

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 RETAIL/HOTEL PROPOSAL
5 277 WOLF ROAD AND 625 ALBANY SHAKER ROAD
6 APPLICATION TO MODIFY SINGLE FAMILY STYLE
7 RESIDENTIAL HOME ELEVATIONS
8 *****

9 THE STENOGRAPHIC MINUTES of the above entitled
10 matter by NANCY STRANG-VANDEBOGART, a Shorthand
11 Reporter, commencing on January 21, 2014 at 7:30
12 p.m. at The Public Operations Center, 347 Old
13 Niskayuna Road, Latham, New York

14 BOARD MEMBERS:
15 PETER STUTO, CHAIRMAN
16 TIMOTHY LANE
17 LOU MION
18 KATHY DALTON
19 TIMOTHY LANE
20 TINA GOODMAN SEGAL
21 SUSAN MILSTEIN

22 ALSO PRESENT:
23 Kathleen Marinelli, Esq., Counsel to the Planning Board
24 Joe LaCivita, Director, Planning and Economic Development
25 Chris Bette, First Columbia
Stephanie Ferradino, Esq., Couch White
Chuck Voss, PE, Barton and Loguidice

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1 CHAIRMAN STUTO: I think that I speak on behalf of
2 the entire Board when we welcome our new Board Member,
3 Tina Segal who comes over from the ZBA.

4 Welcome, Tina.

5 Second item on the agenda is a retail/hotel
6 proposal, 277 Wolf Road and 652 Albany Shaker Road.
7 This is a sketch plan presented by First Columbia.

8 Joe, do you want to give it an introduction?

9 MR. LACIVITA: The project has been before us at
10 the DCC level. The applicant is here with his attorney
11 tonight to talk about it. It is a redevelopment of an
12 existing site. It takes in and encompasses the Afrim's
13 Sports Complex and also, I think, Rupert Advertising.

14 The site has some constraints with wetlands and
15 I think that the applicant will speak to it shortly.
16 It has two sides; both Wolf Road and Albany Shaker.
17 It's under review by Barton and Loguidice.

18 I'll turn it over to the applicant so he can
19 begin his presentation.

20 CHAIRMAN STUTO: Okay, thank you.

21 Mr. Bette?

22 MR. BETTE: Thank you, Mr. Chairman.

23 My name is Chris Bette and I'm with First
24 Columbia. With me this evening is Stephanie
25 Ferradino. She is with Couch White. We're here

1 tonight to present our development plan and
2 redevelopment plan for the south east corner of
3 Albany Shaker Road and Wolf Road. Most of you have
4 driven by it. Currently, it's seven acres or so of
5 vacant land and the acreage of Afrim's parcel. It's
6 behind the existing Moe's and Starbucks.

7 Our plan includes the renovation of the
8 existing indoor soccer facility to accommodate a
9 national retailer that's looking to locate to the
10 area. At this time we are not allowed or not
11 permitted to discuss who the retailer is, but
12 frankly there are several larger retailers looking
13 to be in Colonie and in the Wolf Road corridor.
14 We're excited about the opportunity to be able to
15 accommodate a large user.

16 In addition, we have planned a six-story select
17 service hotel. Again, this is something that the
18 major hotel brands are encouraged by is the
19 opportunity to do a new product in the Wolf Road
20 corridor. Just to round out our development site we
21 have just planned a small retail component along
22 Albany Shaker Road.

23 As Joe mentioned, we met with the Town
24 Departments at the DCC meeting in December. We
25 received some good feedback at that meeting. Just

1 to run though a few of the things. Basically, the
2 Building Department and Zoning had no comment. The
3 plan, as shown, complied with the Zoning Code.

4 Latham Water proposed an enhancement. The
5 waterline is behind Afrim's. Albany Shaker Road is
6 at the top of the map and Wolf Road is over there
7 (Indicating). The water actually comes into the
8 back and dead-ends behind Afrim's and there is
9 another hydrant down below by the Hampton that the
10 Water Department wants to loop. So, that will
11 improve the operation of the system and then
12 obviously give us redundancy for the users on that
13 loop. So, that was a nice comment easily
14 accomplished.

15 The Sewer Department's comments were pretty
16 straight forward. There is Town municipal sewer on
17 Wolf Road and Town municipal sewer on Albany Shaker.
18 There are pump stations associated with both lines,
19 so we would just have to go through the motions with
20 analyzing those pump stations and determining which
21 direction to send our flow.

22 DOT was at the meeting. Wolf Road is a DOT
23 jurisdictional road. Albany County is in control of
24 Albany Shaker Road. We met with DOT we discussed
25 the access to Wolf Road. We've got some limitations

1 there that we have to work through. We have not met
2 with Albany County DPW. We are proposing a few
3 access points along Albany Shaker Road. As we all
4 know, the roundabout that is now there kind of
5 simplifies things a little bit for turning movements
6 and different things. We think that our proposal is
7 easily accommodated by Albany County.

8 The other departments really didn't have much
9 to say, just a reminder of some permits that we
10 needed to get.

11 I guess the big issue came from planning. Mike
12 Lyons oversees the SEMAB Board. The Town has a
13 protected watercourse that runs on the backside of
14 the property over towards the Ann Lee Pond. That's
15 a protected watercourse. Tomorrow evening we are in
16 front of the SEAMAB Board to discuss how to work
17 within that buffer that they maintain. They have a
18 100-foot buffer on either side of the watercourse.
19 We just need to work through those issues with those
20 folks.

21 CHAIRMAN STUTO: Is the current building in the
22 buffer?

23 MR. BETTE: A very small piece is in the buffer,
24 yes.

25 CHAIRMAN STUTO: It's grandfathered in then, I

1 guess, right?

2 MR. BETTE: It's right at the edge.

3 So, we have the SEAMAB folks to work with.
4 Tonight, we wanted to get a read from the Board on
5 some variances that we need.

6 We are in the COR district. The COR district
7 requires frontage. Albany Shaker Road is a major
8 road, so the setback is 25 feet. The existing
9 building is exempt from that. Everything is going
10 to be on one parcel at this point in time. This
11 retail building here (Indicating) -- we are going to
12 ask this board for a waiver on the front yard to set
13 it back to be consistent with what the Starbucks is
14 set back. Similarly, the parking in front of the
15 building is a waiver request. We think that would
16 be a nice street scape. Although we are a little
17 hidden, we think that people will find it but I
18 think that it helps the site flow a little better
19 and you can circulate around it.

20 Another issue that we'd like to discuss is the
21 Planning Department suggested that we consider
22 putting our front door facing Albany Shaker Road.
23 At the DCC meeting we said that's pretty much driven
24 by the retailer. They're going to want their front
25 door approximate to the major parking field. It

1 would be very hard for us to do that and then to
2 accommodate that retailer's needs. So, we're going
3 to ask the Board if this layout is acceptable to
4 them so that we can move forward with the retailer.

5 CHAIRMAN STUTO: Is there a chance that they may
6 want to move the building?

7 MR. BETTE: They may. We're not locked into it.
8 This is the layout that we provided them because we
9 thought it was the simplest for everybody. It's an
10 existing building and kind of a renovation -- that's
11 what we're thinking that they would do. The existing
12 building is roughly 100,000 square feet. The host
13 building is about 85,000 square feet. We thought that
14 it would fit in nicely. They do want presence from Wolf
15 Road and if they can be seen from the Northway that
16 would be important to them as well. That's kind of how
17 we orientate it, but the retailer is going to drive our
18 decisions on how we layout the site just from what works
19 for them. We all know that the retailers are pretty
20 inflexible in some places, but flexible in other places.
21 I really don't think that they're going to embrace a
22 front door here with their parking one the side.

23 CHAIRMAN STUTO: Can you make it look attractive --
24 what faces Albany Shaker?

25 MR. BETTE: Yes, I think that our plan would be to

1 make that have a nice street scape and some sort of nice
2 appeal to kind of resemble a front.

3 CHAIRMAN STUTO: I think that I did see his email.
4 He's worried about the library. The library is going to
5 be facing that and so forth.

6 MR. LACIVITA: Chris, part of this design that you
7 have before the Board is actually what shows the
8 retailer that they drive their parking demand as well,
9 doesn't it?

10 MR. BETTE: We're showing it over parked currently,
11 but this particular retailer that we're talking to is
12 very fixated on being able to have enough parking. So,
13 we've shown upwards of 600 spaces. I'm not sure that
14 their use requires that.

15 MR. LANE: You have 600 spaces there right now?

16 MR. BETTE: Yes, to demonstrate to this retailer
17 that this site can accommodate their use, and to more or
18 less attract them.

19 CHAIRMAN STUTO: I know that you were talking about
20 traffic. Did you talk about potential connectivity to
21 the service utility road that's being planned?

22 MR. BETTE: Yes, that's my last point. That brings
23 up another issue that I'd like to talk about. Off the
24 map is the existing roundabout. Maxwell Drive is up
25 here (Indicating) and what the Town is calling the

1 future Aviation Road comes down here (Indicating). What
2 the Chairman was mentioning is the Planning Department
3 suggested that we provide for a future connection to
4 that road when it gets built and have that some place
5 from our site. Now, we have to go see the SEAMAB
6 people.

7 I'm an engineer and we kind of look at things
8 and what we think is doable and not doable and the
9 proximity to an intersection to the roundabout --
10 our concern is where is that going to be allowable?
11 Our preference would be to try to push it as far
12 away from the roundabout as reasonable, but then we
13 get into this SEAMAB area. We have to figure out
14 who is driving the bus. SEAMAB is going to request
15 that nothing gets built in the buffer.

16 CHAIRMAN STUTO: It only impacts the buffer; right,
17 not the stream itself?

18 MR. BETTE: Correct. So, we would be in the buffer
19 area. That would be some direction that we would like
20 from this Board just so that when we talk to SEAMAB, we
21 know where the Planning Board sits with this.

22 That's pretty much my presentation. I've got a
23 few things that I'd like to get some direction from
24 this Board whether some waivers are permissible and
25 the front yard thing is very important. If you're

1 not embracing that, then we'll have to go back to
2 the retailer and figure out another plan.

3 CHAIRMAN STUTO: We do have our Town Designated
4 Engineer, Chuck Voss, from Barton and Loguidice.

5 Chuck you've looked at this. I'm not sure that
6 you have anything in writing.

7 MR. VOSS: No, because we're only in sketch plan,
8 we're not really engaged with the project yet. That
9 will happen at concept, if they move forward.

10 I think that Chris hit on the topics that were
11 expressed at the DCC meeting; the orientation of the
12 building, the facing of Albany Shaker Road, the
13 access issues, the DOT concerns with the access to
14 Wolf Road and the wetlands. Certainly all of those
15 things are going to shape this project.

16 CHAIRMAN STUTO: I'll ask you both together. How
17 important is the connectivity in the back? You're
18 working with our traffic engineer on that, I think.

19 MR. LACIVITA: From a planning perspective, I think
20 that the connectivity is very, very important. In
21 connectivity, actually lends this project to become even
22 better than what it currently is as to how access will
23 come into the site.

24 Chris, I don't know if you explained - I see
25 this one little green spot over there -

1 MR. BETTE: I didn't explain that. The current
2 Afrim's parcel is actually bisected or bifurcated. The
3 National Grid lines came at a point in the pass that
4 actually segmented the existing parcel. This parcel is
5 actually land-hooked to the seven acres over here. So,
6 this is about an acre of land that is part of Afrim's
7 land that doesn't have required frontage to be a Town
8 lot and we're trying to figure out how to use it.

9 MR. LACIVITA: That's why I asked Chris to mention
10 that only because from a zoning perspective, we want
11 this to be looked at as one contiguous site. I don't
12 want to say ignore the National Grid easement, but that
13 allows itself or either that small retailer to be over
14 there facing the road for parking to maybe shift. We
15 have to look at it from a contiguous site, moving
16 forward, which we can't.

17 CHAIRMAN STUTO: Are they going to give you a hard
18 time crossing their easement?

19 MR. BETTE: They provided way back when 2 25-foot
20 crossings. I don't think that they are defined, but
21 there are provisions for that.

22 MS. FERRADINO: They are undefined and if it's a
23 public roadway, it can be wider. They allow 50 feet.

24 CHAIRMAN STUTO: And that's in the airport
25 mitigation area too, right? So, there will be some

1 transportation money.

2 MR. LACIVITA: Yes.

3 CHAIRMAN STUTO: That will also help with the back
4 project probably.

5 MR. LACIVITA: Absolutely.

6 CHAIRMAN STUTO: Does the staff have anything else,
7 or Chuck?

8 MR. VOSS: No.

9 CHAIRMAN STUTO: We'll just open it up to the
10 Board. Any comments or questions?

11 MR. MION: I would like to see something to make
12 that face on Albany Shaker Road look presentable even
13 like a facade of a front door or something like that,
14 just so it looks that way.

15 MR. BETTE: It's the side of the building.

16 MR. MION: Right, exactly; that's it.

17 MR. AUSTIN: Do we have any signage on that side?

18 MR. BETTE: I would presume so.

19 MR. AUSTIN: So, maybe incorporate that with some
20 faux windows or something like that.

21 MR. BETTE: Right.

22 MR. MION: I like it.

23 Key bank did a nice thing over by 155 near the
24 Price Chopper Plaza. Their door is actually facing
25 the parking lot. It's a nice presentable thing and

1 it looks good. That might be something to take a
2 look at, if you haven't already.

3 MR. BETTE: I haven't seen that. We certainly
4 will, though. Like you, we don't want it to look like
5 the side of the building.

6 MR. AUSTIN: Assuming that the connectivity in the
7 back which we have been talking about - seems like a
8 very small space to make connectivity to if you're going
9 to have people coming in and out from that future road
10 extension - off the roundabout in that bottom corner.
11 So, if you had a connection right there, would you want
12 it to be a little bit bigger?

13 MR. BETTE: It's 24-feet wide. It's two lanes.

14 MR. AUSTIN: My second thought would be some
15 visibility from that connector road in the future if you
16 want to have something done with the back - dress up the
17 back as well.

18 CHAIRMAN STUTO: You're going to have a
19 well-traveled road in the back.

20 MR. AUSTIN: With that roundabout connection,
21 you're going to have a very busy road there,
22 potentially.

23 MR. BETTE: We certainly will talk to the retailer
24 about it. This is just their prototypical footprint
25 there on here. We've talked in-house about doing

1 something with the loading area, but that may go against
2 what this looks like -

3 MR. LANE: I'm thinking that the loading area might
4 be better than the other side.

5 MR. BETTE: Than where we show it?

6 MR. LANE: Yes, opposite from what you have. In
7 either case, I'm sure that you'll work that out.

8 MR. BETTE: As we were talking about today in a
9 discussion, the retailers have to weigh in as to the way
10 that their store works. We have to make sure that he
11 can accommodate that.

12 MR. LANE: But this is a first iteration of
13 probably what we are going to see coming down the line,
14 and I have always wondered what was going to happen with
15 that lot. I always kind of looked at it and wondered.
16 I never realized that it's under three separate owners.

17 MR. BETTE: Well, we're incorporating the Afrim's
18 piece.

19 MR. LANE: Which is interesting because I never
20 would have considered that a possibility.

21 MR. BETTE: When we asked Bohler to get involved
22 with the design and we told them where we were
23 working -- because a lot of people have come and gone
24 that have tried to do something with this piece. When
25 we showed them that the Afrim's piece was in it, he

1 said, this is a great project. This is exciting. It's
2 a little different from what we have seen.

3 MR. LANE: I know about the DOT comment about the
4 access from Wolf Road, but it doesn't really make it
5 clear what their issue is with it.

6 MR. BETTE: Typically DOT, you'll find anyplace an
7 exit ramp comes off of the highway, they'll secure the
8 access across from it to be without access. So, we have
9 a discussion with DOT to actually get this driveway
10 there. They maintain it without an access right of way.
11 There is a little bit of a process for us to go get that
12 designation removed.

13 MR. LANE: So, that has happened, or is going to
14 happen?

15 MR. BETTE: Has not happened. We've had
16 preliminary discussion with them to understand how to go
17 about that process.

18 MS. DALTON: You said something about a next
19 generation hotel. What does that mean?

20 MR. BETTE: Did I say next generation? I just said
21 modern. Select service is the type that we have planned
22 on this site. It's just modern. Whatever the major
23 brands are doing. They've changed their room layouts to
24 try and to accommodate the traveler's needs better.
25 It's a little different than what is currently there. A

1 lot of the hotel product on Wolf Road is 30 years old.

2 MS. DALTON: True, but I'm sure that you're aware
3 that we've had a number of people so that's why I
4 wondered if it was an all suites or something like that.

5 MR. BETTE: We haven't gotten that far. Right now
6 it's designed to be a select service.

7 MR. LANE: There is another building within the
8 site -

9 MR. BETTE: The Rukert [SIC] office building is
10 right here (Indicating). He's on a little small lot.

11 CHAIRMAN STUTO: It's like a residence turned into
12 an office.

13 MR. BETTE: It's a two-story office building.

14 MR. LACIVITA: Chris, any potential to connect to
15 the Moe's by chance and provide any access to that?

16 MR. BETTE: We're going to look at that. That was
17 part of the Planning Department's comments. Right now
18 we've got stormwater planned in and around here
19 (Indicating) but we'll take a look at that.

20 MR. LANE: It's pretty tight back there, Joe. Have
21 you gone through there?

22 MR. LACIVITA: That's why I'm asking. I know that
23 we talked about it, and I wasn't sure if you had any
24 conversation with the owner of that.

25 MR. BETTE: We've talked to Mr. Burke in the past.

1 We've not talked specifically about interconnectivity
2 and where it happens. I think that from his standpoint,
3 he would welcome it just because it's tough to get into
4 here from certain directions.

5 MR. AUSTIN: Is that an issue to put another curb
6 cut in on Wolf Road? You'd be putting in another access
7 off of Wolf and with the Moe's - it's not backed up but
8 it's tricky getting in and out of there at rush hour
9 being right near the intersection there.

10 MR. BETTE: DOT hasn't suggested that we can't have
11 a curb cut on our property. Again, we're going to be
12 going down that road with a study to show certain
13 alternatives.

14 CHAIRMAN STUTO: I think that it's generally quite
15 favorable and it could be a great project. I have no
16 problems with the waivers, so long as the engineers tell
17 us the connectivity works and you're amendable to that,
18 and that it's attractive from all the roadways around
19 it. That's my opinion.

20 MR. BETTE: What about SEAMAB? We're going to go
21 see SEAMAB folks tomorrow night at their meeting.

22 CHAIRMAN STUTO: What are your concerns? The
23 connectivity, and what else?

24 MR. BETTE: They're going to be pushing for us to
25 be outside of the buffer. If we can be outside of the

1 buffer, we will be. It's really going to be driven by
2 what is the appropriate distance from the roundabout to
3 this intersection.

4 CHAIRMAN STUTO: I would encourage them to grant
5 you the variance or whatever they do, with respect to
6 the connectivity. That's where my concern is with
7 respect to the building and so forth. I don't know
8 about anything else.

9 MR. BETTE: I just need a little direction because
10 they're going to suggest that they don't want it.

11 CHAIRMAN STUTO: Joe and Chuck know better than me.
12 How important is that connectivity back there?

13 MR. VOSS: I agree. I think that if the Aviation
14 Road extension project moves forward, which it's
15 certainly likely to do, you're going to want some sort
16 of connectivity back there. It's just good access
17 management all the way around. I think that's
18 important. I would certainly encourage the SEAMAB Board
19 to look at it from that standpoint. Even if you put an
20 access road in there, you can mitigate any potential
21 impacts of that drainage area through good proper
22 design.

23 Building placements - Chris it looks like
24 you've kind of oriented things to avoid the 100-foot
25 buffer, give or take.

1 MR. BETTE: We tried. This is again, the retail's
2 prototypical footprint which requires us to put an
3 addition on the building. There are some things that we
4 have been talking about.

5 MR. VOSS: And maybe there are some offsets that
6 you can offer to the SEAMAB folks to have them soften up
7 on the parking and encroachments.

8 MR. BETTE: I do want to point out that we're not
9 talking about anything from the Gay Lyn and dead end. I
10 don't know what the plans are for connectivity to
11 Aviation, but I have talked to one of the neighbors here
12 and they weren't really in favor of any kind of
13 connectivity to their street.

14 MR. AUSTIN: I think that just in general, we've
15 seen a lot of projects come through and we've always
16 been a big fan of connectivity in the Town, at least
17 lately in the last couple of years. It's been a big
18 thing. We've had some discussion on those topics a few
19 times. I think that it really would work here. I think
20 that it should be done.

21 MR. BETTE: I don't think that it's bad idea.

22 CHAIRMAN STUTO: Is the Board okay if Joe
23 communicates that to the SEAMAB Board?

24 MS. DALTON: Yes.

25 MR. LACIVITA: We'll be taking the agent review for

1 SEQRA and everything else, so I think anything that
2 happens on this site where they do any wetland
3 mitigation - we can talk to SEAMAB as far as if they're
4 going to handle it on-site or off-site. We'll try to
5 work with them that way. I think that the whole idea
6 and the whole gist that connectivity is important -- we
7 can show that further south on Wolf Road here that we've
8 done it with another one of First Columbia's projects.
9 We're trying to get connectivity which gives them access
10 to the back, which then gives them access to the
11 Aviation area. It's been important in this entire
12 corridor and anything that we can push to that alternate
13 road is going to be important to us.

14 CHAIRMAN STUTO: Can you send them an email?

15 MR. LACIVITA: Absolutely, we can communicate that.
16 I can sent that tomorrow morning for the Board meeting
17 tomorrow night.

18 CHAIRMAN STUTO: Is that enough feedback for you?

19 MR. BETTE: That is enough feedback. I appreciate
20 it. Thank you, very much.

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24 (Whereas the above entitled proceeding was
25 concluded at 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 February 5, 2014

