

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 LATHAM PLAZA
5 1210 TROY SCHENECTADY ROAD
6 SKETCH PLAN REVIEW

7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY STRANG-VANDEBOGART, a Shorthand
10 Reporter, commencing on June 3, 2014 at 7:01 p.m. at
11 The Public Operations Center, 347 Old Niskayuna
12 Road, Latham, New York

11 BOARD MEMBERS:
12 PETER STUTO, CHAIRMAN
13 TINA GOODWIN SEGAL
14 SUSAN MILSTEIN
15 BRIAN AUSTIN
16 TIMOTHY LANE
17 LOU MION
18 KATHY DALTON

16 ALSO PRESENT:
17 Kathleen Marinelli, Esq., Counsel to the Planning Board
18 Joe LaCivita, Director, Planning and Economic Development
19 Michael Tengeler, Planning and Economic Development
20 Richard Rosetti
21 Nick Costa, Advanced Engineering
22 Joe Grasso, PE, CHA

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1 CHAIRMAN STUTO: Hello, and good evening everyone.
2 Welcome to the Town of Colonie Planning Board.

3 We were just talking about the rain. We were
4 supposed to get two inches and we got about an inch,
5 so I hope that everybody is designing for the 100
6 year storm or the 1,000 year.

7 Joe, do you have any housekeeping matters
8 before we start calling up the projects on the
9 agenda?

10 MR. LACIVITA: Actually, yes. It's a good thing
11 that we have Joe here next to us, as well.

12 This Planning Board has asked us before to take
13 a look at how the Land Use Law is designed under the
14 designed standards, but also as to the number of
15 waivers that we continually grant on projects.
16 Clough Harbour actually takes in interns every year.
17 One of the things that they are looking at working
18 hopefully with the Town is actually taking a look at
19 these design standards -- looking as to why we grant
20 them and then coming back with potential solutions
21 for it.

22 I don't know if Joe can even actually go a
23 little further on the process, but that's kind of
24 what we are looking at now. We should have a report
25 back in early July or the end of August.

1 MR. LANE: I thought that we had a committee that
2 was working on that.

3 MR. LACIVITA: We have a Land Use Law Review
4 Committee but what we are doing is looking outside the
5 bounds of that and working with the interns and Clough
6 on the project for the reasons as to why the design
7 standards may be the way that they are as well as why we
8 grant the waivers continually and see what alternatives
9 we may have. Then we'll go back to the Land Use Law
10 Committee to make a recommendation to that.

11 MR. GRASSO: And I'll just expand on that. Every
12 summer we employ 50 to 60 interns of all different
13 backgrounds and different studies in college that
14 they're going through. We look to offer these interns
15 an opportunity to do a special project off the normal
16 clock of their employment at CHA and we give them a list
17 of projects to choose from. So, we've worked with Joe
18 on developing a little project for the interns to take
19 on delving into these waivers and the design guidelines,
20 like Joe had mentioned. They have to get the work done
21 during the summer. It involved 20 or 30 hours of work
22 of their time over a month or so. They put together a
23 little project and make the presentation. We'll make
24 that available to the Planning Board and obviously Town
25 staff.

1 CHAIRMAN STUTO: Do you have one particular intern
2 on this one?

3 MR. GRASSO: No, it will probably be three or four
4 different interns working together as a team. That's
5 part of the goal is to get a group approach.

6 CHAIRMAN STUTO: If they want to make a
7 presentation here -- if that helps, we'd love to hear
8 it.

9 MR. GRASSO: We'll offer it up to them.

10 CHAIRMAN STUTO: Is that it?

11 MR. LACIVITA: Yes.

12 CHAIRMAN STUTO: We'll call up the first project.

13 This is Latham Plaza, 1210 Troy Schenectady
14 Road. This is a sketch plan review. This is a new
15 12,000 square foot office/retail, 3,000 square foot
16 restaurant and reduce the former bowling alley to
17 28,424 square feet.

18 Joe, do you have any introductory remarks
19 before we turn it over to the applicant?

20 MR. LACIVITA: No, we know that the project is
21 gaining a lot of interest in the public. It's been in
22 the newspaper today. We had Channel News 9 here earlier
23 tonight. It was on VanDenBurgh this morning. There is
24 a lot of buzz going around this project.

25 The building was built in 1962. I think that

1 it's been vacant for a number of years. It had been
2 in a downward decline ever since. The project came
3 to us a relatively short time ago. It's been in
4 front of our DCC on May 14, 2013 and is here for
5 sketch plan review.

6 We have Mr. Rosetti and his group here tonight,
7 too.

8 MR. ROSETTI: Thank you all for coming out on a
9 rainy event tonight. There is a lot of work and a
10 lot of hours and no pay. That sounds like a job of an
11 intern.

12 Is everyone familiar with 1210 Troy Schenectady
13 Road, the former Bowler's Club? We bought this
14 project last fall. It's adjacent to our property
15 that I have right now, which is the headquarters to
16 my offices. It's a 5.85 acre parcel and the
17 building is a little over 40,000 square foot. It's
18 in the COR district, the
19 commercial/office/residential for those that don't
20 know what that is.

21 What we are proposing to do is completely
22 renovate the project into a retail shopping center.
23 We are proposing taking down around 12,000 square
24 feet of the building and we're also looking at
25 adding two additional pad sites. One would be a

1 3,000 square foot pad site and the other one would
2 be a 10,000 square foot pad site.

3 The current greenspace is around 29.2 percent.
4 We're looking at increasing the greenspace to 37.1
5 percent. That's about an eight percent increase in
6 greenspace. In the COR district the required
7 parking would be 220 spots and we're proposing 264
8 spots.

9 CHAIRMAN STUTO: Can you show us on that diagram
10 where you're chopping off part of the bowling alley?

11 MR. ROSETTI: I have a slide that I'm going to show
12 you.

13 CHAIRMAN STUTO: Okay, that sounds good.

14 MR. ROSETTI: We have the before and after, side by
15 side comparison. I had people that I showed this to and
16 they asked where is that building? I said, well it's
17 the bowling alley. That's with the renovations are
18 going to look like.

19 The current conditions on the site -- here is
20 the slide showing what we are going to be removing
21 (Indicating).

22 The current conditions, as you can see, is
23 pretty run down and pretty desolate. There are two
24 curb cuts currently. There is one that is 82 feet
25 wide and one that is 50 feet wide.

1 We also purchased 409 Vly Road, which is a
2 residential house. This was the house that we
3 thought would be most impacted by our development so
4 we worked with Mr. Coleman and we found him another
5 home in the same school district as his children go
6 to. We're just renting the house out currently, but
7 we thought that it would be a good buffer for the
8 rest of the project.

9 This is the proposed site plan layout. The two
10 curb cuts that we are proposing closing are equal to
11 about 142 feet of linear feet of curb cut and we're
12 proposing one 36 foot curb cut in the center with an
13 in and two outs; one right and one left.

14 I'll put back the other slide so that you can
15 see the difference between the curb cuts and what we
16 currently have. One of the other things that we are
17 proposing -- which is the 60 and 82 and actually
18 what we are proposing. The other thing that we're
19 going to do is that I own the adjacent property and
20 we're going to make a connection to that property
21 and make use of the traffic light. There is a
22 traffic light currently right here (Indicating) in
23 this current intersection right now that curves
24 around. You can see how this curves around
25 currently. What we are proposing to put back is

1 straightening this intersection out and then making
2 it a T-connection in this location right here
3 (Indicating). So, it will greatly increase the flow
4 between the two plazas and then gain access to the
5 traffic light.

6 CHAIRMAN STUTO: Can you show me where the new curb
7 cut is?

8 MR. ROSETTI: The new curb cut is going to be right
9 here where the 36 is (Indicating) and if you flip back,
10 these are the two that are currently existing.

11 Some of the other features that we are
12 incorporating and one of the suggestions in the
13 zoning is to add outdoor seating or outdoor patio
14 areas. We have two of those right now. We have one
15 here and another one proposed for over here
16 (Indicating).

17 This is a map showing how we would connect all
18 the traffic and keep it off of Troy Schenectady Road
19 (Indicating). This is the intersection of Vly Road
20 and Troy Schenectady Road here. We have access next
21 to Stewarts up to here. (Indicating) This would be
22 the project that we are talking about right here.
23 This is the traffic light at the intersection that
24 we were just talking about (Indicating). We are
25 also proposing putting in a driveway that would gain

1 access all the way out to British American Boulevard
2 and also to our plaza to British American Boulevard.
3 We want to create a lot more of a pathway for people
4 to get to the services there without actually having
5 to go out to Troy Schenectady Road, or create more
6 traffic.

7 Some of the materials that we are going to be
8 using -- we're going to be using a lot of brick and
9 a lot of stucco. We're going to use some fractured
10 block and then we also have some features which are
11 these pyramid shaped roofs which will be metal on
12 these two pyramids (Indicating). The one out front
13 will be a feature and will be glass and will be
14 backlighted so that at night it will light up.

15 All of the stores will be accessed either from
16 the front here or here (Indicating). The total cost
17 of the renovation will probably be around three
18 million dollars, so we are making a significant
19 investment in the plaza. It's certainly something
20 that's been sitting idle for a long time.

21 If you don't have any questions on this
22 particular part, I have Nick Costa who is my design
23 engineer who will talk about the technical aspects
24 of the project.

25 CHAIRMAN STUTO: Any questions?

1 (There was no response.)

2 MR. COSTA: Good evening. My name is Nick Costa
3 and I'm with Advanced Engineering and we prepared the
4 sketch plan that you're looking at tonight.

5 Some of the technical features of this, as Rich
6 mentioned previously, is the increase of greenspace
7 with this redevelopment. The current site basically
8 is all paved or roofed. It just runs out to the
9 curb line of Route 7, Troy Schenectady Road which
10 has catch basins that are owned by DOT and those
11 catch basins take the water away to the Mohawk
12 River.

13 Some of the features that we are going to be
14 doing with the redevelopment is we're going to be
15 increasing the greenspace especially out here in the
16 he front portion of the site which will slow down
17 some of that runoff. That is just because of the
18 change of the surface material from pavement to the
19 grass. There is existing sewer infrastructure that
20 we are going to be connecting to to take care of the
21 sanitary sewer and the water that are going to be
22 needed for the customers that are going to be
23 visiting the site.

24 There will be four waivers that we are going to
25 be requesting. The maximum setback from the right

1 of way along Route 7 is 25 feet. We can't meet that
2 because the buildings would have to sit out here
3 (Indicating) and there are, as shown in this yellow
4 color, two sanitary sewer lines that run at that
5 location. One of them is a trunk sewer that picks
6 up the western portion of the town of Niskayuna and
7 takes it to the treatment plant. That is an
8 existing situation that we can't remedy. That is
9 why we are showing the buildings to be set back away
10 from Route 7. We are going to be lining them up
11 with the existing buildings that are already on
12 Route 7.

13 The other waiver is no parking in the front
14 yard. If we could put the buildings out here
15 (Indicating), then we would be parking at the rear.
16 Because we are utilizing the rear for the building,
17 we are going to need the parking in this area.

18 The other waiver is parking closer than 10 feet
19 on the sideline. Again, this area right here is a
20 service entrance to that plaza and there is existing
21 pavement there (Indicating). So, we are utilizing
22 some of that area for some of the parking. We are
23 providing some shared parking between the
24 facilities.

25 The other improvement on the drainage is that

1 we are going to be constructing a detention basin
2 back here (Indicating) that basically takes the
3 water that comes down the hill that currently goes
4 undetained out to Route 7. We're going to be
5 detaining it and releasing it at a slower rate into
6 the existing system. There are two access points;
7 one from Vly Road and one from Troy Schenectady
8 Road. There is an interconnection to the light that
9 is located right there (Indicating).

10 The other waiver is the 20 square feet of
11 landscaping per parking stall. We're going to ask
12 for a waiver on that. We are increasing the
13 greenspace on the site substantially.

14 MR. LANE: You already have all that parking space.
15 You've got 264 and you're only required to have 220.
16 Why is that necessary?

17 MR. COSTA: We also think that there will be some
18 shared parking with the adjacent plaza.

19 MR. LANE: I understand that it's good to provide
20 the additional greenspace, but I don't understand the
21 necessity for the waiver if you have abutting parking
22 space now. Even if you put in those little parking
23 islands, you would lose 20 spaces and you'd still have
24 what is required. I'm just making a guess.

25 MR. COSTA: Again, we'd like to request a waiver.

1 We'll present some justification for that as we move
2 through the process.

3 Are there any questions?

4 MR. MION: On the Coleman property, what were you
5 going to do over there?

6 MR. ROSETTI: We don't have anything proposed to do
7 on the Coleman property right now, but it was the
8 property that was most impacted by our development. So,
9 we purchased the property and relocated Mr. Coleman to
10 another home in the same school district as his kids go.
11 There are no plans for it right now.

12 MR. MION: You're still going to utilize that drive
13 in going out to Vly?

14 MR. COSTA: Yes, we are.

15 MR. MION: Do you have any plans for making it
16 bigger or anything like that? I know you own that,
17 correct?

18 MR. COSTA: We do.

19 MR. MION: Not Stewarts.

20 MR. COSTA: That's right.

21 MR. MION: I go by there quite a bit and there is
22 not enough parking.

23 MR. ROSETTI: We offered Stewarts to buy the
24 Coleman home and sell them the piece of property and let
25 them move the road over, but they declined our offer.

1 They were unwilling to do that. We agree with you.
2 There is not enough parking and they clog up the aisle
3 and we striped it at our own expense. They have done
4 very little to control their customers and their own
5 vehicles from parking there.

6 CHAIRMAN STUTO: Do they have any rights to that
7 property in terms of easements?

8 MR. ROSETTI: They have an easement to drive on it,
9 but they don't have an easement to park on it. Nia
10 Cholakis, our in-house counsel, has sent them a letter
11 stating that. Every day I drive through there and their
12 customers are parked there. We're hoping that long-term
13 we'll be able to work something out.

14 MR. LACIVITA: This Planning Board had talked to
15 them before about concerns that it had with the parking.
16 They asked that they put up no parking signs on it.
17 Unfortunately, the overflow has come onto Mr. Rosetti's
18 property and they're parking along side of the access
19 road. It really tightens that up for emergency reasons.
20 Based on having conversations with Mr. Rosetti, I've
21 tried to have conversations with Stewarts to try to
22 bring them to the table. I do have another meeting with
23 them this Thursday with it. There is an intent to try
24 to shift the road and make more parking for Stewarts on
25 that site and then also it pulls the queuing a little

1 further down. So, we're trying to bring them to the
2 table and become a better steward of that property as
3 well.

4 MR. ROSETTI: Chairman, it's not just the parking
5 on the road, it's that their customers are parking in
6 our parking lot as well. It's been an ongoing issue.
7 We weren't looking to profit by it. We were simply
8 looking to turn the house over to them for what it cost
9 us and have them do whatever improvements that would
10 need to be done to move the road over. They have been
11 reluctant to do that.

12 The stipulation in their approval was that they
13 were supposed to monitor the parking out there and
14 they have done nothing, even with their own trucks,
15 to keep people from parking there.

16 CHAIRMAN STUTO: Okay, we'll keep an eye on that,
17 too.

18 Is that the end of the presentation?

19 MR. ROSETTI: That's the end of our presentation.

20 CHAIRMAN STUTO: Joe Grasso I know that you're
21 ultimately going to review this. I don't know if you've
22 spent any time with it and if you have any comment.

23 MR. GRASSO: We have. We have toured the project
24 site and we have attended the DCC meeting and we've
25 taken a look at the materials that you have before you

1 tonight. We don't do a formal letter in advance of
2 sketch plan review.

3 They've done a great job with the presentation.
4 I must say that it's one of the better presentations
5 that we've seen in front of the Planning Board.
6 They put a lot of effort into the visual aids and we
7 appreciate that. The project has a lot of great
8 aspects which both Joe and Rich's team have touched
9 on. The things that I think are noteworthy - the
10 access management arrangement for this property is
11 really outstanding. When we look at the multiple
12 cross access connections through various properties
13 - they go from property to property - all that does
14 is help distribute traffic onto the local network
15 better and keep traffic off of Route 7 - those
16 unnecessary trips and get people where they want to
17 go quicker which is a great thing to have.
18 Unfortunately, we hear some of the pitfalls of cross
19 access arrangements. When we talk about the
20 Stewarts there are those potential conflicts between
21 adjacent property owners and the misuse of a cross
22 access easement. So, it's something for the
23 Planning Board to be aware of. I'm not sure that
24 we've gotten an opportunity to make the situation
25 better.

1 We commend the applicant for at least buying
2 that adjacent property so at least we have more
3 flexibility in working with Stewarts or the
4 applicant moving forward.

5 There is no question that when you look at a
6 redevelopment of the property, it's always better
7 than developing a greenfield site. We've got a
8 project here that's increasing greenspace from what
9 they have now which you typically don't see often
10 with redevelopment projects. Obviously, it's going
11 to increase aesthetics. Then, when we talk about
12 the redevelopment project, not only are they going
13 to redevelop it with new buildings and a new parking
14 lot but they're also going to reuse part of the
15 existing structure. So, there is another positive
16 benefit that we often don't even see with
17 redevelopment projects.

18 The other more admirable features of the site
19 is strong pedestrian connections and that's
20 something that I think that we'll take a look at
21 closely when we get into the detailed site plans,
22 but the plan already proposes really strong
23 pedestrian connections both out to Route 7 as well
24 as to the adjacent properties.

25 CHAIRMAN STUTO: Can you show that on one of your

1 pictures or at least point it out?

2 MR. GRASSO: It may be easier on your site plan.
3 It's not that easy to see there.

4 MR. COSTA: These are the proposed sidewalks that
5 Joe is describing (Indicating). They all go out to
6 Route 7. We're interconnecting with the adjacent plaza.
7 There is quite a few paths.

8 CHAIRMAN STUTO: So, all three buildings plus the
9 cross connection will all connect up and go out to Route
10 7?

11 MR. COSTA: That's correct. You can get to this
12 building from multiple locations. There are sidewalks
13 throughout for the patrons to walk on the sidewalks.

14 MR. GRASSO: So, in terms of the access
15 arrangement, we talked about the access connections
16 across the various properties and Rich described that
17 there are two existing full access curb cuts that serve
18 the property as well as the cross connections and
19 they're are looking to consolidate that into one curb
20 cut, which is a great feature. We do need to make sure
21 that new location is a good location for a full access
22 curb cut because there are signals, both that serve the
23 CHP Plaza as well as down on Vly Road. We want to make
24 sure that there are no operational issues between those
25 two signals and queuing cars with cars trying to either

1 get into the site or out of the site.

2 Out along Route 7 there is that two-way left
3 turn lane which is a great feature for cars either
4 trying to come in or to leave to stage in, but still
5 we need to look at the details of that location. I
6 will say that the two full access curb cuts that
7 were serving the bowling alley parcel were old
8 historical curb cut locations and those were
9 developed long before the signal at CHP and the curb
10 cut for the Stewarts recently redeveloped a year or
11 so ago.

12 So, some of the issues that we'll have to take
13 a close look at, like I said, that full access
14 location onto Route 7. There is an existing large
15 storm drainage system that runs through the site
16 that collects water from Vly Road. It's a 30-inch
17 pipe up along the Vly Road corridor and then it
18 turns into an 18-inch pipe through the site. So,
19 you're looking at a constriction of flow, so we'll
20 look to work with Nick and the applicant and the
21 Town as well to make sure that water is safely
22 conveyed through the site and we're not causing a
23 flooding issue on this property or further
24 downstream on the Route 7 corridor.

25 The four design waivers that Nick had mentioned

1 - they have justification when you look at the
2 waivers that have previously been granted by the
3 Planning Board. All of the waivers that they are
4 currently seeking are ones that are supported based
5 on similar reasons that we see on this project site,
6 based on what we have seen before. So, initially
7 they're all supported. We'll obviously need to get
8 into the details of each one and make sure -

9 CHAIRMAN STUTO: What is your response to Tim's
10 question about the internal greenspace?

11 MR. GRASSO: Very often with a redevelopment
12 project, we've got very little interior island
13 landscaping and we can look at how much they are
14 improving that from the current conditions. I would say
15 that when you look at the requirement in the design
16 standards, it's a rather high level to achieve. So, it
17 would be something that we would look to grant some
18 relief through a redevelopment project.

19 You bring up a good point. Right now if you
20 look at the parking calculations, they're over
21 parked by about 40 space. So, we should look at is
22 their ability to reduce the parking or possibly land
23 bank the parking. In that same context lets keep in
24 mind that it's a redevelopment project. They don't
25 know exactly what their parking demands or tenant

1 mix is going to be. They could have a restaurant
2 out front that has a high parking demand. So, we
3 want to make sure that we're not ripping up asphalt
4 and spend a lot of money there and then go back and
5 build parking two years down the road. We'll take a
6 close look at it.

7 You have to remember that they are already
8 increasing their greenspace from what they've got to
9 what is there today.

10 The original sketch plan that I saw had a
11 maintenance building out back with an access through
12 the adjacent property. Is that part of the current
13 application?

14 MR. COSTA: That's a storage building.

15 MR. GRASSO: So, that's a maintenance building that
16 serves this property -

17 MR. COSTA: Storage building.

18 MR. GRASSO: Okay storage building, but its primary
19 access is through the adjacent property.

20 MR. COSTA: Correct.

21 MR. GRASSO: So, the Building Department had
22 determined that if that is going to be the access
23 arrangement because they are not utilizing their
24 frontage for access that it would require an ODA. That
25 is going to require a recommendation from the Planning

1 Board. It's something that we support and we think that
2 it's a good use of access and there is already cross
3 access easements that we can build off of. We think
4 that this is a good application, but it's something for
5 the Planning Board to be aware of so that we can get
6 that process underway.

7 CHAIRMAN STUTO: Do you agree that it requires an
8 ODA? We can take a close look at it.

9 MR. GRASSO: Without knowing the interpretation of
10 the Town, I would not have thought that it would
11 required an ODA only because the primary buildings are
12 all accessed off of its frontage, and I would consider
13 this an accessory building.

14 CHAIRMAN STUTO: Okay, we'll ask Kathleen and the
15 Town Attorneys office if they have an opinion on it.

16 MR. GRASSO: And that's all we got. I look forward
17 to working with the applicant and moving forward.

18 CHAIRMAN STUTO: Any other questions or comments?

19 MS. DALTON: Nicely done. The presentation was
20 great. The building that you showed us it's really
21 attractive.

22 I did have a question and that's if you had any
23 idea what kinds of restaurants you were thinking of
24 bringing in. Would they be chains or local?

25 MR. ROSETTI: We don't know yet. We just got the

1 rendering done a few weeks ago working on the plans and
2 we wanted to come in before the Board and present this
3 before we actually sit down and meet with somebody and
4 start talking about this.

5 MS. DALTON: Well, the fact that you bought the
6 neighboring property and you did the access roads is
7 great. I was wondering what we were going to do about
8 getting more traffic around the commercial space.
9 That's nicely planned.

10 MR. ROSETTI: Thank you.

11 CHAIRMAN STUTO: Anybody else?

12 (There was no response.)

13 CHAIRMAN STUTO: Thank you. It looks good.

14

15 (Whereas the above entitled proceeding was
16 concluded at 7:30 p.m.)

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CERTIFICATION

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I, NANCY STRANG-VANDEBOGART, Shorthand
Reporter and Notary Public in and for the State of
New York, hereby CERTIFY that the record taken by me
at the time and place noted in the heading hereof is
a true and accurate transcript of same, to the best
of my ability and belief.

NANCY STRANG-VANDEBOGART

Dated June 16, 2014

