

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 IPEK AUTO SALES  
62 FULLER ROAD

5 APPLICATION FOR FINAL REVIEW

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7 THE STENOGRAPHIC MINUTES of the above  
entitled matter by NANCY STRANG-VANDEBOGART, a  
8 Shorthand Reporter, commencing on June 18, 2013 at  
8:13 p.m. at The Public Operations Center, 347 Old  
9 Niskayuna Road, Latham, New York

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11 BOARD MEMBERS:  
12 PETER STUTO, CHAIRMAN  
13 SUSAN MILSTEIN  
14 KATHY DALTON  
15 KAREN GOMEZ

16 ALSO PRESENT:

17 Michael Tengeler, Planning and Economic Development

18 Joe Grasso, PE, CHA

19 Zareh Altounian, PE

20 Scott Reese

21 Hadi Ipek

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1                   CHAIRMAN STUTO: Next project is Ipek Auto Sales,  
2                   62 Fuller Road. This is an application for final  
3                   review. This is 1,508 square foot car dealership  
4                   building with basement.

5                   Mike, would you like to give us an  
6                   introduction before we turn it over to the  
7                   applicant?

8                   MR. TENGELER: It's a pretty basic project. It's  
9                   in an industrial zoning. They were recently here for  
10                  concept.

11                  Zareh Altounian is here to present, so I'll  
12                  turn it right over to Zareh.

13                  MR. ALTOUNIAN: Briefly, this project is located  
14                  on 62 Fuller Road. It's about under one-half acre.  
15                  There is a parking area of 13 parking spaces. The  
16                  building which is like this one (Indicating), is an  
17                  800-square foot building with the offices and also the  
18                  used car sales area. Also, there is a basement for  
19                  storage.

20                  Also on this corner of Fuller and Woodson  
21                  Court, there is an area dedicated for displaying  
22                  of cars, which takes about 14 cars. The building  
23                  is about maximum of 30 feet high or a little less  
24                  than that.

25                  There is basically two neighbors. On Woodson

1 Court there is also used car sales place, which is  
2 in this area here (Indicating). The rest is just  
3 single family residential on this side, and there  
4 is gas station on this side (Indicating).  
5 Basically, the design was done to take care of  
6 this. This is here to screen the cars a little  
7 bit for anybody coming this way (Indicating).

8 This is the existing Fuller Road  
9 (Indicating). It was redone recently and there is  
10 two lanes on this side and one lane on this side.

11 All the utilities will be from Fuller Road  
12 from here (Indicating). This is the sediment  
13 control area. This was designed and accepted.  
14 Basically, that's roughly what the project is  
15 about.

16 CHAIRMAN STUTO: Joe Grasso, can you tell us your  
17 comments?

18 MR. GRASSO: Yes, we have a comment letter in your  
19 package dated May 8th. There was just a couple of  
20 minor items that we identify.

21 This project is going to require one waiver  
22 from the design standards of the COR district and  
23 that's for the parking lot paving within the front  
24 yard. The waiver has been supported during the  
25 previous review of the project by the Planning

1 Board and also supported by us. We have drafted a  
2 waiver finding in support of that waiver which is  
3 also included in your packet, which I can get to  
4 later. There were a couple of minor comments from  
5 the Planning and Economic Development Department  
6 for the applicant to follow up on.

7 Comment three - it's a relatively small  
8 commercial site and there is some detailed grading  
9 being proposed. It's not a relatively high  
10 traffic area, so we recommended that sod be used  
11 for all the turf areas, as opposed to trying to  
12 seed and mulch it. We thought that it would be  
13 quicker germination establishment of the turf  
14 area. We continue to recommend that the sod be  
15 used.

16 There is some fencing proposed around the  
17 frontage of the site that creates that front  
18 street line. They have provided some cut sheets  
19 for the proposed fencing. It appears to be of a  
20 manufacture that's more suited toward a  
21 residential type of use, as opposed to a  
22 commercial use. So, we recommend that alternative  
23 material be considered including aluminum or  
24 wrought iron and that the style of the fence be  
25 more consistent with what you would see in a

1 commercial site as opposed to a residential  
2 setting.

3 The last comment letter in our letter is  
4 regarding the SEQRA review. Because the building  
5 is less than 4,000 square feet, it's a Type II  
6 action pursuant to SEQRA. No SEQRA review or  
7 findings are required.

8 That's all we have in our letter.

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

11 (There was no response.)

12 CHAIRMAN STUTO: Any member of the Board want to  
13 talk about this?

14 MS. DALTON: The last time that we saw this  
15 project we were talking about porous pavement and  
16 recommending its use. I didn't hear that addressed  
17 this time. Did you guys consider porous pavement?

18 MR. ALTOUNIAN: What pavement?

19 MS. DALTON: Porous pavement?

20 MR. ALTOUNIAN: No.

21 MR. REESE: I'm Scott Reese. We did bring that up  
22 at the last meeting that we were here. Since the  
23 volume that we have of the pavement here and the high  
24 infiltration that the infiltration basin can take,  
25 right now this is the design work and it's built for

1 the 100-year storm where there is no run-off from the  
2 site. So, the cost of putting in the porous pavement  
3 doesn't offset already how the soil infiltrates on the  
4 site. So, we did take a look at that.

5 MS. DALTON: So, you did take a look at it, but  
6 you rejected it because it's really more expensive and  
7 you didn't think that it was necessary. Your current  
8 plan accommodates the water that you're going to see.

9 MR. REESE: Correct.

10 MS. DALTON: Joe, do you agree?

11 MR. GRASSO: We agree. It's a very small site.  
12 They have an area available for stormwater management.  
13 They're doing more than the regulations currently  
14 require because of the small size of the site. It's up  
15 to them if they want to take on the additional  
16 operational issues that porous pavement can provide.  
17 As long as they have met the requirements and actually  
18 gone over and above, we feel that this is appropriate  
19 stormwater solution. The stormwater management area  
20 does provide additional buffers to the residential  
21 property to the east. That's a desirable feature of  
22 the plan that we get with the stormwater management  
23 concept.

24 MS. DALTON: Is there a plan to accommodate their  
25 recommendations with regard to the fencing?

1 MR. ALTOUNIAN: We found the one fence yesterday.  
2 We found a picture of it.

3 MR. GRASSO: That's exactly the type that we felt  
4 would be much more heavy duty and durable and less  
5 ornamental. We thought that was more appropriate for  
6 the soils here. They were proposing something with  
7 small spindles and scroll work and very lightweight,  
8 and we didn't think that it would withstand the  
9 conditions.

10 MS. MILSTEIN: I was going to ask what is cut  
11 sheet fencing?

12 MR. GRASSO: A cut sheet is where you take a  
13 picture out of a catalogue and you take a photocopy of  
14 that and submit that. That's as opposed to trying to  
15 draw a detail of this. If you show us a picture or a  
16 cut sheet out of a catalog, we know exactly what it is.  
17 For things like a fencing and lighting, it's good for  
18 us to get cutsheets so we know exactly what it's going  
19 to look like, and we can look up the specifications up  
20 on a cut sheet as opposed to the limited information  
21 that you get on the construction detail.

22 MR. ALTOUNIAN: We're waiting for a cut sheet.

23 MR. GRASSO: They'll provide that and we'll make  
24 it part of the file so that it will be something that  
25 they'll have to incorporate into the file.

1                   CHAIRMAN STUTO: Joe, a neighbor had raised a  
2 concern about parking where they're not supposed to.  
3 The response was that there will be a note on the plans  
4 of where they are supposed to park. Also, the trees,  
5 fence and swale will prevent them from parking where  
6 they're not supposed to. Do you still agree with that?

7                   MR. GRASSO: We do. It's a very tight site.  
8 Obviously, you can't easily prevent them from parking  
9 within the aisles. There is one drive aisle that  
10 serves this site, but they're not going to be able to  
11 encroach much off the pavement because of the other  
12 things that we've built into the plan. There is  
13 already the fencing and the landscaping. That's  
14 another reason that we pushed for the sod, as opposed  
15 to the seeded areas. It's going to be very easy to  
16 know when you're off the pavement.

17                   CHAIRMAN STUTO: We also talked about finishes on  
18 the building. They said that they were considering the  
19 stucco. Can they talk a little bit more about it?  
20 It's a somewhat plain building, but I don't want to say  
21 that it's in an industrial area, but -

22                   MR. IPEK: We have a nice vinyl in mind for the  
23 building.

24                   CHAIRMAN STUTO: We have a transcript here. It  
25 says we were thinking. It may have been you and your



1 brother.

2 MR. IPEK: I do think that the vinyl siding would  
3 be a very nice finish. It looks more commercial.

4 CHAIRMAN STUTO: A nice architectural shingle on  
5 the roof? How about the roof material? It's a fairly  
6 plan building.

7 MR. IPEK: It's going to look very nice.

8 CHAIRMAN STUTO: Joe, any comment on the look?

9 MR. GRASSO: No.

10 CHAIRMAN STUTO: Any other comments or questions?

11 (There was no response.)

12 CHAIRMAN STUTO: Okay, this being a Type II  
13 action, we have no further SEQRA that we have to do.

14 We do have a Resolution, Joe? Could walk us  
15 through the waiver approvals?

16 MR. GRASSO: I'm going to start by reading through  
17 with the second paragraph:

18 "Whereas the applicant is requesting a waiver  
19 from the Town of Colonie Land Use law, Article IX,  
20 Chapter 1090-9, Design Standards, for the  
21 commercial office residential zone related to  
22 parking being prohibited within the front yard,  
23 with the front yard being defined as between the  
24 front building line and the front lot line;

25 Whereas the Town of Colonie Planning Board

1           may waive these standards to the extent it deems  
2           necessary in order to secure reasonable  
3           development of the site. In such case, the  
4           applicant must establish that there are no  
5           practical alternatives to the proposed waiver that  
6           would conform to the standard, and the Board shall  
7           issue a written finding stating the extent and  
8           justification of the waiver; and.

9           Whereas the site is located on a corner lot  
10          and restricting pavement within both front yards  
11          of the project site would significantly reduce the  
12          potential development of the parcel;

13          Whereas the proposed development is  
14          consistent with the development of the adjacent  
15          properties.

16          Be it resolved that the Board hereby finds  
17          that the requested waiver is no considered  
18          substantial;

19          And be it further resolved that the Board  
20          finds the applicant has established that there are  
21          no practical alternatives to the proposed waiver  
22          that would conform to the standard and that the  
23          waiver is necessary in order to secure reasonable  
24          development of the project site;

25          And be it further resolved that the Board

1 hereby issues a waiver from the prohibition of new  
2 parking within the front yard;

3 And be it further resolved that these waiver  
4 findings be a condition of site plan approval of  
5 the application and be kept in the project file in  
6 the office of the Planning and Economic  
7 Development Department.

8 CHAIRMAN STUTO: Before we vote, can I ask that  
9 our stenographer be provided a copy so that we have a  
10 full copy of this in our stenographic record?

11 Any comments or questions before we take a  
12 motion on the Land Use Law waiver findings?

13 (There was no response.)

14 CHAIRMAN STUTO: Do we have a motion?

15 MS. DALTON: I'll make the motion.

16 MS. GOMEZ: I'll second it.

17 CHAIRMAN STUTO: Any discussion?

18 (There was no response.)

19 CHAIRMAN STUTO: All those in favor say aye.

20 (Ayes were recited.)

21 CHAIRMAN STUTO: All those opposed say nay.

22 (There were none opposed.)

23 CHAIRMAN STUTO: The ayes have it.

24 On the main Resolution which is for final  
25 site plan approval, contingent upon all the Town

1 comments and the Town Designated Engineers  
2 comments?

3 MS. DALTON: I'll make a motion.

4 MS. GOMEZ: I'll second it.

5 CHAIRMAN STUTO: Any comments or questions?

6 (There was no response.)

7 CHAIRMAN STUTO: Okay, there being no comments,  
8 all those in favor say aye.

9 (Ayes were recited.)

10 CHAIRMAN STUTO: All those opposed say nay.

11 (There were none opposed.)

12 CHAIRMAN STUTO: The ayes have it.

13 Thank you.

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16 (Whereas the above proceeding was concluded at

17 8:28 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 June 19, 2013

