

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

3 *****

4 THE PROPOSED PROJECT OF
5 DUNKIN DONUTS/MINI-MART
6 993 AND 995 TROY-SCHENECTADY ROAD
7 SKETCH PLAN REVIEW
8 *****

9 THE TAPED AND TRANSCRIBED MINUTES of the above
10 entitled proceeding BY NANCY STRANG-VANDEBOGART
11 commencing on September 28, 2010 at 7:39 p.m. at
12 the Public Operations Center
13 347 Old Niskayuna Road, Latham, New York 12110

14 BOARD MEMBERS:

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

23 Also present:

- 24 Joe LaCivita, Director, Planning and Economic
25 Development
- Edward Esposito, Monarch Design
- Donald Fletcher, Barton and Loguidice
- Fred Sharifipour, Land Owner
- Mark Sharifipour, Land Owner
- John Fahey
- Rocky Cocca

1 CHAIRMAN O'ROURKE: Next, we have Dunkin
2 Donuts/Mini Mart, 993 and 995 Troy-Schenectady
3 Road. It's an 828 square foot mini mart, and
4 3,050 square foot fuel canopy. This is a
5 sketch plan review, and presenting for the
6 applicant is Monarch Design.

7 Joe, do you have anything to add?

8 MR. LACIVITA: No, you have it all right
9 there, C.J. We also have Barton and Loguidice
10 here tonight, too.

11 CHAIRMAN O'ROURKE: And Don, you've been
12 involved from DCC forward?

13 MR. FLECTHER: Yes.

14 MR. ESPOSITO: Good evening. My name is
15 Ed Esposito with Monarch Designs. We have here
16 the owners, Mark and Fred Sharifipour.

17 This is the site that if you're not
18 familiar with it, it's the existing Dunkin
19 Donuts, as you drive west from Airport Road.

20 The original site has an older area that
21 was rented that is shown on this parcel here
22 in orange (Indicating). The owners have both
23 sites. This is a combined site with a
24 cross-reciprocal shared parking, and shared
25 dumpster. There was previously an easement

1 granted through this site. There exists a
2 two-way entry/exit to that property now. We do
3 have comments from DOT on an improved one-way
4 entrance only with the signage. We did update
5 that intersection. I feel that was right in
6 tune with the site concept that the owners
7 have been working on. The graphics that you
8 received, if they weren't in the package, was
9 an effort to provide what that one-way
10 entrance in would be with the recommended DOT
11 signage. So, with the exception of the do not
12 enter sign, it would be appropriately named,
13 one-way in. This is the site visual of the
14 combined site (Indicating). It's a fuel use.

15 There is an architectural concession
16 building with the patio consistent with the
17 design standards. We looked at working with
18 Planning Department very early on to show that
19 we have those low brick walls with the iron
20 fence. Instead of parking directly up front,
21 we have restricted this and we have this
22 shared site condition where if people were to
23 come through here and are already at this
24 property, then they can continue, fuel up, and
25 leave.

Legal Transcription

1 We did review a full traffic study on the
2 basis of that mitigation fee. We did provide a
3 full geology assessment for the property for
4 the sketch plan review. We did provide a full
5 drainage analysis and we're working with the
6 Town Designated Engineer to come to a final
7 design for this plan.

8 We put the drainage and everything on the
9 existing Dunkin Donuts site and it flows to
10 the left. There is a green area and an
11 existing pond there. Everything on this new
12 site flows to the back. There is no run-off
13 going out to DOT and we've got the new
14 property line between these buildings.

15 Each site is a balanced site. We have our
16 green area. We did submit for a zoning
17 verification. We were asked for use and
18 setbacks. There are two lots that are not
19 subdivided, but there are all these elements.
20 They are operating as two different addresses
21 now so we're maintaining that the owner keep
22 the 995 at the Dunkin Donuts and the 993 as
23 the rest of this fuel center station pretty
24 much as planned.

25 Part of the original review of 995 along

1 with this store -- when the new store went in
2 and the Route 7 improvements were met, the
3 Town of Colonie never had a sewer easement.
4 So, in an effort to provide this, that was
5 part of our early review. This orange
6 highlighted area is the new dedicated area for
7 the Town of Colonie sewer easement
8 (Indicating). The highlighted yellow area is
9 the area of improvement. It's intended to
10 dovetail into this existing arrangement for
11 the Dunkin Donuts patrons and the drive-thru
12 arrangement. So, that in of itself would be
13 kept in its entirety. It's working right now.
14 As you can see in the graphics that you got,
15 it allows for the one-way in, the fueling, and
16 the exiting out this driveway (Indicating).

17 So, we have comments from DOT and various
18 other authorities. We are just looking to move
19 through the process. This is our first meeting
20 with you. We're here to answer any questions.

21 In an effort, I may add that we did
22 respond to the first round of comments. I
23 can't recall if it was DEC or someone else
24 that had recommended diagonal line striping
25 here. We're just offering to do that. We have

1 changed the site plan if that helps the
2 circulation. Our philosophy is that if this is
3 working where people are backing in and this
4 is the exit out, we can change this. The site
5 plan would look something like this
6 (Indicating). The change is to a 15 degree
7 diagonal parking.

8 Another comment was this hand full of
9 trees and plantings - we've got water
10 filtering plants. We have Redwood, Dogwoods,
11 and I specked Weeping Willows. Someone had
12 made a comment that they didn't like the
13 Weeping Willows. My next best selection is a
14 highbred willow because the willows have a
15 tendency to try to filter water and it's out
16 of the traffic. If there is any preference as
17 to what type of tree that would be, that would
18 be fine.

19 Another comment that we read into was in
20 touching on the parking - we did review the
21 planning. We've got the correct amount of
22 parking for both sites and both uses.

23 There was a comment regarding parking
24 statistics. Both cars parking under the fuel
25 canopy is outside of the design formula for

1 the parking island. It seems to be over parked
2 currently, but when this goes in, we believe
3 that it will be correctly parked and the
4 owners can testify to that.

5 I just wanted to make the board feel
6 comfortable with one point. Sunoco would be
7 the designated fuel supplier for this site.
8 They have a zero tolerance policy. They run a
9 clean shop as far as environmental products,
10 and environmental safety. We call it our four
11 orders of protection for the site.

12 The first barrier would be any spillage
13 whatsoever in taking and fueling people
14 spilling -- there is a 2,000 gallon water
15 separator that takes any of the site run-off.
16 It just cleans it to ten parts per million.
17 Then after that, it discharges to three
18 different pools of basins. We mentioned very
19 early on in our review with the Town
20 Designated Engineer and engineering that
21 Sunoco means good business. We have a control
22 vault. We are behaving like a SWPPP even
23 though we're in less than an acre of
24 disturbance and we're storing 100 year storm
25 for the property with these basins. I can walk

1 you thorough that. There is a control and it
2 comes in through the low order of storms. We
3 have a four bay sediment basin where it gives
4 some of these plants and other ability to suck
5 up any loose hydrocarbons that may drift down
6 here. By the time that it's filled, it goes
7 through a stone weir and goes into another
8 sand bed filter which has a liner which
9 doesn't let any potential contaminates out.
10 After that, the run-off is pulled off into a
11 detention basin and held again. We've got
12 these certain hydric loving plants that would
13 tend to filter that for the third time. When
14 all is said and done, it overflows into an
15 underground chamber design for a 100 year
16 storm. That's designed for our back storm.
17 That's our drainage plan in a nutshell. That's
18 it for now.

19 We had another plan that we were
20 exercising during the preplanning reviews of
21 moving the dumpster and creating six employee
22 parking spots. With this plan, it would not
23 require any variance for those two items. We
24 have the 25 foot setback. However, we would
25 require one waiver for the pavement and that

1 is technically to allow this one area that
2 becomes seven feet and 10 inches. So, we would
3 require a waiver for the existing pavement and
4 parking. The dumpster was too close to the
5 property line. We've moved the dumpster out to
6 within 25 feet of this rear line although it
7 is the same zoning; it's the COR zoning.

8 We have a good relationship with the
9 residents. The motel owner, Rocky, is sitting
10 here, if you have any questions with regard to
11 signing agreements. He is aware of what we're
12 doing here. That's if you have any questions
13 of the policy and the cross driveway
14 connection and any of these other elements
15 that we have touched on tonight. I know that
16 we had one comment regarding the potential for
17 purchasing this at some point (Indicating),
18 but that's really the only waiver that we're
19 seeking with this application. We can speak
20 more about that if you have any questions
21 about that. That's really the essence of our
22 presentation.

23 CHAIRMAN O'ROURKE: Thank you.

24 Don?

25 MR. FLETCHER: This is a DCC sketch plan.

1 Back two months ago, we got the application
2 that they were planning. On February 23rd,
3 there was a DCC review. Some of the
4 housekeeping type items are things that will
5 eventually be needed like a full EAF,
6 landscaping plan and so on.

7 I believe that one of the biggest things
8 is looking at the stormwater at some point.
9 Obviously he's gone through and explained it
10 tonight. We've had a couple of meetings with
11 him on the stormwater to try to clarify it and
12 understand it a little better. At some point
13 we have to do the hard review but we're at DCC
14 now so that's fine.

15 If you look at our letter, an awful lot
16 of the comments were about that it was a
17 fairly tight site. Circulation is fairly
18 rigid. With the flow of the traffic coming in
19 to the fuel dispensing, it goes out and merges
20 in with the drive-thru for the Dunkin Donuts
21 and comes out. So, we have numerous comments
22 in the letter pertaining to that in
23 particular.

24 There is the issue of the fill trucks
25 coming in and filling the fuel in the

1 underground tanks and making sure that we can
2 get the circulation of the trucks through
3 without any problems. There are little things
4 that we will eventually work on like dumpster
5 location and stuff like that to make it easy
6 for everyone to be able to get to. I think
7 that if you read the letter it's mostly on the
8 circulation that we're talking about. That's a
9 pretty tight site.

10 CHAIRMAN O'ROURKE: Thanks, Don.

11 Tom?

12 MR. NARDACCI: You understand what a
13 sketch plan review is and what we're going
14 through tonight, right?

15 MR. ESPOSITO: Yes.

16 MR. NARDACCI: I'm just curious, the
17 decision not to provide any parking directly
18 adjacent or near the mini mart - what was that
19 decision based on?

20 MR. ESPOSITO: We had several site plans
21 that we reviewed with Planning. The first one
22 was the extension of this bay of parking here.
23 In reading into the design standards, there
24 are five parking spaces with a continuous walk
25 through for this building. We looked at the

1 uses and Sunoco said well, what's the
2 percentages of people who actually fuel and
3 leave versus people who park and come in to
4 purchase? The percentage wasn't big enough to
5 justify parking. The traffic engineer looked
6 at the site and looked at the circulation.
7 This site passed because the peak hour use at
8 Dunkin Donuts is really 7:00, 8:00, 9:00 and
9 by 10:00 it's really not a lot of people
10 parking here. It's really only in the morning.

11 We structured the deliveries outside of
12 peak for the donuts and that seems sufficient
13 for people to park and walk. There is a
14 cashier window if they're going to run out and
15 pay for a stick of gum or something, or
16 they're not paying at the pump. They can do
17 that outside.

18 MR. FRED SHARIFIPOUR: Our objective with
19 the mini mart was that you would have a window
20 there. When we called Sunoco and they did
21 their study, they said that around 80 percent
22 to 85 percent are going to be credit card
23 uses. We're really not trying to take away
24 from Dunkin Donuts. Most of the customers that
25 come in are going to be pumping gas with a

1 credit card and that's really what our goal
2 is.

3 The mini mart is going to be 800 square
4 feet and there is going to be a limited supply
5 that's going to be in there. There will be a
6 window so that if they pay cash, they can go
7 right to the window and pay and leave.

8 MR. NARDACCI: I think that's an
9 important distinction. Basically, you're going
10 to be selling gas.

11 MR. ESPOSITO: It's computer housing for
12 the pump controls.

13 MR. FRED SHARIFIPOUR: Sunoco wanted us
14 to have a spot for a bathroom and we don't
15 want to do that. With their study, they said
16 that 80 percent to 85 percent is going to be
17 credit card, so that's what we based that on.

18 MR. ESPOSITO: The site is so beautiful
19 the way that the owners have it. It's really
20 nice land. There are a lot of repeat
21 customers. They get it. They get where to go
22 with the drive-thru. Once people fuel up
23 there, they know that if they want donuts,
24 they drive around again. That's what keeps the
25 order. I think that given the opportunity,

1 there is a lot of latitude with this.

2 I, personally, worked on 10 different
3 versions of looking at a non design standard
4 mode. Sunoco wanted the pumps forward. We had
5 an angled arrangement and this seems to hit
6 all the cylinders of the optimum of coming in
7 and leaving. There is a certain flow there. We
8 did do that check with the traffic standards
9 for maneuvering. Hopefully, we can move
10 through that.

11 MR. FRED SHARIFIPOUR: We wouldn't do the
12 project if it impacted the traffic to Dunkin
13 Donuts. We are the franchisee for almost all
14 of the Dunkin Donuts in Colonie, Latham,
15 Albany Airport, and Guilderland on Route 9.
16 So, the way that the study worked, we actually
17 went above and beyond to check on this so that
18 it doesn't effect Dunkin Donuts. The bypass
19 now is hardly used so when they do want gas,
20 they would just go to the bypass lane and go
21 back out.

22 MR. ESPOSITO: This family has awards of
23 excellence from Dunkin Donuts. A lot of credit
24 is due. I'm serviced within two minutes and I
25 can exit the site. I think that's a good

1 credit not only to the use, but to the owners
2 running a good shop.

3 MR. NARDACCI: It's very helpful to
4 understand. When I first looked at the plan,
5 it seems counterintuitive a little bit. I
6 wouldn't fight for five spots in front of the
7 store if no one is using the store. That's
8 what typically you would see.

9 Also, we have seen other mini mart
10 projects come forward where they're fighting
11 to put the pumps out front. I do like the
12 green space up front. It seems like a very
13 tight site. I think that really understanding
14 the traffic flow is going to be important. It
15 seems tight and that's what the engineers are
16 going to look at a little further, but just in
17 general, I like seeing the green up front
18 instead of gas pumps.

19 MR. FRED SHARIFIPOUR: Sunoco suggested a
20 station and we didn't want the pumps out
21 there. We live right off of Route 7 and we've
22 been there since the '80's. We came up with
23 the block design.

24 MR. NARDACCI: It seems very integrated.

25 MR. FRED SHARIFIPOUR: We're looking to

1 accent the Dunkin Donuts.

2 There is a house there. We've been
3 thinking for years what to do with it. Maybe
4 we could make it into an office.

5 We've been looking at what to do with
6 this for years (Indicating). We decided to
7 have someplace where you could walk up and
8 sit. We're not going to be selling anything
9 really in the mini mart. There is a whole
10 other window that faces the pumps. There is a
11 window to go and pay to pump and then drive
12 off.

13 MR. NARDACCI: I don't have any other
14 questions. Thanks.

15 CHAIRMAN O'ROURKE: Thanks, Tom.
16 Paul?

17 MR. ROSANO: I have a couple of
18 questions. I've never seen a one-way gas
19 station in my life. You've got all the cars
20 coming in and going to one side and driving
21 in. I use the Sunoco gas station on Everett
22 Road and because the different size of the
23 pumps -- my truck is on one side and my wife's
24 is on the other side. There is always
25 congestion trying to get up to the pumps with

1 a two-way.

2 Do you have any one-way gas stations that
3 we could go and visit? I just foresee cars
4 being backed up trying to get into the pumps
5 because everybody is going in one direction.
6 If everybody has to get to one side of the
7 pumps and are blocked, where are they going to
8 go? I guess that's the only concern that I
9 have about this.

10 MR. ESPOSITO: We did discuss that
11 arrangement with Sunoco. My wife's gas is on
12 the right and mine is on the left. With this
13 one-way ability, we do have a queuing plan
14 that we chose of the pump arrangement. It
15 still allows for truck bypass. It's a matter
16 of choice. If I know my tank is on the left, I
17 set myself up. I think that there is plenty of
18 opportunity to pull in and fuel.

19 MR. ROSANO: Do you see my point?

20 MR. ESPOSITO: Yes, I do.

21 MR. FRED SHARIFIPOUR: Originally when we
22 showed this to places like Mobil, they didn't
23 like the gas in the back. We're just trying to
24 accent the Dunkin Donuts. This is going to be
25 for our typical customers that come in. It's

1 not going to be a high volume station. Mobil
2 wasn't interested. We went to Sunoco and it's
3 going to be for the everyday Route 7 driver.
4 The way that the cars are stacked, Sunoco is
5 going to put an extra pump there. So, we're
6 not going to need all these pumps. It's not a
7 high volume gas station.

8 MR. ROSANO: My question is: The people
9 down on Everett Road didn't think that they
10 were a high volume gas station until Price
11 Chopper came out with their fuel advantage
12 card. Now, it's ungodly down there sometimes
13 just trying to get in and out to get gas. Even
14 to go into the building it's sometimes very
15 difficult.

16 Elena made a good point. BJ's has
17 one-way, but I've been over to BJ's and I've
18 sat in a line of 20 cars and they've got the
19 room in the driveway to get down to their
20 pumps. Sometimes they are the low guy. Not all
21 the time. I just wanted to bring that out
22 because if it does take off, I want you to be
23 successful. I could see a traffic problem.

24 MR. FRED SHARIFIPOUR: We did look at
25 that. Like I said, we don't want a big

1 station. We want this to accent Dunkin Donuts.

2 MR. ROSANO: And I'm a fan.

3 MR. FRED SHARIFIPOUR: We have the same
4 concerns that you do and we appreciate the
5 concept being brought up, but we would not
6 choose a project that we thought would in any
7 way affect our business. We sat down and went
8 above and beyond with different vendors. We
9 spent the time, energy, and money to do the
10 research on exactly what we could do with a
11 one-way, exiting, parking, and the drive-thru
12 We had professionals come up from Boston to
13 look at it. So, we all worked together. A lot
14 of time and effort went into this. We don't
15 want it to affect our business at all.

16 MR. ROSANO: Thank you.

17 CHAIRMAN O'ROURKE: Lou?

18 MR. MION: I had just one question
19 regarding the parking and the use of the mini
20 mart itself. I think that you explained that.
21 Thank you.

22 CHAIRMAN O'ROURKE: Tim?

23 MR. SULLIVAN: It's a really interesting
24 design. As Tom mentioned, most companies want
25 the pumps out front, so this is really

1 different.

2 I do understand where you're going. This
3 is the primary use of Dunkin Donuts and I
4 think that makes a lot of sense. I think that
5 the biggest issue that you're going to have is
6 dealing with the cars with this one-way set
7 up. I do think that the one-way pump situation
8 will work. I think that you're going to have
9 more of a problem with the cars coming in on
10 the Dunkin Donuts side driving through and
11 trying to get to the pumps that are coming up
12 the middle between the two buildings.

13 MR. FLETCHER: Take a lane bypass and try
14 to go right to the pumps; is that what you're
15 saying?

16 MR. LANE: Yes, exactly, and trying to do
17 it that way instead of going all the way
18 around. They think that they're going to take
19 a short cut and come up through the middle.

20 MR. ESPOSITO: We had CDTC and DOT look
21 at that. They restricted us. That last graphic
22 shows the signal type here that was specific
23 to permitting this driveway. We have a signage
24 plan that we can go through.

25 MR. LANE: It's got to be more than just

1 the signs though. You're going to have to
2 design that in such a way that they cannot
3 make that turn right. It's almost going to
4 have to be more of a lift to it to force them
5 left back around to Dunkin Donuts.

6 MR. FLETCHER: The other one that I
7 noticed is the one-way in. If you're trying to
8 do that, they're going to try to hook a left
9 instead of going all the way around.

10 MR. LANE: Exactly, and I was going to
11 get to that as well. The problem with the
12 angle parking is that if you take that
13 15 degrees, you're almost going to incite them
14 to go that way. You want them to go all the
15 way around, but people will take the shortest
16 route. You're going to have to find a way to
17 push them around. You're going to have to
18 either force them to go up through the middle
19 and around the Dunkin Donuts, or go all the
20 way around the pumps and back out, instead of
21 going out and taking that past the mini mart
22 where they're supposed to be a one-way in.
23 Between signage and some design work, it's
24 going to have to be very clear to people that
25 those are two things that they can't do.

1 MR. FRED SHARIFIPOUR: We have markings
2 in the parking lot.

3 MR. LANE: But you're going to have snow
4 and rain and there are going to be other
5 factors that play into it with people. You're
6 going to have to find other methods to force
7 them around.

8 MR. ESPOSITO: Perhaps we could talk to
9 our traffic engineer call. We had a discussion
10 when I was there. We were in the car when he
11 was counting and as crazy as this arrangement
12 appears, it works because people go in and
13 they know where they want to go. The people
14 that are accessing that site right now get it.
15 They know how to do it. To get the fuel and
16 then get back to Dunkin Donuts, you have to go
17 back and take the bypass lane and go around.

18 MR. LANE: Once they're there once or
19 twice, they know it. I understand that.

20 MR. FRED SHARIFIPOUR: I understand your
21 point, too. Maybe we could do some kind of
22 landscaping or something that would curve it.

23 MR. LANE: It's just going to need to be
24 really clear. I rather like the idea of doing
25 something a little different and making good

1 use of it. I think that I'd like to see it go
2 forward, but you've got a couple of hurdles
3 there.

4 MR. FRED SHARIFIPOUR: We have the pylon
5 sign and the arrows.

6 MR. LANE: Is there any reason why they
7 can't back up from the Dunkin Donuts and go
8 out the way that they came in, or is that just
9 not wide enough? That section immediately in
10 front of the Dunkin Donuts is two-way?

11 MR. ESPOSITO: That is two-way. It was a
12 recommendation to pull out the two-way. This
13 plan that you received in your large packet
14 had the ghost hidden areas of two-way and we
15 took that comment in the package review -

16 MR. LANE: How wide is that?

17 MR. ESPOSITO: It's a two-way; 24. People
18 are queuing here, predominantly (Indicating).
19 There are sometimes where they do line up
20 here, but it's not the norm. This works.
21 People back out and leave, but if we had to
22 diagonally stripe that, there is only one way.
23 Then it takes away from the flow that the
24 existing Dunkin Donuts has. They have to drive
25 through and exit a bypass. I would say if it's

1 not broke, don't fix it. We could have our
2 engineer work on it a little more with signs
3 or controls. It is addressed because we did
4 have a round of comments from the engineer
5 that looked at this, but we're not opposed to
6 be taking a vote and getting right down to
7 what we have to do to refine it.

8 MR. FRED SHARIFIPOUR: We spent a lot of
9 time and energy on this. We spent years
10 thinking about what we should do next door and
11 I think that this came as one of the best to
12 accent the Dunkin Donuts.

13 MR. LANE: Where do you see any other
14 mini marts where the pumps are to the rear?

15 MR. FRED SARIFIPOUR: We didn't want the
16 pumps in the front. We didn't want that
17 industrial look. It's probably going to be a
18 state of the art look. Everything that we've
19 had with the block building and the canopy and
20 the copper on the top of the roof, is state of
21 the art.

22 MR. ESPOSITO: We did draw a good comment
23 from DOT and CDTC. The owner of the motel is
24 here and they like this crosswalk connection.
25 In fact, on this next plan we can extend that

1 through with the connections so that the motel
2 folks -- there is a driveway connect here
3 (Indicating). They could come and get a coffee
4 and sit out on the patio. We were looking at
5 design guidelines for this site cross
6 connectivity. I think that with that
7 comment -- he didn't bat an eye. He said
8 that's a great idea to get the pedestrian
9 connection there.

10 CHAIRMAN O'ROURKE: Mike?

11 MR. SULLIVAN: I have many of the same
12 comments as the other Board members. Mainly, I
13 like the concept. I understand what you're
14 trying to do. However, I remain concerned
15 about it being so tight, especially in the
16 back corner with the 7 foot 10 inches wide.
17 You had mentioned that there is a possibility
18 of buying the land there?

19 MR. FRED SHARIFIPOUR: We've been talking
20 to the neighbor in the back for many years.
21 She's older.

22 MR. SULLIVAN: I'm sure that you would
23 like to acquire that, but I'd really like to
24 see you acquire it because I think that would
25 push the project over the edge. I think that

1 would give you the room that's needed. I'm
2 concerned about deliveries and the tankers and
3 deliveries to Dunkin Donuts.

4 Also, the store for the gas
5 station - will there be water, Gatorade, and
6 soda?

7 MR. FRED SHARIFIPOUR: Sunoco asked us,
8 but we didn't really want to put much in there
9 at all. It's going to be the bare basics. It
10 will be like the smaller medicines and chips.
11 We didn't really want to put beverages in
12 there, but we'll see how Sunoco does with
13 that. It will be just the "to go" stuff.

14 MR. SULLIVAN: We've had other projects
15 before the Board where it's a gas station with
16 beverages and they've actually come before us
17 with plans to enlarge the coolers because
18 there is so much demand for beverages.

19 MR. FRED SHARIFIPOUR: We don't want to
20 sell any beverages there at all. There were a
21 few things that we went back and forth with
22 Sunoco. The mini mart - we wanted to keep it
23 as minimal as possible so we proposed the
24 window over here (Indicating). We even asked
25 that the NASCAR canopy - we didn't want that,

1 but we lost to them for that one. They really
2 want that NASCAR canopy.

3 MR. MARK SHARIFIPOUR: They wanted us to
4 have the lottery, too.

5 MR. FRED SHARIFIPOUR: We said no to the
6 lottery, and there will only be about six
7 kinds of beverages in there.

8 MR. SULLIVAN: What about beer?

9 MR. FRED SHARIFIPOUR: No. Just six types
10 of beverages, no lottery.

11 MR. SULLIVAN: Okay, thank you.

12 That's all I had.

13 CHAIRMAN O'ROURKE: Thanks Mike.

14 Pete?

15 MR. GANNON: I'm looking at R2 for
16 reference in case you guys want to look along
17 with me. Where that gray car is parked in the
18 driveway - that's where somebody would view
19 the menu, or is that where they place an
20 order?

21 MR. FRED SHARIFIPOUR: That's where they
22 place an order.

23 MR. ESPOSITO: That's a menu board. That
24 answers the question of: Can someone pull up
25 and cut over and pick up donuts? If they skip

1 that menu board, they have to drive back
2 through.

3 MR. GANNON: You still don't think that
4 they're going to try?

5 MR. FRED SHARIFIPOUR: No. The way that
6 the menu is - it's not going to be possible.
7 No one has asked that question before because
8 we have so many hurdles to get through before
9 we get to that. By the way that it's angled,
10 it would be impossible to back up and do that.

11 MR. GANNON: I don't want to tell you how
12 to do your business, but I think that one-way
13 is the safest way to go out of the parking in
14 front of the Dunkin Donuts. I just think that
15 in terms of visiting that Dunkin Donuts, if I
16 knew that was one-way would loop me all the
17 way around to come back out to Route 7, it's
18 cumbersome.

19 MR. FRED SHARIFIPOUR: It's the same.
20 This is a bypass here as well. There is a
21 drive-thru lane and a bypass lane.

22 MR. GANNON: So, what happens when the
23 bypass lane intersects with the bypass lane
24 from gas?

25 MR. ESPOSITO: This is like any

1 intersection. That vehicle is the show
2 stopper. When these people come, the bypasses
3 link up, but there is some control and
4 courtesy when vehicles exit here and enter.
5 They are solely in the pick-up lane and not in
6 the bypass lane when they come off the menu
7 board.

8 MR. GANNON: Again, I'm sure that these
9 are all questions that you guys have probably
10 asked yourself 100 times, but to rely on
11 control and courtesy - those are two different
12 things. With one exit, right hand turns only,
13 at 8:00 or 7:30 in them morning at Dunkin
14 Donuts with people gassing up - if you get the
15 Board's approval, it's going to be interesting
16 to see how it works for those two or two and
17 one half hours every morning.

18 MR. FRED SHARIFIPOUR: We're concerned
19 about that, too. We went above and beyond.
20 Even with the Price Chopper
21 promotion - usually when Sunoco does a study,
22 they're usually right on with then umbers on
23 how much gas you're going to sell. Like I
24 said, it was rejected by Mobil. They didn't
25 want anything to do with it because of volume.

1 Like I said, it's not expected to have a gas
2 station volume. It's expected to be an accent
3 to the Dunkin Donuts. We're okay with that. I
4 think that it's going to increase our business
5 over there and bring the value of the property
6 up.

7 MR. GANNON: What's the nearest gas
8 station to this? Is it the Mobil by 87?

9 MR. SHARIFIPOUR: It's the Mobil across
10 from Keeler.

11 MR. GANNON: I think that you really need
12 to work this analysis. Again, I trust that you
13 guys are probably the best judges of this
14 because it's your business and it's your work.
15 There are going to be a lot of moving parts in
16 there. As we go forward, I'd like to see how
17 that is going to be addressed more thoroughly.
18 It's very interesting. Good job.

19 CHAIRMAN O'ROURKE: Thanks, Pete.

20 I think that it's ingenious. I do. I
21 think that providing that Mr. Coccoa allows
22 you the cross connection, I really see what
23 you're trying to do. I think that I would
24 angle that parking. If you're looking for
25 one-way flow, you're looking for one-way flow.

1 MR. FRED SHARIFIPOUR: We were actually
2 looking to get your opinion on that. That's
3 why we had Ed draw it up.

4 CHAIRMAN O'ROURKE: That would be my one
5 thing to tell you. If you're looking for a
6 one-way flow through your site to then
7 incorporate a two-way flow, it's going to send
8 the wrong message.

9 MR. FRED SHARIFIPOUR: That's why we
10 spent all this time on this.

11 CHAIRMAN O'ROURKE: That would be my one
12 thing. You're looking for the one-way traffic.
13 I really like the frontage and the look of it.

14 Again, in this corridor, what we're
15 trying to do as a Planning Board in these
16 corridors is to do some things to the frontage
17 and the inner connectivity.

18 Again, Mr. Coccoa had a plan before us
19 for concept to change the motel to a hotel,
20 which would be good for your guys and the
21 rental cars back to the airport, fueling up.

22 MR. FRED SHAIRIPOUR: We tried to make it
23 a one day project. We went beyond what we were
24 trying to do. We spent a lot of time at
25 George's Market. For some reason the plants

1 died and we replaced the trees and plants
2 because we wanted the front to look good. What
3 we did was we got brick columns going all the
4 way across with the metal fencing. We're
5 trying to combine it with the patio and make
6 it look good.

7 CHAIRMAN O'ROURKE: I think that's good.
8 I just had a couple of technical things. I
9 don't know if they're more toward you guys or
10 the Planning Department.

11 The site plan application is not dated.
12 There are no printed names. It doesn't give
13 the owner. So, these are just technical things
14 that I just wanted you guys to pay attention
15 to as we go through the process. Me, I think
16 that I do want to open it up and hear what the
17 neighbors say.

18 Member Sullivan brought up about the
19 waiver that you're looking for. You're just
20 pavement within the setback, right? You still
21 have two lanes over there.

22 CHAIRMAN O'ROURKE: Right, so it's just
23 pavement waiver, right?

24 MR. ESPOSITO: Right.

25 CHAIRMAN O'ROURKE: I understand that.

1 MR. ESPOSITO: Do you need the site
2 applications?

3 CHAIRMAN O'ROURKE: No, we get one in our
4 packet. AS you go through the stuff, it's
5 important to be able to follow dates all the
6 way through. Those things are important and
7 again, I don't know if it's you guys that
8 didn't put a date on it. I don't know why
9 someone in Planning isn't saying hey, put a
10 date on this.

11 You have a site application in, right?

12 MR. ESPOSITO: For the 993 and the 999.

13 CHAIRMAN O'ROURKE: I'd like to open it
14 up, but I think that it's ingenious. I love
15 the fact that the pumps are at the back. I
16 think that in that corridor with 80,000 cars a
17 day going by, I think that you're kidding
18 yourself. You're going to sell some gas. In
19 five years, Mobil will be kicking themselves.

20 MR. ESPOSITO: Hopefully, in five years
21 we'll resolve that land acquisition and
22 they'll give us that elbow room. As of today,
23 we feel that the site works.

24 CHAIRMAN O'ROURKE: I read in there that
25 you were able to get a 58 foot turning radius,

1 right?

2 MR. ESPOSITO: I think that it's 50.

3 CHAIRMAN O'ROURKE: Where are the storage
4 tanks going to be?

5 MR. ESPOSITO: The fuel storage is below
6 grade, right at that critical area for the
7 leak protection. Here it's a turning radius
8 standard for trucks. They currently do the
9 "S" turn. Maybe that's where the 58 came from.
10 They are below grade right at that curb and
11 that keeps the site healthy.

12 CHAIRMAN O'ROURKE: Anyone in the
13 audience?

14 MR. FAHEY: I'm all for a new gas
15 station. I also think that you're going to get
16 buried with business. There's only one Sunoco
17 station that I know of that I go to in order
18 to get my Price Chopper discount. This is a
19 mile and a half from my house. I think that
20 you're going to do a lot of business, despite
21 what Sunoco thinks.

22 I have a question on the driveways. I
23 couldn't see the direction of traffic. That
24 one is one-way in, correct?

25 MR. FRED SHARIFIPOUR: That's right.

1 MR. FAHEY: What about the one to the
2 left?

3 MR. FRED SHARIFIPOUR: That's both ways.

4 MR. FAHEY: Okay, I thought that it was
5 going to be one-way out. That answers my
6 biggest question.

7 I want to see it work. I think that it is
8 novel.

9 From that side driveway there, can I take
10 a turn there?

11 CHAIRMAN O'ROURKE: No, that's an
12 easement.

13 MR. ESPOSITO: Right now that's open, but
14 we've grassed that over.

15 MR. FAHEY: No, when I go in can I take
16 an immediate left?

17 MR. ESPOSITO: No, that's restricted
18 one-way. That's for the benefit of patrons
19 parking that want to fuel; they can go and
20 turn in. It's a controlled stop.

21 MR. FLETCHER: I think that you can turn
22 up a little bit of curbing; I think that we
23 can avoid people taking that hard left.

24 CHAIRMAN O'ROURKE: I think that you're
25 right. I think that it's an engineering issue.

1 FROM THE FLOOR: Is it 999 or 995?

2 MR. ESPOSITO: The 999 was the real
3 number. It got changed to 995. I think that
4 there was a building that got demolished and I
5 think it was next to Dunkin Donuts.

6 CHAIRMAN O'ROURKE: Anyone else?

7 MR. COCCOA: Rocky Coccoa. I just want to
8 say that I agree that because they're growing,
9 this is beautifying that area.

10 I do have a project that is stalled right
11 now because of financing and restrictions.

12 I like the walkway.

13 CHAIRMAN O'ROURKE: Anyone else?

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

15 CHAIRMAN O'ROURKE: What is your
16 timeframe?

17 MR. ESPOSITO: We had some drainage
18 issues and we wanted to do the curbing. We'd
19 like to get back in at the next available for
20 concept.

21 CHAIRMAN O'ROURKE: Can I poll the Board
22 for you? In terms of the parking in front,
23 would you rather see it straight or diagonal?

24 Peter?

25 MR. GANNON: I'm more concerned about

1 two-way. I'm indifferent to diagonal or
2 straight. It doesn't make a difference to me.

3 CHAIRMAN O'ROURKE: Mike?

4 MR. SULLIVAN: I prefer diagonal to make
5 it one-way.

6 CHAIRMAN O'ROURKE: Tim?

7 MR. LANE: If the goal is to make it
8 one-way, then yes, the diagonal is the way to
9 go. Initially I thought that you wanted the
10 other way.

11 CHAIRMAN O'ROURKE: Lou?

12 MR. MION: Diagonal.

13 CHAIRMAN O'ROURKE: Paul?

14 MR. ROSANO: Diagonal.

15 CHAIRMAN O'ROURKE: Tom?

16 MR. NARDACCI: I agree on the diagonal.

17 CHAIRMAN O'ROURKE: I think that we're
18 pretty much -- I would say diagonal. I would
19 say that if I were you guys, I would move
20 forward with that and make it a one-way site.

21 MR. FLETCHER: We've had a couple of
22 meetings about drainage. We had a call in
23 today about it. Just to better understand it
24 and all that.

25 CHAIRMAN O'ROURKE: So, just in terms of

1 time frame - we're looking at a month?

2 MR. FLETCHER: Is there any reasons why
3 not on the 26th when Century Hill is going to
4 be on for that one - should they not be on for
5 concept, if they could?

6 CHAIRMAN O'ROURKE: If they can be.
7 That's what I'm saying.

8 Would you guys be able to be ready?

9 MR. ESPOSITO: Yes.

10 CHAIRMAN O'ROURKE: Okay, October 26th.

11

12

13 ***(Whereas the proceeding concerning the***
14 ***above entitled matter was adjourned at***
15 ***8:40 p.m.)***

16

17

18

19

20

21

22

23

24

25

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 October 29, 2010***

18
19
20
21
22
23
24
25

Legal Transcription

Ph 518-542-7699 Fax 518-831-1710
www.albanylegaltranscription.com