

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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4 *****
5 STARLITE OFFICE PARK
6 325 AND 629 COLUMBIA STREET
7 SKETCH PLAN REVIEW
8 *****

7 THE TAPED AND TRANSCRIBED MINUTES of the above
8 entitled proceeding BY NANCY STRANG-VANDEBOGART
9 commencing on March 29, 2011 at 7:34 p.m. at the
10 Public Operations Center 347 Old Niskayuna Road,
11 Latham, New York 12110

10 BOARD MEMBERS:

- 11 PETER STUTO, Chairman
- 12 LOUIS MION
- 13 PAUL ROSANO
- 14 TOM NARDACCI
- 15 MICHAEL SULLIVAN
- 16 ELENDA VAIDA, Esq., Attorney for the Planning Board

15 Also present:

- 16 Joseph LaCivita, Director, Planning and Economic
17 Development
- 18 Bill Herbert, Herbert Consulting Group
- 19 Andrew Learn, PE
- 20 Dan Fitzpatrick, Spectra Engineering
- 21 Jaime Easton, PE, WSP Sells

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1 CHAIRMAN STUTO: Joe, would you like to
2 do an introduction on the Starlite?

3 MR. LACIVITA: Absolutely. I'm not
4 preaching to the choir here, but two of the
5 most important components of Supervisor
6 Mahan's administration was to shorten the time
7 of development and how it worked in the Town
8 of Colonie. Also, to look at sites such as
9 this - the redevelopment that was needed in
10 areas that were in the downward decline.
11 Tonight we're here for 625 and 629 Columbia
12 Street, which is the former Starlite Music
13 Theater. We have Bill Herbert and Andrew Learn
14 to discuss the redevelopment of this site,
15 which is actually 400,000 square feet of
16 office space with a convenient store, as well,
17 ducked into six buildings. It will be known as
18 the Starlite Office Park.

19 I'd like to turn it over to Bill Herbert
20 of Herbert Consulting.

21 MR. HERBERT: Good evening. Again, my
22 name is Bill Herbert. I'm with Herbert
23 Consulting Group, LLC. I'm here for the
24 applicant of the development of the Starlite
25 Theater property.

1 We've been looking at the site for
2 several months now going back considerably to
3 last summer. Basically, the site, as many
4 know, is the old Coliseum facility that's been
5 vacant now for about 15 or 16 years. That
6 whole property that we're going to be talking
7 about tonight comprises about 50 to 60 acres
8 of commercially zoned property. It's located
9 on Route 9R near Route 9 and it's basically
10 office development that we're contemplating.

11 We want to present it to you tonight with
12 our engineers. Dan Fitzpatrick is here and
13 Andrew Learn is going to do the presentation
14 so that we have a technical review of where we
15 are with this. We look forward to getting the
16 Board's comments so we know where we need to
17 go with our next steps toward the approval of
18 this project.

19 Here is Andrew Learn on the technical
20 review.

21 MR. LEARN: As Bill said, we are
22 promoting six buildings around the outskirts
23 of the property. Before I get started I guess
24 as I said, it's two parcels. One is roughly
25 55 acres and the other smaller one is three

1 acres. Along with this project you will be
2 requesting a site plan review as well as a
3 subdivision. Each of the buildings will be on
4 their own separate lots.

5 Existing on the parcel right now - we
6 know that we have a DEC wetland and there is
7 probably some ACOE wetlands, as well, in the
8 center of the property. We do expect to
9 require a DEC wetland permit for this
10 development. The utilities for the site - we
11 expect to serve with central sewer and central
12 water. Probably, primarily from Old Newton
13 Road, Columbia Street and possibly a route
14 connection in the cul-de-sac here
15 (Indicating).

16 The project is expected to be phased
17 where most likely one of the outer buildings
18 would be started first and then work our way
19 from there. This is just a very preliminary
20 plan so we don't have any set plans yet.

21 CHAIRMAN STUTO: What would be the very
22 thing that you would most likely do first?

23 MR. LEARN: Most likely, we would be
24 building one or building two, on the
25 outskirts.

1 CHAIRMAN STUTO: Which would be what?

2 MR. LEARN: Commercial.

3 CHAIRMAN STUTO: Office buildings.

4 MR. LEARN: Right.

5 CHAIRMAN STUTO: How large?

6 MR. LEARN: Approximately 80,000.

7 CHAIRMAN STUTO: Thank you. Where would
8 access be from that? The reason that I'm
9 asking is because of the right of way in the
10 middle.

11 MR. LEARN: I can address that.

12 Initially, we expect to propose access
13 from existing streets; Columbia and Old
14 Newton. We are providing a right of way to the
15 center of the property so that a town road
16 could be constructed as proposed. That is
17 expected to relieve some of the congestion
18 that is currently experienced at the
19 intersection of 9 and 9R. So once that road is
20 constructed, we do expect to have access to
21 that and that would be a town road. As a
22 matter of fact, the way that our layout is
23 shown right now, this building in the center
24 requires frontage on this road here
25 (Indicating).

1 MR. LANE: Building three?

2 MR. LEARN: Yes, building three in the
3 center.

4 I guess one more thing in terms of
5 standard engineering design issues is
6 stormwater - we're proposing stormwater
7 treatment on-site most likely around the edges
8 of the wetlands, according to the new New York
9 State design standards, which would
10 incorporate some green infrastructure.

11 We're open to comments and we'd like to
12 come back with something that everyone will be
13 happy with.

14 CHAIRMAN STUTO: Lou, do you have
15 anything?

16 MR. MION: I guess the one thing that I
17 have is that future road. To the best of my
18 knowledge, it hasn't been approved yet. It's
19 still up for grabs as to whether we're going
20 to approve that or not. If it doesn't go
21 through, how are you going to access it?

22 MR. LEARN: As I said, it's a very
23 preliminary layout and I think that as I
24 understand it, if the road is not approved,
25 this building would have to leave. All the

1 rest of the buildings have the frontage where
2 they can be accessed from existing roads.

3 MR. MION: So we could put down four
4 buildings instead of five.

5 MR. LEARN: Five instead of six. There's
6 building one, two, three in the middle, four
7 and five.

8 MR. NARDACCI: I just want to make a
9 quick comment and then get your reaction to
10 that and then I'm going to ask you a couple of
11 questions.

12 First, we're in a competition,
13 regionally. You guys know us better than
14 others. We're competing with Virginia, Texas
15 and Silicone Valley. We're trying to attract
16 companies to this region. I think that also
17 the Town is in a regional competition. Just
18 over the past two weeks we've seen hundreds of
19 thousands of square feet of office space being
20 proposed and getting approved in Luther Forest
21 and Stillwater. In this area of town
22 particularly is a great location to enter that
23 competition. This is wedged between Malta and
24 the College of Nanoscience. It's right on the
25 Northway, so I can see why more office space

1 makes sense.

2 My question is this: Are you thinking of
3 moving forward with development in building
4 commercial buildings on spec, or do you have
5 leads to some of these international players
6 that are coming into the area? What is the
7 game plan?

8 MR. LEARN: I'll let Bill answer that.

9 MR. HERBERT: I think that we're looking
10 at this on a multi-prompt approach. We're very
11 interested in a similar kind of business as
12 the global foundries development. Particularly
13 because of the superior location of the Town
14 of Colonie with regard to the rest of the
15 region and the fact that there is projected
16 growth there that isn't realized yet. We know
17 that in a matter of just a few years there
18 will be places sought to house businesses, and
19 this is a very good location in regard to
20 Saratoga County and of course billions of
21 dollars have been invested and will continuing
22 invested up there. Colonie's location near the
23 Northway generically speaking is just going to
24 be a very good office market. In particular,
25 it will be, we hope, when the economy starts

1 its recovery from what we've gone through in
2 the last few years. Everyone became stagnated,
3 but we think that we have a good location to
4 prepare and get approvals for future
5 buildings. We're already talking with some
6 potential tenants. We wouldn't build on spec.

7 MR. NARDACCI: It's probably the worst
8 time to do that.

9 MR. HERBERT: We have a couple of tenants
10 that have shown interest that would be a good
11 first tenant in maybe a multi-tenant building
12 or their own stand alone building. So there is
13 a market out there that we are actively
14 talking with and once we secure that kind of a
15 deal, we would plan to get the first building
16 up. You know how things go. When one starts
17 the other tend to follow over time as the
18 market realizes a need for the space. We're
19 just really getting started, but we have our
20 market targeted.

21 MR. NARDACCI: Just a follow up question
22 on that. One of my concerns is specifically
23 related to this potential future road that's
24 part of the Boght study. In Bethlehem we have
25 seen a lot of infrastructure be built and a

1 lot of public dollars be put into leading up
2 to 300 acres of Greenfield at Vista. They just
3 announced their first development, I think.

4 MR. HERBERT: It's a mixed grouping of
5 buildings that they're looking for approval on
6 the site.

7 MR. NARDACCI: I know that it's a
8 different location. There are different
9 challenges, but I have a legitimate concern
10 about public investment in this roadway. We're
11 talking about it as part of mitigation for the
12 whole area. I think that we need to be up
13 front and talk about - what are we talking
14 about as far as an investment.

15 With your project, do you guys contribute
16 to that?

17 Joe, is that five million dollars? Is
18 that what the budget is?

19 MR. GRASSO: For the connector road,
20 including the intersection, it's bout five
21 million.

22 MR. NARDACCI: And the Town has to
23 contribute 1.6 million.

24 MR. GRASSO: That's something that we
25 have to work through when we complete the GEIS

1 as to whether or not the vehicle that was
2 here - the contribution - and if there should
3 be, how much should that be? That's something
4 that still needs work.

5 MR. NARDACCI: Then there is a project
6 like this. I would assume that plays a part in
7 that discussion and the ability to build this
8 roadway. How does this factor into that?

9 CHAIRMAN STUTO: It plays a huge part of
10 that. The improvement, which would be the
11 connector road and if that becomes to be, will
12 be a major one of capital expenditures under
13 the GEIS - if and when that comes to be. Plus,
14 it will be a major contributor of mitigation
15 fee funds.

16 MR. NARDACCI: I think that's important
17 to understand a little better - what exactly
18 we're talking about. What is dollars and what
19 contribution is that? That's an internal
20 discussion that I need to have with our
21 professionals.

22 CHAIRMAN STUTO: And we're going to make a
23 public presentation of that in the upcoming
24 meetings, right, Joe?

25 MR. GRASSO: Yes.

1 MR. HERBERT: We're aware of the
2 mitigation fees. I did the Capital Region
3 Health Park and that was a significant
4 development in the airport area GEIS
5 mitigation zone. Our past experience has seen
6 this and we are anticipating whatever share we
7 need to come up with will be part of our
8 coverage, as well.

9 MR. NARDACCI: The other question that I
10 have is with regard to density. When we first
11 were talking about the Boght GEIS area, there
12 was the initial thought for this parcel. The
13 development would be - in the old GEIS it's
14 900,000 square feet and then initially we
15 talked about 100,000. Then, I think that we
16 did settle on a 500,000 potential. Now, you're
17 talking it's 465,000.

18 MR. HERBERT: That's 430 and change.

19 CHAIRMAN STUTO: 432,000.

20 MR. HERBERT: This is based on what we
21 put on the plans; wetlands, topography,
22 setbacks, etcetera. Then, I took a shot at
23 what do we build? How much square footage can
24 we build without impinging on any of the rules
25 of play? We happen to come in at that square

1 foot area. It just happens to be near that
2 500,000 number. We're going to look at it more
3 closely - the number of square footage may go
4 down.

5 MR. NARDACCI: I would just start talking
6 to DEC and start delineating wetlands and
7 seeing what are the constraints in the site.
8 Are you going to be able to really put a
9 footprint down? We spent a lot of time talking
10 about it. I just want to make sure that we
11 draw the public attention to that, as well.

12 The only other comment that I would have
13 would be that it's good to see the aerial and
14 it's good to see some of the layout. As you
15 move forward, whatever those next steps are,
16 some of the architectural is very important.
17 We have other folks that have built national
18 if not global headquarters in this vicinity.
19 They're lead certified buildings and have a
20 really nice high-end look and design to them.
21 You know what the surrounding area looks like
22 with Century Hill across the street. I would
23 just do your best to bring a real high-end
24 product. I think that it would help you, too.
25 Those are the only comments that I had right

1 now.

2 CHAIRMAN STUTO: Thanks, Tom.

3 Mike?

4 MR. SULLIVAN: In our packets we received
5 comments from New York State DOT concerning
6 the connector road. Did you receive those?

7 MR. HERBERT: We got the comments from
8 the DCC.

9 MR. SULLIVAN: These are part of the DOT;
10 Department of Transportation. Specifically,
11 they dealt with the connector road and the
12 alignment of it. They stated that the
13 alignment of the connector road in your plan
14 does not match what was proposed in the
15 traffic study. Moving forward, I'd like to see
16 you incorporate these comments, specifically
17 with the treatment of the intersection at the
18 ends of the connector road and the location of
19 the connector road.

20 Also, the treatment of Old Loudon Road.
21 The northern end of it will be relocated and
22 it will remain one way. I just want to make
23 sure that all those comments were addressed.

24 There is also mention of possibly putting
25 a roundabout in at the intersection. I believe

1 that in previous meetings where we were
2 discussing the traffic study that a roundabout
3 may not work in that location due to the
4 proximity with the other intersections. There
5 may not be enough room to make it work
6 efficiently.

7 MR. HERBERT: You have Prime Properties
8 that is right here (Indicating). There is a
9 little bit of a disconnect if you don't take
10 into account some sort of entrance through
11 that property. I think that was the issue that
12 we came across when we did our plans. Just
13 using the existing property line limits what
14 we are going to have to work with.

15 MR. SULLIVAN: There were some other
16 comments that I had.

17 It seems as though you plan on developing
18 using existing roads for access. And you would
19 be able to develop all buildings except
20 building three. How would you handle the
21 traffic then? My concern is the amount of
22 traffic that you will generate will overwhelm
23 the adjacent intersections and some of them
24 are already approaching level of service F
25 during the peak hours. How would you address

1 that?

2 MR. HERBERT: As part of our approvals,
3 we're going to have a careful look at our own
4 traffic generation projections and see what
5 impact each of our buildings would have in a
6 local area. There is a stand alone building of
7 80,000 square feet that wouldn't trigger all
8 that much, as far as traffic impact. That
9 particular building alone we would look at as
10 a Phase I of the overall phasing of this.
11 We're trying to just dovetail in to what the
12 Town established as the GEIS concept of a
13 future road taking into account everybody's
14 traffic impacts. That's one solution that
15 might have to happen. We're going to have to
16 take it as we go and do our own traffic
17 studies to back up our ability to build.

18 MR. SULLIVAN: I know that moving forward
19 you said that you were going to talk with DEC
20 and see if you have to change your footprints
21 and see if you have to build up instead of
22 out. You'll have to avoid more of the wetland
23 areas. That may affect how many buildings you
24 have or when you can construct them.

25 Moving forward, I'd like to see a traffic

1 impact study with a connector road or without
2 a connector road so we know what effects you
3 have on traffic with the existing
4 intersections without that connector road. It
5 may be just buildings like you currently have,
6 but all the buildings but building three. I'd
7 like to see what impact that would have on the
8 existing network and also with the connector
9 roads. I'd like to see what the levels of
10 service would be, including building three and
11 a full build-out, because then you would have
12 frontage for building three.

13 I believe that's all I had. I think
14 you've answered all my questions. Thank you,
15 very much.

16 CHAIRMAN STUTO: Tim?

17 MR. LANE: I'd like to ask is it really
18 feasible to even bother building three? Is it
19 economically feasible to do the connector road
20 just so that building three can be built?

21 MR. HERBERT: It would be the other way
22 around that we'd be looking at it. If the
23 connector road goes in, this works. If it
24 doesn't, this wouldn't be built.

25 MR. LANE: Okay, simple as that.

1 MR. HERBERT: It would contribute to an
2 already good office development plan, but none
3 of them are absolutely essential -

4 MR. LANE: You can do without the
5 connector road.

6 MR. HERBERT: Right.

7 MR. LANE: Thank you.

8 MR. ROSANO: Would you cover building
9 four for me and show me how you're going to
10 get in and out?

11 MR. HERBERT: Building four will be
12 accessed from two points. It would be this
13 intersection that we're planning here, as well
14 as a second means of entry from the side of
15 prime properties. We'll adjust with any kind
16 of requirements that we need to allow to have
17 a public address on Route 9R. That's the trick
18 to having an in-board lot like that. With that
19 frontage, we can develop that as an office
20 property. It's the largest building that we're
21 showing. It could be a pair of buildings. It
22 didn't work out that way, but we're starting
23 with the legal frontage and the two means of
24 fire access, more than anything else. That's
25 what we're planning.

1 MR. ROSANO: Thank you.

2 CHAIRMAN STUTO: I have a couple of
3 questions.

4 If the connector road were already in,
5 would your configuration be different?

6 MR. HERBERT: I think that the answer is
7 no because we've taken into account the
8 concept of the GEIS connector road and what we
9 tried to do is integrate it into our building
10 plans for the overall site so that it allowed
11 for the connector road to function properly
12 and maximize the development around it.

13 CHAIRMAN STUTO: You mean, not a lot of
14 curb cuts on the connector road. Is that part
15 of what you're saying?

16 MR. HERBERT: It's part of it, but really
17 it's making sure that the alignment works and
18 getting from point A to point B without any
19 kind of double S curves and things like, that
20 in terms of the road design, itself. I know
21 that DOT is saying that it doesn't match up
22 with the footprint that was on the GEIS, but
23 we knew that. What we're trying to do is we
24 started a dialogue with them and with the Town
25 Engineers to say this was our rationale and

1 this is where we think the road could work
2 best. So, hopefully, we'll meet in the middle
3 somewhere.

4 CHAIRMAN STUTO: Understood. It's very
5 preliminary.

6 Is the TDE here, Joe?

7 MR. LACIVITA: Yes. Actually Jaime Easton
8 is here.

9 CHAIRMAN STUTO: Jaime come sit up here.
10 For the public, the Town Designated
11 Engineer is an engineer hired by the Town, but
12 paid for by the developer. The alliance
13 legally and ethically and every other way is
14 to the Town to give us good advice.

15 Do you have any feedback on any of the
16 comments? What are you major comments on
17 what's been discussed already tonight?

18 MR. EASTON: There are DCC comments that
19 I submitted to Joe. My biggest concern was the
20 amount of impact to the wetland, the DEC
21 buffer and that the wetlands aren't
22 established yet. So, my recommendation would
23 be the applicant meet with the DEC to discuss
24 the impacts and see how that would impact the
25 plan, overall.

1 Certainly the traffic study - they would
2 have to do one and see the warrants of that
3 traffic study.

4 CHAIRMAN STUTO: What do you think about
5 the configuration of both the buildings and
6 the ingress and egress to all of them, and
7 also the connector?

8 MR. EASTON: We'll talk about the
9 locations proposed right now going out to 9R.
10 That's basically where they have to come out
11 to. You would have to acquire property from
12 Prime Companies to align the proposed roadway
13 to line up.

14 CHAIRMAN STUTO: I know that Joe is
15 entering into discussions with them so that
16 may change in the future.

17 MR. EASTON: The rest of the alignment
18 that they are proposing for that corridor - in
19 that proposed right of way - it certainly
20 functions within that right of way. I believe
21 the two story office building that's out to
22 Columbia Street 9R; building two - that
23 entrance that they have going right next to
24 Latham Ford would be a realistically a right
25 in and right out access point.

1 Do you still have the convenience store
2 located on there?

3 MR. HERBERT: We didn't augment the plan.

4 MR. EASTON: Okay, well then I'm not too
5 worried about that. We'll address that later
6 on. Those are my two biggest concerns are the
7 wetlands, the size of the buildings and the
8 parking associated with it and the traffic.

9 CHAIRMAN STUTO: As we fine tune it, we
10 can discuss it more.

11 MR. EASTON: Correct.

12 CHAIRMAN STUTO: Do you represent the
13 owner or the perspective owner?

14 MR. HERBERT: Yes.

15 CHAIRMAN STUTO: Has the property
16 transferred hands yet?

17 MR. HERBERT: No. We're doing our due
18 diligence, really, with the meeting tonight.

19 CHAIRMAN STUTO: I don't have any more
20 questions. Does anyone else on the Board?

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

22 CHAIRMAN STUTO: We appreciate you coming
23 in. We think that the sketch plan is
24 beneficial. It gives us a first look and see
25 and we appreciate you coming in.

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MR. HERBERT: Thank you.

*(Whereas the proceeding concerning the above
entitled matter was adjourned at
7:58 p.m.)*

CERTIFICATION

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

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15 -----
16 **NANCY STRANG-VANDEBOGART**

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19 **Dated April 18, 2011**