

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 MCDONALD'S
5 106 WOLF ROAD
6 APPLICATION FOR CONCEPT ACCEPTANCE

7 *****

8 THE STENOGRAPHIC MINUTES of the above
9 entitled matter by NANCY STRANG-VANDEBOGART, a
10 Shorthand Reporter, commencing on March 26, 2013
11 at 7:09 p.m. at The Public Operations Center, 347
12 Old Niskayuna Road, Latham, New York

13 BOARD MEMBERS:
14 PETER STUTO, CHAIRMAN
15 LOU MION
16 BRIAN AUSTIN
17 KAREN GOMEZ
18 SUSAN MILSTEIN
19 KATHY DALTON
20 TIMOTHY LANE

21 ALSO PRESENT:
22 Rebekah Nellis Kennedy, Esq., Counsel to the Planning Board
23 Joe LaCivita, Director, Planning and Economic Development
24 Joe Grasso, PE, Clough Harbour and Associates
25 Rob Osterhoudt, PE, Bohler Engineering
Chris Boyea, Bohler Engineering
Francis Essien, McDonald's Corporation

1 CHAIRMAN STUTO: The next project on the agenda is
2 McDonald's, 106 Wolf Road, application for concept
3 acceptance. This is to raze the existing restaurant
4 and replace with a new 5,200 square foot restaurant.

5 Joe, do you have an introduction on that?

6 MR. LACIVITA: Peter, the only thing that I'm
7 going to add to that is that the project was before the
8 Development Coordination Committee on January 3, 2013.
9 Again, McDonalds plans to redevelop the site.

10 I'll turn it over to Bohler Engineering.

11 MR. OSTERHOUDT: Thank you, and good evening. My
12 name is Rob Osterhoudt with Boheler Engineering. I'm
13 here tonight representing McDonald's Corporation for
14 the application for 106 Wolf Road. I have with me with
15 evening, Francis Essien with the McDonald's Corporation
16 from their Boston regional office for the meeting
17 tonight. I also have Chris Boyea here from our office,
18 as well.

19 We've got a significant reinvestment project
20 here. Most people are probably familiar with Wolf
21 Road and the McDonald's site. It's a 70's style
22 building that's been there for quite awhile,
23 obviously. It's a little bit dated. We found
24 that we're looking to do this in a significant
25 reinvestment year. Even more so than what was

1 recently done at the Latham Farms center. The
2 Latham Farms facility was a renovation project
3 whereas here we're looking at a larger project in
4 that we're going to scrape the building right down
5 to the ground and put up a new building on the
6 site. So, what we're trying to do is maintain a
7 lot of the infrastructure that is on the site as
8 far as the parking. Circulation is going to stay
9 the same as it is today. Parking is going to be
10 modified slightly. The building will actually be
11 shifted closer to the road. It's closer in
12 conformance with the current regulations within
13 the COR zoning district. We have a 20-foot
14 maximum setback for the district here
15 (Indicating). The building, as it exists today is
16 roughly 100 feet back from the property line.
17 We're planning on moving that up roughly 35 feet
18 to a 65-foot setback or so. If you look at the
19 other properties adjacent to the site on the
20 aerial here, Berkshire Bank was put in over here
21 around the south side of the site (Indicating).
22 We've got the Vitamin Shoppe up to the north side.
23 The existing building lies a little further back
24 than the Vitamin Shoppe and the Berkshire Bank,
25 but in moving the building up towards the front

1 we'll be in better conformance. It won't be
2 necessarily the 20 feet, but like I said it's 65
3 feet from the right of way.

4 We're enhancing the site amenities with
5 additional landscaping. We're going to be putting
6 in some new landscaping in. We've got some
7 decorative stone and fencing that is being put out
8 front to complement the stone work that is
9 associated with the building and to help with the
10 frontage build-out along the site. We've also got
11 improvements in the form of the ADA compliance.
12 The existing facility is quite dated and not
13 necessarily in conformance with the current
14 regulations. So, we'll be updating that.

15 This is going to be a brand new facility
16 here. It's going to be an energy efficient
17 building. We've got some elevations of what the
18 building will look like. We've got a very modern
19 McDonald's here. It's not going to be the old
20 style with the red roof. We have a stone facade
21 here, and we've got a lot of improved features
22 that I think that everybody would probably agree
23 that we have a very nice presentation for the
24 future model of the site.

25 We've also got some improved site circulation

1 in there. One of the bigger changes that we're
2 seeing in their product line and their business
3 over the years is that the drive-thru business is
4 increasing. So, what we are incorporating is the
5 duel drive-thru lanes so that we accommodate the
6 drive-thru demand with greater efficiency.

7 CHAIRMAN STUTO: Can you show us how that works
8 here?

9 MR. OSTERHOUDT: Absolutely. Circulation off of
10 Wolf Road is going to remain as it is today with
11 restricted access to and from the site on Wolf Road.
12 Vehicles are going to enter the drive-thru queue back
13 here (Indicating). There are two menu boards that
14 would provide the operators of those vehicles access
15 and they would then merge into a single line and they
16 would pay at one window and pick up at the second
17 window. The facility is set up with the building being
18 shifted to the front of the road. It allows for a
19 longer queue on that site than what is there today.
20 That coupled with the efficiencies on the drive-thru
21 with the drive-thru lanes, they'll allow things to move
22 more efficiently through the site.

23 With the site plan that we're talking about
24 we've actually been able to incorporate some
25 additional greenspace on the site than what is

1 presently there today. It's not a significant
2 increase, however it is an increase of roughly
3 four percent than what is on the site today. So,
4 with that, we're incorporating a lot of good
5 features here; significant reinvestment and
6 redevelopment of the site to bring it up to the
7 current standards. The bottom line is that
8 McDonald's is trying to improve their service and
9 enhance the customer experience so that it would
10 be better.

11 As Joe mentioned, we were back before the DCC
12 in January. We did review the project with the
13 Sign Review Board earlier this month and received
14 approvals on the signage that is proposed for the
15 facility. So, at this point we're here seeking
16 concept and approval of acceptance so that we can
17 move forward with our detail design and move the
18 project through to preliminary final.

19 There are some waivers that we are seeking
20 for the project, seeing as it's an existing
21 facility and we're trying to maintain a lot of the
22 parking areas and footprints of those areas with
23 the proposed plan. We had some waivers that we're
24 talking about relative to the maximum front yard
25 setback. As I mentioned, 20 feet is required, but

1 that's a function of the existing access from the
2 site and it's a function of the existing other
3 buildings adjacent to the site, so that we don't
4 have a single building pushed way off the road.
5 It would be out of character with the other
6 buildings that are on that side of us.

7 We also have several parking spaces that are
8 in the front yard with the building frontage being
9 here (Indicating). We have portions of several
10 spaces that are in the front yard. So, we would
11 be seeking a waiver for those. Again, that is the
12 function of the existing site versus what we are
13 trying to do to improve it. The parking that
14 exists on the site today is roughly 66 spaces.
15 With the proposed plan we are losing half a dozen
16 spaces, so we're down to 60 spaces. We are
17 improving the circulation and the alignment of
18 some of the spaces with the angle placed here
19 (Indicating). We are able to handle the backing
20 maneuver out of the spaces much more easily and
21 efficiently than we can on the site today. So, we
22 would be looking for a waiver towards the parking
23 in the front yard.

24 The other item related to the parking would
25 be a waiver for the setbacks to the side property.

1 There is a 10-foot requirement for parking on the
2 sidelines. The existing parking is within six
3 feet of each sideline. We're looking to maintain
4 that, and that six foot setback as it exists
5 today.

6 CHAIRMAN STUTO: Any worse or not? It looks like
7 it might be worse from the aerial that I see.

8 MR. OSTERHOUDT: You have to keep in mind that an
9 aerial -- we're taking a tax map boundary and
10 overlaying that onto an aerial, so it's not always an
11 exact fit. If you look at the plan which is based on
12 the survey, that is accurate. So, the parking edge
13 versus the property line is accurate here and it's
14 about six feet.

15 CHAIRMAN STUTO: It's gotten no worse than what
16 the current situation is?

17 MR. OSTERHOUDT: Correct. We're not changing that
18 edge of parking. It's where it is today.

19 CHAIRMAN STUTO: Do you agree with that, Joe?

20 MR. GRASSO: Yes.

21 MR. OSTERHOUDT: The frontage build-out for the
22 site -- we've got roughly a 40-foot wide building here.
23 Our frontage is roughly 150 feet. We are adding the
24 decorative fencing along the frontage on either side of
25 the access to help towards frontage build-out here.

1 However, we are still short of the 80 percent
2 requirement, so we would be seeking a waiver on that as
3 well.

4 With that, I will open it up so that any
5 questions can be answered.

6 CHAIRMAN STUTO: Okay, we'll hear from our Town
7 Designated Engineer, Joe Grasso.

8 MR. GRASSO: Just to speak to that last comment,
9 we don't think that waivers are required for 90 percent
10 build-out. That's a recommendation as opposed to a
11 requirement. So, I don't think that the Planning Board
12 is typically issuing waivers for those. There are
13 three waivers that would be required; the maximum front
14 yard setback, the minimum side yard setback and no
15 parking within the front yard. Rob did a good job
16 explaining those waivers and the justification. The
17 way that we look at this is that it's a redevelopment
18 project and they're trying to make the site more in
19 conformance with the existing code and what currently
20 exists. We think that they have done a good attempt to
21 try to minimize the extent of those wavers as much as
22 possible. That's something that we will make final
23 determination on as the plans progress and prior to
24 final action by the Planning Board.

25 One of the comments in our letter is

1 regarding the curb cut that exists on Wolf Road.
2 It's a full-access curb cut, but it's a divided
3 raised median and our recommendation would be to
4 eliminate that raised median and provide a
5 standard three-lane section. That's something
6 that would obviously be subject to DOT review and
7 approval. They're going to control the work
8 permit on Route 7. That's something that we have
9 asked the applicant to consider.

10 MR. LANE: Why would that be a recommendation?

11 MR. GRASSO: Just to make it less restrictive. As
12 we drove out there, we feel that the raised median
13 makes restrictive access and due to maintenance issues,
14 we're not in favor of medians. There would be cars
15 cutting across the median as they go left into the site
16 of Wolf Road.

17 MR. LANE: Has that been an issue?

18 MR. GRASSO: We don't know. From our look at the
19 geometry of it, that's our recommendation. We would
20 rather see the standardized curb cuts established along
21 Wolf Road.

22 MR. OSTERHOUDT: You did mention that's subject to
23 DOT's review and approval. We'll talk about that in
24 further detail in DOT's review and approval. We'll
25 talk about that in further detail in line with DOT.

1 MR. GRASSO: We're generally not in favor of
2 medians with boulevard type entrances because of the
3 confusion or vehicles traveling through the median and
4 restricting the movements causing vehicles to
5 excessively slow down within Wolf Road. That's why we
6 support that.

7 MR. LANE: It's really just a perception.

8 MR. GRASSO: Yes, but it causes a restriction of
9 the traffic flow. We like to keep the curb cuts a
10 standard width, especially along the major
11 thoroughfares. We'll take the Planning Board's
12 comments into consideration if they have concerns with
13 that.

14 I'd like to just speak to the cross access
15 comment. There was a comment raised by the
16 Planning Department regarding a recommended cross
17 access connection. It's my understanding that one
18 already exists to the property to the north which
19 I believe is heavily used. I believe that the
20 comment may have been to the property to the
21 south. Can you speak to that?

22 MR. OSTERHOUDT: I understand that there was a
23 comment relative to a shared access connection off the
24 back corner of the site. It would be back in this area
25 here (Indicating) with the adjoining Hannaford Plaza

1 site. The Recovery Grill sits right here (Indicating).
2 That would pose a significant concern here for several
3 reasons. One is that the Hannaford Plaza currently has
4 a restricted egress moving for rights only out of that
5 site. It doesn't quite show up on our aerial plan
6 here, but just down here where the driveway is - any
7 vehicles coming out on Wolf Road can only take a right
8 hand turn there. If there were some type of shared
9 access through the McDonald's site here, those vehicles
10 leaving Hannaford Plaza would have the opportunity to
11 take a left here out of the McDonald's site. So, there
12 could potentially be a significant amount of cut
13 through traffic leaving the Hannaford Plaza, cutting
14 through the McDonald's site. The whole gist of our
15 project here is to improve the efficiency and the
16 facility for McDonald's with the drive-thru location
17 down on this side (Indicating). If there was a
18 significant cut thru here, you could imagine what
19 impact that could have on the drive-thru business for
20 McDonald's. Potentially you could have a very negative
21 impact for their business model. Not only that, but
22 when you look at where the access location could
23 potentially be here in the plaza, you're right next to
24 the pedestrian access into the Recovery Grill here
25 (Indicating). There is a service entrance here for the

1 plaza. There is just a lot of items that weigh against
2 having shared access.

3 MR. LACIVITA: I think that one of the things that
4 when the Recovery Grill was coming in and when BBL was
5 doing the work for that project, they put heavy
6 landscaping in that area to cut the cross section
7 through to specifically speak to the potential of
8 hitting customers coming into their location.

9 MR. OSTERHOUDT: I think that people used to come
10 through there until that landscaping went in, and that
11 seemed to stop that.

12 MR. GRASSO: We are in agreement with those
13 findings. That's why we're supportive of the plan, as
14 proposed. If this was a greenfield site and we were
15 looing at a brand new development, then we would
16 consider other types of cross access restrictions or
17 maybe easements so that in the future from the
18 Hannaford site, we could look at access arrangements.
19 Because it's a redevelopment site, we didn't feel that
20 it was appropriate for the cross access restrictions.
21 Most of our other items in our review letter are things
22 that we're confident that can be addressed as the plans
23 progress.

24 Regarding SEQRA - it's an unlisted action and
25 a short EAF has been provided with the application

1 materials. We'll make a SEQRA determination
2 further on in the process.

3 CHAIRMAN STUTO: Any members of the public signed
4 up to speak on this project?

5 (There was no response.)

6 CHAIRMAN STUTO: Members of the Board?

7 MS. DALTON: I don't have a problem with any of
8 the waivers, but I do want to be on record as saying
9 that the reason that I don't have a problem with the
10 greenspace is because it's developed that way and it
11 would be a burden to change it. I do that so nobody
12 else will come and say "well you did it for McDonald's,
13 why not do it for us." It's a preexisting situation,
14 but otherwise I don't think that is something that we
15 should be looking at.

16 CHAIRMAN STUTO: Lou?

17 MR. MION: I have no questions.

18 CHAIRMAN STUTO: Brian?

19 MR. AUSTIN: On the comment from Joe Grasso -
20 number four -- can you tell us how a tractor trailer
21 will get in and out of that site? I'm just curious
22 because it's a very tight site.

23 MR. OSTERHOUDT: Sure thing. Again, it is an
24 existing facility. They push a lot of hamburgers and
25 cheeseburgers through the site, so delivery trucks are

1 common at the site. You have to keep in mind that
2 McDonald's is a very large successful corporation.
3 They understand the dynamics of the business.
4 Deliveries are not performed in peak times. That's a
5 major concern, or a major point to make with the
6 deliveries. Delivery trucks basically enter the site
7 off of Wolf Road, and they can circulate through the
8 site. We have a widened out access point here
9 (Indicating) with striping on either side so that the
10 truck can make the turning maneuvers and circulate
11 through around and back out through the site. The
12 delivery ramp is over here on the back corner of the
13 building. Again, in off-beat times, those delivery
14 trucks would pull up and these spaces would be coned
15 off for the delivery trucks. There is advanced notice
16 when the deliveries are coming. They would unload and
17 be on their way.

18 MR. AUSTIN: There is no issue with the drive-thru
19 configuration?

20 MR. OSTERHOUDT: Again, we'll provide those truck
21 turning plans as we move forward. We don't see an
22 issue with it. As we develop those truck turning
23 plans, we may need to tweak some radii or something
24 like that a little bit, but we don't see an issue with
25 it.

1 CHAIRMAN STUTO: Tim?

2 MR. LANE: In regard to the parking waiver: What
3 would be the net loss in space if you were not to get
4 the waiver?

5 MR. OSTERHOUDT: For parking in the the front yard
6 or parking on the side yard?

7 MR. LANE: In the front.

8 MR. OSTERHOUDT: In the front there are portions
9 of seven spaces that are within the front yard. So, it
10 would be an additional loss of six spaces which would
11 put us down to 53 spaces versus the 66 that are out
12 there today.

13 MR. LANE: And that would be unacceptable?

14 MR. OSTERHOUDT: That would be detrimental to us;
15 yes.

16 MR. LANE: Mr. Essien, how does a site like this
17 get chosen for upgrades? What are the particular
18 factors that you're looking at that cause you to say
19 this is a site that we want to level and rebuild?

20 MR. ESSIEN: One is the demographic change in the
21 restaurant use and other characteristics dictate
22 whether we want to decide to invest in these projects.

23 MR. LANE: So, basically because of Wolf Road's
24 traffic, it's got a high end potential for
25 redevelopment. So, basically it comes down to just the

1 traffic.

2 MR. ESSIEN: It's not just the traffic. We've
3 noticed that there is somewhat a change in the make-up
4 of our patrons. The facility has been there for quite
5 a while now. I don't know exactly, but I think that
6 it's about 20 years. The cost of upkeep does not
7 support the facility the way that it is. We would like
8 to have a new fresh image to go along with that
9 corridor.

10 MR. LANE: What is your timeframe from
11 construction to finish?

12 MR. ESSIEN: We are currently two months behind
13 schedule.

14 MR. AUSTIN: But from demo to finish - how long?

15 MR. ESSIEN: The time frame for this is no more
16 than 100 days from start to finish.

17 CHAIRMAN STUTO: Karen?

18 MS. GOMEZ: You answered my questions. I had
19 questions about those front parking spaces and the
20 safety of them. The McDonald's in Latham - parking in
21 those front spots and with your kids, you have to go to
22 the back - it's scary.

23 MR. OSTERHOUDT: With the improved circulation
24 here (Indicating) and with the angled spaces, it should
25 be a lot easier to move in and out of those spaces.

1 CHAIRMAN STUTO: Susan?

2 MS. MILSTEIN: Is there a similar model in this
3 area that you are replicating, or is this a new design?

4 MR. BOYEA: I'm Chris Boyea with Bohler
5 Engineering. We do have other locations that have been
6 recently completed. Clifton Park has been done, but
7 again it's similar in the fact that it has a side by
8 side drive-thru in the rear. It is, however, a
9 different model building and it's a different style.

10 We did Colonie and Central Avenue - the
11 Village of Colonie. We just renovated that and
12 put the side by side drive-thru in there. So,
13 there is a likeness to those, but this is
14 definitely a different building model. It has the
15 same general aesthetic to it, but it's a different
16 shape and size, but they operate much the same.

17 MS. MILSTEIN: What about the exteriors and the
18 front?

19 MR. BOYEA: It's very similar in the architecture.
20 Again, the widths and the dimensions and the amount of
21 windows will vary a little bit, but generally it
22 follows the same theme. Central Avenue in the Village
23 of Colonie and Latham Farms have the same general look
24 of this one.

25 CHAIRMAN STUTO: Any other comments, Joe Grasso?

1 MR. GRASSO: Any consensus on the divided median
2 at the entrances? It does obviously provide some
3 landscaped treatment there and some greenspace -
4 although minimal. Is there a feeling one way or the
5 other with the Planning Board so that we can provide
6 some direction? Our recommendation was to eliminate it
7 and work with DOT and see if it should just be paved
8 and striped, or possibly accommodate a three-lane
9 section where you would have two existing lanes so that
10 if somebody is looking to take a left and they're
11 having to wait - somebody that is looking to take a
12 right could slip by them.

13 MR. AUSTIN: Is it presently concrete?

14 MR. GRASSO: No, it's asphalt with landscaping.

15 MR. AUSTIN: Oh, it is landscaped?

16 CHAIRMAN STUTO: Under current conditions.

17 MR. GRASSO: Our recommendation is to eliminate
18 the median and pave it.

19 CHAIRMAN STUTO: I side with that, too.

20 MR. AUSTIN: Where would the signage be for Wolf
21 Road? Right in front of the building? I've noticed
22 that sometimes they put a small sign out near the front
23 of the property.

24 MR. OSTERHOUDT: Entrance and exit. The existing
25 sign is going to remain here (Indicating) - the pylon

1 sign would remain there and then there would be
2 building signage. So, there is no new pylon sign here.

3 CHAIRMAN STUTO: I guess that I have just one
4 question and it's more curiosity. Would the double
5 order board - it seems like you're going to be feeding
6 more customers into the two windows that are there. Is
7 the wait time going to be longer or shorter? Can you
8 explain that? I'm guessing that you're going to say
9 shorter and I'd like you to explain why that would be
10 so.

11 MR. BOYEA: Again, what we are looking to do is
12 make sure that the customer that is there - that
13 segment of the business has grown for drive-thru. If
14 we don't acknowledge that and make sure that their
15 experience is great, then they're going to stop coming
16 to us. This is reacting to the increase in the
17 drive-thru. So, the way that we do this is we shorten
18 the time for those that have short orders to keep the
19 line moving and we can control that by giving one
20 person their order. If their cost is \$3.50, they could
21 pull forward, they could get to the other person who
22 might have a \$30 order. We can control who is getting
23 into the queue at the same time. There is a lot of
24 benefits to it.

25 CHAIRMAN STUTO: That makes sense. This is

1 curiosity, too.

2 Mr. Essien said that the demographic or the
3 age has changed. Can somebody elaborate on that?
4 Are you saying that the revamping is to a certain
5 crowd?

6 MR. BOYEA: They would look at a lot of things.
7 Say this was a military base and there was a whole
8 bunch of young families that are in town. We might
9 look at a play place or something of that nature. So,
10 they look at a whole bunch of those things - what's
11 selling. I think that what it indicates is that it's a
12 strong demographic here that is a long term investment.

13 CHAIRMAN STUTO: But specifically as it applies to
14 this - how are the demographics changed here and why is
15 the new building going to accommodate whatever
16 demographic that you're appealing to - specifically.

17 MR. BOYEA: We know one thing specifically here
18 and that's that the drive-thru is over 50 percent of
19 the business.

20 CHAIRMAN STUTO: But Mr. Essien mentioned
21 something specifically.

22 MR. BOYEA: I would have to go back and look at
23 that.

24 CHAIRMAN STUTO: Do you have an answer to that?

25 MR. ESSIEN: Yes. We are changing and increasing

1 our menu choices to appeal to the younger customers.
2 So, we want to appeal to the dining experience.

3 We now provide other services like WiFi and
4 want a more accommodating environment and seating
5 arrangements that provide for private areas, as
6 well as general eating spaces that would
7 accommodate groups. So, the sitting ratio - we
8 look at that and changing our building to a new
9 building style to be more correct and contemporary
10 and not necessarily having to copy the
11 competition. That is the reaction and response to
12 the changing demographics.

13 MR. AUSTIN: I will say that all the ones that
14 have been remodeled have a very nice aesthetic feeling.
15 They're very nice. Some of them have fireplaces and
16 it's fancy for a McDonald's. It's great. You can sit
17 with a dollar burger and sit by the fire. It's nice to
18 see that happening.

19 CHAIRMAN STUTO: Any more comments or questions?

20 (There was no response.)

21 CHAIRMAN STUTO: Joe, I think that the majority
22 are weighing in on the side of eliminating the median.
23 If someone disagrees, speak up now.

24 MR. GRASSO: Understood.

25 CHAIRMAN STUTO: That said, do we have a motion

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for concept acceptance?

MR. AUSTIN: I'll make that motion.

CHAIRMAN STUTO: Second?

MS. DALTON: I'll second.

CHAIRMAN STUTO: Any discussion?

(There was no response.)

CHAIRMAN STUTO: All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed say nay.

(There were none opposed.)

CHAIRMAN STUTO: They ayes have it. Thank you.

MR. OSTERHOUDT: Thank you for your time.

(Whereas the proceeding was concluded at
7:40 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.

NANCY STRANG-VANDEBOGART

Dated March 29, 2013

