

1 PLANNING BOARD COUNTY OF ALBANY
 2 TOWN OF COLONIE
 3 *****
 4 STERLING PLACE
 5 144 WOLF ROAD
 6 SKETCH PLAN REVIEW
 7 *****

7 THE STENOGRAPHIC MINUTES of the above entitled
 8 matter by NANCY STRANG-VANDEBOGART, a Shorthand
 9 Reporter, commencing on July 16, 2013 at 7:05 p.m. at
 10 The Public Operations Center, 347 Old Niskayuna Road,
 11 Latham, New York

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

17 ALSO PRESENT:
 18 Michael Tengeler, Planning and Economic Development
 19 Elena Vaida, Esq., Counsel to the Planning Board
 20 Joe Grasso, PE, CHA
 21 Chris Boyea, PE, Bohler Engineering
 22 Howard Carr, Esq.

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1 ACTING CHAIRMAN LANE: Good evening folks. I know
2 that we're starting late, but we wanted to see if there
3 were going to be some more Board Members that were going
4 to show. Our Chairman, Pete Stuto, is not available
5 this evening, so I'll be chairing tonight's meeting.

6 To start off with, our first item on the agenda is
7 Sterling Place, 144 Wolf Road. This is a sketch plan
8 review and is being presented by Mr. Boyea from Bohler
9 Engineering.

10 MR. BOYEA: Good evening. My name is Chris Boyea
11 and I'm with Bohler Engineering. Here with me tonight
12 is Howard Carr with Sterling Development, who is
13 proposing this pretty nice redevelopment project right
14 smack in the middle of Wolf Road.

15 The property that we're looking to redevelop is
16 currently known as the Lazare Lincoln Mercury
17 dealership. It's approximately 6.4 acres. The site
18 would be completely redeveloped. It wouldn't be
19 anything that we're going to keep or trying to rehab.
20 We would start new and the project would include a
21 five-story, 82-room hotel. That would sit in the back
22 by Automation Lane. It would also include a 6,220
23 square foot restaurant here. This would be the Sherwin
24 Williams store over here (Indicating). It would also
25 include a 10,200 square foot retail. This could be

1 like a strip retail with multiple tenants. Then it
2 would have a 5,100 square foot restaurant here near the
3 corner of Wolf Road and Cerone.

4 The facility would be a company with 400 plus or
5 minus parking spaces which meets the Town Code and is
6 sufficient for the operation of all of the tenants.
7 This has got one big positive and it's that we're
8 adding greenspace to the Wolf Road corridor. We are
9 going to increase the greenspace slightly here to 28
10 percent. As you can see from the aerial that was also
11 included in the package that I just handed out on the
12 second sheet, there is a lot of impervious surface here
13 today.

14 ACTING CHAIRMAN LANE: Did you say that you were
15 increasing it by 20 percent?

16 MR. BOYEA: We're increasing it to 28 percent, so
17 that there is a slight increase in greenspace from
18 what's out there today. The main point that we can see
19 from the greenspace increase comes from around the
20 perimeter of the site where you can see that we have
21 parking right out close to this road, and all of our
22 property lines on four sides. So, if you look at the
23 rendered site plan that's being proposed, you're going
24 to see that we substantially increase our greenspace
25 along the Wolf Road corridor, so that not only is this

1 greenspace increased but it's quality greenspace. It's
2 going to be visually seen and we can landscape it and
3 really make something nice for a street scape along the
4 road. Then, you're going to see a bigger greenspace
5 area around the hotel in the back where currently it's a
6 parking lot. Even along the side, we're able to have
7 greenspace down the Sherwin Williams line, as well as a
8 very slight increase on Cerone. We're just making that
9 about a foot wider than it is over there today.

10 All utilities are in place for this project, as
11 you would imagine. Through Cerone and Automation there
12 is water, sewer, electric, gas, etcetera. So, we have
13 a lot of utility service. We're not anticipating any
14 real issues with connections or supply.

15 We did attend the DCC meeting on June 26th and
16 received some comments from all the involved agencies.
17 We didn't see anything in those comments that were
18 scary for us.

19 ACTING CHAIRMAN LANE: There were quite a few
20 comments.

21 MR. BOYEA: Yes, there were. This sketch plan here
22 today is for us to get some additional feedback. We
23 will be addressing those comments as well. We do want
24 to talk about the wavers that we're looking at for this
25 project. Everything will be important for us to

1 continue moving forward and proceed with detailed
2 engineering design and permitting. Those waivers
3 include the front building setback. So, code wants us
4 to pull those buildings up to Wolf Road as far as we
5 possibly can. We have accomplished that and have done
6 that. However, there is a very large sewer - sanitary
7 easement that runs along the front of Wolf Road frontage
8 on this property. So, what we have done is pulled our
9 buildings up close to that sewer easement as possible.
10 So, that waiver is necessary for that reason. We can't
11 pull the buildings any closer because we would be within
12 the sanitary easement that's there.

13 The other two waivers we are looking for have to
14 do with parking and its location next to the property
15 line. As you can see from the aerial that we talked
16 about just a little while ago, we have parking straight
17 up to the front property line of Wolf Road as well as
18 Cerrone, as well as Automation and as well as Sherwin
19 Williams. We're making the situation better. We had
20 no parking up here. Obviously the building comes right
21 to the Wolf Road area. We are proposing some parking;
22 11 or 16 parking spaces right here (Indicating). This
23 is right next to this national chain restaurant. We
24 can't remove those because the national chain
25 restaurant won't take the site without those. So, what

1 we looked at is what is the benefit to the overall
2 area. We have removed them everywhere that we possibly
3 can and provided the greenspace. We just get too many
4 parking spaces that are not accessible for this
5 restaurant to remain viable so we increased the
6 greenspace - the setback here. We've provided that
7 area that could be landscaped and we can buffer the
8 parking. There are typical fencing and landscape type
9 features, but that is one waiver that we are requesting
10 right here.

11 ACTING CHAIRMAN LANE: Why is that one row so
12 integral?

13 MR. BOYEA: I believe that it's just because of the
14 way that the hotel is going to occupy a certain amount
15 of spaces here, the distance of travel and the distance
16 of travel to their front door. This is the front door.

17 ACTING CHAIRMAN LANE: You're expecting the
18 business from the hotel to the restaurant; is that what
19 you're saying?

20 MR. BOYEA: No. There will be some crossover.
21 This is no doubt. We hope that's the case. Customers
22 at the hotel will actually be physically taking some
23 parking spaces as close to their front door as possible
24 and they want to make sure that they have adequate
25 parking spaces, so that people aren't walking from too

1 far of a distance. There is a drive aisle here
2 (Indicating) because they are limiting the amount of
3 curb cuts for this project. We are actually reducing
4 them severely from what is there today. There are
5 several curb cuts. We are going to just have one on
6 Wolf Road. So, we are going to have a little bit more
7 volume of traffic coming through here because we're
8 going to consolidate it.

9 ACTING CHAIRMAN LANE: Still going back to that
10 first row along Wolf - how many spaces is that?

11 MR. BOYEA: Sixteen.

12 MR. MION: Didn't you have an easement going
13 underneath that?

14 MR. BOYEA: Yes, there is an easement going
15 underneath it; that's correct. So, we're adding
16 greenspace over that easement just by default here
17 (Indicating).

18 ACTING CHAIRMAN LANE: What if you didn't have that
19 row of parking?

20 MR. BOYEA: Then more of their customers would have
21 to walk across this drive-up aisle.

22 ACTING CHAIRMAN LANE: How many spaces would you
23 have left then?

24 MR. BOYEA: You'd have about three hundred -

25 ACTING CHAIRMAN LANE: I'm just talking about that

1 one lot within that -

2 MR. BOYEA: I see what you're saying. That's 58 to
3 60 spaces.

4 ACTING CHAIRMAN LANE: So, basically the front row
5 doubles your capacity.

6 MR. BOYEA: That's right.

7 MR. LACIVITA: The retailer - the national chain
8 restaurant - what they're asking for is that parking in
9 the front.

10 ACTING CHAIRMAN LANE: So, this is a requirement
11 that they need?

12 MR. BOYEA: That's true and it's for a couple of
13 reasons. One that we were talking about - adequate and
14 ample parking for them to have a viable business here.

15 ACTING CHAIRMAN LANE: There are concerns that
16 people from the motel are going to be using their lot?

17 MR. BOYEA: Absolutely. We have to accommodate
18 those 82 rooms there plus the staff in that hotel.
19 Plus, we don't want as many people walking across this
20 drive aisle.

21 ACTING CHAIRMAN LANE: I'm sure that DOT really
22 likes that.

23 MR. BOYEA: I'm sure that they do, but it is only
24 one curb cut for a very significant part of Wolf Road
25 Road frontage.

1 The other waiver is very similar. There are three
2 that I'm aware of that we're talking about. You can
3 see that there is parking all over the property line
4 here. We are proposing - again, this has three front
5 yards so it's a little bit challenging as far as all
6 around. This is almost a town block that we're looking
7 at redeveloping. So, we are adding greenspace in here
8 and again, we're not in the right of way. This is
9 actually greenspace on our property, so there will be
10 an additional green in the right of way. I believe
11 that it's this parking next to Cerrone Drive which
12 would be our third waiver.

13 So, those are the three waivers; building setback,
14 sewer easement, this small section of parking here next
15 to Wolf Road, and then we're providing a greenspace
16 here. It's still not per the Town guidelines.

17 MR. GRASSO: Chris, there is a minor one side yard
18 -- I think that was picked up by Planning also. I just
19 want to clarify, so that we don't confuse it.

20 MR. BOYEA: And that's just those two pieces here
21 (Indicating)?

22 MR. GRASSO: Yes.

23 MR. LACIVITA: Just to also clarify for the Board,
24 too, with regard to the incentive zoning component: we
25 are treating this as a redevelopment of an existing

1 site. The incentive being that goes specifically to the
2 greenspace because we're not attracting the 35 percent
3 green that the Land Use Law asks for, but the fact that
4 they're bringing it up over what currently exists -
5 that's why there is no harm to the incentive. They are
6 increasing the greenspace. They don't have to bring it
7 up to 35 percent of the redevelopment standards of 2009.
8 So, the fact that they are bringing it up, there is no
9 harm in not bringing it to the 35 percent that the Town
10 currently requires, or the fact that we are charging
11 them the incentive fee.

12 The other thing that's going to play here - and
13 I'm sure that Joe will talk about this - is through the
14 design of the stormwater system. If you go though
15 there are certain standards that you'll get into. With
16 new development in Chapter 7, you have to bring it up
17 to what the current is. This is going to be Chapter 9
18 development and Joe will probably talk about that.
19 It's less burdensome.

20 MR. BOYEA: So, in a nutshell that's it. It's a
21 fairly exciting project. It will be notable for anybody
22 traveling on Wolf Road. This is quite the improvement
23 to the streetscape. It's much closer to meeting the
24 Town Codes design guidelines; pulling the buildings up
25 to the stree and parking in between on the lot. There

1 are great complementary uses with the hotel in the back
2 and retail up front. We're really looking forward to
3 getting some initial feedback here, both on the general
4 site plan, layout, and waivers so that we can continue
5 moving forward with the project.

6 ACTING CHAIRMAN LANE: Okay, we have Joe Grasso
7 representing Clough Harbour to give us his insights.

8 MR. GRASSO: Yes, because it's sketch plan review,
9 we don't have a letter distributed in your packets but
10 we do have some comments.

11 We attended the DCC meeting. In general, it looks
12 to be a really good plan and fits well with the
13 existing COR zoning. When you look at the uses,
14 they're all allowed and there are a lot of good
15 adjacencies between the other businesses on Wolf Road
16 and what is proposed on this site. It's a big
17 development. It's important for us to realize the
18 magnitude of the development. It's a good project of
19 things that we like to see; especially in the Wolf Road
20 corridor - redevelopment of sites to the uses.

21 One of the comments from the Planning Department
22 that Chris mentioned was related to the 60 parking
23 spaces along or closest to Wolf Road. That's something
24 that would require a waiver. When we look at the
25 number of parking spaces required to accommodate all

1 these uses proposed on the site, based on the Town's
2 normal minimal parking requirements, the site is
3 considerably over-parked. So, right now they're
4 proposing 406 parking spaces. If you had it up to all
5 the parking that are proposed, you're coming up with
6 345 spaces. So, they're slightly over 50 spaces
7 over-parked.

8 The other thing that we take into consideration is
9 the availability of shared parking between
10 complementary uses. We like that the layout of the
11 parking really can serve multiple uses on a site. So,
12 we think that there should be a shared parking credit
13 that could be given that would further reduce the
14 number of parking spaces required; lower than the 345.
15 So, when you factor in those things, we think that the
16 site is considerably over-parked. We would prefer to
17 see the amount of parking built that's necessary to
18 really support the uses and not build anything more.
19 You can do that through land banked parking where it's
20 greenspace now and you dash it in so that it's
21 appropriately planned, but not built at this current
22 time. They can come in and request it, or we can just
23 grant a waiver to reduce parking as we do in a lot of
24 applications in granting parking waivers. Very often
25 what is required by the code is more than what's needed

1 to support the tenants and again, the Planning Board
2 should take into consideration the shared parking
3 arrangement. When we look at those 16 spaces, that
4 could easily go toward the 50 spaces or so that we
5 think that the site is over parked. Based on the
6 layout, if you just wanted to try to get the spaces out
7 of the front yard, it wouldn't necessarily need to be
8 that whole 16 space row. Those spaces are 18 feet
9 deep, and if you take out two of the spaces along these
10 roads -- basically you could take out the 18 feet or it
11 would be two spaces side by side, so it would only be a
12 reduction of 12 spaces. That's something that we think
13 they should take into consideration as they go through
14 the site plan. There are some other comments that are
15 also going to impact the parking, but we do think that
16 those spaces should slide back away from Wolf Road
17 approximately 18 feet or so. Pavement encroachments on
18 the easement are commonly allowed in the Ttown but we
19 do think that the additional greenspace there is
20 appropriate. Obviously, the less infrastructure that
21 we can have on the easement, the better.

22 In terms of the curb cuts, there are six curb cuts
23 that serve the site now. They're looking to reduce
24 that to four which we are strong supporters of. The
25 curb cut proposed near the intersection of Automation

1 Lane and Cerone Drive, which is in relatively close
2 proximity to the intersection - our preference is that
3 curb cut either be eliminated or shifted further away
4 from the intersection so that there are no conflicting
5 turning movements. We've got a concern with that one.

6 The other thing is along the primary curb cut on
7 Wolf Road which is a full access curb cut, there has
8 been some concerns raised by both our office and DOT
9 that we need to look at how that curb cut is going to
10 line up with the curb cuts on the other side of Wolf
11 Road. If you look, you can see that there is a two way
12 left turn lane down the center of Wolf Road. That's an
13 important lane because it allows vehicles on both sides
14 of the road to come out and stage in the two way left
15 turn lane. The thing that we need to be careful of is
16 on the other side of Wolf Road is a main access to the
17 Wolf Road Shoppers Park. As vehicles take a left out
18 of the Wolf Road Shoppers Park, they're going to be
19 into that two way left turn lane, and they're going to
20 be fighting for the same spot that a car taking a left
21 out of this curb cut is going to want to take up as
22 well. So, there may be a need to shift this curb cut
23 further towards the south.

24 Another being that as we get into shifting, that
25 curb cut would be to align the access with the hotel.

1 If you look at the plan right now, that main access
2 drive is shifted over off center with the hotel. It
3 might be a nice desirable feature to have that be a
4 central spine that lines up to the center of the hotel.
5 It would also push the limit further away from this
6 retail plaza.

7 Regarding the orientation of the buildings - the
8 strip retail plaza and the one restaurant closest to
9 Cerone and Wolf Road - we want to make sure that the
10 front of the facades of those buildings is actually
11 facing Wolf road. We don't want to be looking at the
12 back of a building. So, I assume that's what their
13 intent was, but you can't really tell from the plan.
14 So, that's something that we would like them to take
15 into consideration. So, that when we look at
16 elevations, we want to make sure that those look like
17 the front of the building. It's important that as you
18 drive down Wolf Road, you're looking at the fronts of
19 the building and not the backs of the restaurant or
20 retail strip center. So, we may need some additional
21 sidewalks or something along that side of the building,
22 as well.

23 MR. AUSTIN: Is there a sidewalk on that side of
24 the street right now?

25 MR. GRASSO: There is a sidewalk along Wolf Road

1 right out there close to the road. The building is
2 sufficient distance away that's really not going to
3 serve as the front of the building. That's something
4 that I think they need to work out when they get into
5 the building design.

6 ACTING CHAIRMAN LANE: What's the approximate
7 distance from Wolf Road to where the hotel entrance will
8 be?

9 MR. BOYEA: I believe that you're approximately 250
10 feet to 300.

11 ACTING CHAIRMAN LANE: So, it's just shy of the
12 length of a football field. It's going to have the same
13 kind of effect when you're driving to the Marriott.

14 MR. GRASSO: Yes. When you're looking at the plan,
15 one of the things that we think would be an improvement
16 would be the pedestrian connectivity between the pad
17 sites and Wolf Road. We've got a sidewalk along Wolf
18 Road and you've got some sidewalks across the fronts of
19 the buildings, but they're really isn't any good
20 connectivity out to the Wolf Road side. That's
21 something that should be considered. Maybe the Planning
22 Board could provide some direction as to where those
23 sidewalks should be located.

24 In terms of the waivers, we talked about the
25 parking within 15 feet of the front property line, as

1 well as the parking in the front yard. The one that
2 Chris mentioned at the end - the parking along the side
3 yard - it's just a very minor encroachment. It's the
4 closest to Sherwin Williams, so we think that it's a
5 relatively minor waiver and we don't necessarily think
6 that the plan needs to change. As soon as you come out
7 a couple of spaces you're going to meet the 10 foot
8 parking setback there.

9 In terms of the maximum front yard setback of 20
10 feet - because of the sewer easement, we do think
11 that's ample justification that they can't push the
12 building up. That's something that we've seen applied
13 on other projects. So, in general, we are supportive
14 of the waivers that are required, except for the one
15 about the parking in the front yard that we talked
16 about. We think that could be dealt with through a
17 reduction in the parking and the redesign of the site.

18 The building is located in the flight line of the
19 airport. We would recommend an early FAA clearance
20 check, just to let them know if you're going to have
21 any impacts because of the building height or
22 construction related to crane use.

23 We've gone through all the departmental comments
24 raised during the DCC and we don't see anything of any
25 significance there that can't be dealt with.

1 There is one issue regarding sewer service for the
2 site. The site is tributary to the Wolf Road pumping
3 station. Pure Waters has raised a concern that it may
4 be at capacity or nearing capacity, and it's going to
5 be up to the applicants to evaluate potential impacts
6 to that station and make sure that there is adequate
7 sewer service that would be provided. So, there's a
8 study that's required and something that could be done
9 by one of the TDEs of the Town or the consultants, but
10 it would be a study at the direction of the Town to
11 make sure that pump station has adequate capacity and
12 flows. That study will advise the Town whether or not
13 improvements are required in order to serve this
14 project, as well as the next project that we have on
15 here. So, that's something that they'll have to work
16 on. We don't see it as something that is going to
17 impact the review of the project. There is no reason
18 for us to not continue the review at the Planning Board
19 level.

20 That's pretty much all we got.

21 ACTING CHAIRMAN LANE: Any comments or questions
22 from the Board?

23 Kathy?

24 MS. DALTON: Because there is intended to be the
25 shared parking and also the propensity for people who

1 are staying in the hotel to walk through the parking to
2 get to the restaurant, I'm wondering if in some of these
3 areas there could be sidewalks.

4 MR. BOYEA: Yes, I think that's a very good
5 possibility that we could do that. We'll take a look at
6 that.

7 MS. DALTON: And also crosswalks, because people
8 who shop at the retail might want to go to the other
9 restaurant. I just think that the whole thing needs to
10 consider walking traffic as well as driving traffic.

11 MR. BOYEA: Sure, we'll add those for the next
12 time. I think that's a good point.

13 MR. MION: I tend to agree with Joe. Move those 16
14 back so that you can take the two spaces out and push it
15 back. You would still have those spaces - they would
16 lose four, Joe?

17 MR. GRASSO: It would be 12.

18 MR. MION: They would lose 12?

19 MR. BOYEA: That would be substantial.

20 The other thing - Joe has some great points on
21 those. We'll have to take a look at those and we could
22 probably address the setback. The one thing that we
23 have to keep in mind on this one is we had interior
24 greenspace requirements that we have to meet. So,
25 we're going to lose two spaces. Some of these interior

1 islands are going to get a little bigger, just by that.
2 So, we're going to lose some there.

3 The other thing to keep in mind on this plan at
4 this point is we have allocated sufficient handicapped
5 parking spaces for each location. So, we're going to
6 lose some spaces there; on unloading zones and things
7 such as that. So, I think that we can address 80
8 percent of those comments; that having this parking up
9 here still is going to be important for the reasons
10 that we just talked about where we're going to have
11 more traffic. This national tenant needs to have some
12 isolated parking that their customers can easily access
13 without crossing. We'll work on it. Maybe we'll lose
14 one space here and maybe we can meet you somewhere -
15 I'm not sure. I want you to know that's a heavy lift
16 for us on this one. I don't want to disappoint you
17 coming back and not meeting it.

18 MR. MION: One of the points that was made was that
19 usually with the Town standard, we usually over-park.
20 That, to me, is a concern because you have a lot of
21 vacant or empty parking lots out there.

22 MR. BOYEA: I would agree and the types of uses on
23 this - when you really look at this, this is a
24 restaurant that does not serve breakfast. I don't want
25 to give all my cards away. They don't serve breakfast -

1 so heavy lunch and dinner -- the lunch and dinner
2 parking crowd. So, we will have a peak hour and that
3 will be that dinner hour. There is no doubt. When
4 everybody is checked in and we have transient as well as
5 others, we will take a look at that and we will try to
6 reduce the parking as much as possible.

7 MS. DALTON: You have some greenspace on the
8 backside of the row, and I'm wondering why that couldn't
9 be made into some closer spots for parking near the
10 building.

11 MR. BOYEA: That's a good question and when I tell
12 you the answer I think that you'll realize that the
13 first thing that you have to look at is public safety.
14 When you have condensed access to one drive - we're
15 funneling traffic into one area. If you'll notice over
16 here, we have no parking backing out into this drive
17 aisle (Indicating). We're anticipating this restaurant
18 and we want people in this way. So, we just try not to
19 have people back out into that heavier stream of
20 traffic. Plus the Town is going to require us to put in
21 a big grease trap in and that seems like that's a great
22 spot for it. We'll take a look at it and see if we can
23 add a sidewalk and increase the greenspace. Like I
24 said, it's probably going to be internal to the site,
25 but I'll see what I can do.

1 MR. AUSTIN: Has the existing tenant found another
2 spot in the Town of Colonie to relocate?

3 MR. LACIVITA: We don't know that as of yet.

4 MR. AUSTIN: I would think that some of that
5 parking in the front - if that is necessary - right now
6 with the existing dealership that's there, the cars are
7 parked in the front and that's a marketing plus for
8 them, but it's been an eyesore when it comes to just
9 general restrain. So, maybe some landscaping to hide
10 the vehicles along that area might hide those, and you
11 can still keep that parking in the front and still maybe
12 dress it up a little bit. I like Joe's idea with the
13 main drive down the middle. Even having a median down
14 the middle, that too, separating the two lanes and
15 having some plantings would almost be like -- it would
16 be like dressing it up down the center aisle. I like
17 the project. It looks really good. I think that you
18 can work on some of the other things.

19 ACTING CHAIRMAN LANE: Karen?

20 MS. GOMEZ: I'm actually very excited about the
21 concept and I'm looking forward to seeing you next time
22 to see what you come up with. I think that it's a great
23 project.

24 MR. BOYEA: It's exciting and it's going to be
25 noticed.

1 MS. MILSTEIN: How many rooms in the hotel are we
2 talking about?

3 MR. BOYEA: We have 82 rooms right now that sit on
4 the plan.

5 MS. MILSTEIN: The other question that I have is
6 regarding these waivers. Would they want to push back
7 the buildings a little off of Wolf Road?

8 MR. BOYEA: And put parking in front of them? I
9 love that idea.

10 MS. MILSTEIN: I wasn't exactly saying that, but it
11 would get rid of some of the parking spaces if it was
12 shifted back.

13 MR. BOYEA: We didn't think too much about that
14 because we didn't think that the Town, in general, was
15 going to support that. It goes against the code and to
16 try to pull those buildings up and having that
17 greenspace there. We didn't look at that too hard, but
18 it's certainly something that we can look at.

19 MS. MILSTEIN: I understand that but that would be
20 more greenspace.

21 MR. BOYEA: We'll see what we can do. If we can
22 get more green up here, that's something that we're
23 going to do with regard to the other gentleman's
24 comment. We're adding landscaping, too.

25 ACTING CHAIRMAN LANE: In reference to Joe's

1 comment about the central drive aisle and shifting it in
2 line with the center of the building - that would be
3 shifting the rows of parking to the other side and put
4 more of the parking on your proposed retail side. The
5 only other way that I could see that being done is to
6 flip the retail and the restaurant.

7 MR. BOYEA: I think that what we're going to do
8 between now and the next time if we meet - we're going
9 to go sit down with New York State DOT because
10 ultimately as Clough Harbour mentioned, we're going to
11 need a New York State DOT access permit for this
12 project. I'm going to try to solicit their input on
13 those accesses and see if they would like it in between
14 access or lined up, and we're going to definitely come
15 in with that at the next meeting.

16 ACTING CHAIRMAN LANE: I think that Joe's comment
17 was just visuals in regard to public safety.

18 MR. BOYEA: I'll tell you what, we'll hit both of
19 them. There is no problem.

20 ACTING CHAIRMAN LANE: You all said that Automation
21 Lane might have an issue?

22 MR. GRASSO: Yes, the one curb cut in the back
23 there.

24 ACTING CHAIRMAN LANE: How do you feel about that?

25 MR. GRASSO: We're not supportive of that curb cut

1 location. We would either like to see it eliminated
2 entirely, or shifted to the south.

3 ACTING CHAIRMAN LANE: So, considering that as
4 well, depending on your conversation with DOT and when
5 Clough finishes their comments, you might see a complete
6 change in your entire parking layout.

7 MR. BOYEA: You know what, it won't be that
8 drastic. As I think everybody had mentioned and I heard
9 it, it was pretty well laid out in general with the
10 building placement as to where they are. There might be
11 some shifts here and there.

12 ACTING CHAIRMAN LANE: And that's not a big issue?

13 MR. BOYEA: I don't think that it's a big issue.
14 The plan that you see next time isn't going to be
15 drastically different in terms of orientation and
16 layout. I think that we can accommodate a lot of what
17 has been talked about with pedestrians walking down here
18 and lining that up a little bit and working with DOT on
19 the access. It would be slight changes. The hotel
20 might slide this way a little bit, but we're not talking
21 about big changes here.

22 MR. LACIVITA: Chris or Howard, you might want to
23 comment on this as well. When you're working with
24 national retailers, certain things are driven by them or
25 asked of them with their wants and needs. It sounds

1 like you can work with a lot of the comments that we've
2 talked about tonight. Is there anything that we're
3 hearing tonight that could potentially be a deal breaker
4 for the project? I know that you're shaking your head
5 yes. I'm curious to hear what they may be so that we
6 can be a little bit more proactive as we start to
7 redesign the site.

8 MR. CARR: Let me make you all aware of something.
9 There are two things that have been brought up that we
10 have to be considerate of. When you slide back and you
11 cut out through the middle of this, you're squashing
12 this parking lot (Indicating). You're going to reduce
13 the overall number of spaces that are within a certain
14 distance of the front door. The critical elements of
15 the retailer is not to cross a driving lane. So, that's
16 why they're so critical about this area here. If you've
17 seen the lease agreement that we're working on now, this
18 is all a very protected area, in terms of any changes
19 that we are allowed. That's first.

20 Second, the boulevard concept may work to the
21 benefit, if that's what we're looking at - a landscaped
22 plan here and island in the middle. This is not a
23 reason to create this element here when the traffic is
24 going to enter this site for the hotel and will
25 generally will come off of Wolf Road. So, this left

1 turn action will come here, they'll stop and get their
2 luggage out, check in and relocate the car. So, that's
3 really what that was driven from to some extent.

4 MS. DALTON: Can you explain to me why the cross
5 access road can't be moved closer to the hotel so that
6 they could provide more spaces in that one place next to
7 the national restaurant, and push it back a little bit
8 more.

9 MR. BOYEA: The reason for that is that if you were
10 to push back another 10 to 12 feet or even 20 or 30
11 feet, you'd create an odd distance for an odd parking
12 configuration next to this. So, as Howard just
13 mentioned, we have a national tenant over here who is
14 interested in their own rights and lease area. This
15 project, as you can image - land on Wolf Road is not
16 free. It needs a collaborative effort from many
17 tenants. It's not one tenant that can support it. This
18 is another national tenant and this will be a more
19 localized tenant that is going to be here. This
20 restaurant is another national tenant and they don't
21 want a circumtuitive route to their restaurant. As it
22 is already because of the location, people have to drive
23 past the location and then over here (Indicating).
24 We've proposed all the curb cuts that people have to
25 drive past. So, to make it further for them, is going

1 to detract from them and question the viability of that.
2 So, there was some thought that was put into it.

3 MR. AUSTIN: Joe, the elevation of the retailer and
4 the other national chain - as far as the back of it
5 facing Wolf Road -

6 MR. BOYEA: We'll provide more details on the
7 building elevations. Right now as it laid out, the
8 front faces Wolf Road here and this front will probably
9 face Wolf Road here (Indicating), the trash is in the
10 rear of that building. We're going to take this retail
11 space and try to blend it in with the finishes.

12 MR. AUSTIN: My last question was -- it was just
13 kind of a curious concern. We're having a lot of hotels
14 sprout up in the Wolf Road corridor. Three of them are
15 before us presently. Is there a market research showing
16 that it will be able to support all this? Is there a
17 lot of need for all these hotels?

18 MR. BOYEA: The easy answer there for me is that
19 it's not my area of expertise. I really don't know
20 about the market research. All I can tell you is that
21 somebody smarter than me did that. They obviously did
22 the market studies. I can tell you that from my own
23 personal experience having an office here on Wolf Road,
24 which is where Bohler is located, we have clients come
25 in out of town and it's quite often impressive how their

1 go-to hotels - whether there is a Hilton brand or
2 Marriott brand - are sold out. So, I do know that there
3 must be some good occupancy rates here. That's all my
4 own observation.

5 MR. MION: Where is the entrance to the retail? Is
6 that going to be on the Wolf Road side?

7 MR. BOYEA: The entrances are going to be along the
8 sidewalk here. That's why Joe was talking about making
9 sure that we dress up these facades so that they are a
10 little bit more attractive than just a back of a
11 building.

12 ACTING CHAIRMAN LANE: Okay, thank you.

13 MR. BOYEA: What we'd like to do then is revise
14 this plan. I think that everybody here had comments so
15 everybody is going to have a piece of this thing. Then,
16 we'd like to come back for concept acceptance and in
17 between now and then we're going to work with DOT and
18 try to address some of Clough's comments as well. We
19 should be in pretty good shape coming back then. We're
20 also going to look at the water and sewer usage.
21 Obviously, this is a redevelopment so we'll have some
22 credits on those types of uses.

23 Thanks again for your time and we look forward to
24 coming back.

25

1 (Whereas the above proceeding was concluded at
2 7:49 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 July 18, 2013

