

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 MAVIS DISCOUNT TIRE
5 750 LOUDON ROAD
6 WAIVER REQUEST
7 PARKING WITHIN FRONT YARD SETBACK

8 *****

9 THE STENOGRAPHIC MINUTES of the above entitled
10 matter by NANCY STRANG-VANDEBOGART, a Shorthand
11 Reporter, commencing on September 9, 2014 at 7:52
12 p.m. at The Public Operations Center, 347 Old
13 Niskayuna Road, Latham, New York

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15 BOARD MEMBERS:
16 PETER STUTO, CHAIRMAN
17 LOU MION
18 SUSAN MILSTEIN
19 TIMOTHY LANE
20 KATHY DALTON
21 CRAIG SHAMLIAN

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23 ALSO PRESENT:

24 Kathleen Marinelli, Esq., Counsel to the Planning Board
25 Joseph LaCivita, Director, Planning and Economic
Development
Frank Fazio, PE,
Michael Tengeler, Planning and Economic Development

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1 CHAIRMAN STUTO: We'll call up the next project.
2 Mavis Discount Tire, 750 Loudon Road. This is a waiver
3 request -- parking within front yard setback.

4 Mike Tengeler, did you review this?

5 MR. TENGELER: Yes.

6 CHAIRMAN STUTO: Do you have any introductory
7 remarks?

8 MR. TENGELER: Yes, briefly. The site is located
9 on Route 9. It's kind of a gateway to the south and
10 southern part of Route 9. We have the end of Kunker and
11 Route 9. There is just one property to the north that
12 separates it.

13 We originally received an approval in 2009.
14 Before that it was Cole Muffler, so it's generally
15 the same use since previous to 2009. We have
16 noticed that there has been some parking on the
17 greenspace, so I reached out to Mavis to try to
18 bring that to the table to improve the site. In
19 doing so, they contracted Frank Fazio to make some
20 site upgrades. We've got some extra parking that
21 they are supplying around the site. Some additional
22 landscaping to the front area that would preclude
23 any further parking on the greenspace, as well as a
24 street connection. There is a connection that comes
25 in from Route 9 in the form of a sidewalk into the

1 site.

2 Frank is here, and Frank will present the rest
3 and kind of give the nuts and bolts of the project.

4 MR. FAZIO: Thanks, Mike.

5 As Mike was saying, this used to be a Cole's
6 Muffler and it turned into a Mavis site.

7 CHAIRMAN STUTO: Can we have your full name for the
8 record?

9 MR. FAZIO: I'm sorry; Frank Fazio.

10 They've done very well since they purchased the
11 site. As Mike mentioned, things picked up a little
12 bit with more parking, so we tried to get them some
13 more parking. What we're able to do is we added a
14 couple of spaces on the south side, but we were also
15 looking at plain spaces along the road on the west
16 side along the frontage of the road and that's where
17 we need a waiver on that. We tried to clean it up
18 as best as we could. There is limited space that is
19 in there between the facility and the road. So, we
20 have to add maybe 10 feet of pavement along the
21 existing paved area that's there. So, the advantage
22 is that they have a lot of pavement in the front
23 already so we just have to push it out a little bit
24 to be able to get the parking spaces located in
25 there. They currently have about 10 spaces and

1 we're going to double that and put in an additional
2 10 spaces. We do want to be cognizant of screening
3 because we are asking for a waiver for the front
4 yard parking.

5 So, we've dressed it up a little bit with some
6 plantings the best that we could. It's right near
7 the road so we can't get too elaborate with it. So,
8 we put in some shrubs and some trees in there just
9 to dress it a little more.

10 Other than that, there is really nothing else.
11 We are eliminating one of the curb cuts for the road
12 in there. That is what is allowing us to get that
13 in here now. If we put all the parking in here
14 (Indicating), we're down to one access. That will
15 organize the site a little bit better too. So,
16 we're going to go with a north entrance. We'll
17 modify the sidewalks a little bit. We'll just fix
18 this one spot and put a handicapped access ramp
19 there. We think that this will organize the parking
20 a little bit more for everybody. There will be no
21 utility work and no real grading work other than
22 just putting in the pavement and the landscaping.

23 MR. AUSTIN: Are you going to stripe the spots?

24 MR. FAZIO: Yes.

25 MR. AUSTIN: Because right now they're not striped

1 or anything.

2 MR. FAZIO: Some of them are striped and there are
3 others that are not and the rest is lawn.

4 CHAIRMAN STUTO: I'm looking at the materials, but
5 we can open it up to the Board for any comments or
6 questions.

7 MR. MION: You're only going to put in two extra
8 trees?

9 MR. FAZIO: No, we're putting in trees along the
10 front. I think that there are five in total. We're
11 trimming some of the space along these corners here
12 (Indicating). There will be a new one at the north
13 entrance and then there will be a couple along the
14 front. There will be some going in along the side
15 there, too.

16 MR. MION: How tall are those going to be?

17 MR. FAZIO: We're trying to keep it like an
18 ornamental tree. The Town requires a 3.5 inch caliper.

19 MR. MION: What I'm concerned about is that we
20 spent a lot of time on greenspace. That's going to be
21 greenspace. I think that it was mentioned at the
22 beginning of this that there was parking on the
23 greenspace. We want to keep cars off the greenspace.
24 Maybe you can add something else in there to make sure
25 that greenspace is filled up.

1 MR. FAZIO: I agree with that. What I did was
2 there is actually a hedgerow with some shrubs along the
3 front. They'll grow very dense and they'll end up being
4 2.5 feet or three feet tall. That would be a vegetative
5 barrier. So, it's something that you'll see. It's not
6 like flowers. There will be a shrub in there.

7 MR. SHAMLIAN: Have you given thought to internal
8 curb?

9 MR. FAZIO: No. There is no curbing in there right
10 now. I think that once this is all paved and the
11 landscaping is in there -- I don't think that it's
12 conducive to that. It's fairly flat site, as it is now.
13 it's going to be solid with the trees. It will be like
14 a green wall.

15 MR. LACIVITA: I just want the applicant to be
16 cognizant of the fact that road salt erodes the
17 evergreens very quickly.

18 MR. FAZIO: Some of the types that you put in there
19 will be better for that, too. We're going to try to
20 keep them as far away as we can.

21 MR. SHAMLIAN: Have you thought about a short fence
22 or something? I think that over time the plants are
23 going to get plowed under.

24 MR. MION: How about something like what they have
25 at Fresh Market?

1 MR. TENGELER: Do you think that the applicant
2 would be open to maybe putting up a three and a half or
3 four foot iron or metal fence also across that to maybe
4 alleviate some of the Board's concerns as well?

5 MR. FAZIO: I can check.

6 MR. LACIVITA: Especially with the fact that you're
7 using a berm in the front of the fence, you can take the
8 evergreens out and replace that with a fencing
9 potentially.

10 MR. FAZIO: Okay. Maybe like the wrought iron
11 ones? so just on that one side?

12 MR. TENGELER: Yes, just on that one side.

13 CHAIRMAN STUTO: So we're discussing an ornamental
14 wrought iron facsimile fence along the parking spaces
15 that face toward Route 9, along the front, as worked out
16 by the department.

17 MR. FAZIO: Yes.

18 CHAIRMAN STUTO: Any other comments or questions?

19 Can you state specifically what we are doing on
20 the hedges?

21 MR. FAZIO: We're removing these and in its place
22 we'll put the fence in and we'll take all the plants
23 that are in there and move it farther away from the
24 road, actually. The shrubs will stay.

25 MR. LACIVITA: I think that protects them and the

1 snow won't get on them.

2 CHAIRMAN STUTO: Someone want to walk us through
3 the Resolution that we have here?

4 MS. MARINELLI: Planning Board findings, Land Use
5 Law design standard waiver, Mavis Discount Tire, 745
6 Loudon Road.

7 Now therefore be it resolved, the Board hereby
8 recognizes the improvements proposed at the site
9 will improve the Loudon Road corridor in both
10 aesthetics and functionality; and be it further

11 Resolved, the Board hereby recognizes the
12 granting of this waiver to allow parking within the
13 front yard building setback does not hinder the
14 Town's objectives to protect its important natural
15 resources; conserve farmland; create recreational or
16 wildlife trail corridors; the preservation of
17 historic resources; or protected view sheds or
18 scenic roadways; and be it further

19 Resolved, the Board hereby finds the waiver
20 request reasonable to allow the future development
21 of the site and grants the waiver request to allow
22 parking within the front yard building setback; and
23 be it further

24 Resolved, this waiver findings be kept in the
25 project file in the office of the Planning and

1 Economic Development Department.

2 CHAIRMAN STUTO: Are we going to consider this
3 based on the two conditions as discussed in the record,
4 that a fence be put on the Route 9 side and that the
5 plantings be changed as discussed on the record.

6 MR. LANE: Yes.

7 CHAIRMAN STUTO: I would ask that the stenographer
8 put this in its entirety in the Resolution and record.

9 Any further discussion on the Resolution?

10 (There was no response.)

11 Do we have a motion?

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

13 MR. SHAMLIAN: Second.

14 CHAIRMAN STUTO: Discussion?

15 (There was no response.)

16 All those in favor?

17 (Ayes were recited.)

18 All those opposed?

19 (There were none opposed.)

20 The ayes have it.

21 Thank you.

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23 (Whereas the above referenced proceeding was
24 concluded at 8:05 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 October 1, 2014

