

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 NEW COMER CANNON
181 TROY SCHENECTADY ROAD
5 SKETCH PLAN REVIEW

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand
8 Reporter, commencing on September 9, 2014 at 7:30
p.m. at The Public Operations Center, 347 Old
Niskayuna Road, Latham, New York

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10 BOARD MEMBERS:
11 PETER STUTO, CHAIRMAN
12 LOU MION
13 SUSAN MILSTEIN
14 TIMOTHY LANE
15 KATHY DALTON
16 CRAIG SHAMLIAN

17

18 ALSO PRESENT:

19 Kathleen Marinelli, Esq., Counsel to the Planning Board
20 Joseph LaCivita, Director, Planning and Economic
21 Development
22 Lynn Sipperly, PE, Sipperly and Associates
23 Darren Miller, New Comer Cannon

24

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1 CHAIRMAN STUTO: Okay, the clock says 7:30. The
2 next item on the agenda is New Comer Funeral Home, 181
3 Troy Schenectady Road. This is a sketch plan review.
4 This is to raze an existing restaurant and construct a
5 10,784 square foot funeral home and 1,125 square foot
6 garage.

7 Joe LaCivita, do you have any introductory
8 remarks on this?

9 MR. LACIVITA: Yes, when New Comer Cannon first
10 came and looked at this site, they tried to do a
11 restoration of the existing building that they had. As
12 they started going through the process, I think that
13 they realized -

14 CHAIRMAN STUTO: You mean at the current location?

15 MR. LACIVITA: Yes, they tried to use the existing
16 structure and I think that as they went through the
17 process I think that they found that it was going to be
18 a little bit more cookie-cutter than they had
19 anticipated, and realized as they went through the
20 process that -

21 CHAIRMAN STUTO: So, are you going to move if you
22 go forward with this?

23 MR. SIPPERLY: No, this is their second location.

24 MR. LACIVITA: Like I said, they went through the
25 process and they looked at it and they were going to try

1 to work this site through the Building Department
2 directly, but I think that it's going to be better
3 served to do a new structure on the site.

4 I'll turn it over to Lynn Sipperly.

5 MR. SIPPERLY: Thank you, Mr. Chairman and Members
6 of the Planning Board. My name is Lynn Sipperly with
7 Sipperly Associates.

8 With me this evening is Darren Miller. He is
9 the planner and developer for New Comer Funeral
10 Homes.

11 As Joe mentioned, New Comer has purchased the
12 property at 181 Troy Schenectady Road which is
13 currently developed with a - most recently used as a
14 restaurant. As Joe mentioned, there was an
15 extensive review to renovate the existing building
16 to use as a funeral home. As they got further into
17 the design they found that the structure of the
18 building really was compromised and would not work
19 for their particular use. It was just too
20 expensive. So, what is proposed is to demolish the
21 existing building and to construct a new building
22 on-site.

23 The drawing that I have up is the current site
24 plan showing the existing building and the parking
25 area and access along the east along an easement

1 area that they have for egress and ingress to this
2 site.

3 If you've ever been to the restaurant, the site
4 really didn't work very well. The parking lot in
5 the back was extremely steep and in bad weather, it
6 had to be treacherous.

7 What is proposed is to demolish the existing
8 building to remove the parking lot because of its
9 poor condition. To the west of this is AFSCO Fence
10 which I think that everyone is familiar with that
11 also. So, what is proposed is to construct a new
12 single-story building; 10,800 square feet for
13 funeral home purposes. We would still maintain the
14 access from our ingress/egress easement on the east
15 side of the site. What we are also proposing to do
16 is to bring in a right-in and right-out driveway on
17 Route 2 at this location here (Indicating). That
18 would kind of make the site more user friendly and
19 also provide a secondary means of ingress/egress
20 instead of just an easement that we have along the
21 driveway on the east side of the site.

22 There is mature landscaping along Troy
23 Schenectady Road. When I say mature landscaping,
24 there are mature trees that will be retained and
25 there is also some mature trees along the AFSCO side

1 of the property that also will be preserved so that
2 we also have some natural buffer already in place.
3 New landscaping will be added around the building
4 and in the parking lots and on the site to be
5 consistent with the Town regulations for this
6 particular zoning. The zone is COR and the funeral
7 home use is permitted in this zone. It's a
8 permitted use. That works well for the site. The
9 way that the building on the site works is that the
10 east side of the building which is at the bottom of
11 the map is really the service area. This is the
12 service portion of the property where preparation of
13 the deceased occurs (Indicating). This location
14 also is where deliveries would occur. So, we have a
15 driveway along the building on this side with an
16 exit only onto our driveway which is the
17 ingress/egress easement and again, it's really for
18 deliveries. The deliveries that would occur
19 principally is flower deliveries and also casket
20 deliveries.

21 It's a typical funeral home in the sense that
22 it has hours of operation generally between 8:00 in
23 the morning and 9:00 p.m. at night for employees.
24 The general public would typically be between 3:00
25 p.m. in the afternoon and 8:30 in the evening.

1 Funeral services generally are between 9:00 a.m. and
2 2:00 p.m. Generally, it's more like 9:00 to 11:00.
3 If there is a funeral scheduled for the afternoon
4 for some reason, there would also be an opportunity
5 or occasion where an afternoon funeral would occur
6 also.

7 The operation would be seven days a week with
8 regard to visitation and preparation services. It
9 would be six days a week with regard to arrangements
10 and consultations for services. We're proposing -
11 that the facility would include two chapels or two
12 parlors for viewing and visitation. Those two
13 parlors are flexible enough to be divided into two
14 each so there could be, on certain occasions,
15 smaller funeral services at this location.

16 The parking requirement for four chapels based
17 on Town standards would be 20 spaces per chapel or
18 80 spaces. We're proposing 100 parking spaces which
19 is 25 percent over what is the minimum required by
20 the Town. We would request a waiver from this Board
21 with regard to the front setback along Route 2. The
22 current building is set back 50 feet. The Town
23 standard is 20 feet on a minor highway. We're
24 asking the Board to consider 35 feet back which
25 allows us to really put more greenspace in front of

1 the building and allow that site to work a little
2 bit better. There are some easements on our
3 property along Troy Schenectady Road which preclude
4 that if we were to hold a 20 foot setback, putting
5 in signs or landscaping could be an issue because we
6 would be on top of those easements and some of those
7 easements are restricted with regard to surface
8 improvements.

9 The stormwater would be in accordance with the
10 Town of Colonie regulations. Presently, the
11 building has water and sewer service. Water is
12 located on Route 2 right on the side of the street,
13 so we would use the existing water service. We
14 would make some modifications to it as requested by
15 Latham Water.

16 The sanitary sewer is located along the
17 westerly side of the site. Apparently, there is a
18 sanitary sewer line there and an easement that the
19 Town has. We would just connect it to that sanitary
20 sewer with this facility.

21 The site is about 39 percent greenspace.

22 We would like to hear what the Board's feelings
23 are.

24 CHAIRMAN STUTO: I'm going to have a couple of
25 questions, and the Board may as well.

1 Our Town Designated Engineer, Barton and
2 Loguidice, were unable to attend but they did review
3 it and I know that they sent some comments in to Joe
4 LaCivita.

5 Joe, would you mind relaying those to the
6 Board?

7 MR. LACIVITA: Sure. Based on the review - I think
8 that you heard these at the DCC from Chuck. They wanted
9 to advise the Board that they have no concern with the
10 project and that they would recommend it to advance into
11 the concept stages. The only item that they did talk
12 about, and again I think that this was brought up at the
13 DCC, was the soil types where they had the Rhinebeck
14 soils on-site base on their survey that they did. Since
15 the Rhinebeck soils are such an inferior soil, any
16 proposed on-site infiltration will not likely occur with
17 the soil.

18 MR. SIPPERLY: That's correct. We're not proposing
19 any on-site infiltration.

20 MR. LACIVITA: That's really their only concern
21 that they had was with those types of soils. Other than
22 that, they're ready to move it forward to advance it to
23 concept, if the Board so chooses.

24 CHAIRMAN STUTO: If you don't mind, I'm going to
25 ask a couple of questions. You may have addressed it

1 but you said that the parking lot was steep. Are you
2 changing the grade of the parking lot?

3 MR. SIPPERLY: We are, yes. We are changing the
4 grade of the whole site. We're bringing the building
5 lower and bringing the parking lot up. The back of the
6 building, which was the entrance to the restaurant,
7 sloped down and it exceeded 10 percent.

8 CHAIRMAN STUTO: My other question has to do with
9 the access easement on the other side. There is an
10 empty lot. Was that approved? Was that the little
11 plaza that was approved?

12 MR. LACIVITA: Yes, that was Gibby's Plaza there.

13 MR. SIPPERLY: That hasn't been developed yet.

14 CHAIRMAN STUTO: We must have had drawings about
15 how that access had to get approved. That's a shared
16 access, right?

17 MR. LACIVITA: Actually, Gibby's Plaza did have an
18 easterly access point too but it does come off of this
19 road and further down on the other side, over that
20 access strip that you see there (Indicating).

21 CHAIRMAN STUTO: Is there cross-access between the
22 two lots?

23 MR. SIPPERLY: No, my understanding of the strips
24 that were proposed east of us is that they have a full
25 operating driveway on Route 2. They also had rights to

1 use this right of way here - this ingress/egress
2 easement (Indicating).

3 CHAIRMAN STUTO: That approval didn't call for
4 cross-access?

5 MR. LACIVITA: Peter, the strip that's in between
6 it - I know it doesn't show on here, but there is
7 actually this strip here that services land -

8 CHAIRMAN STUTO: We have a map here.

9 MR. SIPPERLY: There is a large track of land
10 behind us that was approved many years ago for
11 residential housing.

12 MR. LACIVITA: You can see that strip of land that
13 we're talking about there. This was called Swatling
14 Acres which goes behind Kmart and then comes over into
15 the Swatling Road area. If you remember the access
16 point that actually goes to the Cumberland Farms that we
17 did, that is this whole track of land that you see in
18 the back (Indicating). So, the empty lot that you see
19 here which is Gibby's Plaza actually had an easterly
20 site entrance here that was full access but they also
21 had capability to have access off of this road here
22 (Indicating). Right next to it is the vacant or
23 abandoned car wash there as well. This entry point here
24 services Swatling Acres which is the PDD that was done
25 back around 2006.

1 CHAIRMAN STUTO: Joe, can you bring in the Gibby's
2 Plaza next time? It doesn't have to be the whole thing;
3 just the entrance so we can see how it works together.
4 My only reservation is the two curb cuts and I'm just
5 going to ask our TDE to look at that closely.

6 MR. SIPPERLY: Which curb cut?

7 CHAIRMAN STUTO: You're having the right-in and the
8 right-out in addition to the access.

9 MR. SIPPERLY: Yes, we have 250 feet of frontage on
10 Troy Schenectady Road and we're just looking to get an
11 access point. We're satisfied with it being right-in or
12 right-out only as opposed to being a full-operating
13 drive.

14 CHAIRMAN STUTO: But you could have another access
15 on the easterly side.

16 MR. SIPPERLY: We do, but we don't control this
17 property. We have an easement on it, but we don't have
18 control over it. Somebody else owns it.

19 CHAIRMAN STUTO: Yes, but the easement is a degree
20 of control. So, anyway I just want to take a close
21 look. Everybody is telling us to reduce the number of
22 curb cuts and I guess that's the point that I'm trying
23 to make. I'm going to ask our engineers to take a close
24 look at that.

25 Anybody else on the Board?

1 MR. AUSTIN: Is this an additional site in relation
2 to the New Comer Cannon?

3 MR. SIPPERLY: Yes.

4 MR. AUSTIN: So, this is a second location but
5 you'll still maintain the other location.

6 MR. SIPPERLY: Yes.

7 MS. MILSTEIN: What will the size be in comparison
8 to the one that currently exists?

9 MR. MILLER: It's very close. I don't remember
10 exactly what the square footage is, but I would say that
11 this is probably 1,000 square feet larger than what the
12 other is, plus there is garage space as well. The other
13 existing building has quite a bit of garage space and
14 we're using that in this case to have more chapel size.

15 CHAIRMAN STUTO: Your parking lot seems to be
16 better and bigger here. I'm not sure if that's so.

17 MR. MILLER: The existing location has about 30 or
18 40 parking spaces.

19 CHAIRMAN STUTO: And what are we proposing here?

20 MR. SIPPERLY: One-hundred.

21 MR. SHAMLIAN: I had a question on the right-in.

22 CHAIRMAN STUTO: Why have two rights-in? Is that
23 what you're saying?

24 MR. SHAMLIAN: Yes, essentially. They have the
25 easement on the east side of a very controlled access.

1 MR. SIPPERLY: Just for more positive ingress and
2 egress. It's more convenience I guess for people who
3 use the facility and also for staging of the funeral
4 procession heading west. It's just a little more
5 convenient. If this was ever to develop in the
6 backlands and this strip was to be developed, it gives
7 more autonomy to New Comer to be able to control their
8 ingress and egress.

9 MR. LACIVITA: I think that's one of the things
10 that they were explaining during the DCC. You see the
11 brown which was the actual square footage on the actual
12 funeral home and then you have the darker spot. The
13 porte cochere where the hearse would come through and
14 take the deceased to their final resting place kind of
15 makes the access point being easily accessible there in
16 making their way to a westerly movement. Instead of
17 coming through the parking lot and then back out to that
18 access point, I think that they were looking at working
19 with DOT to try to get that access to make it just an
20 easy movement.

21 CHAIRMAN STUTO: It may serve the site better, but
22 it doesn't necessarily serve Route 2 better. I'm not a
23 traffic engineer.

24 MR. SIPPERLY: I agree with your position, however,
25 I think that if we take into consideration the hours of

1 operation and although it's another driveway on Route 2,
2 it's really a drive way that operates in mostly off beat
3 traffic hours of the actual flow of traffic.

4 MR. MION: How far away would that one be from the
5 other?

6 MR. SIPPERLY: About 80 feet.

7 MR. MION: When I was over there, the first thing
8 that I saw is exactly what you are saying. Why didn't
9 they do a circle here so that they can get out? Now
10 you're only talking 80 feet from the other one. Is
11 there a minimum between curb cuts, Joe?

12 MR. LACIVITA: Yes, DOT has a standard which I
13 believe has to be within -- and you're working on this
14 for the Life Church too -- it's like 75 feet.

15 MR. SIPPERLY: It's 59 feet which is the minimum
16 between certain types of driveways. We are in
17 conformance with DOT standards with regard to separation
18 of driveways.

19 CHAIRMAN STUTO: Okay, well you've heard our
20 comments so make sure that our engineer hears that as
21 well.

22 Anything else from the Board?

23 (There was no response.)

24 Okay, thank you.

25 MR. SIPPERLY: Thank you, very much

1 (Whereas the above referenced proceeding was
2 concluded at 7:49 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

