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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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MARINI OFFICE/WAREHOUSE  
388 OLD NISKAYUNA ROAD  
SEQRA DETERMINATION AND APPLICATION FOR  
FINAL SITE PLAN

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THE STENOGRAPHIC MINUTES of the above  
entitled matter by NANCY STRANG-VANDEBOGART, a  
Shorthand Reporter, commencing on December 18,  
2012 at 7:40 p.m. at The Public Operations Center,  
347 Old Niskayuna Road, Latham, New York

BOARD MEMBERS:  
PETER STUTO, CHAIRMAN  
TIMOTHY LANE  
LOU MION  
BRIAN AUSTIN  
KAREN GOMEZ  
MICHAEL SULLIVAN

ALSO PRESENT:  
Elena Vaida, Esq., Counsel to the Planning Board  
Joe LaCivita, Director, Planning and Economic Development  
Lynn Sipperly, PE, Sipperly and Associates  
Chuck Voss, PE, Barton and Logudice

1                   CHAIRMAN STUTO: We'll call up the next project,  
2                   Marini Office/Warehouse, 388 Old Niskayuna Road. This  
3                   is the SEQRA determination and application for final  
4                   site plan approval.

5                   We have Lynn Sipperly with us for the  
6                   introduction. This has been downsized a little  
7                   bit since concept; is that correct?

8                   MR. SIPPERLY: That's correct, Mr. Chairman.  
9                   With me this evening is Bob Marini.

10                  What we have here is a project that received  
11                  concept approval a little over a year ago on  
12                  September 13, 2011. The project was a larger  
13                  project. It was a warehouse office combination of  
14                  40,844 square feet. The original project was  
15                  originally proposed by Crisafulli Associates.  
16                  Subsequent to that, it was purchased by Fortress  
17                  Partners with Bob Marini being the principal.

18                  The current plan it to develop a 26,736  
19                  square foot warehouse which is about a 35 percent  
20                  reduction of what was approved in 2011.

21                  Regarding the particular site, it's a 2.47  
22                  acre site that's located in the northwest corner  
23                  of Sicker Road and Old Niskayuna Road. It's an  
24                  undeveloped site. It has water and sewer  
25                  accessible to it. It's in the airport business

1 area which permits office warehouse development.  
2 Again, as I indicated the proposal is a warehouse  
3 office combination with a total of 26,377 square  
4 feet. That will be divided into various space  
5 configurations.

6 Right now Marini Builders proposed to occupy  
7 one-third of the building, which would be at the  
8 northerly end of the building.

9 We have access from Old Niskayuna Road at  
10 this location here (Indicating) and access from  
11 Sicker Road, this location here (Indicating). The  
12 building has two loading docks. One located off  
13 of Sicker Road and the second one located off of  
14 Old Niskayuna Road at this location here  
15 (Indicating). We also have five doors into the  
16 building and that's where trucks can drive into  
17 the building. That's for like vans or box  
18 vehicles.

19 The site plan proposed is 33 parking spaces.  
20 That's based on a projected warehouse employment  
21 of 24 people and also taking an office component  
22 which we estimate at 3,600 square feet using the  
23 ratio of one space per 225 square feet of office  
24 area.

25 The stormwater management is going to be

1 handled on-site. It's all underground. It's an  
2 underground sand filter, so there is no open water  
3 or ponds on this particular property. Water is  
4 off of Sicker Road and Old Niskayuna Road.  
5 Sanitary sewer is on Old Niskayuna Road and will  
6 provide service to the building.

7 The building area will occupy about 35  
8 percent of the site. The pavement and green area  
9 is 35 percent and the greenspace is 36 percent.  
10 So, we have kind of met the greenspace requirement  
11 of the Town for this type of development. The  
12 operation of the site that we have in the rear a  
13 yard which would be for storage and parking of  
14 vehicles. Again, Marini Homes is going to be  
15 using a portion of the building itself, and for  
16 the parking of equipment and repair of equipment.  
17 The remaining area of building has not been  
18 committed for entirely so the spaces are kind of  
19 flexible.

20 We do show an outline of three spaces Tenant  
21 A, B and C that might be further broken down into  
22 smaller spaces depending on tenant requirements  
23 that are interested in a location at this  
24 location.

25 That's pretty much what is proposed, if there

1 are any questions of the Board, again, this is  
2 significantly downsized from what was approved and  
3 they received concept acceptance back in 2011 and  
4 it meets the criteria of the zoning.

5 CHAIRMAN STUTO: Are customers going to the site,  
6 or no?

7 MR. MARINI: No.

8 CHAIRMAN STUTO: I'll give Chuck a chance to make  
9 his presentation.

10 MR VOSS: I'll be very brief. We have seen this  
11 application now a couple of times and as Mr. Sipperly  
12 noted, it's an extension of a prior project - a much  
13 larger project that came in under the Crisafulli  
14 namesake, perhaps a year ago?

15 CHAIRMAN STUTO: September or thereabouts.

16 MR VOSS: So, basically what they have done is  
17 really downsized the project. The building itself is  
18 much smaller. The footprint is smaller. It's much  
19 more in conformance with the site requirements that are  
20 out there. We didn't have any technical issues. The  
21 only thing that we worked with the applicant on  
22 recently was coordinating stormwater management with  
23 this site with the proposed adjacent TransTech site,  
24 which is just to the north of this site. There was  
25 some combined stormwater swale questions and issues,

1 but Mr. Sipperly has worked with those folks. They've  
2 come up with a solution that we think works fine for  
3 this site. They've addressed everything in our  
4 November 8th letter. I won't go through that as it was  
5 fairly extensive. They did a nice job of looking at  
6 all those comments and addressing each one  
7 individually. At this point, we see no further  
8 technical issues from our standpoint.

9 CHAIRMAN STUTO: Are there any members of the  
10 public that would like to be heard on this project?

11 (There was no response.)

12 CHAIRMAN STUTO: Karen, do you have any questions  
13 or comments?

14 MS. GOMEZ: Just a question. What's changed from  
15 the concept? I wasn't here.

16 MR. SIPPERLY: The main thing that has changed  
17 from the concept is that the building has been  
18 downsized. It was formerly 40,844 square feet. Now  
19 it's 27,377 square feet. So, it's a 35 percent  
20 reduction. Some of that building area is now being  
21 occupied in this area here (Indicating). So, the  
22 40,000 square foot building would have fit on the site,  
23 but it's not really in the business plan of Bob Marini  
24 to construct such a large building at this point.

25 CHAIRMAN STUTO: Mike?

1 MR. SULLIVAN: I have no questions at this point.

2 CHAIRMAN STUTO: Tim?

3 MR. LANE: Nothing.

4 CHAIRMAN STUTO: Do you have any elevations? Are  
5 there any in the package?

6 MR. LANE: There is one.

7 CHAIRMAN STUTO: Brian?

8 MR. AUSTIN: What is in the warehouse? Are there  
9 any hazardous materials or anything like that which we  
10 would need to be concerned about?

11 MR. MARINI: We have a lot of heavy equipment in  
12 the operation of our business. The equipment usually  
13 comes in during the winter months when it's not being  
14 used in the field and it gets worked on and refurbished  
15 and then sent back out to the field. We also have  
16 model home furniture when it comes out of a model home,  
17 we need to place it in storage. So, it's really to set  
18 aside for record storage and model home storage. I  
19 think that our shop maybe takes up 40 percent of the  
20 total warehouse. We have a landscaping division, so we  
21 have created a spot inside that warehouse for our  
22 landscaping employees to come and take their equipment  
23 out every day. The last part was basically for the  
24 storage component. We need the outdoor storage because  
25 in the summertime we have plows that we disconnect from

1 our vehicles. We keep them outside. The outdoor yard  
2 that will be on the site will be fenced in with a  
3 six-foot tall chain link fence with privacy slats.  
4 Anybody driving by Old Niskayuna Road would not be able  
5 to see into that yard. We'll have landscaping around  
6 it and everything else.

7 The architecture -- we wanted to do something  
8 a little bit different and a little creative.  
9 We're mixing in some beige colors. We have a  
10 reddish color block that runs along the bottom of  
11 the building that faces Sicker Road and along the  
12 elevation that comes down to Old Niskayuna Road  
13 with a red roof on top of it that matches the  
14 brick and then use a beige or chocolate brown  
15 color and then the awnings that we're putting on  
16 the building are hard metal awnings that are  
17 secured back to the building with steel rods. So,  
18 it has kind of a nicer look to it than a  
19 traditional box warehouse.

20 CHAIRMAN STUTO: Thank you. I think that it's a  
21 good project.

22 Any other comments or questions?

23 (There was no response.)

24 CHAIRMAN STUTO: Do you want to guide us through  
25 SEQRA, Chuck?



1 MR VOSS: Yes. We've got a completed  
2 environmental assessment form and I believe that you  
3 guys all have a copy of that. I'll just walk you  
4 through. Mike will hand out copies for you.

5 "In accordance with Article 8 (State  
6 Environmental Quality Review) of the Environmental  
7 Conservation Law, and the statewide regulations  
8 under the Act 6 NYCRR Part 617, the Lead Agency,  
9 being the Planning Board, has received an  
10 environmenta assessment form in connection with  
11 the proposed action described below and the Lead  
12 Agency have determined that said proposed action  
13 will result in no major impacts and therefore will  
14 not have a significant effect on the environment,  
15 and therefore that an environmental impact  
16 statement is not required to be prepared with  
17 respect to said action."

18 I'll skip ahead to basically the rationale  
19 for this negative declaration.

20 "Impact on Land: Although the project will  
21 result in a physical change to the site, no  
22 significant impact on land resources is expected.  
23 Portions of the site have been previously  
24 developed based on the above, it appears that the  
25 project will not have a significant impact on the

1 Environment related to land resources.

2 Impact on Water: The proposed project will  
3 require a New York State DEC Storm Water General  
4 Permit for Discharges associated with construction  
5 activities. The Applicant has prepared a SWPPP to  
6 ensure that runoff, both during construction and  
7 long term, will not create off site impacts, both  
8 in terms of quantity and quality.

9 The stormwater management system for the  
10 project has been designed to provide pollutant  
11 removal, reduce channel erosion, prevent overbank  
12 flooding, and safely control extreme flood events.

13 The project therefore, should not result in a  
14 significant impact to surface or ground water  
15 quality.

16 Development of the project site with pavement  
17 and buildings will inherently result in increase  
18 in stormwater runoff. The project will include  
19 both temporary and permanent erosion and siltation  
20 protection measures to reduce the potential for  
21 wind and soil erosion and siltation of downstream  
22 waters.

23 The project should not result in significant  
24 adverse impacts on the drainage conditions in the  
25 area.

1           Based on the above, it appears that the  
2 project will not have a significant impact on the  
3 environmental related to water resources.

4           Impact on Air: The proposed project will  
5 generate a maximum of 19 vehicle trips per hour,  
6 which is not considered significant for the  
7 purposes of air quality.

8           Based on the above, it appears that the  
9 project will not have a significant impact on the  
10 environment related to air resources.

11           Impact on Transportation: Nois and Odors.

12           The proposed project will generate only a  
13 modest number of vehicle trips. Because of the  
14 low intensity of use and direct access onto a  
15 local road, no significant impact to  
16 transportation systems is expected.

17           The project site was previously developed and  
18 will not require creation or extension of an  
19 energy supply or transmission system. The project  
20 will require energy for construction and operation  
21 of residences, offices and retail, however, the  
22 project will not significantly increase use of  
23 energy in the Town.

24           The project will generate noise and odors  
25 during construction from construction activities

1 and equipment operations since the project site  
2 has been commercial, the noise generated during  
3 construction will exceed current ambient levels.  
4 The noise generated during the construction period  
5 will be typical construction level noise and will  
6 be mitigated through the use of well-maintained  
7 equipment that is inspected regularly, and kept in  
8 good working order for the duration of  
9 construction. The contractors will conform to  
10 Chapter 135 "Noise Control" of the Town Code, and  
11 any other work hour conditions placed by the  
12 Planning Board on the approval. Once construction  
13 is completed, ambient noise levels and odors will  
14 be consistent with existing ambient levels.

15 Based on the above, it appears that the  
16 project will not have a significant impact on the  
17 environment related to transportation, energy,  
18 noise, and odor.

19 Impact On Growth and Character of Community  
20 or Neighborhood: The project will cause a change  
21 in the density of the land use. Because of the  
22 low intensity of use, no significant impact is  
23 expected.

24 The project will create a demand for  
25 emergency services. There will be no impact to

1 the school system. Property taxes are expected to  
2 offset any additional increase in costs associated  
3 with community services.

4 The project is expected to create  
5 construction related jobs, which can be considered  
6 a positive impact.

7 Based on the above, it appears that the  
8 project will not have a significant impact on the  
9 environment related to growth and character of  
10 community or neighborhood.

11 In Conclusions: The Town of Colonie Planning  
12 Board has completed a careful review of the  
13 reasonably anticipated areas of environmental  
14 concern raised by the project.

15 Based on this review, the Lead Agency has  
16 determined that the environmental impacts of this  
17 proposal have been mitigated to the greatest  
18 extent practicable, and that the action will have  
19 no significant effects on the environment. An  
20 environmental impact statement therefore will not  
21 be required."

22 CHAIRMAN STUTO: Do we have any discussion or  
23 questions on that?

24 (There was no response.)

25 CHAIRMAN STUTO: There being none, do we have a

1 motion on the notice of determination of no significant  
2 effect on the environment?

3 MR. LANE: I'll make a motion to accept.

4 MR. MION: I'll second.

5 CHAIRMAN STUTO: Any discussion?

6 (There was no response.)

7 CHAIRMAN STUTO: All those in favor?

8 (Ayes were recited.)

9 CHAIRMAN STUTO: All those opposed?

10 (There were none opposed.)

11 CHAIRMAN STUTO: Thank you.

12 Now on the final site plan approval on this  
13 project? Do we have a motion on that?

14 MR. AUSTIN: I'll make that motion that we accept  
15 final site plan approval.

16 CHAIRMAN STUTO: Do we have a second?

17 MS. GOMEZ: Second.

18 CHAIRMAN STUTO: Any discussion?

19 MR. SULLIVAN: Do you want to have all Town  
20 Department's comments addressed?

21 CHAIRMAN STUTO: Good idea. I'll amend the motion  
22 to add compliance with all the Town Designated Engineer  
23 conditions or requirements in their letter and  
24 discussed tonight and all the Town Department  
25 requirements?

1 Discussion on that motion as amended?

2 (There was no response.)

3 CHAIRMAN STUTO: All those in favor?

4 (Ayes were recited.)

5 CHAIRMAN STUTO: All those opposed?

6 (There were none opposed.)

7 CHAIRMAN STUTO: The ayes have it. Thank you.

8

9 (Whereas the proceeding concluded at

10 8:56 p.m.)

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CERTIFICATION

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

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NANCY STRANG-VANDEBOGART

Dated January 2, 2013



