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PLANNING BOARD COUNTY OF ALBANY
TOWN OF COLONIE

NATIONAL UNION BANK OF KINDERHOOK
782 TROY SCHENECTADY ROAD
APPLICATION FOR FINAL REVIEW AND
SEQRA DETERMINATION

THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY STRANG-VANDEBOGART, a Shorthand
Reporter, commencing on November 12, 2013 at 7:30
p.m. at The Public Operations Center, 347 Old
Niskayuna Road, Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
BRIAN AUSTIN
TIMOTHY LANE
LOU MION

ALSO PRESENT:
Joe LaCivita, Director, Planning and Economic Development
Elena Vaida, Esq., Special Counsel to the Planning Board
Stephen Hart, Hart Engineering
Al Guerra, Guerra and Associates
Joe Grasso, PE, CHA

1 CHAIRMAN STUTO: This is National Union Bank of
2 Kinderhook, 782 Troy Schenectady Road. This is
3 application for final review and SEQRA determination.

4 We've seen this project several times. It's been
5 getting better every time.

6 MR. LACIVITA: It has.

7 The project has been before us a few times. We
8 are here tonight for final approval and some of the
9 design waivers for it, and for SEQRA determination.

10 It's been under Clough Harbour's review and I know
11 that we have a number of people here from Kinderhook
12 Bank that will talk briefly about the project, and
13 I'll turn it over to them.

14 MR. HART: Stephen Hart with Hart Engineering.
15 I'm here tonight on behalf of Kinderhook Bank. We
16 have three gentlemen here, Jeff Stone, John Bally and
17 George Cooper from Kinderhook Bank. We have Project
18 Architect Al Guerra, and Instruction Manager Dan
19 Canfield of Wayne James Associates, and Mr. Kim, the
20 Project Surveyor.

21 As you mentioned this project has gone through a
22 number of iterations. I think that it was June 18th
23 that we were last here.

24 Basically, aside from some technical revisions
25 that were made on the plan, the one thing that we did

1 do to address some of the parking comments was we
2 started with 17 parking spaces. We increased up to
3 22 parking spaces. What we did was widen this
4 parking lot five feet in each direction. We pushed
5 five feet in a westerly direction along NYSUT Drive
6 and we pushed five feet in the easterly direction,
7 which is along the Trooper Barracks property.

8 Their detention pond runs here (Indicating) along
9 the sideline which is our easterly property line.

10 Basically, those were two added waivers that were
11 included as part of our waiver request.

12 Along NYSUT Drive you're required to have 15 feet
13 of landscape and we have 10. Along the sideline
14 here (Indicating) along the Trooper Barracks we're
15 required to have 10 feet of greenspace and we have
16 five feet. So, there are two added request waivers
17 that we did include.

18 Aside from that, we did add some landscaping and
19 some fencing along the front and made some revisions
20 based on comments received by both Mr. Lyons and also
21 from Clough Harbour with a few different meetings
22 that we had with them.

23 We made parking here along the back of the site
24 (Indicating). We are required at 22.2 parking spaces
25 based on your Code for the proposed uses. We have 22

1 solid spaces here, and we have three spaces shown as
2 banked parking in the rear of the site. The intent
3 was not to build those, but certainly if they are
4 needed, to be able to add them in at a later time.

5 Aside from that we worked on some questions with
6 your Water Department, Fire Department and
7 individually with each one of the departments out
8 there. The plan is similar to what we had shown last
9 time.

10 I don't know if you wanted us to go through some
11 architectural review again with the buildings. I
12 know that we hit that pretty heavy last time and
13 certainly if you have any questions, I'll be glad to
14 have Mr. Guerra go over any type of architectural
15 review.

16 CHAIRMAN STUTO: Why don't you show us the
17 building again and we'll give our Town Designated
18 Engineer a chance to comment.

19 MR. GUERRA: As we told you previously, the
20 building design is made from the East Greenbush
21 two-story branch bank and offices that we built a
22 number of years ago. We're replicating a lot of that
23 look using both stone looking blocks, brick and efus,
24 which is an insulation finish system and a number of
25 different colors. Again, very similar and almost

1 exactly the same as what was done in East Greenbush.
2 It is a two-story building.

3 The first floor will be the actual branch bank and
4 it will have basically four teller stations, a couple
5 of offices for manager and CSR station. It will have
6 toilets and all the support services for work groups,
7 security data and telephone room. There will be an
8 entrance which will have an elevator to the second
9 floor for handicapped access and also a 24-hour ATM.
10 There is one stairway exit required. The building is
11 now going to be fully sprinklered. It will be very
12 safe and efficient.

13 The second floor is primarily all offices for
14 commercial and business banking. Again, it has all
15 the same support services that are required for those
16 offices. That's basically it.

17 This is an interior view of what that branch bank
18 would look like - the main lobby area (Indicating).
19 As you can see, it's well appointed and again, it
20 goes with the same character that's been developed
21 for the East Greenbush branch.

22 CHAIRMAN STUTO: Can you walk that in front of us?

23 MR. GUERRA: Sure.

24 CHAIRMAN STUTO: Okay, we'll ask our Town
25 Designated Engineer, CHA, Joe Grasso to go over his

1 comments, please.

2 MR. GRASSO: We do have a comment letter in your
3 packet dated October 31st. There may have been some
4 other comments that we had provided during the
5 advancement of the plans from concept to final design.

6 Going through our comment letter, our first
7 comment is related to SEQRA. If you recall, the
8 building that was presented initially was less than
9 4,000 square feet, so the Town Attorney's Office had
10 considered that a Type II action and no SEQRA was
11 going to be required. The current building is now
12 5,000 square feet. So, it does trigger a SEQRA
13 review. The applicant had provided a full
14 environmental assessment form with the applicant
15 completing Part I of the form. We completed Part II
16 and Part III of the form based on the information in
17 the file and the project does not appear to have any
18 significant impacts associated with it. As such,
19 we've drafted a negative declaration for the Board's
20 consideration and the Planning Board is lead agent on
21 the application. If the Planning Board is looking to
22 move forward with the application tonight, the first
23 order of business would be acting on the SEQRA review
24 of the project.

25 Going through our comment letter, the next comment

1 is related to a number of waivers. There are a
2 couple of other waivers that have been added to the
3 list based on the applicant working really hard to
4 try to address some of the concerns of the Planning
5 Board that were brought up during concept review
6 primarily related to accommodating as much parking
7 within the project site as possible and still
8 providing a very desirable well landscaped site.

9 Like Steve mentioned, the parking does encroach
10 within the front yard setback of NYSUT Drive, but
11 when we took a close look at that there is an
12 expansive landscaped area within the public right of
13 way there. So, even though there is a parking waiver
14 required there, there is still more of a buffer there
15 than you might get on another commercially developed
16 lot.

17 On the other side up against the troopers, there
18 is a side yard parking setback waiver there, but we
19 already have a developed site there, so we kind of
20 know the existing condition and we think that this
21 site plan dovetails in well with the other commercial
22 development along NYSUT Drive as well as the
23 troopers' headquarters to the east.

24 There is a drive-thru access aisle which
25 circulates out around the front of the site. That's

1 something that requires a waiver and they've done a
2 good job with landscaping that and really
3 accentuating the entrance of the building toward the
4 Route 7 corridor which is something that the Planning
5 Board spoke of during the concept review. The last
6 waiver is the interior landscaped island requirement
7 and they've tried to mitigate the impacts of that
8 waiver by adding landscaping along the perimeter of
9 the site as opposed to losing more parking spaces
10 internal to the site. The parking is a little bit
11 higher than we had looked at concept - that was one
12 of the concerns raised to the Planning Board so we
13 feel comfortable with the 22 spaces. That's
14 consistent with what they have demonstrated as
15 actually being their specific needs for the site, and
16 then they have three additional land banked spaces
17 toward the back of the site if they ever have the
18 need to fill those as well.

19 The other comments that we have are relatively
20 minor. The comments from the departments have been
21 relatively minor.

22 I would like to commend the applicant and their
23 consultant for working so diligently with both our
24 office as well as all of the departments to make sure
25 that the various minor technical comments have been

1 addressed before the project got scheduled for final
2 site plan approval. The project is in good shape for
3 final review by the Planning Board.

4 CHAIRMAN STUTO: I'll ask if there are any members
5 of the public that want to be heard on this.

6 (There was no response.)

7 CHAIRMAN STUTO: I'll just open it up to the
8 Board.

9 MR. MION: I like what I see. I think that they
10 did a good job and they have worked well with the
11 Board.

12 CHAIRMAN STUTO: I agree.

13 Tim, do you have anything?

14 MR. LANE: No, I agree with Lou. They have worked
15 well with the Board. It's obviously a difficult lot
16 to work with.

17 CHAIRMAN STUTO: But it's the right spot for it on
18 the Route 7 corridor.

19 Okay, do you want to walk us through the
20 environmental review, Joe?

21 MR. GRASSO: I will. In your packets, it's after
22 our letter. There is a full environmental assessment
23 form. Part I describes the environmental setting of
24 the project site as well as the particulars regarding
25 the extent of proposed development. It's a relatively

1 minor project to require a full environmental
2 assessment form, but it does provide a lot of useful
3 information for the Planning Board to consider based
4 on our review of the project, it's not going to
5 involve any significant environmental impacts. So, we
6 have drafted a negative declaration for the Planning
7 Board's consideration. We've checked the appropriate
8 boxes on the full EAF. We have signed the full EAF as
9 the preparer of the form. I'll just read an excerpt
10 of the full EAF.

11 "Upon review of the information recorded on this
12 EAF, Parts I, II and III, if appropriate and any
13 other supporting information in considering both the
14 magnitude and the importance of each impact, it is
15 reasonably determined by the lead agency that the
16 project will not result in any large and important
17 impacts and therefore it is one which will not have a
18 significant impact on the environment, therefore a
19 negative declaration will be prepared."

20 The next page after that is the actual negative
21 declaration which includes the determination of
22 non-significance. I'll read an excerpt from that.

23 "The Town of Colonie Planning Board as lead agency
24 has determined that the proposed action described
25 below will not have a significant impact on the

1 environment and a draft impact statement will not be
2 prepared."

3 That is something that would need a determination
4 by the Planning Board prior to any further review.

5 CHAIRMAN STUTO: If it's okay with the Board we'll
6 make a motion?

7 MR. LANE: I'll make that motion.

8 MR. MION: I'll second.

9 CHAIRMAN STUTO: Any questions or discussion on
10 the environmental review?

11 (There was no response.)

12 CHAIRMAN STUTO: This appears to be relatively
13 minor. It's just above a Type II action which would
14 require no further action. I agree with the motion
15 that's before us.

16 All those in favor say aye.

17 (Ayes were recited.)

18 CHAIRMAN STUTO: All those opposed say nay.

19 (There were none opposed.)

20 CHAIRMAN STUTO: The ayes have it.

21 Do you want to talk about the waivers now, Joe?

22 MR. GRASSO: Sure. We drafted a Resolution that
23 comes right after our comment letter and I'll read
24 from it because it includes the justification for each
25 of the waivers.

1 "Whereas the applicant is requesting five waivers
2 from the Colonie Land Use Law related to one, the
3 maximum setback requirement; two, the placement of
4 the drive-thru access aisle in the front yard; three,
5 new parking being located within the front yard;
6 four, the reduction in the front yard parking setback
7 from 15 to 10 feet in the rear yard parking setback
8 from 10 to 5 feet; and the last being the lack of
9 required interior landscaped aisles.

10 Whereas the Town of Colonie Planning Board may
11 waive these standards to the extent that it deems
12 necessary in order to secure reasonable development
13 of the site. In such case, the applicant must
14 establish that there are no practical alternatives to
15 the proposed waivers that would conform to the
16 standards and the Board shall issue a written
17 findings statement to the extent and justification of
18 the waiver.

19 Whereas the nature of the proposed building and
20 unusual triangular shape parcel requires that the
21 front facade be represented by the narrower building
22 width rather than the building length.

23 Whereas the zoning regulations and design
24 standards require front building setback between 20
25 feet and 25 feet from Troy Schenectady Road. The

1 proposed building is set back approximately 27 feet
2 from the front canopy and approximately 34 feet from
3 the front building wall. The additional setback is
4 required in order to accommodate an exit from the
5 drive-thru and landscaping across the site's
6 frontage.

7 Whereas the front building setback greater than
8 that required by the zoning and design standards
9 would provide a building setback more consistent with
10 that of the Troop G Headquarters to the east and the
11 Cool Insurance building to the west.

12 Whereas the project includes drive-thru services
13 with an exit lane that crosses in front of the
14 building and encroaches within the front yard setback
15 and.

16 Whereas the layout of the drive-thru exit is
17 necessary to reduce the number of curb cuts on Troy
18 Schenectady Road and NYSUT Drive.

19 Whereas the width of the exit lane has been
20 reduced to 12 feet and will be partially screened by
21 a landscape buffer to minimize its visual impact
22 along the Troy Schenectady Road corridor.

23 Whereas at the request of the Planning Board the
24 amount of required parking was increased to 22 spaces
25 and it was determined that sufficient greenspace

1 would be provided along NYSUT Drive considered a
2 minor street if one row of parking encroached within
3 the front yard of NYSUT Drive.

4 Whereas due to the increasing parking to greater
5 than 20 spaces the design standards would require the
6 inclusion of a minimum of 20 square feet of interior
7 landscaping.

8 Whereas due to the configuration of the site and
9 desired location of the parking area, the plan lacks
10 to require interior landscaped island area.

11 Whereas the site plan proposes significant
12 landscaping in the immediate vicinity of the parking
13 spaces such that ample screening and shading will be
14 provided.

15 Now therefore be it resolved that the Board hereby
16 finds that the extent of the requested waivers are
17 not considered substantial and be it further resolved
18 that the Board finds that the applicant has
19 established that there are no practical alternatives
20 to the proposed waivers that would conform to the
21 standards and that the waivers are necessary in order
22 to secure reasonable development of the project site.

23 Be it further resolved that the Board hereby
24 issues a waiver from the maximum setback requirement
25 from the prohibition of drive-thru aisles in the

1 front yard from the prohibition of parking with a
2 front yard and rear yard parking setbacks and from
3 the interior landscaped island requirement.

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

8 That's the draft Resolution for consideration by
9 the Planning Board.

10 CHAIRMAN STUTO: Do we have a motion on the
11 Resolution?

12 MR. MION: I'll make that motion.

13 MR. LANE: Second.

14 CHAIRMAN STUTO: And I'll ask that the Resolution
15 in its entirety be placed into the record with the
16 stenographer.

17 Any discussion or comments on it?

18 (There was no response.)

19 CHAIRMAN STUTO: Okay, we'll take a vote. All
20 those in favor, say aye.

21 (Ayes were recited.)

22 CHAIRMAN STUTO: All those opposed, say nay.

23 (There were none opposed.)

24 CHAIRMAN STUTO: Now to the main question which is
25 for final site plan approval.

1 Do we have a motion?

2 MR. LANE: I'll make a motion.

3 MR. MION: Second.

4 CHAIRMAN STUTO: Okay, the motion is before us.

5 Any comments or questions?

6 (There was no response.)

7 CHAIRMAN STUTO: I'd just like to thank you for
8 all the thoughtful revisions that you've done. We
9 appreciate you coming back in and if you want to say
10 something, please do.

11 MR. HART: We really want to thank you. We think
12 that this is a model on how this process can work.
13 All the help that we received from the Planning Board
14 - no doubt we ended up with a far better building than
15 what we started with and we hope that it's a better
16 building for you, as well. The professionalism from
17 the departments and the Town Designated Engineer just
18 really made this a wonderful process. Kinderhook Bank
19 thanks you.

20 CHAIRMAN STUTO: Thank you and welcome to the Town
21 of Colonie.

22 All those in favor, say aye.

23 (Ayes were recited.)

24 CHAIRMAN STUTO: All those opposed, say nay.

25 (There were none opposed.)

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CHAIRMAN STUTO: The ayes have it.

We'll take a five minute recess and see if we can
get a quorum for the next project.

(Whereas the above proceeding was concluded at
7:45 p.m.)

CERTIFICATION

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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 December 2, 2013

