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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

FUCCILLO VOLKSWAGEN
2240, 2242 & 2250 CENTRAL AVENUE
SKETCH PLAN REVIEW

THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY STRANG-VANDEBOGART, a Shorthand
Reporter, commencing on March 18, 2014 at 8:35 p.m.p
at The Public Operations Center, 347 Old Niskayuna
Road, Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
TINA GOODWIN SEGAL
KATHY DALTON
BRIAN AUSTIN
TIMOTHY LANE

ALSO PRESENT:
Kathleen Marinelli, Esq., Counsel to the Planning Board
Joe LaCivita, Director, Planning and Economic Development
Michael Tengeler, Planning and Economic Development
Daniel Hershberg, PE, Hershberg and Hershberg
Chuck Voss, PE, Barton and Loguidice

1 CHAIRMAN STUTO: Okay, next on the agenda is
2 Fuccillo Volkswagen. This is 2240, 2242 and 2250
3 Central Avenue.

4 Joe LaCivita, do you have any introductory
5 remarks on this?

6 MR. LACIVITA: There's not much more to say on
7 that. I know that the project is going to ask for a
8 couple of waivers the way that it's currently designed.
9 It was through our Developmental Coordination Committee
10 back in November of 2013; not so long ago. It's here
11 tonight to show the Board for the first time and hopeful
12 to have some recommendations.

13 CHAIRMAN STUTO: Okay, this is razing an existing
14 auto dealership and constructing a new 35,000 square
15 foot auto dealership.

16 Mr. Hershberg is going to make the
17 presentation?

18 MR. HERSHBERG: I am. Thank you, sir. My name is
19 Daniel Hershberg from Hershberg and Hershberg. With me
20 today is William Defrici, the project engineer.

21 This project consists of demolishing of a
22 building on this parcel and a building on the center
23 parcel. Actually, in addition to the waivers that
24 we request, this is a project that does require a
25 variance. A variance application has been made by

1 Vic Caponera, the attorney. It needs variances
2 because these two parcels will not have a principal
3 use and having automobile parking on a parcel
4 without a principal use is prohibited. So,
5 consequently they do have to go for variances.

6 Another variance is required because this
7 building here -

8 CHAIRMAN STUTO: So, they're going to the ZBA?

9 MR. HERSHBERG: Right. Not your issue at all. I'm
10 just pointing out the fact that procedurally that has to
11 be done.

12 MR. LACIVITA: What type of variance is that; site?

13 MR. HERSHBERG: It's an area variance. There are
14 no use variances required. There are three area
15 variances that are required. One area variance for this
16 parcel here (Indicating), because there is not a
17 principal use on it. This one is not a principal use
18 and the third one has to do with the proximity of the
19 auto repair area, or actually this building from the
20 parcel that is residentially occupied. We have to be
21 200 feet from it. This is a parcel that is with a
22 forbidden zone, but it is actually residentially
23 occupied. That creates a reason for us to go for a
24 variance to the Zoning Board of Appeals.

25 We also will be asking for some waivers. As a

1 matter of fact we have a list of five waivers that
2 we'll be asking for. I might just take those up
3 front to tell you where we are with those.

4 We want to be able to park in the front yard
5 and this portion here (Indicating) of the occupied
6 building is not really have parking here in the
7 front yard and I don't know whether or not it's
8 considered parking in the front yard, but we do have
9 a request to park within 15 feet of the right of way
10 lines. So, in any event, those require waivers from
11 this Board to allow parking in those locations.

12 We also require a waivers for display parking
13 in the front yard. These are in fact the front
14 yards, even though there are no buildings on them,
15 they are technically the front yard so we do have
16 parking in the front yard. The setback of the
17 building exceeds 20 feet even though it's closer
18 than an awful lot of automobile dealership in the
19 area, it is more than 20 feet back from Central
20 Avenue. We just couldn't get the situation pattern
21 that we need on the side and keep it 20 feet back.

22 The other waiver request is the one about the
23 area of parking of 20 square feet for every parking
24 spot where we have rows that exceed 20. We do have
25 spots where that occurs. We think we're going to

1 try to accommodate that by making up the landscaping
2 requirements to a nice landscaping plan on the
3 balance of the area.

4 We're within the Lishakill Road/Kings Road GIS
5 area and there is mitigation required for that.
6 We're aware of that and we don't know what the exact
7 estimate would be. But again, this would be one
8 where it will be a differential credit between what
9 was before and what it is now, so we think that
10 essentially the traffic can be handled.

11 DOT commented that there is an additional curb
12 cut that they want to see closed and that can
13 essentially be done.

14 They also expressed concerned that the
15 sidewalks and curbs disturbed all need to be
16 repaired and that's all obviously in our plan to do
17 that.

18 With regard to stormwater management on the
19 site: We anticipate being able to use porous asphalt
20 pavement on the entire site. And to be quite
21 honest, until we do the infiltration tests, we can't
22 guarantee that's the case. Unfortunately, this sort
23 of winter was not a good time to be doing
24 infiltration tests in the ground. It's hard to get
25 the holes in the ground. So, essentially we believe

1 that based upon our observations of how the site
2 develops that there is some fill in this area but
3 normally you don't try to put infiltration systems
4 in fill. This fill has been there so long and been
5 so well consolidated we think that the fill will
6 react the same way as natural materials would react.
7 We don't think that's a problem and we think that
8 essentially the infiltration rate in there will
9 certainly exceed 0.5 inches per hour, which is the
10 rate. We hope that it's more than that because it
11 makes it a lot easier to design the system.

12 We do have an infiltration basin to handle the
13 roof drainage and that will be sized accordingly.
14 It looks large, but we tried to show it assuming
15 that the infiltration rate would not be so good. If
16 the infiltration rate is better, the size of the
17 infiltration basin will be much less. We're always
18 concerned about stormwater. It's a major issue in
19 that it is on a lot of areas.

20 The other issue I think has to do with access
21 to the site. We don't have any curbcuts on Central
22 Avenue at all to the site. All access will be from
23 the side roads. The service area is here
24 (Indicating), essentially and we think that it's
25 going to work well. They have a floor plan which

1 shows substantial storage for service reception in
2 there. We think that it's going to work well with
3 regard to the number of cars that are coming in and
4 out.

5 Most people are aware that the automobile
6 companies are insisting on certain design standards.
7 They are very picky about us trying to change them.
8 We think that the design standards that Volkswagen
9 has chose for the site will end up as an attractive
10 building. We think essentially that it's a lot of
11 the same metal and glass facades that you're seeing
12 on a whole bunch of different buildings. It's a
13 sharp look. Each on has their own logo and need to
14 have that look on the building.

15 The key element here I think is the site here.
16 The site turns out to be the minimal amount of
17 parking that Fuccillo would be comfortable having on
18 the site for the kind of sales that are taking place
19 with Volkswagen. They think that essentially this
20 is going to be a very busy facility. As a
21 dealership they do have a habit of being able to
22 move a large amount of cars in a small amount of
23 time and they think that this amount of vehicle
24 parking is required.

25 The concern was raised about where are you

1 going to move your cars? As a matter of fact, DOT
2 said that there had been a history of unloading cars
3 out of the center corridor on Central Avenue. I
4 think that essentially on that corridor there has
5 been a whole bunch of times when the off-hour
6 delivery takes place and a truck pulls up in that
7 center turn lane and starts unloading cars. The
8 Fuccillo organization says essentially that they're
9 going to unload cars at another location and drive
10 them here. They don't intend on unloading vehicles
11 here. The reason is that even though we have
12 sufficient space to circulate in there, we have to
13 knock out some of the car parking to have it shown
14 for the truck access in and out. They are not going
15 to allow the car trailers to come to the site. They
16 will go to another location and they will unload
17 cars at that location and then drive them over here.
18 That resolves that question that was raised about
19 car moving.

20 We do understand the need to do decorative
21 landscaping along the front; at least 80 percent of
22 the area. There is a good chance that we'll do
23 almost 100 percent of project with either a wall or
24 a combination wall and aluminum imitation wrought
25 iron fence and landscaping. That will be the

1 preferable method in here. We think that we can do
2 a good job of landscaping. We do provide pedestrian
3 access into the site. We will provide limited bike
4 capacity in there. We don't think that it's a hard
5 place to get to. There is obviously good bus
6 service for people that are coming there to buy
7 their first car and people that are driving in here
8 can certainly get here.

9 We think that it's a cleaning up of this sort
10 of entrance to the Town of Colonie. Again, a you
11 come down that path, the existing facilities are
12 certainly not particularly attractive and the site
13 has not been maintained attractively primarily due
14 to the fact that it has never been designed and
15 landscaped and done properly. We think that
16 essentially that the proper combination of
17 landscaping and building appearance and a good
18 parking design that this site will function quite
19 well and will be an advantage to the appearance of
20 this section of Central Avenue.

21 There are a whole bunch of technical questions
22 that came through at our DCC meeting. Most of those
23 are really appropriate for concept submittal. We
24 think that essentially that we have the capability
25 of handling most of those issues on the site. We

1 don't think that there is any game-stopper in here.
2 We already have heard the comments and we don't
3 think that there is any reason to assume that there
4 will be anything else in the review that will really
5 make it impossible.

6 If there re any questions by the Board, I'll
7 try to answer them.

8 CHAIRMAN STUTO: We have Chuck Voss here and he's
9 our Town Designated Engineer with Barton and Loguidice.

10 Chuck, do you have any comments?

11 MR. VOSS: This being really the sketch plan
12 review, there really isn't a whole lot to comment on.

13 I would just let the Board know that we did
14 attend a DCC meeting when the applicants first came
15 in and the original submission of site plan has been
16 altered slightly.

17 I think that is based, Dan, on some of those
18 comments at DCC and some of the layout and parking
19 issues.

20 In general, the pre-existing site was that of
21 an automobile dealership spread out across three
22 parcels or two and a half blocks. The proposed
23 reuse is certainly consistent with what was there
24 and consistent with zoning. I think that it's
25 probably a great way to clean up a substantial

1 portion of that section of Central Avenue. We've
2 had a really old and outdated facility and I think
3 that it's a great opportunity for the Board to
4 really look at it and work with the applicants.

5 In terms of that, we'll be looking at
6 stormwater issues. There are topography issues on
7 the site in proximity to some of the neighbors in
8 the back, but all that will certainly get worked
9 through in concept. I think that it's a good idea.

10 CHAIRMAN STUTO: Okay, the neighbors have not been
11 formally noticed and we normally don't for sketch plan.
12 They will be notified and we'll probably see some people
13 out when we come back for concept. I'll just open it up
14 to the Board generally for comments.

15 MR. LANE: I just have a minor comment. I don't
16 see a lot of greenspace. Where would your area be for
17 snow storage, or will they be taking it off site?

18 MR. HERSHBERG: Again, one potential would be to
19 landscape this area and have a landscape buffer in here
20 (Indicating) and have a level grass area here and use
21 that for it and that drainage will drain back onto the
22 porous pavement and could be handled there.

23 MR. LANE: How wide and long is that?

24 MR. HERSHBERG: This parking lot is in excess of 50
25 feet from the property line.

1 MR. LANE: Just the green area.

2 MR. HERSHBERG: This is about 55 feet wide here
3 from the edge of the pavement to the property line
4 (Indicating).

5 MR. LANE: Do you think that will be sufficient?

6 MR. HERSHBERG: Oh yes. Again, we have space all
7 around. We would keep the landscape buffer as close to
8 the property line and it's more effective at that point.
9 We can make it more linear and have it more effective to
10 screen the property and it will give us some area where
11 we could put grass in or grass for potentially low
12 ground cover and then that stuff can handle snow
13 storage. The key element with that will be to make sure
14 that the grade -- make sure that it drains back onto the
15 porous pavement.

16 I don't know whether people went out during a
17 storm to see what happens to porous pavement. The
18 recent storm that we had was a lot of snow and then
19 we had a warm period where we had some melting take
20 place. A lot of the standard parking lots when it
21 got cold, immediately afterwards froze. The porous
22 pavement -- I take picture all the time of porous
23 pavement. I have a whole gallery full of them.
24 Again, when it drains the water went away. There is
25 no black ice forming on your porous pavement. I

1 hate to be a salesman for porous pavement but again,
2 the issue is that it's a great way to do it and we
3 hope -- and again we won't know until infiltration
4 tests have been done to this site to see if it will
5 accommodate it. We don't think that there is any
6 problems of separation of ground water. The key
7 element here would be whether or not the material
8 that was placed there is porous enough. I doubt
9 very much that they put clay soil underneath where
10 they want to park the vehicles.

11 MS. DALTON: Can you talk about the screening along
12 the back of the lot because those are residential.

13 MR. HERSHBERG: The sketch plan doesn't show it but
14 we would anticipate doing a heavy screenings along
15 there. My guess is that we would probably do a
16 combination of deciduous and coniferous trees. A lot of
17 the coniferous trees that we try to use are things that
18 will spread out. I want to use my favorite one which is
19 the White Fir which I find that we're using well on a
20 whole bunch of sites because it maintains that pyramidal
21 shape and it doesn't die up. When you take a look at
22 some of your landscaping that was done 20 years ago with
23 White Pine, it doesn't give you much landscape screening
24 now. They die up and now you can see underneath it.
25 The advantage of the White Fir is that it keeps it down.

1 Another potential in there to be something like
2 some of the spruces also maintain that shape and we
3 can use those. We will work to make sure that
4 screen is as intense as it can be. In many projects
5 we can't convince our applicant that is important to
6 take care of the screening.

7 The key element for neighbor relationships is
8 the visibility. From a visibility standpoint, I know
9 that people are talking about lights going off the
10 site. It's not only lights going off the site.
11 Even though you can entirely conform and you have
12 zero foot candles at the property line, if it glows,
13 you look out your window and you can still see the
14 glow. That's one of the problems with a lot of your
15 lighting plans. I'm very sensible to that with our
16 neighbors. We really are going to have to be
17 careful. That's why I would like to concentrate on
18 a whole bunch of coniferous trees. The evergreen
19 trees planted six to eight feet high -- and you take
20 the glow off of at least the first floor of the
21 houses next door. As you go up you get a nice solid
22 screen. My guess is that we will be able to work
23 with the Fuccillos to have them do that landscaping
24 on the site.

25 CHAIRMAN STUTO: Have you spoken to that neighbor?

1 MR. HERSHBERG: That neighbor was talked to a
2 number of times by both the applicant and the
3 representatives of the applicant. She is a wonderful
4 lady. She keeps the cleanest driveway in town. She is
5 out there fairly regularly cleaning and washing that
6 driveway I think that even in the middle of the snowy
7 season.

8 Bill Mafrici drives to the office going right
9 by that house and he says that it's amazing. She
10 really takes care of it well. I don't think that
11 there is any desire to move - we're going to try to
12 work with her to make certain that we screen it the
13 very best that we can and take care of the sound.

14 The sound issue is always an issue with our car
15 dealerships. We will make certain that there is no
16 loud speaker. The service area won't have
17 loudspeaker noise coming out of it. All the doors
18 will remain closed during the winter and summer.
19 They will stay closed during the operation of the
20 facility. We're aware that it's a residential
21 neighbor right in the middle of a commercial zone,
22 but we think that we can work pretty well to
23 mitigate most of those concerns. Obviously with the
24 representative or her here, we can certainly work
25 with her. We'd like to work with her off-line, if

1 we can. We will show her the landscape plans and
2 we'll show her what we attempt to do before we come
3 in and show this Board.

4 CHAIRMAN STUTO: Thank you.

5 MS. DALTON: So, there are some concerns because
6 there is a hill at the main road. We're very concerned
7 that the parking be kept back far enough so that there
8 is a good line of sight.

9 CHAIRMAN STUTO: And also there has been a problem
10 in the Town of some of the car dealers parking on the
11 landscaped area.

12 MR. HERSHBERG: We think that if you will allow us
13 to set this edge of the display parking 50 feet back,
14 that will take away any cars that get beyond the paved
15 area. Quite often they do that because the paved area
16 is further back with landscaping in front of it and we
17 realize that is going to happen. Again, we have worked
18 with other dealers and they have complied with that and
19 have done a pretty good job of reinforcing that. There
20 are a lot of car dealerships in the Village of Colonie
21 which also have display pads that are out closer to the
22 line and we're not asking for that. We're just asking
23 for you to allow a 15 foot setback for the front line.
24 The visibility is important. I don't want to tell you
25 that it's not important to have their cars seen by the

1 public when they drive by. The car sells when it looks
2 good out there. We are not asking for any individual
3 pad sticking out into the area, closer to the right of
4 way but if we can get this 15 foot setback, that will
5 relieve a whole bunch of concerns with them having a
6 proper display.

7 CHAIRMAN STUTO: Are you a resident in that area?

8 FROM THE FLOOR: Yes.

9 CHAIRMAN STUTO: We normally don't take comments on
10 sketch plan but I'm sure that Mr. Hershberg will be
11 happy to talk to you.

12 FROM THE FLOOR: What are you going to do with the
13 green area down on Nutwood Avenue? I've got problems
14 now with them parking in there.

15 CHAIRMAN STUTO: I'm going to allow you this one
16 question because we don't take questions. Go ahead. He
17 will talk to you off-line, I'm sure. It's open on the
18 next meeting.

19 FROM THE FLOOR: I wasn't going to say a word. I
20 just wanted to see what he's got there. I'm very
21 unhappy with it. I'm ready to sell my residence and
22 move out of Colonie and with this project, I'm going to
23 take a hit on that.

24 MR. HERSHBERG: We're sorry to hear that. I think
25 that essentially regarding landscaping or keeping cars

1 from parking on the landscape there, we can certainly
2 work with the Board to make that condition clear and we
3 would actually -- we are trying to leave enough space
4 there for landscaping. The minimum off this rear line
5 is 50 feet of landscaped area. So, there is plenty of
6 space to do a nice landscape plan. It's actually almost
7 the width of some of the lots.

8 CHAIRMAN STUTO: Can you just point out your house?
9 We're not going to go into in depth right now.

10 FROM THE FLOOR: My house is right here
11 (Indicating). I'm right on top of it.

12 CHAIRMAN STUTO: Can you give him your card and can
13 you have someone call this gentleman?

14 MR. HERSHBERG: Sure.

15 CHAIRMAN STUTO: Thank you.

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17 (Whereas the above proceedings concluded at
18 9:05 p.m.)
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1 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 April 8, 2014

