

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 RIVERHILL CENTER BUILDING
5 1201 TROY SCHENECTADY ROAD
6 APPLICATION FOR CONCEPT ACCEPTANCE

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8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY STRANG-VANDEBOGART, a Shorthand
10 Reporter, commencing on April 8, 2014 at 7:02 p.m.
11 at The Public Operations Center, 347 Old Niskayuna
12 Road, Latham, New York

11 BOARD MEMBERS:
12 PETER STUTO, CHAIRMAN
13 TINA GOODWIN SEGAL
14 KATHY DALTON
15 BRIAN AUSTIN
16 TIMOTHY LANE

15 ALSO PRESENT:
16 Kathleen Marinelli, Esq., Counsel to the Planning Board
17 Michael Tengeler, Planning and Economic Development
18 Chris Bette, Columbia Development

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1 CHAIRMAN STUTO: Welcome to the Colonie Planning
2 Board. We have one project on and it's on for concept
3 acceptance.

4 If there is anyone interested in speaking, I
5 would ask that you sign in on the sign-in sheet next
6 to the front door.

7 Administratively we have Mike Tengeler helping
8 us out with the meeting.

9 Mike do you have any business that needs to be
10 taken care of before we call up the first project?

11 MR. TENGELER: No. Joe LaCivita is back from
12 Ireland, so he'll be at the next meeting. He was away
13 for a week and he's hoping to get some stuff done.

14 CHAIRMAN STUTO: Okay, we'll call up the first
15 project. Riverhill Center Building, 1201 Troy
16 Schenectady Road. This is an application for concept
17 acceptance. This is an 11,883 square foot office retail
18 building.

19 Mike, do you have any introductory comments on
20 this?

21 MR. TENGELER: Just a few. We're in a COR zoning
22 district here. The proposal is an outbuilding in an
23 existing parking lot in the existing Riverhill Center.
24 The site is within the Airport Area GEIS, so there will
25 be mitigation funds applied.

1 Just as a time line to get some dates on the
2 record, the DCC meeting was held in January 2014.
3 The sketch plan was held in February and here we are
4 for concept.

5 Chris can take it from here.

6 CHAIRMAN STUTO: Okay, we'll hand it over to the
7 applicant.

8 Can you just say your name for the record?

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

10 My name is Chris Bette and I'm with the First
11 Columbia. With me is tonight is Stephanie Ferradino
12 with Couch White. We're happy to be here again.

13 As Mike said we were here in February. We ran
14 by the Board a plan which was a sketch plan review.
15 At that time, we discussed some of the comments that
16 the TDE had come up with before that meeting and the
17 waivers that we were requesting.

18 Just to backtrack to fill the record a little
19 bit, as a way of history, First Columbia purchased
20 the Riverhill Center property back in 2003. It was
21 vacant for several years before we bought it. It
22 was originally developed as a Met Life Office
23 Campus. There are roughly 115,000 square feet of
24 medical space with about over 700 parking spaces.

25 When we purchased this, we demolished the

1 20,000 square foot section medical office space and
2 disconnected the three buildings. They're all
3 connected with little corridors to make them
4 interactive. We made them three stand-alone
5 buildings. The building that we demolished resided
6 here (Indicating) which is now greenspace. Again,
7 with the use as medical and what we have been using
8 the property for since we have developed it -
9 predominantly general office use, the 700 parking
10 spaces are quite in excess of what we're using and
11 need. So, we took advantage of recognizing that
12 front parking lot along Route 7 is predominately
13 vacant during the business day. Again, it's related
14 to the lack of building, but also related to the
15 less intense parking use for general office versus
16 medical office. We said let's try to propose some
17 amenities that will help the office park employees,
18 but also help us attract other office type uses.

19 One of the things that we came up with was the
20 need for some sort of services so we have proposed
21 this 11,000 square foot single story retail office.
22 I say retail office building because we are trying
23 to make it a component of our office park, and we
24 are also trying to attract more offices which we
25 have. I'll get into that in a little bit. The

1 services - we do want to attract some food uses,
2 some coffee uses and some things that people
3 wouldn't have to leave the site to go for during
4 lunch, or what have you.

5 It's an existing 18-acre parcel. Even with the
6 new office retail building, we're going to be 46
7 percent green, as you saw on the other side of the
8 board it's predominantly green.

9 MR. LANE: That's for the whole site; right?

10 MR. BETTE: That's for the whole site. The whole
11 18 acres is what we are evaluating.

12 Utilities are all within Route 7, close
13 proximity to the building. We're proposing a curb
14 cut on the western most side of the site to improve
15 flow for the parking. We also offered at the last
16 meeting that it would be allowable to us to connect
17 to the existing vacant or residential piece 1209
18 Troy Schenectady Road.

19 I've talked to Mr. Brownsie. I don't know if
20 he's here tonight. He's the owner of the house in
21 between us and Rite Aid and I explained to him what
22 we were doing. I don't know if he's here. He
23 seemed okay. He did not mind the curb cut on my
24 property because he recognizes the fact that if it
25 were on his property, there would be a potential

1 that he would lose parking that he would need. He
2 thought that because he has access rights to the
3 Rite Aid curb cut and he would have access rights to
4 this curb cut as well as access to the back of his
5 parcel that would get out to Rosendale. He was very
6 happy with the plan. His main point was not
7 blocking the view of his property. When I told him
8 that the building was going to be 90 feet set back,
9 he was very happy with that as well. He said that
10 was consistent with what Rite Aid had done. So, I
11 think that the plan that we have today - we're
12 trying to disturb just as little as we can with the
13 existing parking lot. I think that we are
14 accommodating that. We've reconfigured the parking
15 lot in the front. There is some green area in the
16 middle of the parking lot and there is some green
17 area on the sides which we were going to take away,
18 but then we're going to add some green areas and
19 more islands. As we discussed back at the sketch
20 plan meeting, we're not going to do any work in the
21 back parking lot. We're going to leave that
22 configured as it is today which is what the TDE had
23 asked for and we agreed with - that the flow would
24 be better because it comes out to the internal
25 circulating road that runs through the site at a

1 perpendicular angle. So, that's a better solution
2 and we agreed with that.

3 That's just a quick overview. I've got some
4 more comments. I'm happy to take some questions.

5 CHAIRMAN STUTO: We're going to turn it over to the
6 Town Designated Engineer and he's going to bring us some
7 issues because he's done a study on this.

8 One of the global issues that we talked about
9 was connecting to the bike path. Have you given
10 thought to that in terms of the -

11 MR. BETTE: I haven't. The last that we spoke,
12 Mike Lyons was supposed to go through his records to see
13 what they talked about when the Sunmark piece was in for
14 approvals. At one time that connection was coming
15 through their piece and I assume through a portion of
16 our piece. I have not talked to anybody and no one has
17 mentioned it to me.

18 CHAIRMAN STUTO: I'm a little disappointed in the
19 department, but can you talk to them and make sure that
20 discussion is had before you come back next time?

21 MR. BETTE: Surely. As I said, the topography is
22 going to be the major issue for us because we're a lot
23 higher than the neighboring properties behind.
24 Obviously, it's all private property behind us. There
25 are some bigger hurdles that are just cutting through my

1 piece. It's where to cut through.

2 CHAIRMAN STUTO: Understood.

3 Okay, now we'll hear from our Town Designated
4 Engineer, Joe Grasso with CHA.

5 MR. GRASSO: There is a comment letter in your
6 packets dated March 24th. I'll go through more of our
7 significant comments and skip the technical comments
8 seeing as that we're only at concept review.

9 Chris, before we get off the topic about the
10 bike path connection, if you can go back to that
11 existing plan and if you as a large parcel owner had
12 to think about how a multiuse path could be routed
13 through your property just so that we can start to
14 think about it and the Planning Board can start to
15 think about it. I'm sure that you've probably
16 thought about it more than anybody.

17 MR. BETTE: Actually, I haven't. Back when Sunmark
18 was being approved, I know that it was a big
19 discussion. To be honest with you, we were part of the
20 Sunmark approval. I really don't know how it's getting
21 from British American to our side of Route 7. I'm not
22 sure.

23 MR. GRASSO: The thought would be along the Route 7
24 corridor where it would come down and across British
25 American Boulevard and then come along Route 7, but then

1 trying to get obviously to the north, possibly through
2 the northeast corner?

3 MR. BETTE: We have Sunmark here, a pizza place
4 between Sunmark and the old Shaker Inn which is now a
5 used car lot. Somewhere in there I think that you will
6 want to cut through.

7 MR. GRASSO: So, you're thinking that at this
8 project site that we're talking about tonight really
9 wouldn't impact that?

10 MR. BETTE: I think that it's going to be on the
11 eastern most side of the site. I think that just
12 because of the residential homes on this side and the
13 steeper topography - Orlovs Farm is here (Indicating).
14 They may be more amendable to cutting through there.

15 CHAIRMAN STUTO: Mike Tengeler, who is spearheading
16 that for the department?

17 MR. TENGELER: I believe that it's Mike Lyons.

18 CHAIRMAN STUTO: Can you bring that up to him?

19 MR. TENGELER: Absolutely.

20 MR. GRASSO: Just going back to some of the changes
21 that we saw which were comments made during the sketch
22 plan review, the western most curb cut is rights-in and
23 rights-out whereas before they were looking possibly at
24 a full access intersection there. So, that's consistent
25 with our comments and those from DOT. The western most

1 drive aisle behind the site is suited up now to
2 accommodate two way traffic whereas it was on only one
3 way heading south toward Route 7 before. Chris
4 mentioned about the changing of the angle of the parking
5 behind the building to run perpendicular with the main
6 spine drive that runs through the site. Then, we
7 thought that they did a good job articulating the store
8 fronts along the building.

9 Chris, is this duel siding with entrances along
10 both or one more than the other?

11 MR. BETTE: It's got a retail flavor because we
12 want to be able to attract those types of users, but
13 there will also be doors in the back if we do fill up
14 with office that they would rather park in the back of
15 the building.

16 MR. GRASSO: We thought that duel siding was an
17 admirable feature of the site and kind of blends in with
18 that mixed-use concept that I think the applicant is
19 going for.

20 Our second comment is that it's a redevelopment
21 project. Obviously, we look highly upon those
22 within the Town in preserving open space and
23 reducing environmental impacts. There are some
24 waivers that are going to be required for the design
25 standards. We talked about these at sketch plan

1 review and the Planning Board showed some support
2 for those.

3 The front yard building setback being setback
4 off of Route 7 exceeds the maximum so that will
5 require a waiver. There is no parking allowed in
6 the front yard and obviously a small amount of the
7 parking to serve the facility would be located
8 within the front yard.

9 Then the last thing is that for parking areas
10 greater than 20 spaces, there is a certain
11 calculation where you have to add 20 square feet of
12 landscaped island for each stall.

13 We'll need some more documentation from Chris'
14 engineer regarding how the site complies or doesn't
15 comply with that requirement. Based on our review
16 of it and what we typically see with existing sites
17 that get redeveloped, they don't meet that minimum
18 requirement. We think that a waiver is going to be
19 required there and I think that the applicant has
20 touched on that in their response, as part of the
21 submission.

22 In general, we are supportive of the waivers.
23 They are consistent with what we have seen before
24 and what we see along the Route 7 corridor. There
25 is no formal action required of the waivers because

1 we're only at concept, but if the Planning Board
2 wants to speak to any of those, or indicate support
3 we'll make sure that we prepare draft findings as
4 part of our consideration for final site plan
5 approval.

6 CHAIRMAN STUTO: The one that I've been grappling
7 with lately is the internal landscaping on the parking
8 lot. Are we going to see some landscaped concepts
9 tonight?

10 MR. GRASSO: There are some landscaped islands
11 proposed across the front of the site and along the east
12 side of the site. The existing large parking lot in the
13 back has some striped islands, which I think are areas
14 that could easily accommodate landscaped islands there.
15 It was a comment that was also suggested by the Planning
16 Department.

17 Chris, I don't know if you have a response to
18 that.

19 MR. BETTE: Yes, it's not shown very well on this
20 plan. The plans that you have -- you can see. We had
21 basically delineated the back parking lot as a no work
22 area for our purposes, but we also recognize the fact
23 that loading and unloading is important and we've
24 thought that the islands today. We're changing the way
25 that the water flows a little bit, but not changing the

1 way that the water is collected.

2 A couple of things: We're able to not upset the
3 way that the water is draining off of the parking
4 lot. We can unload and load in these areas because
5 we want to keep the road behind the building as a
6 single lane, 12 foot wide. One of the comments that
7 Joe hasn't gotten to yet -- one of the other
8 comments was to make that two-way. We looked at
9 that and we thought that was a good solution, but we
10 were very concerned with the additional conflict in
11 this area and the conflict of people going through
12 the drive-thru and then people turning in front of
13 them. We thought that if everything flowed in a
14 clockwise direction, it would work out well. We can
15 delineate this aisle here (Indicating) from not
16 coming in and they would come back out and that
17 would eliminate a lot of conflicts in our mind. By
18 having these striped islands that would allow it,
19 for whatever reason, if there was a queue at the
20 drive-thru, if we get a drive-thru user, queue up so
21 much that there would be room to bypass. So, we
22 don't need a specific bypass lane.

23 The islands -- we'd like to keep them striped
24 for the drainage purposes, unloading and loading
25 purposes and also as a bypass area.

1 CHAIRMAN STUTO: Are you responding to this sketch?
2 Is that what you are responding to?

3 MR. BETTE: I haven't gotten to that. I think that
4 Mr. Lyons did a couple things in that sketch. He has
5 landscaping. He has a curvilinear drive-thru suggestion
6 and then he also highlighted that the islands be curbed.

7 CHAIRMAN STUTO: Should we talk about that now or
8 just keep going?

9 MR. GRASSO: Yes, there is a lot of interrelated
10 comments here.

11 MR. BETTE: They're all related to the back of the
12 building. Our feeling with the curvilinear though -- we
13 did look at that as well and we did think that was nice.
14 We thought that it was unnecessary. If you look at 95
15 percent of the drive-thrus in town, it's the same
16 configuration. There is no need to do it. Our feeling
17 is that throwing a curve into the traveler's path is
18 more problematic than coming to a stop and then turning.
19 We would like to keep it the way that we have it
20 designed or do a little striped bold out area that isn't
21 a curve that would allow people around the turn but not
22 necessarily cause --

23 CHAIRMAN STUTO: I know that the Board Members here
24 have never needed a pass through, but would you put that
25 down Kathy.

1 Any opinion on that? I have to think about it.

2 MR. AUSTIN: As the driver of a fairly large
3 vehicle, making a turn -- I'm just thinking about Dunkin
4 Donuts up here at the corner of Route 9 by the
5 Firestone. That's a tricky one to get in and out of.

6 Also the one over on Route 9 by Sparrowbush as
7 well. That's a very tight over there. I think that
8 saving a curve is nice. Making that sharp turn
9 would be difficult for -- not myself, of course.

10 MR. BETTE: We're amendable to keeping the curve as
11 it's shown and the striping is something that directs
12 you to do something a little wider.

13 MR. MION: Similar to what McDonald's does now on
14 their new design?

15 MR. BETTE: They are as 90 degrees as this is, but
16 they do kind of round it with striping.

17 CHAIRMAN STUTO: Joe Grasso, do you have any
18 opinion?

19 MR. GRASSO: No, we're comfortable with the
20 striping and it may not need to be as accentuated as
21 it's shown in the Planning sketch, but we think that it
22 is a valid comment to pull them away from the corner a
23 little bit. We do have concerns about the one-way flow
24 there and pushing any vehicles into those striped
25 islands. We're okay with the one way traffic flow

1 through the parking lot as long as it's well signed
2 based on our experience, it causes conflicts, though.
3 If you want to do that, you can articulate it with
4 signage and striping and arrows and stuff, but we want
5 to make sure that there is adequate room across that
6 back lane. I don't think that 12 feet wide is adequate.

7 I think that it's up to the Planning Board to
8 decide about the inclusion of the landscaped islands
9 back there. I understand what Chris is saying
10 regarding the drainage. Normally you can work that
11 around with either creative landscaping or island
12 design, or pushing those to another area of the site
13 where you don't have blocked drainage.

14 MS. DALTON: I have a question. You said that you
15 didn't know about the 12 feet. That doesn't provide
16 enough room if someone is in the line and needs to exit.

17 MR. GRASSO: Exactly, right.

18 MS. DALTON: So, I have a problem with that.

19 MR. BETTE: There are two different things. If you
20 have already ordered, the retailer is not going to want
21 you to get out of the lane and screw up their order.
22 Back here (Indicating) there is plenty of room to get
23 out and do whatever you need to do. It's all paved
24 today.

25 MR. GRASSO: I think that for drive-thrus, we

1 always look for 20 feet so that if there is one car
2 stacked up, you can always pull out of line and get by
3 the line of cars. That's kind of a standard. I can't
4 remember if it's still in the Land Use Code or not.

5 MR. BETTE: If you look at a lot of the ones that
6 you see now -- the Dunkin Donuts on Route 7 by the
7 Italian Restaurant there, by the highway. That's got 40
8 feet or 60 feet. The Moe's on Wolf Road, that's all one
9 lane. There are quite a few that are just drive-thru
10 only. That's really what we want. We don't want the
11 parking folks to be trying to cut through to get to this
12 curb cut. We want them to orderly get to the signals
13 either through Rosendale or the one at the front of the
14 building here (Indicating). We've been trying to keep
15 the communication between the back parking lot and the
16 front parking lot separate.

17 MR. GRASSO: You show the drive aisle on the
18 western side -- on the plan it looks like it's about 20
19 feet wide. It looks like there is a bypass lane. I was
20 specifically referring to the one behind the building on
21 the north side. That's where we would support a change.
22 I think that's the issue that you need to work through.

23 Comment six in our letter is regarding stronger
24 pedestrian connections between Route 7 and into the
25 site. This is something that we touched on during

1 the sketch plan review. In your packet you'll also
2 see comments provided from the Planning Department
3 and from CTDA that kind of articulates desired
4 pedestrian routes through the site. I think that if
5 you look at every department comment, everyone kind
6 of has a slightly different spin, but the main idea
7 is to try to provide stronger pedestrian connections
8 from the Route 7 corridor into the site in multiple
9 locations along the frontage. There is no
10 connection right now proposed on the western side by
11 the curb cut, so that is probably a logical spot.
12 There is an existing bus stop central to the
13 frontage across this -- to try to provide a sidewalk
14 connection in towards the building from there.

15 Then there was a comment about adding another
16 one east of this development on the west side of
17 that main access road. We didn't support that
18 because there is a sidewalk right on the other side.
19 So, we didn't feel the need for that additional one.
20 But we thought that the first two that I spoke of
21 are important things that can easily be accommodated
22 for the planning without losing too much parking or
23 changing the site plan.

24 I don't know if the Board has any comments on
25 that.

1 CHAIRMAN STUTO: Can you point it out more
2 specifically?

3 MR. BETTE: Yes, today we have a connection up the
4 driveway and there is an existing connection to the bus
5 stop to the parking lot. What Joe has mentioned is do
6 better on this side of the bus stop (Indicating). I'm
7 assuming on this side of the curb cut that we somehow
8 have a crosswalk to here (Indicating) and the
9 opportunity to do another one here that also crosswalks
10 over to the other side.

11 MR. GRASSO: Or pick up the other one, that short
12 spur, and bring that over so that it connects more to
13 the building instead of right in front of a parking
14 spot.

15 MR. BETTE: Yes, I think that we can do something
16 on the other side.

17 MR. GRASSO: I think that we're on the same page.

18 CHAIRMAN STUTO: They sound like great ideas.
19 There is a sidewalk on Route 7.

20 MR. GRASSO: Yes.

21 Comment eight is regarding the architecture of
22 the building. We've got the design standards within
23 the zoning district that kind of outlines
24 architectural design in terms of how the windows
25 should be laid out and how the roofing treatment

1 should be and the use of exterior finishes. A lot
2 of what you see in the elevation that is proposed
3 doesn't conform with those architectural design
4 standards.

5 I think that it's important for the Board to
6 consider this and weigh in. I think that what Chris
7 was touching on earlier in his presentation is that
8 he's trying to accommodate more of a commercial
9 office park type setting and kind of dovetail in
10 with his existing buildings, but obviously it's a
11 stark contrast to what the design standards call for
12 along this corridor. We think that modifications to
13 the architectural design as proposed are required
14 for the thing to move forward. This is something
15 that we've talked a lot of and we try to look at
16 each project independently and on its own merit and
17 leave it up to the applicant to try to work through.

18 CHAIRMAN STUTO: Is the applicant open to
19 modifications on that architecture there?

20 MR. BETTE: We are. We're open to your input. Let
21 me just further what I said earlier. We asked an
22 architect to design us something that would complement
23 our office park. In trying to be in keeping with your
24 standards. We view it more like an office building that
25 has retail capability. We wanted something that

1 complemented the existing architecture which isn't
2 flashy, but a little bit more high tech. So, we're
3 using some metal panels. We're willing to put some
4 color into it so that it looks modern but doesn't become
5 dated, but also works with the office building, works
6 with office tenants. When we look at the code and we
7 look at what's been done in the last five years having
8 been done on Route 7 as with Dunkin Donuts and Dunkin
9 Donut plazas, they all look alike. They're all tan
10 stucco with different color awnings. There is really no
11 differentiation between one plaza to another. We
12 thought to try to implement some of the code features
13 and shield the units, give a little bit of height, make
14 it look something different would look more attractive
15 and more conducive to what our office park is. We're
16 willing to listen to your comments, try to implement
17 some of the things that you want to see in the building.
18 Our fear is just being another plaza on Route 7 that
19 look like the four others that you just pass by.

20 CHAIRMAN STUTO: I'll let the Board Members speak
21 on that.

22 MR. LANE: The building itself is --

23 MR. BETTE: A little bit more modern, a little bit
24 more high tech.

25 MR. LANE: It's a little bit more modern but is

1 there going ot be a little more color to it than this?

2 MR. BETTE: We can. The architect that we
3 commissioned kind of gave it a natural lighter earth
4 tone flavor. We're willing to put some color -

5 MR. LANE: I guess it would kind of depend on who
6 the tenant was that you expected to get in. Do you know
7 that?

8 MR. BETTE: I do know. I can explain to you
9 something that is happening that is important to us and
10 probably important to you folks. The whole site is
11 called 1201 Troy Schenectady Road. There are three
12 buildings and each building is labeled a different
13 number. This one that we are referring to is 1207. We
14 have 1201, 1203 and 1205.

15 In 1201 where Northwest Mutual is, we have a
16 dentist that has been here since CHP was their
17 landlord. He was going to move out. We showed him
18 what we are doing out in front and he said exactly
19 what he wants. He's trying to compete with -- the
20 name of the business in our building is First
21 Advantage. He's competing with the Aspen Dentals
22 and all the other dentals that you see in these
23 retail facilities. He said, I will go into that
24 front facility that you're building with my regular
25 dental practice and I'll maintain my surgery

1 practice that I have back where I am today. That
2 was big for us because his lease is coming up and he
3 was actually looking to move and closer to
4 Niskayuna. We said we think that we have something
5 that would work for you. He wants to be on the
6 corner. He's a pretty good size user. We said
7 we're going to try to design something that meets
8 our park, but also works for your need and for
9 trying to be an office user in a retail strip. I
10 think that is an important thing. We're going to
11 retain a good tenant and he's going to grow. I
12 think that is important.

13 MR. AUSTIN: Does he like the design?

14 MR. BETTE: He doesn't mind. He likes the fact
15 that where he would be located, he has the ability to do
16 a nice sign and it will be visible to Route 7.

17 CHAIRMAN STUTO: I personally would like more
18 architectural features. That's how I feel about it.

19 MR. LANE: When some of the groups come in and they
20 show what the renditions are and even if they know who
21 the tenants are going to be, they show some signage to
22 get an idea of what it might look like. It's not two
23 sided. Just to give it more of a character. It's tough
24 to look at it. It's kind of bland right now.

25 MR. BETTE: It's tough. We read about the AT&T

1 building on Wolf Road, the Panera Plaza, 65 Wolf Road
2 and all the things that you're talking about. A lot of
3 those were driven by Panera and Capital Bank and all
4 those things that we put in there -- those folks had
5 their own -- what they needed and what they wanted.
6 When we market it, we do show a cafe, a dry cleaner and
7 an insurance agent. We do show it with the signs. We
8 can certainly do that. Our goal was to be.

9 MS. DALTON: It's just not --

10 MR. BETTE: It's not wowing you.

11 MS. DALTON: Not at all. Not at all.

12 MR. BETTE: We can enhance. We'll do better.

13 MR. AUSTIN: You said that your fear was that it
14 will look like all the other strip plazas.

15 MR. BETTE: We don't want to be tan stucco with
16 black awnings, but if that's what the Board wants.

17 MR. LANE: Not exactly.

18 MS. DALTON: It doesn't have to be tan stucco and
19 black awnings to not look like this. I mean a great
20 example of that is the Rumors building. It came in
21 looking frankly, not like this, but as plain as plain
22 when they first walked in and we worked with them quite
23 a bit to get something that now when I drive by, it
24 looks very attractive with stone on the front or the
25 windows. That fit them. I'm not saying that we should

1 do something exactly like that, but it doesn't look like
2 the rest of the buildings there, either. This one
3 actually does look like some of the buildings there. It
4 does look like an elementary school. I think that if
5 you want some other types of retail businesses in there
6 -- you were even saying that the dentist likes that his
7 part goes up higher so that he can have a sign. I just
8 think that it needs more than what you have here. I
9 don't know what that is going to look like, but I'm sure
10 that you can work on something.

11 MR. BETTE: Yes, we can certainly enhance what
12 we've got. We're more fans of flat roofs, especially
13 with this last winter with all the snow and ice. We had
14 in our own office buildings, a lot of slip and falls. I
15 think that every retail establishment that has a pitched
16 roof towards the parking lot has a risk of injury. Our
17 65 Wolf Road -- we actually had to redo one of the
18 pitches so that it didn't throw ice out into the parking
19 lot. Our feeling is that a flat roof, from a
20 maintenance and safety standpoint, is actually better.

21 CHAIRMAN STUTO: You can do facades, though, to
22 break up the front.

23 MR. BETTE: Sure.

24 CHAIRMAN STUTO: I have heard a couple of comments
25 that there is too much beige on Route 9 and some of the

1 newer buildings. I think that it's valid. I wouldn't
2 mind some feedback from somebody in the newer
3 developments. I think that some color would be good
4 too.

5 Do you have any comments on that, Joe?

6 MR. GRASSO: No. I think that it's a valid
7 comment. This is the thing with design standards. I
8 think that Chris spoke to this when he was talking.
9 Once you have design standards, you run the risk that
10 everyone is trying to comply with the design standards
11 and you start to get a monotony of architectural style.
12 This is what I call in stark contrast to that - what we
13 have seen. Maybe it goes too far with the stark
14 contrast and I think that's what I'm hearing from the
15 Board.

16 I think that Chris got good feed back from the
17 Board and I think that with our comment, it will
18 come back. I would ask at final, though, even
19 though the architectural elevations are only
20 required at concept, you come back during final with
21 revised elevations and pick up some of these
22 comments.

23 CHAIRMAN STUTO: And if you want to come back in
24 between just for that, that would be okay.

25 MR. AUSTIN: Joe, you had mentioned that it was a

1 recommendation on your part to the architectural
2 standards. What would you envision potentially is kind
3 of a -

4 MR. GRASSO: I think that the architecture is more
5 geared towards an office park setting. It's got strong
6 horizontal geometry and it's very blocky. I would
7 promote from a retail establishment perspective even
8 with small office spaces in that type of setting, I
9 would rather see more locating and more changes of color
10 and texture so that there is some identity within each
11 tenant space.

12 MR. AUSTIN: I'm looking at the Rite Aid down the
13 way that has the gables and the different facades. It's
14 just kind of flat.

15 MR. GRASSO: I think that we're good with the
16 architecture.

17 Going through our comment letter - comments 14
18 and 15 both touched on the parking. Most of the
19 time we're worried if there is enough parking, and I
20 think that to the contrary on this site. I think
21 that our most concern is that the site may continue
22 to be over-parked. It's got sufficient parking to
23 support the uses. I don't know if there is a
24 comprehensive parking analysis that's been done for
25 the whole site.

1 MR. BETTE: We'll have that. We've looked at it
2 internally, but we haven't shown it yet.

3 MR. GRASSO: And I think that what it's going to
4 show is that there is adequate parking. It may be
5 something that in the future, it could accommodate
6 additional development or additional greenspace areas if
7 we're losing parking for various reasons to deal with
8 the site layout concerns that have been raised.

9 Comment 17 is regarding the exit of the
10 drive-thru. You have to remember the western most
11 curb cut is rights-in and rights-out. So, if
12 somebody is going to come out of that drive-thru and
13 wants to go east bound on Route 7, they would
14 basically take a left hand turn on the drive-thru
15 and cut down across the front of the plaza and then
16 take a left and head north, then take a right and
17 head out to the spine and another right and another
18 right. We had thought that just to make it as
19 convenient as possible for eastbound vehicles, cut
20 straight across the plaza all the way out to that
21 spine road and then lose three spots there. There
22 would be a right-out only slip. That would get you
23 right out to the signal. That would reduce that
24 circuitous route through the site, but it could also
25 reduce the potential for vehicles to want to not do

1 that and they just go straight out to Route 7 and
2 they make the illegal left turn movement at the
3 rights-in and rights-out access drive. It's
4 something that should be considered.

5 MR. BETTE: We looked at that and one of the
6 thoughts that we had was because we had this internal
7 collector road and that's kind of what we'd like to do
8 is get everybody into that road to queue up at the
9 light, that would be our preference. My concern is
10 because we have a straight and a right turn lane - it's
11 actually a dual lane and then a left turn lane. People
12 would queue across that right turn lane and block
13 traffic where if they just drove a little further and
14 got into the queue, they wouldn't impede anybody. We
15 also have a decorative sign and a nice landscaped area
16 wall right here (Indicating). I don't know how far it
17 goes back, but I'd hate to upset that just to make a
18 simpler slip ramp to the signal. Our preference is that
19 everybody uses the internal collector road and then
20 queues up at the light. That's what we would prefer to
21 do.

22 MR. GRASSO: Does the Board have any thoughts?

23 MR. AUSTIN: I think that's the preference, but in
24 reality I'm not sure that will happen. I'm just
25 thinking of rather when driving and doing all these

1 multiple turns coming out onto waiting at the light, not
2 that I would take an illegal left turn there, I can see
3 many people doing that against the right-in and
4 right-out. Then if there was just the straight internal
5 road -

6 MR. BETTE: I think that it has to be late at night
7 for you to do that illegal left from here. Just because
8 there is the start of the right hand taper. There is
9 the start of the left turn taper. You're crossing a lot
10 of traffic without a center area. It would have to be
11 an off hour move.

12 MR. AUSTIN: I'm just thinking convenience.

13 MR. BETTE: If you've been out there and you've
14 looked at what we have done, just for the sake of a
15 little slip ramp to upset that wall and that
16 landscaping, I would prefer not to.

17 MR. GRASSO: That's something that we can take a
18 look at closer as the plans advance we can go out to the
19 site and look at it. It's not something that
20 drastically changes the layout, so if it's something
21 that we continue to support and the Board is supportive
22 of it, we can do it at the time of final. We'll look at
23 it both ways.

24 MR. BETTE: I don't envision a heavy traffic load
25 but the queueing is only two cars deep to get to that

1 aisle.

2 MR. GRASSO: Does it queue up a lot? My experience
3 wouldn't be that it queues up a whole lot.

4 MR. BETTE: No. It's really at the end of the work
5 day because it's office.

6 One thing that we didn't talk about, Joe, and
7 that is your decorative fence comment. We show the
8 decorative fence per the Code - the way that we read
9 the Code. Joe's comments say, in essence, do
10 better. I'm happy to do better. When I read the
11 comment that says just a plain fence isn't
12 acceptable -- he doesn't say that, but it's not
13 desired. I look at some of the other stuff that's
14 been approved in the Town in the last couple of
15 years and I'm like, that's what the Code says and
16 that's what people are giving you. We have the
17 ability to maintain some of the berms that are out
18 here. If you're familiar with the site, there are a
19 series of berms and then there is a larger berm in
20 this area that we're going to need to take out for
21 the parking lot. We'd like to implement the berms
22 without the fence into that front scape to be
23 compliant with that 80 percent decorative thing that
24 you have in the code. So, if we can work out a way
25 where we use a little portion of fencing and the

1 berms and a little better landscape than what is
2 there, we're happy to do that.

3 CHAIRMAN STUTO: For me, if it's tastefully done
4 and it looks like a continuous thing, I'm okay with it.
5 It's a combination of things. I need to see what it
6 looks like though.

7 MR. AUSTIN: It's like Dunkin Donuts across from
8 the Midas.

9 CHAIRMAN STUTO: Yes.

10 MR. AUSTIN: We did some fence and some
11 landscaping.

12 CHAIRMAN STUTO: I voted against that.

13 MS. DALTON: In relation to what you were saying
14 Pete - I understand what you're saying about certain
15 areas of the Town in that we do certain things and we
16 ask for certain things so you're bringing up that it's
17 consistent with some of the things that have been done
18 in the past.

19 MR. BETTE: And the code.

20 MS. DALTON: And the code, but I want to add that
21 we try to be pretty thoughtful about what the topography
22 of any given piece of property, where it is, what's
23 around it, what the building looks like which would
24 offset maybe what's going in the front of it. I just
25 want to be clear that you've said a number of times, oh,

1 well, oh Wolf Road it looks like this or somewhere else
2 it looks like this. That's fine. But one of the
3 reasons why everybody appears in front of the Planning
4 Board is because everybody's property is different. I
5 appreciate what you're saying but between what you show
6 us the next time in terms of the building and what you
7 show us the next time in terms of the topography I think
8 well, give us a better idea of what, as a Board, we
9 think is the most attractive approach for that
10 particular spot.

11 MR. BETTE: That's what I'm asking. The berms
12 already exist. There are plants on them and there are
13 bushes and trees. I just as soon keep them and not run
14 the fence by them and if we can do something with fence
15 and the berms -

16 MR. GRASSO: I agree and that's kind of what we
17 touched on in our comments.

18 MR. BETTE: Sunmark has the wall facing the road
19 and theoretically our wall would face the building, but
20 you would see a nice landscaped opportunity. We don't
21 want to be held to a different standard than everybody
22 else, though.

23 MS. DALTON: That's the point that I'm trying to
24 make. I don't think that you are being held to a
25 different standard. Other people have come before us

1 and said, well, so-in-so did this and so-in-so did that.
2 Yes, but every piece of property is different and that's
3 one of the reasons why we strive to incorporate a series
4 of considerations between what the design standards are
5 -- we can say to you what the design standards say that
6 you have to do it in a certain way so you have to ask
7 for certain waivers.

8 MR. BETTE: If you have been through our office
9 parks and you've been to this office park, we do a very
10 good job of landscaping. That's a focus of ours. I
11 think that we'll do a nice job here.

12 MS. DALTON: I'm just addressing to the - don't
13 hold us to different standards.

14 MR. BETTE: If you drive by Denny's on the way
15 here, you see just a black fence 30 or 40 feet long.

16 MS. DALTON: But how long has that been there?

17 MR. BETTE: I don't know. I'm just saying that it
18 met Code, but it's not as ideal as we all would like.

19 CHAIRMAN STUTO: Chris, you're not making good
20 arguments really.

21 MR. BETTE: I just passed them tonight.

22 MS. DALTON: How long has that building been there?
23 Come on.

24 MR. BETTE: They put up black fence up and that's
25 new. We're happy. As long as the Board will work with

1 us, we'd like to integrate the berms into that plan to
2 get that 80 percent coverage.

3 MR. GRASSO: And this is something that we often
4 see at concept where it's a literal interpretation of
5 where they just run the fenced across the frontage
6 without a lot of articulation.

7 CHAIRMAN STUTO: If that was the only test then you
8 wouldn't need a board.

9 MR. GRASSO: Understood. It does dovetail with
10 another comment that I do want to bring up regarding the
11 landscaping across the frontage. I think that it was
12 the Planning Department that suggested some street trees
13 across the front. That's something that we do support
14 and we like to see along this corridor. You have sight
15 lines and retail establishments that you don't want to
16 block visibility towards, but the concept plan doesn't
17 show any street trees there. There are some utilities
18 there that have easements and they're going to restrict
19 placement in some areas so we may not be able to get all
20 the trees as shown on the sketch included in the
21 comment, but we do support addition of street trees
22 along the Route 7 corridor.

23 Is that something that you think you would be
24 willing to do?

25 MR. BETTE: We would like the opportunity if we

1 could preserve what is there. There are some trees and
2 bushes on the tops of these berms - if we can integrate
3 the existing trees that are there into the design, we'd
4 like to do that.

5 MR. GRASSO: Is the Board comfortable with that
6 approach?

7 CHAIRMAN STUTO: I am.

8 MR. AUSTIN: I just don't know where there are any
9 other street trees on Route 7.

10 MR. GRASSO: If you drive it, you'll notice. The
11 sites that have been redeveloped there within the past
12 10 or 15 years - you'll see street trees.

13 MR. BETTE: Related to that landscaping issue,
14 let's just talk about the buffer between me and the
15 neighbor. It was a comment somewhere. We are not
16 planning on doing any work that is there. That buffer
17 that is established is pretty well established. They're
18 mature trees. Our thoughts are - and if you look out
19 there, they are pretty much all on my property so the
20 trees that were planted when CHP was developed - I think
21 that once the leaves come in it will be so full that you
22 won't be able to see through. Right now you can see
23 through but Mr. Brownsie's house is on the clear other
24 side of the road.

25 MR. GRASSO: So, those trees are going to remain?

1 We just couldn't tell.

2 MR. BETTE: Yes, we're not going to go over here
3 and do anything other than just prune some bushes. It's
4 all mature stuff. There is no work that is needed.

5 MR. GRASSO: Skipping down through our comments -
6 because we think that the other ones are pretty
7 technical and we think will be addressed as the plans
8 advance. In terms of SEQRA, comment 25 in our letter,
9 it is a Type I action, pursuant to SEQRA. They did
10 provide a full environmental assessment form which we
11 have reviewed. Comment 27, we did pick up some specific
12 things that we requested be changed even though Part I
13 of the full EAF is the responsibility of the applicant.
14 Parts II and III are obviously the responsibility of the
15 lead agent. A coordinated review is required. The
16 involve agencies, right now we believe is the Colonie
17 Planning Board for site plan review. It's a Section 239
18 referral to Albany County Planning Board. Because the
19 site is within 500 feet of the Town of Niskayuna, we
20 asking that the Town submit the plans to the Town of
21 Niskayuna for any comment. There are comments in your
22 packet from Albany County Planning Board. Those
23 comments are being addressed as part of the Planning
24 review and also will require a Department of Health
25 highway work permit for the new curb cut on Route 7, and

1 it will require a SPDES permit form DEC because of the
2 stormwater discharge. We don't see, based on right now,
3 any significant environmental impacts associated with
4 this the project. We normally recommend that the Board
5 wait to make a formal determination until making a
6 determination on the final site plan application and at
7 that time we would draft a SEQRA documentation for the
8 Board's consideration. If the Board has any specific
9 concerns regarding the environmental review or
10 environmental impacts, we can build those into the
11 review as we move forward.

12 CHAIRMAN STUTO: I don't, but does anybody have any
13 environmental concerns?

14 (There was no response.)

15 MR. GRASSO: Once again, it is in the airport area
16 GEIS study area so mitigation fees will be applied and
17 address cumulative impacts associated with the project.

18 CHAIRMAN STUTO: I'll make opening comments. It
19 seems like there are a lot of unresolved issues which
20 includes the architecture, how the front is going to
21 look in terms of the landscaping and the fencing.

22 Also, the traffic stuff and the internal
23 landscaping. In other words, the internal
24 circulation. I'm almost wondering if it's
25 worthwhile have an intermediary meeting to try to

1 get some of those things through. This is your up
2 front piece on the property, so I think that it's
3 going to affect the look. It may impact how you
4 develop the rest of it.

5 What do you think, Joe?

6 MR. GRASSO: I think that if we don't have strong
7 support from the applicant regarding his confidence that
8 he is going to be able to address the comments to our
9 satisfaction and to the Planning Board's concerns raised
10 tonight - we're going to get into that, but we're going
11 to address the few and try to work towards a different
12 resolution and what we have discussed then I think that
13 coming back before final has merit. If he's confident
14 based upon what he heard and what he saw in our letter
15 and other departmental comments that he's going to be
16 able to come in and address 95 percent of the comments
17 to our satisfaction, then I think that he has the
18 ability to advance the plans.

19 I don't know what your timeframes are.

20 CHAIRMAN STUTO: Let's take circulation. You're
21 not in agreement on circulation.

22 MR. GRASSO: No, we are not. But he knows the
23 comments out there. I think that we've worked through
24 those. If Chris feels like he's not going to be able to
25 address our comments -

1 CHAIRMAN STUTO: Does the Board want to speak to
2 that before we turn it over to the applicant?

3 MS. DALTON: I think that there is enough questions
4 especially about the drive-thru lane.

5 CHAIRMAN STUTO: How do you feel about that, Chris?

6 MR. BETTE: We're talking about adding another lane
7 behind the building. Frankly, I don't think that it's
8 necessary.

9 CHAIRMAN STUTO: Maybe you can come back and just
10 meet with us for a sketch plan.

11 MR. BETTE: I do need to meet with Joe because I
12 think that we need to clarify our stormwater approach.

13 CHAIRMAN STUTO: I don't mind voting on concept,
14 myself, but I'm just saying -

15 MR. BETTE: I'm happy to meet with Joe and I'm
16 happy to come back here to talk about the changes that
17 we made to the elevations to make sure that you folks
18 are in line with what we are thinking. I don't think
19 that it's going to change. The elevation is not going
20 to change here site plan wise. I really want to get
21 into the technical review for preliminary final because
22 I do have a tight time frame. That dentist needs to
23 know where he is going and he needs to know soon. We
24 have told him that we think that we can move fairly
25 fast. If we can't deliver, then he'll make plans to do

1 something different. I think that from a site plan
2 review I'd like to prepare what I think is preliminary
3 final submission to the TDE and the departments to start
4 that review. We will enhance this elevation to bring it
5 back here in front of you folks -

6 CHAIRMAN STUTO: This is what I'm trying to avoid -
7 for you to go through that and come back for a final.
8 We have about four or five moving parts and then you may
9 have resolved two or three of them as well as we might
10 like. But then we don't feel good about the project.
11 It could be a two-track system. I don't want to be
12 submitting for semi-final review or whatever. I would
13 like to knock off some of the other issues so that we
14 are all in agreement.

15 MR. BETTE: We would like to leave here tonight
16 with the road being in the form that we wanted, but I'm
17 happy to meet with Joe off-line to say what can we do
18 because we are concerned about a conflict creation on
19 one end. He may have solutions that we haven't looked
20 at.

21 MR. GRASSO: If we feel that we need the Planning
22 Board to weigh in on that decision, we'll bring them
23 back for another sketch review and not a formal
24 preliminary final submission and before he goes too far.

25 CHAIRMAN STUTO: But I wouldn't mind seeing some

1 architecture and the front facade thing that you're
2 talking about. I wouldn't mind seeing something on that
3 either. Your combination of berm and fencing and all
4 that stuff.

5 MR. BETTE: That plan that we're going to develop
6 for preliminary final submission anyway. That process
7 is reviewed at his office and the departments and then
8 we come here. We're happy to come here with that plan
9 and with that elevations and say this is the direction
10 that we're going. I would just like to get Joe looking
11 at the stormwater, Joe looking at the sanitary sewer and
12 Joe looking at a lot the other things that just need to
13 be looked at quickly. We believe that we can move fast.
14 We'd like to submit that preliminary setup final plans
15 within the next week to start that whole process.

16 CHAIRMAN STUTO: Okay, is there anyone from the
17 audience that would like to speak on this project?

18 (There was no response.)

19 CHAIRMAN STUTO: Any more comments from the Board?

20 (There was no response.)

21 CHAIRMAN STUTO: Do we have a motion on concept
22 acceptance?

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

24 MR. LANE: Second.

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 Thank you.

8 MR. BETTE: Thank you.

9

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11 (Whereas the above proceedings concluded at

12 8:02 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 May 2, 2014

