

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3
4 *****
5 THE PROPOSED PROJECT OF THE SALVATION ARMY THRIFT
6 STORE LOCATED AT 190 TROY SCHENECTADY ROAD.
7 REVIEW AND ACTION ON CONCEPT ACCEPTANCE
8 *****

9 THE TAPED AND TRANSCRIBED MINUTES of the above
10 entitled proceeding BY NANCY STRANG-VANDEBOGART
11 commencing on March 23, 2010 at 7:50 p.m. at the
12 Public Operations Center 347 Old Niskayuna Road,
13 Latham, New York 12110

14 BOARD MEMBERS:

- 15 CHARLES J. O'ROURKE, CHAIRMAN
- 16 MICHAEL SULLIVAN
- 17 TIMOTHY LANE
- 18 ELENA VAIDA
- 19 PETER GANNON
- 20 PAUL ROSANO
- 21 PETER STUTO, Jr. Esq., Attorney for the Planning Board

22 Also present:

- 23 Joe LaCivita, Director, Planning and Economic Development
- 24 Brad Grant, Barton & Loguidice, PC
- 25 Robert J. Seigart, Schopfer Architects, LLP
- Gregory Cole, Salvation Army
- Carol Miller
- John Miller
- Jim Tetrault
- Paul Robetor
- Kathy Robetor

25

1 CHAIRMAN O'ROURKE: Next on the agenda
2 this evening we have the Salvation Army,
3 190 Troy-Schenectady Road, 22,400 square foot
4 retail store. They're looking for review and
5 action on concept acceptance.

6 Joe, you want to address this?

7 MR. LACIVITA: You pretty much gave that
8 in the summary. It came to DCC on
9 February 13, 2008. Barton and Loguidice is our
10 town designated engineer.

11 They would be moving out of their current
12 location on Troy-Schenectady Road to this new
13 location, when the time comes.

14 CHAIRMAN O'ROURKE: Who do we have here
15 for the applicant?

16 MR. SEIGART: I'm Bob Seigart and I'm
17 with Schopfer Architects and we are the
18 architects for the project.

19 We have here Captain Gregory Cole from
20 the Salvation Army.

21 CHAIRMAN O'ROURKE: Welcome.

22 MR. SEIGART: This site is on the corner
23 of Troy-Schenectady Road/Route 2 and
24 Seventh Avenue.

25 What the Salvation Army is planning to do

1 is propose a 22,400 square foot retail store
2 on the site. The parking lot that is up here
3 (Indicating) will accommodate 123 vehicles.
4 The requirement is 112 vehicles, based on the
5 size of the store. That leaves about 36% or
6 37% of greenspace.

7 We're looking at basically putting the
8 store here (Indicating) and part of the
9 requirements as we understood it were to keep
10 the building close to the road. When we asked
11 about this early on in the process, we were
12 told both roads and that made it a little
13 difficult for us. It's not the way that we
14 wanted to start out doing it, but that's why
15 the building ended up at this point with the
16 parking over here (Indicating).

17 The main entrance is on the corner here.
18 The donation center drop off is right here.
19 The loading dock is here. We've got the main
20 entrance at Troy-Schenectady Road and it's
21 right across from Kmart so that's a signaled
22 entrance.

23 There is also a proposal for the
24 development of the adjacent property to have
25 an easement to access that. So, we have shown

1 that here although certainly the location of
2 that easement is subject to a discussion
3 obviously with the board and whatever the
4 development is on the site next to us. We're
5 certainly flexible on that location. We are
6 looking to have at least a 50 foot buffer here
7 to the residential properties and we've shown
8 landscaping here at this point of spruces and
9 Austrian pines and you could put a fence in
10 there. We're open to suggestions of what the
11 neighborhood would want to see there, as well.

12 Around the perimeter we've got a side lot
13 all the way around the perimeter stopping at
14 our driveway here (Indicating). It was the
15 request of the town not to take that all the
16 way down to the edge of the property and stop
17 it here (Indicating). We've got a wrought iron
18 fence that goes all the way around there.
19 We've got a public plaza that we are
20 developing in this location (Indicating) that
21 could be used basically for any public purpose
22 or to display a public forum or whatever.

23 This is a one-story building. It's got a
24 maximum of 25. Originally we had a dumpster
25 and the dumpster enclosure showing at the back

1 of the site right here (Indicating). It's been
2 something that we have been discussing with
3 the Salvation Army over the past few years
4 with a number of stores. They have gotten away
5 from this because they have so little waste
6 that they end up taking that away on their
7 trucks. So, they keep what they have inside.
8 They don't actually have a dumpster outside.
9 They don't end up with any trash outside. It
10 goes from inside of their store to this
11 section.

12 Very quickly, this is the layout of their
13 store right now with the main entrance up here
14 (Indicating). There is accessible parking down
15 here. The donation center is here. This is
16 about 15,000 square feet and is the retail
17 area which will be clothing, children and
18 shoes and furniture. The back portion of the
19 building is the donation center, processing
20 areas and receiving.

21 The initial concepts for the store call
22 for a variety of split faced block for the
23 most part. We've got windows facing Route 2
24 and we've got a few more windows towards the
25 parking lot. There is a darker split face. It

1 is water porous around the building and then
2 there are several split faced blocks going up
3 in the building.

4 There is also a parapet built to this and
5 as we work with our engineers we will work on
6 the exact placement of the rooftop units.
7 There will be rooftop units and there will be
8 screening made for the rooftop equipment and
9 or a parapet wall. Right now we have parapet
10 wall screening and it's just a matter of where
11 these units go. None of them will be any
12 closer than 40 feet from the edge of the
13 building. It just works out better for us.
14 They're actually fairly centrally located,
15 which makes them harder to see.

16 We're glad to now open it up for
17 discussion.

18 CHAIRMAN O'ROURKE: I have a couple of
19 issues.

20 Joe, did this go through DCC?

21 MR. LACIVITA: Yes, it's actually been
22 through DCC on February 13, 2008 and also it's
23 been through a review by Brad.

24 CHAIRMAN O'ROURKE: There are a few
25 things that I have some difficulty with right

1 off the bat.

2 Mr. Seigart, we haven't had you before us
3 but there were forms that were submitted in
4 error with the greenspace. Can you clarify
5 some of that for me?

6 MR. SEIGART: My understanding is that
7 the square footage of that greenspace, I think
8 the 84,000 square feet - it was shown with a
9 plus instead of minus.

10 On that form that you were talking about,
11 we show the new building as being 22,400
12 square feet and then the pavement is about
13 64,900 square feet and the balance being
14 greenspace of 54,000 square feet. On that
15 form, I think that Barton and Loguidice caught
16 that number that had a plus in front of it
17 instead of a minus. It was fairly obvious that
18 the numbers add up. We're going from 141,000
19 square feet of greenspace to 54,000.

20 CHAIRMAN O'ROURKE: The height of the
21 building that I see is 23 feet. You said 25.

22 MR. SEIGART: That could be. I think that
23 we had a couple of spots there that could be
24 25. Ultimately, we could make the whole
25 building about 19 feet tall. The only reason

1 that we would be raising it up is for
2 screening of mechanical equipment. I think
3 that's the reason that there isn't a hard
4 number for that at this point.

5 CHAIRMAN O'ROURKE: Brad, do you want to
6 brief us?

7 MR. GRANT: Sure.

8 We've reviewed various documents from the
9 architect.

10 The site engineer is still Boswell?

11 MR. SEIGART: Yes.

12 MR. GRANT: I would essentially hit on
13 the higher points of more significance. Some
14 of these are what I commonly refer to as
15 housekeeping items.

16 The stormwater management feasibility
17 report presumably done by Boswell didn't have
18 a date on it, or identified who performed it.
19 It was done without the benefit of any
20 subsurface investigation. It looked through a
21 matrix of possible stormwater management
22 scenarios and essentially I'm not really clear
23 on what's being proposed. It talks about
24 infiltration trenches. It talks about
25 underground detention but doesn't really

1 indicate what that might be. I'm assuming that
2 it might be a chamber system. It talks about
3 filtration, but there really wasn't anything
4 well defined that corresponded with what came
5 out of the feasibility test. To add to that,
6 it indicates C & D soils on the site and
7 that's usually not a good match with
8 infiltration. It might be infiltration in a
9 sense that it's stored within a greater system
10 and ultimately disposed of.

11 MR. SEIGART: We've looked at those
12 options. The report was created by Dominick
13 Errico of Boswell and he did have the soils
14 and geotechnical report that was prepared by
15 Dan Loux. So he did have the information.

16 The specifics of where he's going with
17 this - all I can tell you right now is how
18 he's looking at this. It was basically to
19 sheet drain this to a swale around here
20 (Indicating) basically to filter this and
21 digging this up and replacing the soil over
22 here with an under drain here to the catch
23 basin and then bring it over to, eventually,
24 here.

25 We talked about how to handle the loose

1 drainage and he originally had an underground
2 stormwater detention area in here. I still
3 think that we're going to end up with that,
4 but at the time Dominick was trying to work
5 out more of a sheet draining system. It's not
6 all there.

7 MR. GRANT: I inferred a few things from
8 it. There wasn't proposed grading on the plan.

9 MR. SEIGART: We basically provided spot
10 grades up here (Indicating) and there were a
11 few spots to show that we are draining across
12 the parking lot.

13 I talked to Dominick today about that
14 because we just received those comments on
15 Thursday. We haven't had a whole lot of time
16 to respond to these comments.

17 I talked to Joe about that this morning.

18 CHAIRMAN O'ROURKE: I guess that I'm in
19 dismay because I went through this packet and
20 my question is why is this even coming in for
21 concept when the town designated engineer has
22 a lot of difficulty with it. Usually when it
23 comes into concept the town designated
24 engineer might have 20 items. Like Brad said,
25 maybe six are housekeeping and some other

1 things will work themselves out. It affords
2 the board the ability to make a decision in
3 terms of concept. But I went through this and
4 I was amazed that this was on the agenda, to
5 be quite frank, sir.

6 MR. SEIGART: We've not been to the
7 Planning Board before. We submitted the
8 information and we've been asked for
9 additional information which we provided. I
10 guess that I'm looking for the town to tell us
11 that they need more information.

12 MR. LACIVITA: C.J., I think that this is
13 an opportunity for guidance with the project.

14 CHAIRMAN O'ROURKE: Okay, so this is more
15 sketch plan.

16 MR. LACIVITA: Well, yeah, we didn't have
17 the sketch plan when this was around. I know
18 that there are some things that we just got
19 our comment letters out about. There is some
20 information that wasn't provided by Mr. Errico
21 with the stormwater. If you look at the way
22 that our Land Use Law has gone in the
23 Comprehensive Plan, we tried to get away from
24 parking in the front yard. To me, I see a use
25 here that is over designed for parking in this

1 area.

2 Captain, I don't know what you think that
3 the intended use is, but we're parking for 123
4 cars which to me, might be overkill.

5 CHAIRMAN O'ROURKE: I agree.

6 MR. LACIVITA: I don't know what your
7 current existing site is and how that compares
8 to your new site.

9 MR. COLE: I just got here six months
10 ago. They sent me in from Ohio. I built two
11 stores out in Ohio that park this many cars.
12 From what I've seen in the past six months
13 here, I go out to that store and the people
14 are parked all the way down Route 2 for five
15 miles. I walk in with my uniform and they say,
16 you've got to do something about this parking
17 lot.

18 Due to the economy, a lot more people are
19 doing second hand shopping more than they ever
20 have.

21 I intend on closing all the stores and
22 opening these kind. Not only here, but in
23 Vermont and Massachusetts. I'm going to need
24 this additional parking because people don't
25 know that Wednesday is half price for

1 everything. We could make it smaller but then
2 you'd have people parking on the streets
3 again. They call me every day - the residents
4 and the people over there - you've got cars in
5 the street. I said, you know, I just got here
6 and we're working on a new building and we're
7 trying our best.

8 Like I said, we're trying to move into
9 the 21st century with Salvation Army and to
10 make it applicable for parking because then we
11 have people in the street getting hit -- if go
12 to Route 2 on a Wednesday, you'll see what I
13 mean. People are getting out of their cars and
14 they're swerving. I'm afraid that something is
15 going to happen over there before we get this
16 underway.

17 MR. LACIVITA: That's one of the things
18 that I've been doing with the Captain. He's
19 been in the office a couple of times. I know
20 that we were looking at a couple of sites
21 within the town to clean up. This Route 2
22 would be one of them.

23 I think that you have ownership of the
24 land at this point in time with it. It looks
25 like they are going to be here. The intent is

1 to be here. That's why we're trying to work
2 with the Planning Board for a little bit of
3 guidance and work with the TDEs to try to get
4 through the process.

5 CHAIRMAN O'ROURKE: Sure.

6 MR. SIEGART: We certainly would welcome
7 any kind of guidance that you could give us on
8 the design; from the Planning Board as well as
9 the residents. We want to make this work for
10 everybody and some of that Land Use Law, I
11 must admit, is difficult for me to comprehend
12 and exactly what the intension is.

13 CHAIRMAN O'ROURKE: I've studied it and
14 I'm lost.

15 MR. SIEGART: We would welcome any help
16 that you could give us.

17 MR. GRANT: I can confirm that I've
18 talked to Tom Baird who lives in the area and
19 goes by your Route 2 store and Saturday is a
20 zoo over there. Perhaps it's only parts of the
21 day in the afternoon. I would think, though,
22 that you'd have a lot of overflow parking out
23 to the road.

24 MR. COLE: And if you notice, it is being
25 maintained. We are coming in and we're

1 cleaning it up. I built two in Ohio; one four
2 years ago and one six months before I left.
3 The neighbors were cheering us because we have
4 maintenance and a cleaning crew every day. We
5 have mowing. Just like T.J. Max and Walmart,
6 we have professionals working in these places.

7 This is the Salvation Army and not the
8 Salvation Army Thrift Store. It's the
9 Salvation Army Family Store.

10 CHAIRMAN O'ROURKE: It's been my
11 experience since I've been on this board and
12 since I've been lucky enough to Chair this
13 board that the projects that are successful in
14 terms of areas that abut residential areas are
15 those that reach out to those residents in a
16 proactive fashion. Certainly the sooner that
17 happens, I've found, the applicant fairs
18 better. Time is money, but this is an area
19 that has had difficulty with some other
20 projects and has had a project that went in
21 that has no parking. I've said that your
22 parking lot may be a little too big, but
23 during the winter the indoor baseball people
24 will probably be parking in there. I think
25 that it's very important and I don't think

1 that you're in a position right now for
2 concept.

3 I'm going to let Brad finish, but I think
4 that it's very important to be as proactive
5 with the neighborhood because that's how
6 you're going to be able to get through this
7 board in a timely fashion to be able to build.
8 One thing that we are going to ask is - that's
9 one of the main gateways into our town. We're
10 going to ask for some certain things from you
11 in terms of architecture, such as the
12 screening for the rooftop units. There are
13 certain decibel levels that we'll demand that
14 you meet. Certainly screening, landscaping and
15 all of those things are important to the
16 neighbors, who will get an opportunity to
17 speak. Those are the things that I think you
18 guys are going to have to meet with those
19 folks and get their approval before you get
20 ours.

21 I'm sorry, Brad.

22 MR. GRANT: No problem.

23 Under general item 5, you talk about the
24 truck deliveries and how you see them coming
25 into the site and exiting.

1 MR. SIEGART: We see them coming in off
2 of Route 2. There are no semis; they're short
3 trucks. They come in and they back into the
4 dock.

5 We don't envision any truck traffic on
6 the secondary driveway.

7 MR. GRANT: We were sure so thus the
8 comment was verified - the truck turning
9 radius.

10 MR. SIEGART: It's basically why we don't
11 have a parking space over here (Indicating).
12 This is to make sure that the trucks can do
13 that.

14 MR. GRANT: Obviously, New York State DOT
15 approvals will be needed for the curb cut.
16 Site lighting would need to be sensitive to
17 light pollution to adjacent properties.

18 MR. SIEGART: We'll prepare a photometric
19 plan of the whole site.

20 MR. GRANT: The utilities - obviously
21 it's a plan in progress.

22 The project in the application and on the
23 plan talks about an inch and a half domestic
24 line coming off of the fire line. There is
25 only 160 gallons a day which kind of goes

1 along with what you were talking about and low
2 impacts on that. That's vastly oversized, but
3 when you get to your plumbing plan you might
4 downsize that.

5 They are proposing a six inch fire main
6 with sprinklers, which is encouraged.

7 MR. SIEGART: The Salvation Army does
8 that in all the buildings that we use.

9 MR. GRANT: Particularly with the town
10 having the volunteer fire departments,
11 sprinklers are the absolute best first
12 responders.

13 I talked about adding grading lines with
14 the proposed grading to help us get a handle
15 on the drainage intent. It was unclear.

16 MR. SIEGART: I'll work with Dominick
17 Errico to make sure that we have a well
18 defined stormwater management plan for you to
19 review.

20 MR. GRANT: You're not proposing a
21 dumpster? I know that in the narrative it
22 talks about 300 lbs. per week. That's not
23 really a lot.

24 MR. SIEGART: It's not. We're not really
25 even sure that it's that much. We've done it

1 in several stores recently. It's just the
2 trend for the Salvation Army. They have so
3 little trash; they just take care of it
4 themselves. It avoids having the dumpster
5 outside and it avoids the possibility of
6 people dumping in the dumpster.

7 MR. GRANT: My comment 14 under the
8 plans - there was some clarification from
9 Mike Lyons of Planning. The 200 foot
10 restriction or need for a variance does not
11 apply to this. This isn't a restaurant or bar
12 or fast-food.

13 MR. SIEGART: It's a moot point anyway
14 because we won't have any of those things.

15 MR. GRANT: I think that you've touched
16 on some of the others and obviously it's a
17 work in progress. We look forward to working
18 with you and providing any guidance with the
19 town and the Planning Board.

20 That's it, C.J.

21 CHAIRMAN O'ROURKE: Thanks, Brad.

22 Joe, are we still bound to put these
23 buildings up facing these roads?

24 MR. LACIVITA: That's the way the Land
25 Use Law is, unless they go through a variance

1 process with a setback.

2 CHAIRMAN O'ROURKE: Well, we could give
3 them the variance.

4 MR. LACIVITA: Well, it actually would
5 have to go through zoning first and then grant
6 the variance from this board. Wouldn't it have
7 to go back to zoning? Zoning talks about the
8 setback.

9 CHAIRMAN O'ROURKE: People come in here
10 and ask us for variances, waivers or setback
11 waivers.

12 I understand what they were trying to do
13 in the Land Use Law, but we're not Saratoga.
14 Some smart guy wanted to put all these
15 buildings up on the front of the roadways.

16 MR. LACIVITA: My only concern with
17 repositioning it on the lot is that you would
18 be bringing it back more toward the
19 residential components. You can see the houses
20 on this side.

21 CHAIRMAN O'ROURKE: How close is the
22 building now to the closest resident?

23 MR. SIEGART: That would be about
24 200 feet right now to the property line.

25 MR. LACIVITA: And the intent with the

1 parking lot, as you can see it here
2 (Indicating), is that you have the entryway
3 off of Route 2/Route 7. There is that little
4 stub area that would actually continue
5 development going further down the Route 2
6 corridor traveling east. I think the intent is
7 to come out at a light at that area, as well.

8 MR. SIEGART: Normally without the
9 current Land Use Law -- the way that it reads,
10 we would take a building and put it back here
11 (Indicating) and then we park in front of it.
12 Or if we were going to be on one street, you
13 could put the building up here (Indicating)
14 and park behind it. There are a lot of
15 different things that you could do. We didn't
16 agree with trying to be on both streets.

17 We ran into this once before in Ithaca
18 and we were on a corner site and the
19 requirements were for a five or 10 foot
20 setback on all three roads. We couldn't do it.
21 We got a variance for that. If you'll support
22 it and if that's what everybody wants, we
23 could certainly be willing to look at the
24 positioning of the building.

25 CHAIRMAN O'ROURKE: I think that it's

1 important. Probably, 200 feet is closer than
2 I'm sure the residents want to begin with.

3 There are not going to be any chains,
4 right?

5 MR. SIEGART: No chains and no gates. The
6 whole idea behind the donation center is that
7 it's open when this door is open, which is
8 9:00 in the morning until 8:00 at night,
9 Monday thru Saturday and also noon to five on
10 Sunday. There is plenty of time for people to
11 come out.

12 Also, that it's exposed to the main route
13 so that it's very unlikely that people will
14 dump here. That's what we've found here. When
15 we do these new stores, they're nicer and
16 brighter.

17 CHAIRMAN O'ROURKE: I'm not going to tie
18 up a lot of time. There is still a lot of work
19 to be done.

20 Peter, why don't you start?

21 MR. GANNON: I have a couple of thoughts.

22 First, with the nature of the building
23 across Semons Avenue and the amount of traffic
24 that you plan on generating - I get a little
25 bit concerned about the safety of the kids

1 that are going to be utilizing the business
2 across the street. There is an indoor baseball
3 facility, an outside ice cream stand and all
4 that goes along with that. I think that some
5 attention needs to be paid to making sure that
6 people aren't flying around that corner to get
7 to your retail spot and keep those kids safe.
8 That's just something to think about going
9 forward.

10 I don't know how essential that secondary
11 driveway is. I think that if I lived on
12 Semons Avenue I'd probably prefer everybody
13 accessing the store from Route 2, myself.

14 MR. LACIVITA: We could put this in front
15 of Traffic Safety and get an opinion.

16 MR. GANNON: In my previous life, I took
17 a lot of phone calls in the Supervisor's
18 office, especially when All Star Academy
19 opened and the lack of parking that created
20 huge problems there.

21 If the building and the parking lot was
22 switched and positioned, maybe there is an
23 opportunity there that during some of your
24 down times and some of their heightened times,
25 you could work something out where you could

1 keep the cars for All Star off Semons and off
2 of, even worse, Route 2. Again, that's just a
3 brainstorm.

4 I was just curious as to what the
5 intentions are for the existing building on
6 Route 2 and what happens to that facility once
7 you guys occupy your new building.

8 MR. COLE: I already have it sold. I
9 already have two people that want to buy it. I
10 get calls every day asking me when I'm going
11 to move.

12 MR. GANNON: Well, that's a good position
13 to be in.

14 MR. LACIVITA: Did the gentleman call you
15 that I sent to you?

16 MR. COLE: Yes.

17 MR. GANNON: Okay, those are just some of
18 the thoughts that I had.

19 MR. COLE: You're talking about using
20 this one here (Indicating).

21 CHAIRMAN O'ROURKE: Yes, and just
22 eliminate the other.

23 MR. LACIVITA: Does DOT require anything
24 there, Brad? Do you know of anything regarding
25 the DOT issue?

1 MR. GRANT: I don't.

2 MR. SIEGART: We saw the comments from
3 DOT, but they haven't had any comments on this
4 driveway (Indicating).

5 MR. GANNON: Even if the Fire Department
6 wanted access to a second way in or access to
7 that road, that's fine for the time when we
8 have an emergency or an ambulance needs to get
9 in there. But in terms of being an access
10 point for the general public seven days a
11 week, if it were my house, I'd rather have it
12 be happening on Route 2.

13 That's all I had, C.J.

14 CHAIRMAN O'ROURKE: Thank you.

15 Mike?

16 MR. SULLIVAN: The only question that I
17 had, and it seems that you're aware of it, is
18 the memo from DOT. I know that Brad had
19 mentioned it already, but it seems as though
20 they want a traffic analysis and also a
21 structural analysis of the existing traffic
22 signal to see if it can hold the additional
23 light.

24 MR. SIEGART: We just got that on
25 Thursday. I probably will be talking to Wendy

1 Cimino and have them work on a study. I think
2 that before we even start that, we'll sit down
3 with DOT and go over all the issues. I know
4 that there are also other comments which are
5 not from DOT about if we have a crosswalk
6 there. It's something that DOT didn't bring
7 up.

8 I just want to make sure that we're not
9 fighting here and that everybody is on the
10 same page.

11 MR. SULLIVAN: Thank you.

12 CHAIRMAN O'ROURKE: This is across the
13 street. This isn't in the Boght GEIS, right?

14 MR. GRANT: I don't believe that it is.

15 The narrative did discuss 90 traffic
16 trips as a peak p.m. hour. I'm not sure how
17 that was arrived at or who arrived at it, but
18 generally when you start to get near 100, you
19 start thinking about a traffic study.

20 MR. SIEGART: DOT asked for it.

21 MR. GRANT: I wasn't sure if that was
22 reflective of a Saturday where it might even
23 be greater.

24 MR. SIEGART: I understand that signal
25 was not designed with a developer on this side

1 of the street in mind.

2 MR. SULLIVAN: Thank you. That's all I
3 had.

4 CHAIRMAN O'ROURKE: Thank you.
5 Tim?

6 MR. LANE: The only comment that I had
7 was in relation to the letter from Ken Pero
8 from Highway Safety in relation to the
9 proposed access on Semons. You say that
10 there's going to be no gate?

11 MR. SIEGART: That's right; no gate.

12 MR. LANE: And this is going to be
13 referred to Highway Safety in any case, so
14 that's resolved.

15 CHAIRMAN O'ROURKE: Thanks Tim.
16 Elena?

17 MS. VAIDA: I really don't have any
18 questions, but I think that the idea is a good
19 one.

20 I like what you were describing as the
21 new Salvation Army look and the type of
22 facility that you want to provide. Before we
23 can go to concept approval, in my opinion, I
24 just think that we need a lot more information
25 and answers to the questions that have been

1 raised.

2 CHAIRMAN O'ROURKE: Thanks, Elena.

3 Paul?

4 MR. ROSANO: I just had a couple
5 questions.

6 What are your actual hours that people
7 are going to occupy your building?

8 MR. COLE: That will be 9:00 to 9:00.

9 MR. ROSANO: Employees come in at 9:00?

10 MR. COLE: Yes, the assistant managers
11 come in at 8:30 to get the registers ready.
12 It's 9:00 to 9:00 and Sunday we're closed.

13 Sunday there will be what we call a door
14 man to collect donations or bring them to the
15 side so that they're not piled in the parking
16 lot. All the facilities have a drive-thru with
17 a door man. We help people with their
18 donations. They don't have to get out of their
19 car. We definitely need them there on a Sunday
20 toward the later part. Maybe for eight hours
21 there will be one person. There will be a
22 manned donation center right there so that
23 they can take the merchandise.

24 At the old store, the donations are
25 behind there (Indicating). People go in from

1 behind the woods and they tear through the
2 donations and take them. This prevents that
3 out in the open. We noticed that people won't
4 come in and go through the donations and take
5 them out in the open with traffic going by.
6 It's pretty obvious. We've had success by
7 putting the donations out front with the one
8 guy on Sunday. We're closed on Sunday - the
9 retail part.

10 MR. ROSANO: What about the trucks? What
11 time would they be out during the night?

12 MR. COLE: They would be operating until
13 probably 4:00. That's when we shut down our
14 trucks, unless it's an emergency when they
15 have a whole flow of donations. They are no
16 bigger than a U-Haul. They drive in. They
17 unload and leave. That's about it. There would
18 be one truck donated to the store to make runs
19 all day. He'll make about three runs and take
20 the excess merchandise out of there.

21 We have the same set up in Ohio. They
22 preferred putting the building here
23 (Indicating) because with this and the lights
24 in this parking lot at 9:00 at night, it will
25 shine into those residences. We had our

1 building in front with all green in the back
2 so that when the lights were on, the building
3 blocked the lighting to these houses. That's
4 one thing that we might run into. They liked
5 the point about putting the building so that
6 the back of the building - when they looked
7 out their windows they see a big greenspace in
8 the back of the building instead of seeing
9 light shining in.

10 CHAIRMAN O'ROURKE: That's why I
11 mentioned it. I think that it's very important
12 that you meet with the residents so that we
13 can come up with a plan that is acceptable to
14 everyone.

15 Anybody in the audience?

16 Yes, ma'am.

17 MS. MILLER: I'm Carol Miller and I have
18 a lot of questions.

19 In terms of the roof; it's flat?

20 MR. SIEGART: Yes.

21 MS. MILLER: Is it non-reflective
22 material or is it going to be reflective type
23 material? The reason that I ask is the other
24 building across the street has a relatively
25 flat roof. It's relatively light reflective.

1 It's just one more thing in the neighborhood
2 that we're concerned about.

3 MR. SIEGART: We can make it as
4 non-reflective as is needed.

5 MS. MILLER: The second question goes
6 along with the storm drain issue. You said
7 that you were sheet draining to the east,
8 toward Delatour Road into your swale. You're
9 somehow going to get it to storm drain up to
10 the corner of Semons and Route 2, which is to
11 the east. That's an interesting proposition
12 because if anyone has ever seen our street on
13 a rainy day, from the bottom of the hill at
14 sunrise all the way to Route 2 it's flooded.
15 It floods all of our front yards. I'd like to
16 see you add more water to that because I don't
17 know where it's going to go. You're talking
18 about an area right now that is up three and a
19 quarter acres of greenspace and absorbs water.
20 You're turning it into 62% of something that
21 won't. I don't know what you're going to do
22 with that water. I would say drain it towards
23 Delatour, but that road floods every day,
24 every time it rains.

25 MR. SIEGART: I believe that part of our

1 design is going to be an underground detention
2 system. It's going to be under the parking
3 lot. That's what we started out with and we
4 have to work it out with our civil engineer,
5 but I have to believe that's what we're doing
6 regardless of the position of build.

7 FROM THE FLOOR: And where will that
8 water go?

9 MR. SIEGART: Basically, it has to be
10 sized so that it would be stored there so that
11 the outflow into the existing storm system up
12 here in the corner can't be any more than it
13 is now. We have to provide a stormwater
14 management plan that shows the calculations of
15 looking at the site now which has no
16 impervious area going to 64% impervious area.
17 That means that there is a lot of water that
18 has to be detained on-site. Obviously, some of
19 it can filter in but I think that there is no
20 way that we can do this without having an
21 underground detentions system.

22 MS. MILLER: Across the street from your
23 corner plaza there, there is supposed to be a
24 stormwater detention pond which is ideally
25 supposed to just hold stormwater. It's turned

1 into a pond. We now have cattails and frogs
2 and all kinds of critters in there. It's
3 always a big concern of our neighborhood.
4 You've got little kids over there and that's
5 water that's nonstop there. It's a drowning
6 hazard for little kids in that parking lot.

7 You're building a plaza on a corner
8 that's really a busy street. I mean on any
9 given evening at this time of year in the fall
10 and sometimes even in the summer, there could
11 be 90 cars parked up and down Semons Avenue.
12 If you look down the street, lots of times
13 there are 20 people walking down the middle of
14 the road trying to get to the baseball
15 facility. So you're talking about another area
16 to congregate on the corner. If you're going
17 to put a congregation area on your property,
18 wouldn't you put it further to the east,
19 closer to the bus stop? People are going to
20 congregate and probably going to be waiting
21 for a bus and not up there on that corner.
22 That just puts more people in jeopardy on that
23 corridor.

24 There are so many people that are nearly
25 getting hit. As residents there are a lot of

1 us that are here and we nearly get hit by cars
2 that pull out of the baseball facility parking
3 lot on a regular basis. The kids that walk up
4 and down the street to the baseball facility
5 and people that live in the neighborhood - the
6 traffic there is ridiculous. To put a plaza to
7 have people kind of hang out there seems crazy
8 to me. I don't know if anybody else agrees
9 with that.

10 MR. SIEGART: Are you in favor of not
11 having a drive on the side street?

12 MS. MILLER: You bet.

13 MR. SIEGART: As opposed to having one
14 that was across from -

15 MS. MILLER: No driveway there at all.
16 Anybody coming from the west to this property
17 will not go to that traffic light to pull in
18 there. If you have access off Semons, they're
19 going to whip around that corner and try to
20 come in off of the side road so that they
21 don't have to sit at a light or sit in that
22 line of traffic at that light.

23 The problem with that is the existing
24 traffic that's never been rectified. You know
25 that we've talked to you guys about this

1 before. There is a ton of traffic and a ton of
2 pedestrians because of the baseball facility.
3 Plus, we live there. We can't walk our dog at
4 certain hours of the day because you will get
5 killed. It's not really funny, but it's true.
6 You may have to turn around and go the other
7 direction. Sometimes it's to a point where
8 they park up and down the cul-de-sacs on our
9 street and they don't even consider that
10 they're half a mile up the road. That's
11 ridiculous. If there is any driveway there, I
12 think that you're begging for a problem.

13 MR. LACIVITA: One thing that I think
14 that we could do is hopefully somehow look at
15 how it could potentially utilize some shared
16 parking here. If we reposition the site, maybe
17 if we have a walkway or something out that
18 way. It would reposition the building on it
19 and put some parking over there with the
20 capacity to get there. That might be a relief
21 valve to take some of those cars off of that
22 street. That comes through design.

23 MS. MILLER: I appreciate the thought,
24 but I looked at your proposal and I looked
25 through the file upstairs and at peak hours

1 you expect 90 cars per hour to this site. I
2 imagine that now you're kind of favoring the
3 idea that more donations are going to come
4 through here because it's going to be easier
5 to use, which probably means that there is
6 probably going to be more traffic. The store
7 is bigger and it's going to be nicer. I
8 imagine that they will get more traffic to
9 this store. I don't know how they can possibly
10 be responsible for fixing the parking for the
11 existing building.

12 MR. LACIVITA: It's off hours. What I'm
13 saying is that it's off hours.

14 MS. MILLER: The baseball facility opens
15 at 5:30 in the morning. They have boot camp
16 there in the morning. These were hours that
17 they were never supposed to be open.

18 MR. LACIVITA: The unfortunate thing is
19 that I think the planning process that was
20 involved at that time - I think that the
21 building was oversized for the lot and under
22 parked. That's the unfortunate thing. Now, how
23 do we go back and correct it? You have to look
24 at what's coming across the way and see if we
25 could possibly make something work. I think

1 that this is all good dialogue to try to make
2 something work.

3 MS. MILLER: If they could share that
4 lot, I think that takes a lot off our street.

5 MR. SIEGART: That's where I was going
6 with the lot -

7 MS. MILLER: I still wouldn't want a
8 driveway there. Have a pathway or a crosswalk
9 there if you want to do that.

10 MR. COLE: We don't have a problem with
11 that. When we're not open - even when we're
12 open, it's not going to be 90 cars. With the
13 last store we had 350 customers all month. If
14 they're there, they are probably dropping off.

15 MR. MILLER: If you were to put the store
16 over here (Indicating), then you could put the
17 parking the farthest away from the store. It's
18 at this end. The Salvation Army customers are
19 going to be parking out here (Indicating).

20 CHAIRMAN O'ROURKE: I think that we
21 really have to be careful here. I don't want
22 anybody with anything to do with the town to
23 say that parking should happen on your
24 property. We don't want any liability with
25 that.

1 That project was an abhorision. How it
2 ever happened, I don't know. I kind of know
3 because of the people involved. More rational
4 people have come to positions of authority in
5 this town. There is not a whole lot that we
6 can do with that. Now, are people going to
7 park in there? They may but in terms of
8 planning, this is the Planning Board. We can't
9 take a stance and say that we're going to fix
10 an old problem by putting it on the Salvation
11 Army. We want no liability in regard to that.
12 If they park there, I think that it would be
13 great for the people that live on Semons
14 Avenue. You can make your own deal. If you
15 want to have shared parking and change them,
16 that's something that the Salvation Army is
17 going to have to take up with them. In terms
18 of strictly pure planning, we, as a Planning
19 Board can't take a position on anything like
20 that.

21 MR. SIEGART: Understood.

22 MR. COLE: I understand what you're
23 saying. Park at your own risk. Salvation Army
24 parking only. I don't need the liability
25 either, and I don't want to rent the parking

1 lot out for carnivals and such.

2 MS. MILLER: The drop off that you're
3 talking about - you said people will not be
4 leaving things outside. Am I understanding
5 that they're sitting outside?

6 MR. COLE: They're all inside.

7 MS. MILLER: Even on Sundays?

8 MR. COLE: Even on Sundays.

9 MS. MILLER: So you will not have any
10 type dumpster facility?

11 MR. COLE: That's correct. There is none
12 of that.

13 MS. MILLER: Because I will respectfully
14 disagree with you. You think that people won't
15 dump there because it's in plain view? You're
16 looking at probably 200 feet from the street
17 from where your donation center is. Right now
18 you can drive by at any given Sunday by your
19 current facility and find a dump parked
20 10 feet away from the street. How do you
21 assume that people aren't going to dump there
22 because it's not in plain site? It's in plain
23 sight right now.

24 MR. COLE: Because I'll have the manpower
25 to clean it up if they do. I'm hiring 29

1 people instead of 10 at this other store. This
2 will also generate probably 15 to 25 more jobs
3 and more strict maintenance. That's what I do.

4 MS. MILLER: But it seems like the people
5 that dump there on off hours, in all honesty,
6 are dumping the stuff that you guys won't
7 accept in the first place. So, quite honestly
8 it's in lieu of them taking it to the dump.
9 They're going to do it when you're not there.
10 It doesn't matter if you hire men to clean it
11 up because it's still going to be there.

12 MR. COLE: And we do still have to clean
13 it up. Our dumping bill is phenomenal, but I
14 won't get into that.

15 MS. MILLER: It's just more garbage in
16 the neighborhood.

17 CHAIRMAN O'ROURKE: As the process goes
18 on we may require you to put surveillance in.

19 MR. MILLER: There are no provisions to
20 go after these people that dump.

21 MS. MILLER: A perfect example of that is
22 the baseball facility. We were never supposed
23 to have an outdoor eatery and they have one.
24 Even if they didn't, the people leave there
25 with their sports drink bottles. I don't

1 know why they can't throw them away as they
2 leave the building, but they literally throw
3 them in the street and you can walk up and
4 down the street and pick up 50 bottles a day.
5 They think that they're responsibility is
6 simply what's on their property, but they
7 don't realize that spillover of their
8 customers hits the entire street. Once it
9 starts blowing around, the McDonald's bags and
10 the fast food containers are all over. Our
11 whole neighborhood is a junk heap. It's
12 ridiculous that it's up to us to clean up
13 after their customers. Now we're talking about
14 other things being dumped that really you guys
15 don't want either because they are donations
16 that you wouldn't accept.

17 CHAIRMAN O'ROURKE: I understand what
18 you're saying but understand that this
19 property is zoned for something like this.
20 There could be way worse things coming.

21 MR. MILLER: My point is that yesterday I
22 drive by the Salvation Army on
23 Troy-Schenectady Road and I see a mattress
24 laying on the fences there and bicycles. I
25 mean I'm driving down the street and I don't

1 want to see that junk.

2 CHAIRMAN O'ROURKE: No, no one does.

3 MR. MILLER: Not only is that a hazard
4 for any kid that comes by, but if someone
5 slips on that mattress - the germs and what
6 have you -- should the kids be exposed to that
7 stuff? I just have an issue with that.

8 MR. GANNON: I think that now you're
9 saying that you're only staffed six days a
10 week, right?

11 MR. COLE: Right. With no fence and no
12 gate they'll be able to come and dump their
13 garbage there, but I will clean it up. I'm
14 saying that I will clean it up. I can't keep
15 people from doing this. The simple fact is
16 that if I put a gate and a fence up they will
17 dump that in your yard and then you'll have to
18 pay \$56,000 to dump it. I dump it and I don't
19 want to dump it in your neighborhood. I'd
20 rather have them, if they're going to do it,
21 do it in front of my store. If they have the
22 nerve to do it in public daylight, then I'll
23 pick it up. If we put it behind the place,
24 there would be garbage everywhere. Once
25 somebody gets out of view, they can do

1 anything.

2 MS. MILLER: If you repositioned the
3 building - say you flipped it to run east west
4 instead of the direction that it runs now?
5 Where would your donation be? Would it be the
6 exact same position that it is right now?

7 MR. COLE: Right in front, yes. We leave
8 everything up front because we found out from
9 years that people dump less in the front
10 because their conscious gets to them. It's
11 well lit and there are cameras there and we
12 work with the local police. If there's a
13 problem then you go after people. There will
14 be signs; no trespassing -

15 MS. MILLER: The sign right now says,
16 police take notice -- I've taken pictures of
17 junk piles in front of the sign that says
18 please take notice.

19 MR. COLE: But with a brand new store and
20 when I meet with the police -- I just got here
21 I like to meet with the community. I don't
22 want to leave that other store open any
23 longer. It's getting too much for us to handle
24 with the garbage. I always say if it looks
25 like a dump they'll treat it like one.

1 MR. TETRAULT: My name is Jim Tetrault.
2 This is what we really don't want
3 (Indicating). This is the Central Avenue
4 store.

5 MR. COLE: The plan for this store will
6 have a drive-thru too and this one will be
7 gone. I don't like this either.

8 MR. TETRAULT: No outdoor boxes, no
9 storage sheds -

10 MR. SIEGART: No boxes and no sheds.

11 CHAIRMAN O'ROURKE: Yes, sir.

12 MR. ROBETOR: My name is Paul Robetor.
13 I've lived on this street for several years.

14 First of all, is this a COR area?

15 CHAIRMAN O'ROURKE: Yes, it is.

16 MR. ROBETOR: As far as the safety issue,
17 I think that the entire street agrees that
18 with the situation with the batting cages and
19 the traffic in and out - it's going back and
20 forth - plus walking down the street is
21 extremely dangerous. I think that it's really
22 dangerous for the kids.

23 The tree buffer between that secondary
24 drive in this direction (Indicating), they
25 indicated that there would be a combination of

1 screening. But there is not going to be
2 anything to screen the noise.

3 Could you extend the area here
4 (Indicating)?

5 MR. SIEGART: I think that it's a matter
6 of how high it is here (Indicating). I think
7 that if it gets to be too high, it's going to
8 be a little unsightly and it's going to be a
9 little odd, but I think that there is no doubt
10 that we could do that. I'm not sure what that
11 does to the drainage for this first property
12 here, but I'm sure that we can mitigate that.
13 We can also look at fencing too.

14 MR. ROBOTOR: Have you looked at the
15 necessary fill going into the lot? I don't
16 know what the water table is there, but that
17 must have some impact on the flooding over in
18 that area.

19 MR. SIEGART: We've had soil borings done
20 and there was one boring that showed water
21 down three and a half feet and the rest - we
22 didn't indicate water until it was at 11 feet.

23 MS. MILLER: I think that if you checked
24 during the wetter season -

25 MR. SIEGART: I agree. No matter when you

1 do it, it's just a snapshot. On this plan we'd
2 be berming this up a couple of feet in here
3 (Indicating). We know that some of the soils
4 in here are not that great. It's been a fill
5 site. Even the soils report indicates that it
6 used to be more rolling hills in here. We know
7 that we're going to have to do that. We don't
8 want this to be up on a hill and sticking out.
9 We really want this to be in kind. We just
10 have to work out the building placement with
11 the stormwater issues.

12 MR. COLE: Right now this is only the
13 retail space right here (Indicating). We have
14 a larger space here (Indicating) to get the
15 donations in the back room area to process
16 them.

17 MR. ROBETOR: I believe that I've heard
18 some pretty good things tonight. The road is a
19 major issue because safety is a big concern.

20 I think that there are a number of
21 residents that wanted to be here but couldn't.

22 MR. SIEGART: If I could get your contact
23 information later I could contact some of you,
24 or if you want to elect a representative that
25 we could coordinate with, we could come back

1 with some preliminary drawings some evening or
2 weekend when it's convenient for you and sit
3 down and go over the details.

4 MR. ROBOTOR: I'm sure that the town and
5 board would like nothing better than to
6 satisfy the public.

7 CHAIRMAN O'ROURKE: Absolutely. That's
8 the best case. Since I've been on this
9 Planning Board, that's what we strive to do.
10 Again, some of these changes are never perfect
11 but again, people own this property and it's
12 zoned appropriately.

13 I think that it's important for the sides
14 to meet and be proactive and take the issues
15 and come up with a plan of action so that it's
16 workable for everybody involved.

17 MR. SIEGART: If I could ask one
18 question? I'm going to assume that if we work
19 this out with the neighborhood, that the
20 building isn't right up against this street,
21 the board would consider a waiver or
22 recommending a variance to the Zoning Board.

23 CHAIRMAN O'ROURKE: We absolutely would.

24 MR. SIEGART: It gives us a lot of
25 flexibility, I think.

1 CHAIRMAN O'ROURKE: Absolutely.

2 MR. ROBOTOR: What are the proposed
3 setbacks?

4 MR. SIEGART: We've got 15 to 20 feet on
5 each one. I look at Kmart across the street
6 and say, how come we have to be 10 feet and
7 they're a mile away? It just doesn't make
8 sense to me. If we had that flexibility and
9 the Planning Board would support it, we have
10 more flexibility in getting this building
11 where it makes sense for the neighborhood.

12 MR. TETRAULT: You said that the
13 neighbors on your other street at the other
14 store really liked what you did. Is there any
15 way to have photographs of that?

16 MR. COLE: When we meet again I'll bring
17 some. Near the one store we have some very,
18 very nice condominiums right behind our
19 building and when they come out the thing that
20 they complain about is cigarette butts. When
21 people get out of their cars they throw the
22 cigarette butts. So, when we mow the grass,
23 I'll go out and pick up cigarette butts. Why?
24 Because I'm here to make sure that we all get
25 along. That's what I want. I want it to be

1 successful and I'm glad to give everybody my
2 card. Even once this is up, you can call and
3 say listen, we don't like this or that. I
4 don't mind the calls.

5 MS. MILLER: I have one more question
6 with regard to the color. I noticed on the
7 plan that it's kind of grayscale.

8 CHAIRMAN O'ROURKE: We're going to
9 control the color.

10 MS. MILLER: If you look at the other
11 store there, it's sheet metal but it's
12 basically gray or tan. It would almost be
13 better if this was some kind of a brick. It
14 just adds a little character to the building.

15 CHAIRMAN O'ROURKE: I mentioned that in
16 the beginning that we're going to hold some
17 different architectural standards to this
18 building.

19 Anyone else?

20 MS. ROBOTOR: Can I just ask, what will
21 line Semons Avenue? Is it grass, or trees, or
22 is there some sort of a fence?

23 MR. SIEGART: All of the above. Wherever
24 you see green, we have grass. We do have trees
25 proposed along the street here (Indicating)

1 and there is also a wrought iron fence that's
2 three or three and a half feet tall that runs
3 basically up to the building. If the building
4 isn't there, the fence would run all the way
5 up there.

6 MS. ROBOTOR: The sidewalk would be
7 something that you would be maintaining as
8 well?

9 MR. SIEGART: Yes. That was one of the
10 comments. I forgot which agency said that, but
11 one of them said that. Our sidewalks right now
12 are kind of right on the property line. They
13 asked that we push it back onto the site so
14 that it's on Salvation Army property and
15 maintained by the Salvation Army.

16 MR. COLE: I don't want sidewalks right
17 on the curb where people can fall off into
18 traffic. I'd rather have a greenspace and then
19 a sidewalk and then we could mow that and keep
20 people away from that.

21 MS. MILLER: Is it fair that we ask to
22 have a no skateboarding ordinance and not have
23 it in that parking lot?

24 CHAIRMAN O'ROURKE: We're only in charge
25 of planning ma'am, not skateboarding.

1 MS. MILLER: There are other buildings
2 that have no skateboarding policies. Where do
3 you get those policies from?

4 CHAIRMAN O'ROURKE: I can't answer that.

5 MR. ROBETOR: We would also like for all
6 of this process to be transparent. You know,
7 this is the entrance to our street.

8 CHAIRMAN O'ROURKE: Anyone else?

9 MR. GRANT: When you do schedule meetings
10 with the residents, I'd like to give you my
11 contact information. I'd like to attend that,
12 as well.

13 CHAIRMAN O'ROURKE: Thank you, gentlemen.
14 I look forward to seeing you sooner rather
15 than later.

16 MR. GANNON: C.J., if they could make the
17 board aware of any of the meetings that they
18 schedule?

19 CHAIRMAN O'ROURKE: Brad will take care
20 of that.

21 MR. GANNON: If my schedule or anybody's
22 schedule will allow, we can participate too.

23

24 ***(Whereas the proceeding concerning the above***
25 ***entitled matter was adjourned at 8:54 p.m.)***

CERTIFICATION

1
2
3
4 ***I, NANCY STRANG-VANDEBOGART, Notary***
5 ***Public in and for the State of New York,***
6 ***hereby CERTIFY that the record taped and***
7 ***transcribed by me at the time and place noted***
8 ***in the heading hereof is a true and accurate***
9 ***transcript of same, to the best of my ability***
10 ***and belief.***

11
12
13
14 _____
 NANCY STRANG-VANDEBOGART

15
16
17 ***Dated April 1, 2010***