letter
2 is immaterial.

3 CHAIRMAN O'ROURKE: That said, not to
4 say that the town hasn't spent money on the
5 traffic studies within the Boght. We have.

6 MR. SEARFIN: May I pass out the
7 copies?

8 CHAIRMAN O'ROURKE: Absolutely.

9 MR. SERAFIN: Dear Ms. Mahan: As a
10 resident of the Boght community, I have
11 become increasingly upset as I watch the
12 town spend taxpayer public funds to assist
13 the development of the destructive Wal-Mart
14 project on Auto Park Drive.

15 Pursuant to the Freedom of Information
16 Law, I respectfully request to be provided
17 with the following information:

18 A list of all meetings attended by town
19 planning staff and/or the town's retained
20 engineers with representatives of the
21 developer of the Wal-Mart Auto Park Drive
22 project.

23 The amount of compensation paid by the
24 town to the town's retained engineers for
25 all work performed related to the Wal-Mart

1 Auto Park Drive project.

2 The number of hours devoted to the
3 Wal-Mart Auto Park Drive project by town
4 employees.

5 Thank you in advance for your attention
6 and cooperation.

7 CHAIRMAN O'ROURKE: Sir, I agree that
8 this is a difficult concept for the
9 taxpayers to understand. As we initiate the
10 town designated engineers, those fees - they
11 represent the town, but their fees are
12 actually paid by the applicants.

13 Me, on the other hand and the time that
14 I've spent, I'm making about \$2 an hour
15 here.

16 MR. MAGGUILLI: C.J., can I have a copy
17 of that letter?

18 CHAIRMAN O'ROURKE: Sure, I'll give you
19 a copy.

20 Again, this is a difficult project.
21 There are people on both sides of it and we
22 just want to ensure that before anything can
23 move forward, the applicant had to ensure
24 that the traffic impacts could be mitigated
25 to even move forward into a concept phase.

1 MR. LACIVITA: Mr. Serafin, is this a
2 newly formed association? The only reason
3 that I ask is that I was looking at the
4 Canterbury notification of today's meeting
5 and also I was looking at a listing of
6 neighborhood associations and I don't see
7 Boght Area.

8 MR. SERAFIN: We're not all that
9 formalized.

10 MR. LACIVITA: If you could give me an
11 address, I'd like to get you on our
12 communications list.

13 MR. SEARFIN: Yes, thank you.

14 CHAIRMAN O'ROURKE: Yes, ma'am.

15 MS. SMITH: What about the foot traffic
16 on Route 9R? A lot of people walk on the
17 side of that road.

18 CHAIRMAN O'ROURKE: That's a corridor
19 issue that DOT, in my opinion, is going to
20 have a lot of difficulty approving
21 to -- see the difficulty is even though the
22 road runs through it, we don't own it. It's
23 owned by the State of New York. For this
24 project to go forward, there certainly has
25 to be some pedestrian accommodations. There

1 is going to have to be a lot of decisions
2 that are going to have to be made that are
3 going to be outside of this board's realm.
4 We're not going to have much say.

5 MS. SMITH: People cross the road there
6 all the time and they walk up and down it.

7 CHAIRMAN O'ROURKE: What's the width of
8 it? 84 feet?

9 MR. BAIRD: I think it's 90, actually.

10 CHAIRMAN O'ROURKE: So it's 90 feet.
11 For that signal to go in if the project goes
12 through, there would have to be, which isn't
13 taking into account in the traffic
14 numbers - there will have to be pedestrian
15 crossing which will certainly skew the
16 numbers that have been presented this
17 evening. It's a legitimate point and well
18 taken by this board.

19 Yes, sir.

20 MR. HAUSLER: A point of interest that
21 you didn't bring up, and I think that it
22 would be relevant here, is the pedestrian
23 walkway across Route 9 right opposite
24 Century Hill Drive. Here is another issue.
25 With an acceleration or a lane going north

1 on 9 at the variability of someone opening
2 and closing that light, it could make it
3 very difficult; especially if there is
4 another turning lane going into the Century
5 Hill.

6 MR. BAIRD: I think that the concept
7 that you're referring to with that
8 acceleration lane would be what's called the
9 half signal option. That would have
10 continuous northbound flow and the
11 acceleration lane coming from Autopark
12 Drive, northbound. That is something that we
13 are not recommending, as part of this
14 project. The full signalized intersection
15 will work and is viable. That wouldn't
16 happen with that intersection. We would have
17 another stopping point to hopefully slow
18 some of that traffic down approaching
19 Century Hill.

20 CHAIRMAN O'ROURKE: Again, just so the
21 audience understands what this is this
22 evening - for the project to go forward, the
23 applicant had to prove to the town
24 designated engineer that the traffic levels
25 associated with the building of this project

1 can be mitigated in the corridor. It's not
2 for or against. This is saying that our
3 representative, our traffic engineer, has
4 confirmed with the applicant's engineer that
5 the traffic associated with the development
6 of a project this size - traffic only, can
7 be done and mitigated in the corridor.
8 That's all it says.

9 In terms of the pedestrian crossings,
10 the light even going in under the mitigated
11 end, that all has to pass muster with DOT.
12 After it passes muster, then it can come
13 back to this board for concept review which
14 certainly for this type of retail
15 establishment there are crosswalks that need
16 to be in place and many other things that
17 will have to be brought out. So I certainly
18 appreciate you folks coming out tonight to
19 educate yourselves in regard to this
20 project.

21 MS. WARD: This might be outside the
22 scope, but I was wondering these costs were
23 covered by the applicant. Do they pay the
24 bills when the roads start going in?

25 CHAIRMAN O'ROURKE: No, if the

1 applicant was able to go forward, it falls
2 within what's called the Boght Road GEIS
3 area. So, to open their doors, they would
4 have to build these mitigating items. At
5 that point, they would be assessed a
6 mitigating fee for the use of the roadways
7 in terms of traffic. That may or may not
8 exceed what costs it costs them to build
9 these mitigating features. It's a difficult
10 thing to understand, but they may end up
11 spending a million dollars. A portion of it
12 may only be \$500,000 which means they would
13 be credited over time back against those
14 mitigating fees. Or it could work the
15 opposite way. They spend a million dollars
16 and it didn't cover the entirety of the
17 traffic that they put on the roadways. So,
18 they may owe more. So until the Boght Road
19 GEIs is finalized - and again we haven't set
20 costs to these actual mitigations which I
21 have asked for this evening - it's a
22 difficult thing to guess what the cost may
23 be versus what the mitigating cost for the
24 project might be.

25 MR. STUTO: But the developers in the

1 entire area pay the lion's share of the
2 cost.

3 CHAIRMAN O'ROURKE: Right, the lion's
4 share and it's going to end up between 75%
5 and 80% of the mitigating costs are going to
6 be paid by the developers in the Boght Road
7 GEIS, the other 20% to 25% will be paid by
8 the taxpayers.

9 MR. BAIRD: All of the developments in
10 the area together will be pitching in to all
11 of the improvements in that whole larger
12 area.

13 CHAIRMAN O'ROURKE: And this Boght Road
14 GEIS goes all the way to Swatling, to
15 Route 2, all the way up through just short
16 of the landfill. I'm not sure what the west
17 boundary is.

18 MR. BAIRD: Sparrowbush -

19 CHAIRMAN O'ROURKE: No, it's further
20 into Sparrowbush somewhere. I'm not exactly
21 sure what the westbound is. I know that the
22 eastbound goes down quite a bit.

23 Anyone else in the audience?

24 MS. SEMA: I'm not sure as to why a
25 Wal-Mart - it's good to have one in Clifton

1 Park and there is one up the road. There is
2 also one in Crossgates. Why a box store? Why
3 a Wal-Mart?

4 CHAIRMAN O'ROURKE: This forum is just
5 for the traffic, but certainly at some point
6 you'll be able to discuss that and we'll
7 look forward to you speaking on that point
8 at that meeting.

9 MR. THOMPSON: Do I understand your
10 comment to mean that there will be other
11 opportunities to talk about the concept and
12 how it fits in with the town's master plan
13 and what we want to see for economic
14 development in the town?

15 CHAIRMAN O'ROURKE: Absolutely.

16 MR. ROSANO: Can we have your name,
17 please?

18 MR. THOMPSON: Tom Thompson. I live up
19 on Alpine Drive and I don't represent anyone
20 except myself.

21 CHAIRMAN O'ROURKE: Okay, as I was
22 saying before, Mr. Sweeney, you have passed
23 muster with the traffic. That's a yeoman's
24 job that Bergmann has done to mitigate such
25 a project and we'll look forward to seeing

1 you on concept.

2 Joe, what date do you have?

3 MR. LACIVITA: We have July 13th.

4 MR. SWEENEY: Thank you, very much, and
5 to the board and the consultants and we look
6 forward to coming back before you.

7

8 *(Whereas the proceeding concerning the*

9 *above entitled matter was adjourned at*

10 *9:38 p.m.)*

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