

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 A METRO MOVERS AND SELF-STORAGE  
889 TROY SCHENECTADY ROAD  
APPLICATION FOR SPECIAL USE PERMIT

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6 THE STENOGRAPHIC MINUTES of the above entitled  
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
Reporter, commencing on January 7, 2014 at 7:51 p.m.  
8 at The Public Operations Center, 347 Old Niskayuna  
Road, Latham, New York

9

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

14

15

16

17 ALSO PRESENT:

18 Joe LaCivita, Director, Planning and Economic Development

19 Kathleen Marinelli, Esq., Special Counsel to the

20 Planning Board

21 Michael Tengeler, Planning and Economic Development

22 Tom Andres, PE, ABD Engineers and Surveyors

23 Steven Davis

24 Diane Davis

25

1                   CHAIRMAN STUTO: Next on the agenda is A Metro  
2 Movers and Self-Storage, 889 Troy Schenectady Road.  
3 This is an application for special use permit.

4                   This is presented by the PEDD.

5                   Joe, are you making a presentation?

6                   MR. LACIVITA: No, this is Michael.

7                   CHAIRMAN STUTO: Okay, and do we have the part  
8 of the Land Use Law?

9                   MR. TENGELER: Yes, it's in your package.

10                  CHAIRMAN STUTO: Do you want to make some  
11 introductory comments?

12                  MR. TENGELER: Yes. This is a request for a  
13 special use permit over at 886 Troy Schenectady Road;  
14 A Metro Movers Storage. Inside your packets on your  
15 Planning Board project checklist, on the next page you  
16 should see certain recommendations from the Town and  
17 the outline of exactly what the Planning Board's  
18 prerogatives and review of special permit applications  
19 are.

20                  We detail conditions A through K that all have  
21 to be met in order to allow for a special use permit.  
22 If you look at -- there is a sentence in here that  
23 says exactly what the purpose of a special use permit  
24 is in the first paragraph.

25                  "A variety of uses of land are allowed, but

1           only when such uses do not adversely affect  
2           neighboring properties or the natural environment of  
3           the Town. Many uses are therefore permitted upon the  
4           issuance of a special use permit."

5                     This self-storage use is one of the uses that  
6           calls for that.

7                     CHAIRMAN STUTO: We'll go through the  
8           presentation and understand the project and then we'll  
9           review it.

10                    We'll turn it over to the applicant.

11                    Can you identify yourself and make your  
12           presentation?

13                    MR. ANDRES: Thank you. I'm Tom Andres with  
14           ABD Engineers and Surveyors representing the  
15           applicant, A Metro Moving and Storage. We're here  
16           tonight, again, for the permit portion of the Planning  
17           Board approval. This is a minor site plan. This is a  
18           5.7 acre site in the COR zone. It is surrounded in  
19           the rear with a residential zone. This is the former  
20           site of Dunham's Bay. If you're not familiar with  
21           that, before that it was a Grossman's or something  
22           like that. It was a lumbar or some similar business.  
23           It's been vacant for a few years. The applicant is a  
24           moving and storage company. We are not proposing any  
25           moving -- just to make sure that the residents know

1 right up front. There is no moving operation being  
2 proposed at this site. They have their main site on  
3 Curry Road in the Town of Rotterdam that we did a  
4 number of years ago for them. That's where their  
5 moving is out of. They have three other storage  
6 sites. Two are in Guilderland and one is in Burnt  
7 Hills. They have both climate control and regular  
8 cold outdoor storage.

9 CHAIRMAN STUTO: I'm going to ask you one  
10 question so that we understand it. We have a GIS  
11 photo here. It appears to show three buildings and it  
12 generally falls into the same shape that you are  
13 showing there. Is that correct with the overall  
14 shape? Where are the three existing buildings?

15 MR. ANDRES: That's correct. The three  
16 existing buildings may be a little hard to see. This  
17 blue line there and there and there (Indicating). The  
18 COR zone and the previous zone before the change in  
19 zoning has restrictions to residential; 100 feet for a  
20 building and 50 feet for pavement. These buildings  
21 were all constructed at that time to meet that minimum  
22 of 100 feet. They are a little more than 100 feet.

23 CHAIRMAN STUTO: You're proposing new  
24 buildings?

25 MR. ANDRES: Right, we are proposing new

1 buildings. We're not proposing anything in the rear,  
2 but these heavier blue areas. We are proposing four  
3 buildings -- well, three buildings and an addition.  
4 This would be a self-storage and a little addition to  
5 the front buildings as self-storage. Those all four  
6 together are about 7,500 square feet of self-storage.  
7 We are maintaining obviously the 100 foot buffer to  
8 the residential and the 50 feet for the pavement. All  
9 of our development is on the commercial side.

10 If you look at the way that these buildings are  
11 set, this would be north going up, the residential  
12 uses are along the north and along the east side.  
13 They are essentially a row that comes at an angle to  
14 show the point of that road. We are proposing the  
15 depiction of blue, anything that would be close to the  
16 residential zone.

17 We are building all of these buildings on the  
18 existing pavement. The section of the small building  
19 at the end is going a few feet over to compensate for  
20 that. We're actually taking some of the asphalt out  
21 so that we can keep the exact same amount of  
22 disturbance. So, we're not taking away the  
23 greenspace. We're basically just building the  
24 buildings on extra area that was previously used for  
25 the building material movements or for the boats.

1           We're hooked up to sewer and water. There is  
2           an office in the existing building. That existing  
3           building will be converted inside to some storage  
4           units that will be climate controlled. The building  
5           will be heated, so it will be climate controlled. The  
6           other outside buildings will be unheated. They won't  
7           have water or sewer. We have existing office. We  
8           have a bathroom in the main building. There will be  
9           one employee there.

10           CHAIRMAN STUTO: Which building is that?

11           MR. ANDRES: The main front building. When you  
12           walk into the front door, there is an office and some  
13           sales area.

14           CHAIRMAN STUTO: And the back is going to be  
15           self-storage with temperature control?

16           MR. ANDRES: The whole building inside will be.  
17           If anyone had an opportunity to go in and look at the  
18           boats that were in there at one time, it's a very  
19           large --

20           CHAIRMAN STUTO: There is no delineation of  
21           where the office begins and the self-storage --

22           MR. ANDRES: No, there isn't because the office  
23           is a very small area. I don't know the exact square  
24           footage. It's an existing office. There is actually  
25           a little balcony over it and the rest of this is all

1 open. There is a fire wall there. This was the main  
2 showroom. So, this will all be internally. Basically  
3 it will be an internal modification.

4 CHAIRMAN STUTO: Is the storage going to be on  
5 one level or multiple levels?

6 MR. ANDRES: No, they will most likely be on  
7 two levels.

8 CHAIRMAN STUTO: So, that's going to be  
9 temperature controlled self-storage?

10 MR. ANDRES: Yes.

11 CHAIRMAN STUTO: And there will be an office up  
12 front.

13 MR. ANDRES: Yes.

14 CHAIRMAN STUTO: What's the purpose of the bump  
15 out -- the new addition?

16 MR. ANDRES: This bump out will allow to have a  
17 self-storage on the side and it will have doors on the  
18 side --

19 CHAIRMAN STUTO: Like a garage?

20 MR. ANDRES: Typical like when you would drive  
21 by an outdoor self-storage area.

22 CHAIRMAN STUTO: Can you walk us through what  
23 you are proposing for the other buildings?

24 MR. ANDRES: Certainly. Again, we've actually  
25 shown the maneuvering for fire and emergency vehicles

1 to make sure that everything does work in there. We  
2 went through and worked with the different departments  
3 to make sure that works. There is a gate at this  
4 point.

5 CHAIRMAN STUTO: Tell us about the buildings.

6 MR. ANDRES: There is actually two existing  
7 buildings that are proposed to stay just as they are  
8 which are used for storage and will continue to be  
9 used for storage. Then, there are three new buildings  
10 proposed over in this area; 2,500 square foot; 2,500  
11 square foot and then about 1,200 square feet. Those  
12 would be your standard, again outdoor self-storage  
13 units. The buildings do have a side and access door  
14 on the --

15 CHAIRMAN STUTO: So, you can pull your car up  
16 and take stuff in and out?

17 MR. ANDRES: Correct; you can pull your car up  
18 and put stuff into it.

19 CHAIRMAN STUTO: On the other two buildings,  
20 are you going to change the interiors? Are they one  
21 story or two?

22 MR. ANDRES: These are one-story buildings.

23 CHAIRMAN STUTO: Temperature controls?

24 MR. ANDRES: No.

25 CHAIRMAN STUTO: Used for bigger items?

1                   MR. ANDRES: They could be used for bigger  
2 items. We have no immediate design to put the smaller  
3 self-storage unit in, but it could go in at some point  
4 in time. Most likely those will be used for bigger  
5 items.

6                   CHAIRMAN STUTO: Are there overhead doors?

7                   MR. ANDRES: There are. There is an overhead  
8 door at each end. I don't think that there are any  
9 over head doors on the side. There might be a man  
10 door.

11                  CHAIRMAN STUTO: Sorry for interrupting. I  
12 want to understand. Please continue with you  
13 presentation.

14                  MR. ANDRES: Working with the department,  
15 there was a large pylon sign that has come down.  
16 We're putting a small monument sign out in front. We  
17 are adding sidewalks, so we have access from the  
18 existing sidewalk on Route 7 into the site. We're  
19 adding some plantings in the manner of both trees and  
20 shrubs in the front. Then, the rest of the work  
21 internally is really just limited to cutting up the  
22 asphalt, putting the buildings in, repaving around the  
23 asphalt. We do have a provision that was a  
24 recommendation from the Planning and Economic  
25 Development Department. These are some fairly large

1 trees here, but they actually have grown up a little  
2 bit. After walking the site, if in fact they feel  
3 that there is additional trees needed, we would add  
4 additional trees in that area. That is sort of a  
5 corner of the residential area. Even though we're not  
6 proposing to do anything, we will put trees in if the  
7 determine that it is needed.

8 CHAIRMAN STUTO: Diane or Steven, whoever wants  
9 to go first. Can you stand up or project, or you can  
10 use the microphone.

11 MS. DAVIS: We live up here. So, we border  
12 them on two sides.

13 CHAIRMAN STUTO: What is your address?

14 MS. DAVIS: Our address is 18 Knadler Drive.

15 CHAIRMAN STUTO: So, the street goes in and  
16 take a big right hand turn. You're after the right  
17 hand turn?

18 MS. DAVIS: Yes

19 CHAIRMAN STUTO: And you're the first house on  
20 the left?

21 MS. DAVIS: Yes. First of all I wanted to say  
22 that this seems like a very good use and we're pleased  
23 with the folks that are coming in here. Dunham's Bay  
24 was there and we had a lot of difficulty and a lot of  
25 trouble with noise. They fogged their engines and it

1 would come across our back yard. So, we're looking  
2 forward to new neighbors. I do have some concerns.

3 First of all, I wanted to make sure that there  
4 will be no outdoor paging system. I wanted to know  
5 about the lighting as far as it pointing down and  
6 not coming into our back yard. I know that you had  
7 mentioned about the extra trees; we would appreciate  
8 that. I was wondering about the garbage trucks coming  
9 in. What time of day would they be coming in? We  
10 would prefer that they come in during the day time as  
11 opposed to the middle of the night. We wanted to be  
12 assured mostly that there will be no automobile or  
13 maintenance done on the property. I do have one more  
14 request. I would like a stockade fence put along the  
15 back of our property line. We actually have a  
16 stockade fence probably about two-thirds of the way  
17 back.

18 CHAIRMAN STUTO: Can you trace where you would  
19 like that?

20 MS. DAVIS: The fence that we have now is back  
21 to about here and if we could have it circle around  
22 and go in the back, just so that we don't have to see  
23 the buildings and any activity down there.

24 CHAIRMAN STUTO: I'll let the applicant address  
25 all of those. We've also take notes.

1 MS. DALTON: Why did you end your stockade  
2 fence where you did?

3 MS. DAVIS: We just haven't gotten around to  
4 finishing it. We've been working on it.

5 MR. ANDRES: No outdoor paging. That's not a  
6 problem at all. Again, this is not a moving company.  
7 It's not Dunham's Bay, so there is no reason and there  
8 is no one out there but the one employee. So, we  
9 certainly have no problem with that condition.

10 The only lighting that we're really getting is  
11 lighting in the new building areas. So, those are  
12 away from you. They are an LED but they're 28 watt  
13 and eight feet high because the buildings are only  
14 about 10 or 11 feet high. So, they're very low in  
15 spite of a minimal area. Those are all actually  
16 shielded by these larger two-story buildings. There  
17 wouldn't be any effect on the residential from that.

18 As far as garbage trucks, there is an existing  
19 dumpster over in this area. Obviously, with the  
20 business that we have, we have no problem at all  
21 having the pick-up during the day because it's not a  
22 situation where we would need parking spaces or  
23 something. We have no problem with that condition.

24 Obviously, there is no boat maintenance because  
25 that's not what's going in there, so we have no

1 problem with that either.

2 There are pretty heavy woods there but we  
3 certainly would work with the applicant, and if we  
4 could put the fence in without taking trees down, I  
5 don't think that we have any problem doing that.

6 CHAIRMAN STUTO: Does the resident have any  
7 more comments?

8 MR. DAVIS: I just want to add that we  
9 certainly do want to maintain what trees and foliage  
10 are there. I don't think that there would be any  
11 problem in terms of putting the fence in. It would be  
12 on our side of the existing foliage. Trees that were  
13 planted years ago were stipulated to create a barrier  
14 to traffic noise from Route 7. It was like a berm  
15 that they put in and put plantings on it. I would add  
16 that the original folks that were in there committed  
17 to maintaining the trees that were planted there for  
18 that purpose and they certainly did not keep their  
19 commitment. There are plenty of dead tree stump and  
20 dead stuff, treewise, in terms of Scotch Pine and  
21 other approved trees that could probably be tended to  
22 replace as was originally promised by the Town. Thank  
23 you.

24 CHAIRMAN STUTO: I'll let the applicant say  
25 whatever they have to say.

1           MR. ANDRES: Again, we don't have any problem,  
2 as long as we're working with the owner, we'll put the  
3 fence on their property, if that's the easiest way to  
4 do it, it's not a problem.

5           I can't speak to the previous owners for  
6 maintaining it. I'm sure that they put the trees up  
7 and just left them there thinking that the natural way  
8 is what it is. I think that the department asked us  
9 specifically to put that comment on so that we can  
10 walk out there and look at it. We have to put the  
11 trees in, we'll put them in. If there is something  
12 that needs to be cut and cleaned, we'll do it. I  
13 don't think that you want someone coming in and  
14 trimming all the trees all the time. So, I don't  
15 think that you want an active maintenance.

16           CHAIRMAN STUTO: Okay, I'll open it up to the  
17 Board.

18           MR. MION: Whose fence would that be?

19           MR. ANDRES: We would put it on their property,  
20 so it would be their fence to maintain.

21           MR. LANE: I'll be honest, I can't support that  
22 at all. I can't support going onto your property with  
23 a fence. I can't support that.

24           CHAIRMAN STUTO: So, you're in disagreement as  
25 to where the fence should go?

1 MS. DAVIS: I don't want it on our property. I  
2 think that we can figure something out with working  
3 with them. Even if it's six inches on their property,  
4 I want them to maintain it.

5 MR. LANE: Wouldn't they have to take down  
6 trees to put it up?

7 MS. DAVIS: I don't think so.

8 MR. LANE: We had another situation recently  
9 where the neighbors had requested a fence, but the  
10 trees were already approved and everything was left  
11 untouched as required by a previous decision.

12 MS. DAVIS: I understand that, but I do believe  
13 just by looking at it that a fence could be put a  
14 little bit onto their property.

15 MS. MILSTEIN: You agree with that?

16 MR. ANDRES: I haven't walked along that to  
17 tell you that we can or that we can't. We really  
18 don't want to have a fence to maintain up there  
19 because then if something happens, we have to be  
20 maintaining it. It's in an area that's natural. I  
21 guess I would sort of back track a little and say that  
22 I think that we'd rather work with the department.  
23 They were asking for trees and we can get more trees  
24 in that area. If the property owners have a fence  
25 there and want to continue on their land, we can do

1 that.

2 MR. LANE: Would a natural barrier be  
3 acceptable?

4 MS. DAVIS: I would prefer a fence.

5 MR. AUSTIN: Do you presently maintain your own  
6 fence?

7 MS. DAVIS: I presently maintain my own fence;  
8 yes, I do.

9 MR. AUSTIN: So, if they added onto that  
10 stockade fence, wouldn't that be your fence? You  
11 would then maintain that fence as well; correct? If  
12 your fence was white and theirs was off-white and you  
13 kind of separated it and they take care of the  
14 off-white one and you take care of the white one -  
15 that kind of thing. That probably wouldn't be fair.  
16 So, I think that if the applicant is willing in good  
17 faith invest his money and give you a fence which is  
18 at some cost to them, I might add, you could maintain  
19 that. It could be PVC fence of something like that.

20 MR. ANDRES: I'm assuming that it's a wood  
21 stockade fence.

22 MS. DAVIS: Yes.

23 MR. AUSTIN: So, I think that would be  
24 something that if they're going to give you a fence,  
25 that might be better than the trees.

1                   MS. DAVIS: Do I have to make that decision  
2                   tonight?

3                   CHAIRMAN STUTO: I would suggest this: I don't  
4                   think that we have our environmental review done on  
5                   this and the special use permit would be an action.

6                   MR. TENGELER: Yes, we do Peter. It's an  
7                   unlisted action.

8                   CHAIRMAN STUTO: Okay, well not withstanding  
9                   the fact that we have that done, although we haven't  
10                  gone over it as a Board, I would rather get more  
11                  details on the plan and vote on the special use permit  
12                  when we have those answers.

13                  MR. ANDRES: We have a real issue here. We've  
14                  been holding off the purchase that was supposed to be  
15                  done on December 5th. We had it for the last meeting  
16                  and of course we had the snowstorm, so we weren't able  
17                  to do it. We really need an action at this meeting  
18                  because we're going to lose our contract and then you  
19                  can have whatever you want there, but it's not going  
20                  to be the least intensive use that you could ever put  
21                  there.

22                  We're willing to provide whatever needs - I  
23                  think that we can certainly work with the department  
24                  and the owners and walk out there, if this Board puts  
25                  the decision making power with the department and

1 we'll either give them the fence or add more trees.  
2 We're not debating that point at all, but we really  
3 need an action at this meeting.

4 CHAIRMAN STUTO: How do the other Board Members  
5 feel?

6 MS. MILSTEIN: I think that's fine. I think  
7 that we can make it either/or because of the time. We  
8 should have a default decision that if they cannot  
9 agree, then it will be trees.

10 MR. TENGELER: Again, I'd be happy to go out  
11 there with Tom Endres and meet the Davis' out there  
12 and determine where the best spot would be with the  
13 least amount of trees being taken down.

14 CHAIRMAN STUTO: Is that satisfactory to the  
15 residents?

16 MS. DAVIS: Yes.

17 CHAIRMAN STUTO: So, we're here to consider a  
18 special use permit. Issues that have been discussed  
19 and agreed upon are: no outdoor pager, new lighting  
20 will be downlighting, the extra trees and the fence  
21 will be discussed and negotiated with the neighbors  
22 with the assistance of the department.

23 No garbage trucks at night?

24 MR. DAVIS: Just during the daytime operation.

25 CHAIRMAN STUTO: No automobile or boat

1 maintenance, and you're going to talk about the fence  
2 and the trees.

3 Can we talk a little bit about the criteria for  
4 the special use permit? If everybody seems to be in  
5 agreement, we'll talk about the environmental.

6 MR. TENGELER: I guess I'll work with you  
7 directly on this Tom. We'll go through conditions A  
8 through K.

9 MR. ANDRES: We've actually provided a written  
10 response. The Board should have a copy for each of  
11 the criteria.

12 CHAIRMAN STUTO: Is that in our packets?

13 MR. TENGELER: Yes, it has ABD letterhead at  
14 the top. It's also in the Barton and Loguidice packet  
15 that I passed out.

16 "In granting or denying special use permits the  
17 Planning Board shall take into consideration the scale  
18 of the proposed project and possible impacts to  
19 adjoining properties. For granting special use  
20 permit, the Planning Board shall determine

21 A. That the use conforms to the special use  
22 permit standards set forth in the use regulations,  
23 provisions and the Land Use Law."

24 I would say that it meets this with the  
25 granting of a special use permit.

1                   MR. ANDRES: That's correct because it is a  
2 listed use.

3                   MR. TENGELER: "That the use is consistent with  
4 the Town's current planning documents including the  
5 Comprehensive Plan."

6                   That kind of goes along with letter A. It's  
7 allowable by law with the granting of a special use  
8 permit to go through the criteria and make sure that  
9 it's appropriate.

10                  "C. That the use is consistent with the  
11 purpose of the land use district in which is located  
12 and with the applicable Land Use Law including the  
13 other detailed special use permit criteria."

14                  We're going through all this criteria right  
15 now. The use is consistent with the purpose of the  
16 land provided that the special use permit can be  
17 granted.

18                  "D. That the use will be suitable for the  
19 property in which is proposed considering the  
20 property size, location, topography, soils, natural  
21 habitat, hydrology appropriate, its ability if  
22 desirable to be buffered or screened from neighboring  
23 properties or public roads."

24                  It meets every one of these criteria. It's  
25 suitable for the 5.88 acres that the parcel is. The

1 location is along Route 7, a commercial zoning  
2 district. The topography is that it actually sits  
3 lower than the road and the vegetation in front of  
4 Route 7 actually blocks a majority of the property  
5 with the exception of the front building. Much of the  
6 natural habitat around the entire site will be  
7 undisturbed. We talked about screening and buffering  
8 from the adjacent properties.

9 "E. That the use will be compatible with  
10 adjoining properties and natural man made  
11 environment."

12 We spoke about the natural man made environment  
13 along Route 7. Across the road I think that we have  
14 other commercial uses. All along Route 7 we have all  
15 those types of commercial uses. This would actually  
16 be considered as a less impactful use than these other  
17 commercial uses.

18 "That the use will not adversely effect  
19 surrounding land uses by creating excessive noise,  
20 dust, odor, glare, pollution well as any other  
21 nuisances."

22 I think that the Davies' attested that the use  
23 was a nuisance and created dust odors glare and  
24 pollution and excessive noise. This site will not be  
25 doing that.

1            "That the use will have appropriate parking and  
2            be accessible to fire, police officer and other  
3            emergency vehicles."

4            The site meets the Town of Colonie Land Use  
5            Code as far as parking is concerned for a storage use  
6            to be extra safe for emergency vehicles, we had a  
7            turning radius done on the site plans which Joe Visano  
8            from our fire department reviewed and deemed  
9            accessible. He believes that it's safe and  
10           reasonable.

11           "That the use will not overload any public  
12           water, drainage, sewer system or any other municipal  
13           facility including schools. It will not overload any  
14           of those. In fact, it will decrease every use of  
15           those utilities than the previous use had used.

16           "That the use will not degrade any natural  
17           resource, ecosystem or historic resource."

18           It's our belief that it will not. We've had  
19           Rebekah Kennedy from the Attorney's office perform a  
20           SEQRA environmental review on this.

21           That all relevance and criteria can be  
22           satisfied in the site plan approval can be granted  
23           under the Land Use Law.

24           We have the relevant site plan that has been  
25           reviewed by our department. The departments have

1 offered their approval on the project, given that the  
2 special use permit can be granted. We've taken  
3 neighbors and all of the planning principals from our  
4 Land Use Law into effect and we believe that it meets  
5 all the criteria that has been discussed.

6 MS. MILSTEIN: Mike, you failed to address G.

7 MR. TENGELER: I'm sorry.

8 "That the use will not cause undo traffic  
9 congestion, unduly impair pedestrian safety or  
10 overload existing roads considering the current width  
11 and surfacing condition."

12 Regarding pedestrian safety, they're adding a  
13 sidewalk in from Route 7 for pedestrians to access the  
14 site in a safe manner so that we don't have to travel  
15 through a parking lot. And as far as the trip  
16 generation -

17 MR. ANDRES: I believe that it's a couple of  
18 cars.

19 MR. TENGELER: It's a fraction of what it was.

20 MR. ANDRES: It's significantly reduced. It's  
21 probably the lowest generators of traffic.

22 MR. TENGELER: The ITE trip generation manual  
23 for a mini warehouse uses is 12 trips during the peak  
24 PM hours of the adjoining road.

25 Basically, what that means is that during the

1 most peak hours in the evening, they're expecting 12  
2 trips. I believe that's six in and six out.

3 MR. ANDRES: Right.

4 CHAIRMAN STUTO: There is a sidewalk along  
5 there.

6 MR. ANDRES: Right, there is a sidewalk along  
7 there.

8 CHAIRMAN STUTO: We seem to not have any major  
9 objections at this point.

10 Can you walk us through the environmental?

11 MR. TENGELER: Sure.

12 I'd also like to mention that there are no  
13 waivers being requested for the project either.

14 In the document that should be attached to the  
15 Barton and Loguidice documents, the requested approval  
16 is an unlisted SEQRA action. We recommend based on  
17 the attached EAF that the Board determine that the  
18 action will not have a significant effect on the  
19 environment. That was signed by Rebekah Nellis  
20 Kennedy of our Town Attorney's office in the Town of  
21 Colonie dated December 17, 2013.

22 CHAIRMAN STUTO: I'll just mentioned that the  
23 applicant filled out the short environmental  
24 assessment form which I have looked at and I don't  
25 disagree with any of it. That's in the package as

1 well.

2 MR. TENGELER: "Existing air quality surface or  
3 ground water quality or quantity, noise levels,  
4 existing traffic patterns, solid waste production or  
5 disposal, potential for erosion, drainage or flooding  
6 problems. There will be none of these. The action  
7 involves conversion of an existing building to  
8 self-storage units and construction of self-storage  
9 units within an existing paved area for a total of  
10 41,987 square feet.

11 Aesthetic, agricultural, archeological,  
12 historic or other natural or cultural resources or  
13 community or neighborhood character. No, the project  
14 is consistent with existing and adjacent commercial  
15 uses.

16 Vegetation or fauna, fish, shellfish or  
17 wildlife species, significant habitats or threatened  
18 or endangered species. None of these exist.

19 The communities existing plans or goals as  
20 officially adopted or a change in use or intensity of  
21 the land or other natural resources. None of the  
22 project is species with existing adjacent commercial  
23 uses.

24 Growth, subsequent development or related  
25 activities likely to be induced by the proposal of

1 this action. No such impacts will occur.

2 Long-term/short-term cumulative or other  
3 effects not identified in C-1 through C-5. No such  
4 impacts will occur.

5 Other impacts including changes in use of  
6 either quantity or type of energy. None; no such  
7 impacts will occur."

8 On the next page is the Part III. The box has  
9 been checked if determined based on the information  
10 and analysis above and any supporting documentation  
11 that the proposed action will not result in any  
12 significant adverse environmental impacts and provide  
13 attachments as necessary the reasons for making this  
14 determination.

15 It's signed Rebekah Nellis Kennedy of the  
16 Attorney's office and it awaits Peter Stuto's  
17 signature, Chairman of our Planning Board.

18 CHAIRMAN STUTO: Okay, do we have any  
19 discussion on the environmental review?

20 (There was no response.)

21 CHAIRMAN STUTO: Do we have a motion on the  
22 negative declaration?

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

24 MS. DALTON: Second it.

25 CHAIRMAN STUTO: Any discussion?

1 (There was no response.)

2 CHAIRMAN STUTO: All those in favor say aye.

3 (Ayes were recited.)

4 CHAIRMAN STUTO: All those opposed say nay.

5 (There were none opposed.)

6 CHAIRMAN STUTO: The ayes have it.

7 On the main question of granting the special  
8 use permit, based upon the conditions that were  
9 discussed in the record today and review of this minor  
10 site plan by the department. Do we have any  
11 discussion?

12 (There was no response.)

13 CHAIRMAN STUTO: Do we have a motion?

14 MR. AUSTIN: I'll make that motion.

15 MS. DALTON: I'll second.

16 CHAIRMAN STUTO: 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

22 (Whereas the above entitled proceeding was  
23 concluded at 8:25 p.m.)

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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 January 15, 2014

