

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 NATIONAL UNION BANK OF KINDERHOOK
5 782 TROY SCHENECTADY ROAD
6 SKETCH PLAN REVIEW

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 7:41 p.m. at The Public Operations Center, 347
12 Old Niskayuna Road, Latham, New York

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

16 ALSO PRESENT:

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18 Rebekah Nellis Kennedy, Esq., Counsel to the Planning Board
19 Joe LaCivita, Director, Planning and Economic Development
20 Joe Grasso, PE, Clough Harbour and Associates
21 Al Guerra, Guerra and Associates
22 John Balli, National Union Bank of Kinderhook

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1 CHAIRMAN STUTO: The next project is National
2 Union Bank of Kinderhook, 782 Troy Schenectady Road.
3 This is a sketch plan review. This is a 4,200 square
4 foot branch bank and drive-thru teller.

5 Joe LaCivita, do you have a introduction?

6 MR. LACIVITA: Sure. This one has been before the
7 Development Coordination Committee on January 12, 2012
8 as this site is somewhat constrained here. There are
9 several waivers tonight to pay attention to and I'm
10 going to turn it over to Hart Engineering.

11 MR. GUERRA: Hello. I'm Al Guerra from Guerra and
12 Associates. Hart Engineering could not be here
13 tonight. They had a previous commitment, so I'll be
14 doing the representation.

15 CHAIRMAN STUTO: And your firm is an engineering
16 firm?

17 MR. GUERRA: No, architect.

18 CHAIRMAN STUTO: You're just doing your buddy a
19 favor?

20 MR. GUERRA: Yes.

21 This might be the shortest presentation in
22 history. I'm not sure.

23 I'm sure that you're all aware that DPW has
24 reviewed this site plan and has given us a
25 negative on the curb cut that we have posted.

1 Today we met with DPW. We also received an e-mail
2 from DOT. Both of them agree that this curb cut
3 that we've shown here (Indicating) which is a
4 one-way out for the drive-ups, is too close to the
5 intersection and there would be a problem with
6 queuing because there is a lot of traffic that we
7 were told was queuing out onto Route 7 from NYSUT
8 Drive because of heavy existing office space that
9 is in the back here. They felt that would be a
10 hazard and it would also block in the customers as
11 they were trying to leave at certain times of the
12 day. So, based on that, we started to look at
13 other options.

14 However, I just wanted to preface this by
15 saying that we developed this plan relative to a
16 meeting that we had with my client. Originally,
17 we came in with a much different plan. Mike
18 suggested that we try to go in this direction
19 because this does address a lot of the Planning
20 Board requirements of getting the building as
21 close to the property line as possible, extending
22 the building and making it as much as a front
23 facade to the Route 7 intersection. Also, this
24 gave us a very clear separation between drive-ups
25 and parking for the customers entry. This would

1 be the main entrance/exit and this would be the
2 exit only for the drive-ups (Indicating).
3 However, now that we know about this condition, we
4 can't really solve the problem. They want us to
5 move this entrance/exit all the way back here.
6 When we do that, we have no way to exit the
7 drive-ups. So, we decided that we needed to look
8 at a different approach to that. Steve developed
9 a separate view that shows a different layout. We
10 know that this would require a number of waivers.
11 It does address the condition of that proximity of
12 that curb cut to the intersection. We showed this
13 to DPW this morning - to Bill and Steve and they
14 agree that this was acceptable to them in terms of
15 having the entrance/exit all the way back here
16 (Indicating). We did not have to align with the
17 Cool Agency Drive because there would never be a
18 traffic light here. They felt that this was fine
19 and safe and would get us what we needed. The
20 problem with this plan, of course, is that it does
21 a number of things that we wish we didn't have to
22 do. But it is something that we could probably
23 live with. Originally, we had 4,200 square feet
24 which was something that the back was looking for
25 - a larger building. We're now down to a 2,800 or

1 2,900 square foot building which is basically just
2 a branch and nothing else. It does still have to
3 maintain three drive-ups, interior lanes and the
4 ATM and the two drive-up machine lanes. We do
5 have reasonable queuing. The problem again is
6 that we have to have a variance because we now
7 have paving in front of the building and the
8 building is set back to about 30 feet from the
9 property line, so we know that's another waiver.
10 All the other parameters, like quantity of
11 parking, we have 14 spaces. The paving is set
12 back from the property line and it has 15 feet on
13 this side and 15 feet on that side and 10 feet on
14 that side (Indicating). We believe all of those
15 conditions are met and that the plan would work
16 from that perspective. There is less
17 interference. We think that this works okay.
18 There would only be one or two cars coming out.
19 We would have a stop sign here to make sure that
20 people here back backing out have a chance to do
21 that and don't have a fender bender. We will
22 develop this even further and make sure that it's
23 as good as it can be. This is the alternative
24 that we came up with. We do believe that it can
25 work. We do have pedestrian access to the

1 building. There will be a front door as well as a
2 rear entrance to the back.

3 CHAIRMAN STUTO: Joe Grasso, have you had a chance
4 to review the plan?

5 MR. GRASSO: No, we're seeing it for the first
6 time tonight, so it's a little difficult to speak to
7 it.

8 He did a good job talking about some of the
9 waivers that would be required. One of the
10 critical waivers is that the zoning restricts a
11 drive-thru lane crossing over in front of the
12 front yard in the front of the building. When
13 you're dealing with these small sites and you're
14 dealing with a bank facility, this is what you
15 often see is the drive-thru lane coming around and
16 across the front of the building. If a bank is
17 going to be considered on this site, obviously
18 waivers are going to be required and that's one.

19 From an access standpoint, the presentation
20 of the building could be more towards the front.
21 They have a nice front sidewalk there that extends
22 out to Route 7. There are some desirable
23 attributes to the plan here, but it's up to the
24 Planning Board to decide whether or not the
25 waivers that are required are enough to justify

1 the use on the site. Without a bank, we would
2 probably see a similar sized small office building
3 where there would not be the drive-thru across in
4 the front yard. That's obviously not a good
5 proposal.

6 CHAIRMAN STUTO: What do you think about the
7 circulation of the cars?

8 MR. GRASSO: I think that the site circulation is
9 probably okay. We think that the shifting of the curb
10 cut near the Cool Insurance access drive is somewhat
11 excessive. I'd have to look at it, but maybe that curb
12 cut could get pushed to Route 7. As long as you're
13 either in line with Cool Insurance, or on the south
14 side of it -

15 MR. LANE: Why would you need that when there is
16 really no interaction between --

17 MR. GRASSO: It's not so much the line across from
18 each other, although I do think that the DPW did have
19 concerns about offset intersections. Our concern is
20 about the proximity from Route 7. There is a straight
21 median that extends quite a ways down NYSUT Drive.

22 Can you point to how far down it comes?

23 MR. GUERRA: This is it here (Indicating).

24 MR. GRASSO: So, I think that they tried to come
25 all the way down past that striped median. Just from

1 looking at it here, it looks excessively to the south.
2 We think that you might be able to afford some better
3 on-site circulation by pushing the curb cut up maybe
4 another 50 feet or so.

5 CHAIRMAN STUTO: Why is that good?

6 MR. GRASSO: It eases the circulation so that
7 you're not so constrained to the south side of the
8 site. You can also see that there is a place there
9 where you're basically making an S-turn out of the
10 parking lot. I can see the curb cut being located
11 right there so that there would be five or so parking
12 spaces on the right.

13 MR. GUERRA: We're happy to look at that kind of a
14 solution. However, I'd like to make a comment that the
15 reasons that we brought this back down here is because
16 of access to parking. If we move the drive-up any
17 further this way, then all this will be dead ended.

18 MR. LANE: I imagine that you're going to need a
19 dumpster. Where would that be?

20 MR. GUERRA: No, there is no dumpster. It's not
21 necessary.

22 MR. GRASSO: I think that those are relatively
23 minor access issues. I think that the big thing is
24 whether we are comfortable with the circulation of a
25 bank drive-thru circulating up along Route 7. It

1 pushes the building back so that it's not in
2 conformance with the zoning code and it requires a
3 waiver --

4 MR. LANE: It really just looks like a difficult
5 lot to develop.

6 MS. DALTON: Personally, I think that it feels
7 very awkward. Say someone were to go to the drive-thru
8 at night and there are headlights. Are the headlights
9 that swing around the building going to distract
10 drivers on Route 7? Do you see what I'm saying? All
11 of the sudden you have headlights coming at you from a
12 direction that you don't expect.

13 MR. GUERRA: The same can be said for a gas
14 station or any place that has parking near a roadway.
15 Cars are always circulating and headlights are always
16 going to shine. I don't think that it's a concern, but
17 we can certainly look at it.

18 MR. GRASSO: I think that with some low level
19 landscaping - it's far enough away from Route 7 from
20 the edge of pavement where I don't think that it would
21 be a significant concern.

22 MR. AUSTIN: Can you explain how people are going
23 to come in and use that branch and get out? As I'm
24 seeing it, you have the option of going through the
25 drive-thru and all the way around and then parking, or

1 then taking that left into the parking and driving head
2 on into the drive-thru.

3 MR. GUERRA: Well, there is going to be signage
4 here. It's going to be one way going to this point and
5 this is two-way here (Indicating). We've done this
6 before with other branch banks. They'll come in here
7 and if they can't find any parking, they'll come into
8 the handicapped space, back up, and go back out and
9 look for parking elsewhere.

10 MR. MION: What happens if someone is parked
11 there?

12 MR. GUERRA: The handicapped can be parked here,
13 but there is a separation with the handicapped that
14 they can use to do that turn. We're going to make that
15 wide enough.

16 MR. AUSTIN: It just seems very awkward to me.

17 MR. GUERRA: If you want us to look at the other
18 plan, we'd be happy to do it in that direction.

19 MR. AUSTIN: Aesthetically I like it better, but
20 this might work better.

21 MR. GUERRA: It was the only one that we could
22 come up with that would really work through all the
23 criteria that we needed with the drive-ups and the
24 minimum requirements of the branch and the quantity of
25 parking that we needed. It's just a difficult site.

1 It's somewhat triangular and narrow. All the setbacks
2 really give us a very difficult way of dealing with
3 that site.

4 MR. MION: It seems like you're putting a lot in a
5 small spot. We've seen that in a couple of other
6 places, too. One was a bank and the other was a gas
7 station. The bank - I'm still wondering if we did the
8 right thing with that. It's a lot to put in one spot.

9 MR. GUERRA: It might seem that way, but it's not
10 a big branch. It's only 2,800 square feet. Again,
11 parking is only 14 spaces. There is not a lot of
12 traffic here.

13 I have John Balli of Kinderhook Bank here and
14 he can address you and tell you the quantity of
15 cars that come in here to use both the drive-ups
16 and customer parking, if you like.

17 CHAIRMAN STUTO: You can go right to the
18 microphone.

19 MR. BALLI: The reason for the original plan was
20 because of the traffic mode. We probably only have a
21 half dozen cars or 10 cars an hour at peak times using
22 the drive-thru.

23 MS. DALTON: The problem is that given where you
24 are putting it, you are likely to have a lot of traffic
25 at the bank at exactly the same time that there is a

1 lot of traffic on Route 7. People will be using it
2 either when you're going into work or when you're
3 coming home from work. I live right around there.
4 That's where you see that it is completely already
5 gridlocked during those hours.

6 MR. AUSTIN: And after that you have soccer.

7 MS. DALTON: Right, but from 4:00 to 6:00 you
8 literally can't move around there. There is no room
9 for any kind of leeway. That's when you're going to
10 see people going in and out of there.

11 MR. BALLI: Right, and they did explain the
12 traffic situation to us and again, our thoughts were
13 that it's not 200 cars an hour, it's a dozen cars an
14 hour.

15 MS. DALTON: Except its not going to be a dozen
16 cars an hour. It's going to be a dozen car in a ten
17 minute span because it's going to be just before or
18 after work. A hundred cars an hour is a nice
19 benchmark, but you're going to have 210 or 15 minutes
20 of chaos.

21 CHAIRMAN STUTO: Do you have a presence in Colonie
22 yet?

23 MR. BALLI: No, we do not.

24 CHAIRMAN STUTO: Can you tell us about your bank;
25 what you are and what you're looking to do?

1 MR. BALLI: Absolutely. The bank was formed in
2 1853. It's been in operation since 1853. The legal
3 name is the National Union Bank of Kinderhook. We're
4 based in Columbia County, but we are extending to
5 Rensselaer County, East Greenbush and we have a small
6 branch in Albany County and Delmar. Since the
7 financial crisis, like most community banks, we've
8 grown quite a bit since 2008; in particular our
9 commercial lending has grown significantly as well our
10 small business lending. We're one of the top banks in
11 the upstate region as far as small business lending and
12 that's against all banks of all sizes. So, we've
13 really focused on bringing they style of our banking to
14 where the markets are. So, we're really excited about
15 coming to the Town.

16 CHAIRMAN STUTO: How many branches do you have
17 now?

18 MR. BALLI: We have six.

19 MS. DALTON: On the other side of the State Police
20 Building, there is an area that needs to be
21 redeveloped. Have you looked into that?

22 MR. BALLI: I don't know that one in particular.
23 We had looked at other spots along here. This is sort
24 of new for us. Typically someone would say "look at
25 this spot" or "we know a developer or a realtor" or

1 something. For this spot we actually hired a national
2 firm and their job is to find -- they study your bank
3 and they study your customers and they study what makes
4 you successful, and they find spots that are good for
5 you. This spot is their number one spot in the world,
6 basically, for our bank.

7 I know that you've all noticed the odd shape
8 that it is and you're asking "Why are you trying
9 to cram this in here?", but everything that the
10 customer, or access to retail, or access to small
11 business - they like the area west of 87 versus
12 more towards the east. This company gets as
13 specific as this spot is great, but 500 feet away
14 isn't so hot. It's been a real experience for us
15 to be involved in this. This is the number one
16 spot by far that they recommended.

17 MR. AUSTIN: I will say that it's a great location
18 for a bank with the nice State Police Building and all
19 those very large occupational areas and occupied places
20 there.

21 MR. BALLI: We were so excited about it. As Al
22 said this is only 2,800 or so and that's all we really
23 need for a bank branch. We were looking for a bigger
24 footprint for commercial lenders and to really have
25 more of a presence of a commercial lending area that

1 has become so strong.

2 MS. DALTON: You could make it two floors.

3 MR. GUERRA: We did look at that. For a number of
4 reasons -- one of which the parking wouldn't support
5 it. That's as well as to put a stairway in and then
6 you should have an elevator for people. It eats up
7 more space. It was a good idea, but it didn't work at
8 this location.

9 CHAIRMAN STUTO: Well, we're only here for sketch
10 plan. Even our Town Designated Engineer hasn't had a
11 chance to look at this.

12 I rely on you very heavily, Joe. What do you
13 suggest as a course of action here?

14 MR. GRASSO: If the Planning Board feels that
15 having the drive-thru cross over in front of the front
16 yard is doable, then I think that we would like to try
17 to take --

18 CHAIRMAN STUTO: What do you think? Are they
19 trying to do too much on too small of a site? Does it
20 work as it's laid out?

21 MR. GRASSO: We don't feel comfortable with the
22 way that it's laid out right now. From a site
23 circulation and parking - the more I study it, there
24 are some significant concerns about safety of vehicles
25 just trying to park and get out of the site. The

1 reason why I ask the Planning Board is that if this is
2 a bank on the site, I think that it's going to have the
3 drive-thru across the front, because there were
4 problems with the other alternative that they have
5 provided. So, rather than spend a lot of time working
6 with that and trying to deal with parking and access
7 issues and where the curb cut should be, I'd like a
8 feel from the Planning Board, do they feel comfortable
9 that given that is a constraint, if we could work out
10 the other curb cut location and parking circulation
11 issues --

12 CHAIRMAN STUTO: Is that just an aesthetic issue,
13 whether we want to see cars coming around the front?

14 MR. GRASSO: What it does is it's preventing the
15 building from moving right up to the street line, 20
16 feet, which is what the zoning is. You see a lot of
17 buildings along the Route 8 corridor that still try to
18 be set back an appreciable distance from Route 7.

19 MR. LANE: Is there any elevation difference there
20 from the site?

21 MR. GRASSO: Not that I'm aware of, no.

22 MR. AUSTIN: I don't mind the drive-thru cross in
23 front of the building. I think that with the number of
24 cars that will be going in and out of the site, that
25 it's not going to be that bad. The configuration - I

1 would say that it doesn't really sit well with me.

2 MR. GUERRA: We have no problem in looking at it.

3 MR. AUSTIN: Yes, maybe take a look at it and look
4 at a couple of different plans.

5 MR. GRASSO: We will work with the applicant on
6 trying to find a solution that is acceptable to us and
7 something that we think is doable.

8 CHAIRMAN STUTO: Would anyone else like to speak
9 up from the Board?

10 (There was no response.)

11 CHAIRMAN STUTO: I'll just give my opinion. I
12 don't have any problem, per se, with the circulation
13 out front. We've done it in a lot of other places and
14 added waivers. Some think that maybe forcing the
15 building too close isn't the best aspect of the current
16 Land Use Law. I personally don't have a problem with
17 that, per se. As long as you, our TDE and we are
18 comfortable that the circulation in the parking - I
19 would be more worried about that. In order to have the
20 circulation in front, I would be concerned about the
21 architectural look from the main road and the
22 landscaping.

23 Do you have any renditions in here of the
24 building?

25 MR. GUERRA: No. This was kind of last minute

1 design.

2 CHAIRMAN STUTO: Do you have any renditions of
3 what their banks look like?

4 MR. GUERRA: Everyone is completely different from
5 train stations to center hall colonials.

6 MR. LANE: So, with the other five branches will
7 this be the first newer branch?

8 MR. GUERRA: No. East Greenbush was our first
9 newer branch. It was prototype and there was nothing
10 like it in upstate New York. This won't follow that.
11 This is a modern two-story flat roof. We really
12 haven't sketched anything out yet.

13 MR. LACIVITA: What was the square footage of that
14 one that was just built?

15 MR. GUERRA: Seven thousand.

16 MR. LACIVITA: That's the only concern from my
17 perspective about this lot. You're looking for 4,200
18 and you've compromised to whatever it might be. I'd
19 love to show you other sites within the Town that could
20 work because I really like hearing the history of it
21 and what you're trying to do for small business and the
22 commercial lending aspect. I hope that you can work
23 with the TDE to make this site work for you, but I'd
24 hate to see you compromise your model from what you're
25 trying to do. I really want to see you come and stay

1 in the Town.

2 MR. GUERRA: That's a very valid point. This is a
3 bit of a compromise. This is a branch bank. This is
4 all this allows us to do.

5 As far as the East Greenbush branch - the
6 upstairs is our commercial loan department and
7 they are already busting at the seams just from
8 our growth. We do want to listen to other ideas
9 as well. This is a great opportunity for us to be
10 in the Town.

11 CHAIRMAN STUTO: Okay, I think that you've heard
12 us. Thank you.

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14 (Whereas the proceeding was concluded at
15 8:06 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 April 1, 2013

