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PLANNING BOARD COUNTY OF ALBANY 1
TOWN OF COLONIE

FIRST COLUMBIA OFFICE/HOTEL
227 WOLF ROAD AND 652 ALBANY SHAKER ROAD
APPLICATION FOR SEQR DETERMINATION

THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY STRANG-VANDEBOGART, a Shorthand
Reporter, commencing on April 22, 2014 at 8:41 p.m.
at The Public Operations Center, 347 Old Niskayuna
Road, Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
TINA GOODWIN SEGAL
SUSAN MILSTEIN
BRIAN AUSTIN
TIMOTHY LANE
LOU MION

ALSO PRESENT:
Kathleen Marinelli, Esq., Counsel to the Planning Board
Joe LaCivita, Director, Planning and Economic Development
Michael Tengeler, Planning and Economic Development
Chris Bette, First Columbia

1 CHAIRMAN STUTO: The final item on the agenda is 2
2 First Columbia Office/Hotel. This is at 227 Wolf Road
3 and 652 Albany Shaker Road. We are actually seeking to
4 designate ourselves as lead agency for SEQRA.

5 Is that correct, Joe?

6 MR. LACIVITA: Yes.

7 CHAIRMAN STUTO: The applicant wanted to inform the
8 Board of some updates.

9 We'll turn it over to the applicant.

10 MR. BETTE: My name is Chris Bette and I'm with
11 First Columbia. With me again tonight is Stephanie
12 Ferradino from Couch White.

13 As the Chairman said, we are here tonight to
14 ask this Board to designate themselves as Lead Agent
15 for the SEQRA review associated with the project.
16 Initially this was driven by the approval needed
17 from the Town SEAMAB Board for the protective water
18 course impact associated with adding some asphalt
19 into the watercourse buffer on the backside of the
20 property. That's what we are here tonight for.
21 SEAMAB had asked --

22 CHAIRMAN STUTO: Can you orient us on that drawing?

23 MR. BETTE: I will. Wolf Road is here (Indicating)
24 being both north and south on the paper. Albany Shaker
25 is east and west across the paper. The indoor soccer

1 facility is here (Indicating). On the bottom of the 3
2 sheet would be the Hampton Inn. There is a day spa
3 facility on the corner of Wolf. We have made an
4 application to the SEAMAB Board initially when we
5 started the project when we came to see you folks in
6 January to just get sketch plan review for our larger
7 project. At that time we had envisioned potential
8 redevelopment of the indoor soccer facility which is on
9 seven acres, which necessitated some additional
10 protected watercourse impacts. We have reduced the
11 scope of the project. We have brought it back and we
12 have eliminated the seven acre soccer facility piece
13 from our project and are just now focusing on the vacant
14 eight acres on the corner of Albany Shaker and Wolf
15 Road. With that, we have reduced tremendously what we
16 do in the protected watercourse buffer area that the
17 SEAMAB folks are concerned with. But we still have that
18 process to address. We're in front of that Board
19 tomorrow just to give an update on our plan, but also
20 give an update on what transpires here this evening as
21 far as lead agency for SEQRA review.

22 This is just a little different from what we
23 did in January, like I said we had a large retail
24 component envisioned for the soccer facility parcel.
25 We had a hotel and then we had some out parcels

1 along the front. With the reduction in scope of
2 taking the retailer off, we've kind of focused on
3 the direction the nanoscience folks have been
4 touting and we've actually seen it ourselves. We're
5 providing an extended stay type product that these
6 travelers for nano and global and all the folks
7 coming into the area for business would stay at;
8 longer duration, modern, clean. Additionally, we
9 are proposing a three-story office building -- Class
10 A office building similar to what we have been
11 building up at Century Hill Drive. Our reason for
12 the office here is the proximity to the airport.
13 Most of the folks coming into the area for business
14 are coming through the airport to do business with
15 the nanoscience folks or the global folks. We
16 thought that was a great way to capture those new
17 businesses and be close to the airport. I think
18 that most of the folks are going to be coming
19 through the airport and not necessarily the highways
20 because they are coming from out of the country and
21 whatnot. We thought that a reduced plan of less
22 retail and a nice office component that complements
23 the hotel component and not only in shared uses for
24 parking -- they're off-hours users so we get to
25 minimize the parking that we would need for those

1 two things separately. It's a low trip generator
2 for traffic, which is a lot better than what we had
3 originally conceived when the retailer was part of
4 the plan. Very few trips -- over 100 trips for both
5 uses, but never 100 trips to any one intersection.
6 We think that's a big plus for this SEQRA portion
7 that we're trying to accommodate initially. I think
8 that it works with the traffic and the road.

9 Just so that you can get a sense, this piece
10 has been vacant for 20 or 30 years; probably
11 forever. The roundabout that was constructed five
12 years ago really allows this piece to be developed
13 because you have the ability to get out onto Albany
14 Shaker Road, go through the roundabout and head
15 west. In the past you didn't have a way to get out
16 if your accesses were limited to rights-in and
17 rights-out like we are suggesting. So, we think
18 that with those limitations and with the use of the
19 roundabout, access to this site is unimpeded.

20 We're proposing three curb cuts. One on Wolf
21 and two on Albany Shaker. We do have a left-in so
22 that you can get in from the westbound side.
23 Obviously, that's very important but you are able to
24 go east, west, north and south very easily from the
25 site.

1 When we look at the SEQRA portion of what we're 6
2 trying to do, it's pretty simple. The DEC has a
3 mapper that we use when we generate the long form
4 and we generated the long form EAF for this project.
5 They talk about archeological things. This site
6 predominantly is outside of the DEC's mapped areas,
7 but we are studying the archeological issues
8 potentially associated with the land. We are
9 talking to the DEC about getting some lists of
10 endangered species. We don't feel that there are
11 any issues there as well; either plants or wild
12 life.

13 We have talked to the Pure Waters Department as
14 far as sewer capacity. This area is served by pump
15 stations that the Town owns and maintains. One on
16 Wolf Road which I think that this Board has been
17 looking at with the redevelopment of the Lazare
18 piece, and another pump station over at the end of
19 Maxwell and the roundabout. So, we'll be looking at
20 those two pump stations as well to service this
21 project. The capacity is a little bit of an issue,
22 as you know, from the Wolf Road studies, but we do
23 think that there is capacity in the systems and
24 we'll demonstrate that.

25 Water was never really an issue. As we were

1 going to do when we had the indoor soccer facility,
2 there is a waterline behind it. We're going to
3 pursue the connection of that water line and tie it
4 into the waterline that is at the property line
5 behind the Hampton Inn to create a loop system that
6 will give the Gay Lyn Drive/Ulensky Drive people
7 some redundancy and allow us to service our
8 projects. When we look at the SEQRA and the
9 potential adverse impacts, we think that we can
10 handle everything that's out there and there is
11 nothing that would stop the project. We're here
12 tonight to ask the Board or if the Board sees fit to
13 become lead agent to kind of map out a path.
14 Because we need to get SEAMAB's approval for work in
15 the watercourse buffer, we need to get that before
16 we can actually do a full review. It's kind of like
17 the Zoning Board of Appeals. We'll need to get that
18 approval before this Board can actually give us an
19 approval on site plan. So, SEQRA has to be taken
20 care of and we really just want to start the
21 process, but also understand how we can accommodate
22 the review and accommodate what SEAMAB needs to do.
23 Also, this is to work in conjunction with us
24 pursuing site plan approval.

25 So, that said, Mr. Chairman, I'm happy to

1 answer any questions about the project.

8

2 CHAIRMAN STUTO: I want to keep it restricted to
3 what we are here for, and that's declaring lead agency
4 status and the environmental aspects. The SEAMAB thing
5 I think is fair game because it ties into that, but I
6 don't want to get into the architectural review. I
7 don't want to go broader than what is on the agenda and
8 what is intended to be covered tonight.

9 Chuck, can you help us through -- do you
10 understand the interrelationship in our approval and
11 the SEAMAB approval? My understanding is that it's
12 a water course protection and they are looking for a
13 waiver because they're going to be within the 100
14 feet.

15 MR. VOSS: Right.

16 CHAIRMAN STUTO: Can you explain that to us?

17 MR. VOSS: The SEAMAB functions basically to
18 protect the water courses throughout the Town.

19 CHAIRMAN STUTO: Where is the water course?

20 MR. BETTE: The water course is actually on the
21 Hampton Inn property just on the back side of our
22 parcel. It's piped for the most part of our piece and
23 opened channeled to the last 60, 70 or 80 feet.
24 Everything flows to Ann Lee Pond. So, it starts
25 collecting water -

1 CHAIRMAN STUTO: Is it all open water? 9

2 MR. BETTE: It's all open channel flow from the
3 east of our property.

4 CHAIRMAN STUTO: Is that dotted line 100 feet?

5 MR. BETTE: This is the 100 foot buffer
6 (Indicating).

7 MR. VOSS: Essentially, SEAMAB says anytime you
8 encroach on that buffer, you have to get a variance.
9 It's like an area variance, almost. In this case, it
10 doesn't sound like it's going to be a stretch for SEAMAB
11 to grant that approval. As Chris mentioned, there is a
12 procedure that you have to go through. It's just like
13 getting a variance for an area variance or for another
14 project. So, essentially you have two Boards looking at
15 this project. However, SEAMAB can't officially act on
16 the variance until SEQRA is completed for the project.
17 This Board has agency authority over the project as a
18 Type I action, and I believe that it's certainly
19 appropriate for you to state that you will be lead agent
20 for this.

21 CHAIRMAN STUTO: Is there a 30 day - or some kind
22 of waiting for this?

23 MR. VOSS: There is no running time period.

24 MR. BETTE: We actually did that in February. You
25 guys asked to be lead agent and coordinating letters

1 went out.

10

2 MR. VOSS: It was a coordinated review and that was
3 all taken care of. Really, what has to happen is we
4 would suggest that this Board advance the site plan
5 review process in conjunction with our application for
6 SEAMAB so that potentially when we get to maybe
7 preliminary final review which could be very quick on
8 this project, the Board would be in a position to act on
9 SEQRA, which would then allow SEAMAB to give final
10 approval, which would then allow this Board essentially
11 go to final. It's a little bit of the cart before the
12 horse and who comes first. I think that would probably
13 get everybody through in a timely manner. You wouldn't
14 have to wait and you wouldn't have to hold the applicant
15 up through SEAMAB for two or three months. We can then
16 move things pretty quickly.

17 CHAIRMAN STUTO: So, we designate ourself lead
18 agency and then have it back as soon as we get through
19 the environmental issues.

20 MR. VOSS: Yes, and Chris, correct me if I'm wrong
21 but I think that you guys are pretty well advanced with
22 plans.

23 MR. BETTE: What we have submitted to date would be
24 equivalent to concept level.

25 MR. VOSS: Just so the Board knows, we have

1 reviewed those plans already at the concept level and 11
2 they are ready to go. So, this Board could act very
3 quickly at the next meeting on the concept level.

4 CHAIRMAN STUTO: Can you explain how this ties into
5 the connector road that we're trying to get through to
6 Maxwell Road extension or whatever? I don't know if
7 everybody knows what we are talking about.

8 MR. VOSS: Chris is aware that there was discussion
9 a week or so ago internally with the Town departments.
10 DOT was invited, Albany County Highway was invited and
11 Capital District Transportation Authority was asked to
12 sit in. It was a general discussion not directly
13 associated with the project, but in general with the
14 corner of this intersection, in addition to the Maxwell
15 Road connection now being proposed. It will eventually
16 link into the traffic circle, in addition to the
17 Northway Exit 3/4 rework. That group had just a general
18 discussion. I produced a memo in association with Mike
19 Lyons with Town Planning and that outlines some of those
20 questions. I think that the Board has those.

21 CHAIRMAN STUTO: Is that the letter that just got
22 circulated?

23 MR. VOSS: Yes, and that is just for your
24 consideration as we move the project forward. Chris has
25 a copy of that as well. There are just general

1 comments. Some we agree with and some may have an 12
2 impact on this project. I think that as Chris
3 mentioned, the way that they are configuring the project
4 right now and envisioning it, the access seems to be
5 okay.

6 CHAIRMAN STUTO: Are we proposing a road stub going
7 in that direction or no?

8 MR. VOSS: It was a suggestion. I don't know if
9 this Board is willing to consider it seriously and I
10 don't know if we can. The application doesn't have
11 control of several parcels that would be a part of
12 something like that. That's something that we can look
13 at.

14 MR. BETTE: That's Maxwell Road Extension or
15 Aviation Road - the indoor soccer facility, another
16 chunk of land and then the road. It's two parcels away.

17 CHAIRMAN STUTO: Once that connection is made, it's
18 going to make major differences.

19 MR. VOSS: I think that the original configuration
20 that Chris had - the first iteration where they had
21 control of those two major parcels, that may have been
22 much more practical to look at. Now, I don't know.
23 It's something to think about as the project advances.

24 CHAIRMAN STUTO: Do we have a motion to make us
25 lead agency?

1 MR. MION: I'll make that motion. 13

2 MR. AUSTIN: Second.

3 CHAIRMAN STUTO: Is there any more discussion?

4 MR. BETTE: Just so we understand because this
5 Board does not meet when we submit preliminary final -
6 we usually do that back and forth with the TDE, my
7 understanding would be that we would schedule a hearing
8 when Chuck is ready to say SEQRA is done so that way we
9 could then wrap up SEAMAB.

10 CHAIRMAN STUTO: I want the staff to suggest how we
11 do this.

12 MR. LACIVITA: One of the things that we're
13 thinking of is because of the timing and trying to get
14 the project through and the level of the quality of the
15 plans that we currently have, in talking to the TDE, we
16 don't have any problems, concerns or reservations not to
17 do our typical path to do SEQRA at concept because we
18 are so far advanced and we can actually get to that
19 SEQRA component -

20 CHAIRMAN STUTO: If, in fact, that is the case.

21 MR. LACIVITA: That's what we are looking at right
22 now. Then they can get him back on to SEAMAB in May.

23 CHAIRMAN STUTO: Does the Board see any problem
24 with that?

25 (There was no response.)

1 MR. BETTE: That works for me. Preliminary final -
2 we don't meet on that, but concept we would.

3 CHAIRMAN STUTO: We still have the motion before us
4 which is seconded. Do we have any further discussion on
5 that?

6 (There was no response.)

7 CHAIRMAN STUTO: We'll take a vote. All those in
8 favor say aye.

9 (Ayes were recited.)

10 CHAIRMAN STUTO: All those opposed say nay.

11 (There were none opposed.)

12 CHAIRMAN STUTO: The ayes have it.

13 MR. BETTE: Thank you, very much.

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16 (Whereas the proceeding was concluded at
17 9:00 p.m.)

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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 May 8, 2014

