

STATE OF NEW YORK COUNTY OF RENSSELAER
TOWN OF SCHODACK

PLANNING BOARD MEETING

THE STENOGRAPHIC MINUTES of a portion of the
above entitled matter on May 3, 2021 as it
pertains to Scannell Properties, by NANCY L.
STRANG, a Shorthand Reporter at 7:03 P.M. VIA
ZOOM Video Conferencing.

BOARD MEMBERS:

DENISE MAYRER, CHAIRPERSON

WAYNE JOHNSON

JAMES SHAUGHNESSY

LAWRENCE D'ANGELO

ANDREW AUBIN

JOHN LAVOIE

STEPHANIE LEONARD

ALSO PRESENT:

CRAIG CRIST, ESQ., COUNSEL TO THE BOARD,

(Recused for the Scannell Properties matter)

NADINE FUDA, DIRECTOR, PLANNING & ZONING

MELISSA KNIGHTS, PLANNING & ZONING SECRETARY

1 DAWNE KELLY

2 ADAM FROSINO, PE, MCFARLAND JOHNSON

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1 CHAIRPERSON MAYRER: The next item on the
2 agenda is the period of public comment. If any
3 member of the public wishes to comment on any
4 item on the agenda this evening, please call or
5 text Nadine at -

6 MS. FUDA: 518-376-7875.

7 CHAIRPERSON MAYRER: We will pause and
8 wait.

9 MS. FUDA: Again, that number is
10 518-376-7875.

11 Here she is now.

12 Marcy? Turn your stuff in the background
13 down and I'm going to put you next to the mic
14 so they can all hear you.

15 MS. BRUNNER: My comments this evening are
16 related to item 7 - Proposed Sales Distribution
17 Center, Scannell Properties 508.

18 As item 7 is from the same developer of
19 Amazon, requesting questions be asked of
20 applicant as this project what appears to be
21 another Amazon warehouse on other side of
22 Birchwood neighborhood according to Building
23 picture two on the Town website which lists
24 the exterior color as an Amazon Prime blue
25 color. Is this a coincidence, or is this

1 another Amazon warehouse?

2 Assuming we are dealing with another
3 Amazon warehouse and Scannell has since sold
4 the original Amazon warehouse over on the
5 other side in less than a year, I'm wondering
6 what that means for residents who are now
7 dealing with unresolved issues from the first
8 Amazon warehouse?

9 When Scannell presented the original
10 Amazon project to the public, they assured
11 everyone this was a long term commitment. They
12 are quoted in the public comments which I did
13 include in a link in the letter that I sent to
14 Ms. Fuda today. It's already been less than a
15 year and they are already gone and they're
16 leaving this project for other people to deal
17 with. So, are there contingencies in budgets
18 to address any ongoing issues? I believe that
19 the public has a right to have answers to
20 these questions before entertaining another
21 proposal.

22 Does a long-term commitment mean less
23 than a year for a developer to come in, turn
24 neighborhoods upside down and leave? Does that
25 sound like a long-term commitment? Did they

1 tell us what they thought we wanted to hear? I
2 really just want you to be aware of that this
3 evening.

4 We have been asking for new contacts to
5 no avail for the new warehouse owners of
6 Amazon just to seek resolution to a host of
7 issues, which include: status of window
8 tinting, warehouse lights are visible to
9 neighboring homes, and so on. If tinting has
10 been completed, residents have not noticed a
11 difference. There are also dead evergreens on
12 the berm on the northside which need to be
13 replaced as these are part of the visual
14 buffers, on-going issues with noise and
15 tractor trailers on employee side, lost
16 drivers ripping up lawns trying to find GPS
17 due to poor signage, pedestrian walking.

18 I know you are aware of most of these
19 items. I have brought this up in the past. So,
20 without knowing all the details in Scannell's
21 proposal in this application this evening, I
22 want to give you some thoughts for
23 consideration and respectfully request the
24 Planning Board to consider.

25 1. Requiring Developer to meet with

1 residents when there is a controversial
2 project to discuss potential concerns which
3 may adversely affect neighborhoods/residences.

4 2. Require an as-built report for
5 comparison of what was approved to gauge how
6 to handle future projects by same proposer,
7 such as jobs, etcetera.

8 3. As new projects are approved in Town,
9 Town needs to proactively determine needs for
10 hiring additional personnel to oversee - such
11 as compliance officers and inspectors who are
12 full-time and on-call at all times and include
13 that in your consideration of approval.

14 4. The 2011 Comprehensive Plan, guiding
15 principle, stated that in particular, public
16 water supply wellhead areas should be
17 rigorously protected and systems be developed
18 to monitor water quality and supply from these
19 major sources of public water. The proposal is
20 located in the wellhead protection area and
21 would require a special use permit. The Town
22 of Schodack requires the Planning Board in
23 approving or disapproving any special use
24 permit, to take into consideration the public
25 health, safety and general welfare, the

1 comfort and convenience of the public in
2 general and that of the residents of the
3 immediate neighborhood in particular. The
4 Planning Board must consider the aquifer and
5 groundwater impacts not only upon the general
6 public, but also the direct impacts to the
7 residents in the vicinity of the proposed
8 project. This is especially prudent as Amazon
9 is located directly upon the aquifer re-charge
10 area. Cumulative impacts of trucks and
11 vehicles and effects to aquifer must be
12 evaluated. Residents rely on drinking water
13 from public wells in this neighborhood.

14 5. For the Amazon project,
15 Scannell/McFarland and its contractors used
16 old dated studies as part of packages and
17 applications to present. Now that Amazon is
18 here, any and all studies would need to be
19 re-done to take into account a million square
20 foot warehouse on other side as topography and
21 wildlife has considerably changed.

22 6. If this is another Amazon warehouse -
23 what will prevent zip vans and/or delivery
24 trucks and/or tractor trailers to go back and
25 forth between locations? This seems probable

1 and studies need to include this increased
2 traffic which will most certainly happen
3 between two like facilities and affect
4 Birchwood residents directly.

5 The lessons we learned is that the height
6 of any sound wall must be determined by
7 adjacent neighborhood elevations to ensure
8 residents will not be subjected to another
9 visible commercial property. Simulations which
10 Scannell provided for Amazon when compared to
11 actual, greatly differ and we do not another
12 repeat. We attached and prepared an alternate
13 site layout proposal which is attached to this
14 email that I sent in which would allow for a
15 full sound wall and landscaping to be added
16 for engineer consideration while this project
17 is under review. It is now too late for some
18 of the issues from the original Amazon and
19 learning must take place to avoid issues being
20 repeated.

21 We noticed in newest proposal that the
22 questions seem identical. Construction hours
23 also indicate 6:00 A.M start times, which
24 Scannell then promised to change, but did not
25 and Town did not follow through. Residents

1 dealt with construction six days a week,
2 almost 14 hours a day.

3 In review of the Scannell application
4 package, we remain concerned that the buffer
5 shown in simulation photos are not accurate as
6 timber harvesting is currently underway on
7 that parcel; 2019-36. And trees are coming
8 down rapidly, removing the buffer residents
9 currently have. The trees being removed are in
10 excess of what has been approved by this Board
11 on December 19th and I wasn't sure if you're
12 aware of this. I'm not sure why an application
13 would be approved for a set number of trees
14 and then not monitored. No tagging is being
15 done, the number of trees is tripled of what
16 was presented. I also encourage you all to
17 take a look at Amazon's website

18 Please visit Amazon's website where
19 Amazon refers to themselves as a warehouse,
20 not a sales distribution center. We are
21 looking for a response from whomever made the
22 final determination that Amazon was not a
23 warehouse and therefore allowed to build in a
24 PD-3 zone. Please ask applicant why their
25 tenant refers to their facility as a

1 warehouse, but it is presented as a sales
2 distribution center.

3 There are some other notes I have
4 included in the letter, but I'm not going to
5 read those out loud due to limited time. But I
6 just wanted to ask for a couple of
7 contingencies - consideration if this project
8 does move forward. In particular, we are
9 requesting a sound wall, the length of the
10 building with a height to be determined
11 depending on final building height and
12 elevation and probably a neutral color and
13 agreed upon by residents directly affected.
14 Contingency should be considered if and when
15 the Morgan-Ruthman property or Van [sic]
16 Hueson has developed at a later date, setbacks
17 need to be sufficient to ensure future
18 development is not abutted to neighborhood.

19 Additionally, if the current trees are
20 removed, this could alter Scannell elevation
21 assumptions. Currently, this parcel has been
22 approved for timber harvesting, as I
23 mentioned. Sound wall must be constructed
24 prior to construction. Additional landscaping
25 can be placed on the wall facing neighborhoods

1 for green cover year-round.

2 Photo simulations from Birchwood homes
3 during each season with the ability to add
4 additional landscape as needed to adequately
5 screen building from residential homes.

6 Modification to construction hours.
7 Revision of start time of at least 8:00 A.M.
8 to minimize noise impacts to residents.

9 Identification of personnel responsible
10 during construction and after, in case of
11 issues.

12 Request Scannell to investigate GPS
13 issues and try to resolve to avoid additional
14 issues with this new project.

15 I respectfully request each Planning
16 Board Member to pay careful attention to the
17 proposed site plan/special permit and each
18 applicant ask the tough questions and answers
19 that are satisfactory and verifiable. No one
20 is against development, but want to be assured
21 it your responsibility as Planning Board
22 Members to know exactly what you are approving
23 and not be afraid to ask questions and demand
24 accountability on behalf of the residents you
25 represent.

1 I appreciate your time. Thank you.

2 MS. FUDA: Thank you.

3 Is there anyone else out there who would
4 like to make comment on anything on tonight's
5 agenda? If so, you can call in at
6 518-376-7875.

7 We have two more minutes.

8 (There was a brief break in the
9 proceedings.)

10 CHAIRPERSON MAYRER: Okay, we will close
11 the period of public comment.

12 (Whereas the period of public comment was
13 concluded at 6:15 P.M.)

14
15 (Whereas the matter specifically
16 regarding Scannell Properties was addressed
17 beginning at 7:41 P.M.)

18 CHAIRPERSON MAYRER: Last but not least,
19 item number seven, Scannell.

20 MR. LABERGE: Again, while the applicant
21 is coming on the line, I would just give a
22 quick summary of our most recent letter of
23 April 29th as well, on this project.

24 Again, beginning April the applicant
25 submitted significant detail on their project

1 including a set of plans, and environmental
2 assessment report which the binder - I know
3 everyone received. We went through that and we
4 ended up with this short nine-page or
5 seven-page letter with a lot of technical
6 details. I think the applicant is here tonight
7 to update us on that.

8 If the Board concurs, we believe that the
9 project has enough detail at this point for
10 the public to be able to comment on it so that
11 the Board could set a public hearing date at
12 some point in the future.

13 One of the things that the Board waited
14 on was receiving some comments from DOT which
15 were received, I think, on Friday by the
16 applicant and forwarded to the Town. Again, I
17 will let the letter speak for itself, however
18 we wanted to hear from the DOT as one of the
19 major state agencies that would have approval
20 authority on this project. I don't think DEC
21 or the Department of Health will have any
22 concerns other than technical comments about
23 the extension of the utilities.

24 With that, I will turn it over to the
25 applicant. I am not sure who is there for

1 them. Please let us know what you would like
2 to talk about, or that you have received our
3 letter. Go ahead, please.

4 MR. FROSINO: Good evening. For those of
5 you who don't remember, my name is Adam
6 Frosino. I am with McFarland Johnson. We are
7 representing Scannell Properties on this
8 project as the design engineer. I also have
9 Steve Boisvert who is our Division Manager. He
10 is on the call as well, via Zoom and so is Leo
11 Leighton. He is with Scannell Properties.

12 We just wanted for tonight to provide an
13 update on the project and where we are at and
14 formally submit a request to have a project
15 public hearing to be scheduled for the next
16 meeting.

17 As an update to the project -

18 Can everyone see my screen, by the way? I
19 just want to confirm that.

20 CHAIRPERSON MAYRER: Yes.

21 MR. FROSINO: This was the rendering that
22 we presented at the last meeting last month.
23 There is one small change to the site plan from
24 the previous meeting. This area right here is
25 proposed to be a concrete pull off area for

1 employee drop-offs as well as a bus shelter
2 (Indicating). On our updated plan we have
3 flipped sides and it is actually located on
4 this side (Indicating). There are the same
5 number of parking spaces. It just got
6 flip-flopped. That was to allow a smoother
7 drop-off circulation pattern so that the people
8 who are dropping off - employees don't have to
9 drive right in front of the main entrance. That
10 was a request that came from the design team
11 and to implement it to be a more safer
12 practice.

13 Since the last time, we have addressed
14 the first round of comments that we received
15 from the Laberge Group. We had provided a
16 letter on April 29th to the Planning Board and
17 copied in Laberge with a detailed response. I
18 won't go through all of the response items,
19 but I did want to highlight the one item that
20 might be relevant to the Planning Board that
21 they might want to look at. That would be the
22 visual assessment.

23 The Laberge comment letter had requested
24 a few more locations, in addition to the
25 previously provided visual impact assessment.

1 On the screen now is just a map of the
2 expanded locations that were provided.
3 Originally, we had provided locations 2, 3,
4 and 4. The other five locations have been
5 added - actually six. I just wanted to go
6 through those briefly on the call. I know that
7 the Planning Board and the Town were provided
8 this document. I wanted to talk through it.

9 The first view is just an overall
10 perspective view of the property. It has been
11 updated to include the relocated drop-off
12 area, as shown by my cursor.

13 View number two has not changed. That was
14 the same as what was previously provided.
15 Neither has view number three, or the view
16 numbered four.

17 View number five is a new view from the
18 bridge over Moodener Kill. So, the building
19 will not be visible from the bridge. However,
20 we did provide a visual, if you will, the
21 building and where it would be located behind
22 the trees - behind the vegetation. We did that
23 for all the different view sheds.

24 If there are any questions or comments,
25 feel free to interrupt me as I go through

1 these.

2 View number six is from the bridge over
3 I90. Again, with the vegetation that is
4 proposed to remain, you wouldn't be able to
5 see the building. However, we did provide
6 again the superimposed building behind the
7 vegetation to just give you perspective of
8 where the building and site would lie from
9 that angle.

10 This is a rendering of the adjacent
11 property. This shows where again the building
12 would sit in relation to that property. You
13 would be looking up the hill and there is a
14 lot of vegetation there existing that would
15 remain, as well as the topography.

16 MR. JOHNSON: This is Wayne Johnson.

17 I have a question about that view. You
18 show that as a pretty significant amount of
19 building that is going to be seen from the
20 property. Are you expecting a property owner
21 to maintain a buffer so that they won't see
22 the building, or are you going to be doing
23 something to protect the view there?

24 MR. FROSINO: This would be the view that
25 is being proposed (Indicating). We were just

1 superimposing the building behind the
2 vegetation to show where it would lie. So, the
3 proposed configuration of the building and the
4 site layout - it will not be visible with the
5 existing vegetation to remain - if that is what
6 you're asking.

7 MR. JOHNSON: This is Wayne Johnson again.
8 That's assuming that you have all pine
9 trees and no deciduous trees.

10 MR. FROSINO: That is true. In the winter
11 there would be less greenery on some of the
12 tree species out there.

13 I will scroll back up to the first image.

14 This is where we are talking about
15 (Indicating). That's view seven. So, you are
16 looking up through these trees. You can see
17 that these trees in this area are all proposed
18 to remain. So, I understand your comment that
19 the rendering shows the trees with foliage on
20 them. In the winter that would not be the
21 case. There is a pretty dense layer of
22 vegetation or forest between the view shed and
23 the property. So even without the leaves and
24 vegetation on the trees, it would be masked or
25 screened to a certain degree, if you will. You

1 may be able to see something between the
2 forest of trees, but we don't believe it would
3 be very much.

4 MR. JOHNSON: And all those trees that are
5 on your property and not on -

6 MR. FROSINO: In this area is a
7 combination. The property line kind of goes --
8 actually, I can pull that back up. You can see
9 the property line goes like this (Indicating).
10 So, these are the trees we are talking about
11 that would remain. The majority of them are on
12 the proposed applicant's property. Some of them
13 -- the view shed was taken from right about
14 here (Indicating), so almost all of them are to
15 remain on our property.

16 MR. JOHNSON: Okay, thank you.

17 MR. FROSINO: Okay, that was view seven.
18 We will go to view eight.

19 This is from the intersection of 9 and 20
20 and 150. So this is the corner of that
21 intersection and you are looking towards the
22 site. Again, it would be screened by the
23 vegetation that is there today and on this
24 bottom image you can see where the building
25 would be in relation to that vegetation that

1 is to remain.

2 This is just a little further south on 9
3 and 20 (Indicating) from that previous
4 location. I believe this is the Dunkin' Donuts
5 building in relation to this, to give you a
6 perspective of where we are. Again, the
7 proposed scenario - the vegetation would block
8 the view of the building. This is where the
9 building would set in relation to that
10 vegetation.

11 The last one was from Juliann Drive; the
12 closest proximity of the project site. Again,
13 proposed we are showing that the vegetation
14 would completely screen the building. Then we
15 show where the building actually sits within
16 that view shed.

17 I just wanted to walk through those and
18 if anybody had any questions - obviously Wayne
19 had a couple. If anyone has any questions
20 related to the visual impact from the project,
21 we can address those now or in the future. if
22 not, I will move on.

23 The last item you wanted to discuss was,
24 as Rich mentioned earlier, the DOT letter that
25 was received on Friday. It was about a page

1 and 1/2. This is the actual letter. Under the
2 conclusions, they agreed with the conclusion
3 that the surrounding roadway network has
4 adequate capacity to accommodate the
5 additional traffic generation by the proposed
6 development. There were some comments related
7 to site distance and the design speed of Route
8 150. We believe we can address those. We have
9 done some preliminary review on the site
10 distance. All of those items that were brought
11 up are more related to the issuing of a
12 highway work permit when we get into more
13 detailed design and specifically related in
14 nature.

15 That was the update that we wanted to
16 provide. Also, to answer any questions that
17 may have come up over the last month. Also, to
18 request that a public hearing be set for the
19 next meeting.

20 MR. AUBIN: This is Andy Aubin. How are
21 you?

22 MR. FROSINO: Good.

23 MR. AUBIN: I had a couple of questions.
24 First, your view number 10 - your superimposed
25 image of the building - on the left side of the

1 page - is that representational of the wall
2 that sort of is going away from the building?

3 MR. FROSINO: I will zoom in a little bit.
4 Yes, you are correct, this is the wall. This is
5 the building (Indicating).

6 MR. AUBIN: Okay, so the wall only goes to
7 where the corner of the building was - the view
8 that you had just a second ago of the site
9 plan. The wall ends about there, right,
10 currently?

11 MR. FROSINO: Right.

12 MR. AUBIN: So, essentially if in fact the
13 owner of the property between the residents and
14 your proposed property were to cut most of
15 those trees down, the building in fact would be
16 fully visible from Juliann Drive.

17 MR. FROSINO: That is correct, to a
18 certain degree; yes. We are talking about this
19 view shed looking in this direction
20 (Indicating). Currently there is this
21 vegetation between this forest.

22 MR. AUBIN: When you said currently,
23 you've got to understand that there is timber
24 harvesting right now where several trees are
25 being harvested and that area is being thinned.

1 So, the expectation is that come next fall when
2 the leaves are off the trees and all the tree
3 cutting is done, you're probably going to be
4 able to see the crest of that hill. Maybe not
5 all over Juliann Drive, but it's going to be
6 much more visible than what was currently - or
7 at least when these real pictures were taken
8 with vegetation on the trees. So, your
9 representation of the wall doesn't really block
10 out what would be the building. There is no
11 vegetation that you are looking to do any
12 screening in the height of your lighting and
13 the rear is 40 feet tall. All of that would
14 probably be visible from this vantage point
15 whenever you build this building, going with
16 the plan that you have now.

17 The other point that I would like to
18 bring up is your lighting plan. It appears
19 these lighting fixtures are specified for
20 4,000 Kelvin on the temperature range and I
21 believe on the other project, that will remain
22 nameless, is requested to have a lower Kelvin
23 rating and these come in 3,000 which would be
24 preferable, much less bright and less glare
25 fixture.

1 I would also really like you to take a
2 look at the front half of where the employee
3 parking is and consider dropping those lights
4 to 30-foot mounting heights, knowing full well
5 that that's probably going to mean you're
6 going to add a couple more lights, but having
7 40-foot heights on that end of the project
8 being that it is higher than the road, it
9 really will as you have showed some of the
10 other photo renditions, you are basically, as
11 you're driving by will be looking up into
12 those lights. That's going to create quite a
13 bit of light spillage the surrounding area.
14 Understandably this is a commercial operation
15 and you've got to have lighting, but
16 consideration for the fact that you are right
17 on the edge of what is a residential area,
18 rural and agricultural, lighting is a big
19 thing and we try to keep that from spilling
20 out into everybody's purview.

21 MR. FROSINO: Understood. We will take
22 these into consideration.

23 MR. LABERGE: Andy, this is Rich Laberge.

24 Just to take that one step further, our
25 comment letter does talk about that a little

1 bit - lighting heights. We recommend 25 feet.
2 also, LEDs with 2,700 degree Kelvin bulbs, if
3 possible. We would ask the applicant to
4 consider that, like he said, and we will look
5 at it in the next round.

6 MR. JOHNSON: This is Wayne Johnson.

7 They should be looking at the box to make
8 sure that it extends far enough, so that
9 you're not looking at the fixture from a
10 horizontal distance. At the existing facility
11 which shall remain nameless, if you are
12 standing a level with the lights, you can
13 still see the fixture itself - the light
14 emanating from the bulbs. So, somehow they may
15 be using the ones that you have in your
16 cutouts and they don't have a full cut-off and
17 we really want a full cut-off.

18 MR. SHAUGHNESSY: This is Jim Shaughnessy.

19 Just a follow-up on the previous couple
20 of comments. As you may or may not be aware,
21 we had a number of comments from the public
22 and other property owners regarding screening
23 in general, and also noise impact. It might be
24 helpful if you could just kind of go over what
25 the current design is just a kind of refresh

1 everyone and get on the record one more time
2 and we can follow-up.

3 There were also some comments on what
4 happened at the existing Scannell site and if
5 that is working well and maybe there is some
6 lessons learned that can be improved on that
7 site. If you could just go over your current
8 thoughts on screening in general, including
9 the trees, the sound walls and additional
10 concerns from adjacent property owners on
11 noise. I know we have a letter on noise
12 impact. Maybe we can talk about that.

13 MR. FROSINO: So, to review our current -
14 currently we have proposed a 600-foot sound
15 wall that is 15 feet high, as well as some
16 supplemental vegetation along the wall and in -
17 I will call at strategic locations for visuals.
18 We have not revised this layout to date. This
19 was from the March 31st submission and we are
20 looking for input from the Board and the
21 neighboring residents to see where it would be
22 an appropriate solution to address any
23 remaining concerns on visual and sound. We are
24 not assessing what the benefit would be of any
25 kind of extension to the wall, or any

1 additional landscaping, but we are looking for
2 feedback from the Town Board and can adjust
3 based on that feedback.

4 MR. SHAUGHNESSY: Well, it sounds like
5 based on everything we are hearing, coupled
6 with the other projects that are going on
7 adjacent and potential future projects, I think
8 it sounds like it would be a good idea to
9 increase what you've got. When you say
10 strategically placed trees, I'm guessing you
11 mean staggered pines. I don't know if you can
12 elaborate on that yet as to what strategically
13 placed is and how many. I suppose it depends on
14 the elevation of the topo.

15 MR. FROSINO: I guess I was referring to
16 the southern property line which has been the
17 location of concern by the Town and by the
18 residents. In our March submission, it is not a
19 fully lined screen. We were relying on some of
20 the existing vegetation, but we were open to
21 consider revisions and whatever the needs to
22 meet the concerns.

23 To address your question - I forgot that
24 I didn't actually answer that one about the
25 previous project. I don't believe to date

1 there has really been any concerns regarding
2 the actual southern boundary of that project
3 and the noise wall that was installed on that
4 property line. I think the applicant here is
5 looking to mimic what was done there because
6 that turned out acceptable to all parties and
7 there really hasn't been any issues with that
8 noise wall that we are aware of.

9 MR. LABERGE: Right, I was referring more
10 to the northern end of that property where it
11 sounds like maybe the berm isn't working as
12 people may have expected and maybe the upkeep
13 of the existing evergreens - some of them may
14 be failing and maybe there may be some
15 consideration to adding some more staggered
16 rows on this new one to just kind of learn what
17 may or may not be existing on the Scannell
18 property.

19 MR. FROSINO: Yes, understood. We will
20 definitely take that into consideration, moving
21 forward here.

22 MR. LABERGE: Thank you.

23 MR. SHAUGHNESSY: Rich, do you want to
24 comment on the noise impacts?

25 MR. LABERGE: Sure. In our letter we do

1 point out that the neighbor to the south - I
2 forget the name of the property owner Morgan
3 Ruthman - he did put a letter in on April 21st
4 regarding his concerns and when we got to look
5 at the noise study, we had similar concerns
6 that there appears to be noise leaving the site
7 onto the property to the south. Again, it's not
8 developed today, but expects to develop some
9 time in the future. The neighbor is concerned
10 enough that he wrote the letter.

11 The other thing is that parcel that was
12 discussed is currently is being logged, but it
13 is developed, the noise can certainly - the
14 applicant can't necessarily count on the
15 vegetation that is there now to buffer not
16 only the visual that you brought up, Jim, but
17 the noise. We have asked basically to remodel
18 that and see what the effects on the Ridgewood
19 Drive neighborhood are, if area is deforested.

20 Again, sound attenuates with distance so
21 I'm not sure the neighborhood - if there will
22 be anything - any change or for the
23 neighborhood, but definitely we need to ask
24 the applicant to do something about the noise
25 spillage immediately to the south.

1 One of the things I do want to point out
2 and maybe Mr. Frosino can talk about this -
3 there is a grade change. We were just talking
4 about the 600-foot noise wall. Where it stops
5 a little bit farther up where the trucks are
6 parked against the property to the south, or
7 say trailer parking, there is a great change
8 there. That trailer parking is lower and then
9 it rises up a hill and I'm not quite sure what
10 happens on the adjacent property. Their
11 depressing the site into the hill enough that
12 they are creating - they're not creating a
13 berm, but it's leaving a berm.

14 Anyway, Mr. Frosino, if you could just
15 talk a little bit about noise and where it's
16 coming from, how it's being attenuated
17 currently and what else you might be able to
18 do if you have any ideas at this time.

19 MR. FROSINO: Yes, I will start with where
20 you left off, Rich, just to give Board Members
21 an understanding. This area is lower than the
22 property line. We are grading down to the green
23 lawn, if you will - the disturbance limits. It
24 is all grading to come down to the truck
25 parking area. So, as Rich mentioned, this will

1 act as kind of a natural berm. We wanted to
2 keep all the vegetation there as much as
3 possible. Then, the back area - that is going
4 to be graded up to level the site.

5 To address the noise comments and the
6 spillage off-site, we have provided our noise
7 consultant with updated criteria to go off of
8 and he is in the process of revising his study
9 to address some of the comments that we have
10 received from your team, Rich.

11 MR. LABERGE: Okay, so basically we will
12 wait to see what you have proposed.

13 Just to follow up on that, your report
14 broke the noise down into two types. We will
15 call the building noise, which is from the
16 units on the rooftop and also truck noise.
17 Since the building is 40-some odd feet tall,
18 that is above that quote/end quote natural
19 berm that you're cutting into. Would you be
20 considering any type of noise attenuation on
21 the roof, because that seems to be were a lot
22 of the noise is.

23 MR. FROSINO: Yes. As part of that update
24 to the noise study, a more detailed analysis is
25 being completed with additional detail. As you

1 can imagine, the building design is being
2 progressed simultaneously here. We will be
3 taking into account some sort of noise
4 attenuation for the rooftop parapets and things
5 of that nature that are within the design that
6 he is going to account for in his updated noise
7 study. So, that is still to be determined. We
8 are looking into that.

9 MR. JOHNSON: Wayne Johnson, again.

10 Had you looked at the 150 profile for
11 vertical sight distance?

12 MR. FROSINO: Yes, we have. We took some
13 sight distance measurements and all three of
14 the proposed driveways. If you recall, the one
15 driveway - this driveway was originally located
16 more in this range and we actually slid it up
17 specifically for site distance to provide
18 additional. We did take measurements. We
19 actually went out - actually just today this
20 afternoon to verify some of the site distance
21 comments from the New York State DOT. We were
22 originally using the speed limit as the design
23 speed and they wanted to go a little more
24 conservatively and bump that up and we are in
25 the process of reviewing that and confirming

1 that the adequate site distance is available
2 for all three driveways for the appropriate
3 movements being proposed. I say the appropriate
4 movements because we intentionally made this
5 the truck entrance because the movement to make
6 a left into the site requires actually less
7 sight distance than having a truck pull out
8 into the flow of traffic and then get up to
9 speed. So, the sight distance is actually
10 greater for this driveway looking to the west
11 in this driveway. We are going to review that
12 all with New York State DOT and coordinate with
13 them on the appropriate solution to the comment
14 that they provided just a couple days ago.

15 MR. LABERGE: This is Rich Laberge again,
16 Adam.

17 Regarding the DOT's comment on the Route
18 9 and 20 intersection with Route 150, I am not
19 sure - they are asking if there are any
20 proposed changes there. Do you expect any
21 off-site work at the intersection?

22 MR. FROSINO: Yes. I don't know if they
23 were necessarily asking but yes, we are adding
24 eastbound and westbound left turn lanes and
25 left turn arrows for those left turn lanes.

1 That was all included in the traffic impact
2 study with the agreement with the proposed
3 solution.

4 MR. LABERGE: Yes, and I did read that. I
5 guess what I was actually thinking - I wasn't
6 sure if they were reading it to something else
7 where there was widening or some change to - I
8 will call the pavement in the immediate
9 intersection. It appears that you are able to
10 get most of the improvements and those turn
11 lanes on your side of 9 and 20 in the existing
12 pavement. You may have to widen on the other
13 side of 9 and 20 to make the geometry work.

14 MR. FROSINO: That is correct. That is
15 likely to be required. We have not gotten to
16 that level of detail since we just got the
17 review letter on Friday. That is very likely
18 that there will need to be some pavement
19 widening on the eastern leg of that
20 intersection.

21 MR. LABERGE: Then the Town has concerns
22 about pedestrian safety and access. Since the
23 other facility has been built, we have seen
24 pedestrians basically who get off the bus at
25 the park and ride on 150, crossing 9 and 20 and

1 then walking up to the new facility. The Town
2 would like to preclude that from happening here
3 and is hoping that we can look at not only a
4 safe pedestrian pathway or sidewalk - I'm not
5 sure which, but also some type of pedestrian
6 signals at that intersection. Again, that is my
7 letter but I am saying it for those who may not
8 have read everything in the letter.

9 So any thoughts on that yet or is that
10 too early to comment?

11 MR. FROSINO: No thoughts yet. It's a
12 little too early. We still need to digest that
13 and as you know, that is within the DOT
14 right-of-way. So that will need to be
15 coordinated with the New York State DOT. Any
16 improvements on their property - they take
17 ownership of, post-construction. We need to
18 make sure - I understand it is a Town
19 recommendation, so we will have to run that
20 through DOT and coordinate. We still have to
21 look into it further.

22 MR. LABERGE: Okay.

23 CHAIRPERSON MAYRER: Okay, anything else?

24 (There was no response.)

25 Okay, so we're going to schedule the

1 public hearing. Do I have the motion? This is
2 the 17th of May.

3 MR. SHAUGHNESSY: When do we think it's
4 going to be scheduled for? Do we have a date
5 yet?

6 CHAIRPERSON MAYRER: May 17th.

7 MR. AUBIN: I'll make a motion.

8 CHAIRPERSON MAYRER: Second?

9 MR. D'ANGELO: Second, D'Angelo.

10 CHAIRPERSON MAYRER: All in favor?

11 MR. SHAUGHNESSY: Do we think we have
12 enough information, Rich? Do you think we have
13 enough?

14 MR. LABERGE: I think that we do. As we
15 heard from the resident at the beginning, there
16 was some comments about the layout, but the way
17 the site - the site may shift a little bit and
18 react to the things we are saying, but I don't
19 know that the overall concept is going to
20 change. I think people who are looking at the
21 plans can get the concept and then make salient
22 comments that we can then incorporate, or not.
23 I do, Jim. I guess is the answer.

24 MR. SHAUGHNESSY: Okay.

25 CHAIRPERSON MAYRER: So, I have a motion

1 and it has been seconded.

2 All in favor?

3 (Ayes were recited.)

4 Opposed?

5 (There were none opposed.)

6 One other thing - you will need to be
7 prepared to tell us who the client is at the
8 public hearing.

9 MR. FROSINO: Okay, we will let our client
10 know that.

11 CHAIRPERSON MAYRER: Okay, thank you.

12 Okay, we are all done here. See you on
13 the 17th.

14 (Whereas the above entitled proceeding as
15 it relates to Scannell Properties was
16 concluded at 8:16 P.M.)

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

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