

STATE OF NEW YORK COUNTY OF ALBANY

TOWN OF COLONIE

A PUBLIC HEARING AND SUBSEQUENT VOTE
IN RELATION TO THE PROPOSED REZONING OF LAND
LOCATED AT 28 EVERETT ROAD, 11 DUFFY STREET
AND 12 DUFFY STREET TO BE KNOWN AS 28
EVERETT ROAD EXTENSION FROM
NEIGHBORHOOD/COMMERCIAL/OFFICE/RESIDENTIAL

THE STENOGRAPHIC MINUTES of the above
entitled matter by NANCY L. STRANG, a
Shorthand Reporter commencing at 8:16 PM on
September 24, 2020 at Memorial Town Hall,
534 New Loudon Road, Latham, New York

- BOARD MEMBERS:
- PAULA A. MAHAN, SUPERVISOR
- LINDA MURPHY, DEPUTY SUPERVISOR
- MELISSA JEFFERS
- DANIELLE FUTIA
- RICHARD FIELD
- JILL PENN
- DAVID GREEN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ALSO PRESENT:
MICHAEL C. MAGGUILLI, ESQ., TOWN ATTORNEY
JULIE GANSLE, TOWN CLERK

1 MS. GANSLE: Our next public hearing is
2 being held by order of the Town Board to hear
3 all persons in relation to the proposed
4 rezoning of land located at 28 Everett Road,
5 11 Duffy Street and 12 Duffy Street to be
6 known as 28 Everett Road Extension from
7 neighborhood/commercial/office/residential to
8 a planned development district known as the
9 Crisafulli Senior Living Planned Development
10 District.

11 Notice of this public hearing has been
12 published in the official Town newspaper which
13 is the Spotlight and has been posted on the
14 Town Clerk's bulletin board. I have an
15 affidavit for each. The town Board will now
16 hear all persons interested in this proposal.

17 MR. HERSHBERG: Supervisor Mahan,
18 Members of the Board my name is Daniel
19 Hershberg with the firm of Hershberg and
20 Hershberg. I'm here today representing
21 Crisafulli Associates, LLC and Michael
22 Crisafulli is with me.

23 This project first came to my office's
24 attention when Mr. Crisafulli had proposed to
25 develop this as a medical office building

1 complex that conforms with the zone. We
2 determined that he could put in 135,000 to
3 195,000 square feet of medical office space.
4 We took a look at then we checked with the
5 County and they were appalled at the amount of
6 traffic that would generate right near the
7 intersection of Everett Road Extension and
8 Sand Creek.

9 In the meantime, there was a change of
10 heart. Crisafulli Associates determined that
11 senior housing was a need in this part of
12 Town. There was no senior housing over on this
13 end of Town that would meet the need. So, we
14 designed a 153-unit four-story senior housing
15 complex.

16 We brought it into the Planning Board for
17 preliminary review by them and after
18 discussing it with them, they thought the four
19 stories is too much for the site and we cut it
20 down to three stories. It's now three stories
21 and 115 units. We think the building fits very
22 well with the site.

23 The amount of parking went down, too. We
24 originally had 60 garages; 180 surface parking
25 spaces and that's down to 40 garages spaces

1 and 128 parking spaces. So, there is
2 significantly less parking requirement for
3 less units.

4 The amount of green space on the site is
5 about 65 percent. It's a very green site. It's
6 over 65% green. The Sand Creek comes through
7 the site and joins the site right here
8 (Indicating). There is a significant
9 environmental area, SEMAB area, in here which
10 we do not attempt to disturb. We're not asking
11 from any variances from SEAMAB. A nice feature
12 of the site is we are closing this entrance to
13 the Zaloga Post and we're doing a joint
14 entrance with the Zaloga Post which means
15 this site will not add a single curb cut to
16 this side. As a matter of fact, they have an
17 existing curb cut to the site here which has
18 never been used and we do not intend to use
19 it. So, we're actually reducing the number of
20 curb cuts on Everett Road by one.

21 As you know, the main issue is with
22 traffic. They want to reduce the number of
23 ingress and egress points along the highway
24 and that definitely makes it safer. The
25 traffic generated by this site went down to 33

1 total units in the morning, which is about 24
2 leaving and 9 in the afternoon. There's like
3 36 cars, so the amount of traffic generated by
4 facility like this is significantly less than
5 generated by medical office building or a
6 number of other uses on the site. That was a
7 critical issue that we talked about with the
8 Crisafullis and they said yes, that's why they
9 want to go there.

10 We made some other changes on the site in
11 response to the Planning Board's needs.
12 There's another rendering of the site that
13 shows what it looks like from Everett Road
14 (Indicating).

15 MR. GREEN: Dan, where's the primary
16 entrance for ingress/egress? Is it off of
17 Exchange Street Extension there?

18 MR. HERSHBERG: No, the main entrance is
19 here and this is a secondary entrance
20 (Indicating). It allows people to get out
21 Exchange Street so if somebody wants to make
22 a left-hand turn onto Everett Road Extension
23 they could go down Duffy Street to Exchange
24 Street and go out to the Sand Creek light.
25 That would work much better. Fortunately, a

1 whole bunch of the people using the facility
 2 will not travel at peak our time even though
 3 it's for 55 and older. The average age
 4 normally moving into the site is 70 to 75.
 5 They just don't want to move out of their
 6 homes at 55 or 60. I'll be 80 next month and
 7 I don't want to move out of my home, either.
 8 I'm not a potential tenant here.

9 Here's the view (Indicating). We are
 10 standing opposite the Zaloga Post on the
 11 opposite side of Everett Road Extension.
 12 That's the view of the building from there.

13 We have prepared another view looking at
 14 it from Exchange Street. This shows
 15 essentially that although it's a three-story
 16 building from the distance there, there's a
 17 single-family house there and it mixes with
 18 the site pretty well.

19 The four stories, we will concur, was a
 20 little intrusive but we heard the Planning
 21 Board and they were insistent that it was too
 22 dense and too tall so he made that change.
 23 That's the project the way we want to build
 24 it.

25 Stormwater management is the key issue on

1 the site. As you know, this area has been
2 subject to a significant amount of flooding
3 over the years. This project will not add
4 anything to the flooding. The people here know
5 essentially that this soil is all very porous.
6 The rain that falls on the site now gets
7 absorbed right into the ground. We're going to
8 replicate that. We're using porous pavement
9 for all the porous areas. The roofs to garage
10 and garage to pavement will be discharged into
11 the porous payment so everything will recharge
12 to groundwater and nothing will run off of the
13 site.

14 The concern that we might've been adding
15 to the drainage at Sand Creek will not happen.
16 We are compliant with the SPDES GP 201 which
17 is the legislation that DEC has to govern
18 stormwater management. Flooding is still an
19 issue in the area. So, as a public benefit we
20 are working with the Planning staff and
21 Planning Board to come up with a reasonable
22 public benefit. There are drainage problems
23 that would exceed the capability of one
24 developer to handle.

25 We talked about making a cash

1 contribution that would go towards that, or
2 towards other improvements in the area, or to
3 other improvements that the Town may decide
4 they want to do. I think we have reached a
5 figure that, again, we think is acceptable.
6 That's still to be seen. The Planning Board
7 would normally set the amount of public
8 benefit that they would require, but again,
9 the public benefit here would be made by the
10 developer and leave it to the Town to
11 implement the stormwater because this is
12 something that a single developer could not
13 handle in this area. There has been a
14 significant problem in the area for many
15 years. A study was done and the study
16 identified some work to be done and this money
17 can be implemented to start some of those
18 projects.

19 I'm prepared to answer any questions
20 which the Board may have.

21 MS. PENN: What is the average cost of
22 the housing. I know there's a concern in the
23 area that we have more affordable housing for
24 seniors. What would the cost be for the
25 housing this development?

1 MR. CRISAFULLI: It's early at this
2 point. It's tough to really pin down here.
3 The whole point behind this project has
4 always been to make it as affordable as
5 possible while meanwhile, not getting tax
6 credits or asking favors from any of the
7 Boards are IDA's. It's a little bit harder
8 now with not a four-story. Our goal is not to
9 be on the high point. There would be no
10 community buy-in. There would be no excessive
11 price that would exceed normal housing normal
12 multi-housing in the area. So, we're really
13 trying to hone in on maybe \$1,500 or \$1,550
14 for one-bedroom. I know that sounds like a
15 lot for folks, but it's actually not for this
16 type of project. It's roughly \$600 below
17 similar competition. The \$2,000-ish for the
18 two-bedroom two-bath, which is actually for a
19 new product in the Town \$800-\$900 less than
20 that. So, we're trying to really get to that
21 point. It's harder now because there's less
22 units, but we're still doing what we can.

23 MR. GREEN: Mike, what kind of timeline
24 do you have for this?

25 MR. HERSHBERG: If we could get the

1 shovel in the ground next week?

2 MR. GREEN: Do you have - it sounds like
3 you have resources dedicated to do this upon
4 approval, or is this something that it's two
5 years down the road?

6 MR. CRISAFULLI: Ultimately, the goal
7 would be to start in May of next year with
8 about a 17-month construction timeline. This
9 type of housing leases up a little bit
10 slower, so we are projecting maybe a year to
11 a year and 1/2 to fill it up.

12 MR. GREEN: But it's all in one phase,
13 right?

14 MR. CRISAFULLI: Yes, about 17 months,
15 one phase, one building and everything gets
16 finished and hopefully leases relatively
17 quickly.

18 MR. MAGGUILLI: Is it 55 and over or 62
19 and over?

20 MR. CRISAFULLI: The 55 is generally
21 what we say.

22 MR. HERSHBERG: We said 55 and older.
23 When we set it up I thought that's the way
24 the law read.

25 MR. CRISAFULLI: That was our intention

1 - 55 and older. That's been our
2 understanding.

3 SUPERVISOR MAHAN: I think you did a
4 great job bringing it down to three stories.

5 MR. GREEN: It's tough to see the third
6 story.

7 MR. CRISAFULLI: It's similar to other
8 projects that we have in the Town.

9 MS. JEFFERS: Is that the back of the
10 property?

11 MR. CRISAFULLI: So, this is like one
12 opening on Exchange Street that would provide
13 the best angle from Exchange. That is set
14 back like 300 feet from Exchange.

15 MS. JEFFERS: Is the reason David can't
16 see the third story is because - are those
17 garages that are covering that first story?

18 MR. CRISAFULLI: Yes, you can see the
19 sheds that belong to the neighbors in the
20 front, but you do see some of the detached
21 garage is in the back.

22 SUPERVISOR MAHAN: I can't recall any
23 type of housing like that for seniors in that
24 part of Town. That's another plus.

25 MR. GREEN: There are couple of things

1 going on in the west end of Town.

2 MR. HERSHBERG: Every town's long-term
3 plans are to build senior housing because
4 there's a lot of senior housing in our target
5 area. Every one I've worked on - four or five
6 of them so far have been successful and have
7 been rented out even faster than Mike
8 projects. It didn't take a year or year and
9 1/2 to fill them up.

10 SUPERVISOR MAHAN: We have waiting lists
11 on most of them.

12 MR. CRISAFULLI: We have done
13 feasibility studies and we do our own
14 studies. Absent of anything that just opened
15 in the Town - actually I think it's inclusive
16 of everything that opened including the
17 rentals at Carondelet. You're looking at a
18 99.5 occupancy rate.

19 SUPERVISOR MAHAN: The need is there.
20 There's no question. I think you did a great
21 job on all of the changes that you made,
22 which is what we were looking for.

23 MS. JEFFERS: Definitely the residents
24 have asked us for it in that part of Town.
25 There is definitely a big need.

1 MR. CRISAFULLI: One thing I did want to
2 point out is there were a couple of comments
3 about maybe we have too much parking in the
4 front. Actually, that is true. We have green
5 where the Zaloga Post is. They actually
6 allowed to use up to 30 spots on certain days
7 for events. So, this overflow will provide us
8 with that so it will go both ways.

9 SUPERVISOR MAHAN: Does anyone have any
10 questions from the Board?

11 (There was no response.)

12 Anybody from the audience have any
13 questions?

14 (There was no response.)

15 Will close the public hearing. Thank you
16 very much.

17 MS. GANSLE: We have a Resolution
18 adopting Local Law for the rezoning of land
19 located at 20 Everett Road, 11 Duffy Street
20 and at 12 Duffy Street to be known as 28
21 Everett Road Extension from
22 neighborhood/commercial/office/residential to
23 a planned development district known as
24 Crisafulli Senior Living Planned Development.

25 MS. JEFFERS: So moved.

1 MS. FUTIA: Second.

2 SUPERVISOR MAHAN: Supervisor votes aye.
3 Clerk, call the roll.

4 (The roll was called.)

5 MS. GANSLE: The ayes have it, Madam
6 Supervisor.

7 SUPERVISOR MAHAN: The Resolution is
8 adopted.

9 MR. GREEN: I think it's worthy noting
10 for anyone in the audience that still paying
11 attention that this rezoning we are moving
12 forward with because it's a PDD and not just
13 a single parcel like the other ones.

14 SUPERVISOR MAHAN: And this has been in
15 the process for quite a while. It is totally
16 different.

17
18 (Whereas the above entitled proceeding
19 was concluded at 8:32 PM)

20

21

22

23

24

25

CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and Notary Public in and for the State of New York, hereby CERTIFIES that the record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

Date: _____

Nancy L. Strang
Legal Transcription
2420 Troy Schenectady Road
Niskayuna, NY 12309