

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

SUPER 8

4 681 TROY SCHENECTADY ROAD

APPLICATION FOR WAIVER REQUEST

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6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY STRANG-VANDEBOGART, a Shorthand
8 Reporter, commencing on October 7, 2014 at 9:37 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 BRIAN AUSTIN

18 ALSO PRESENT:

19 Kathleen Marinelli, Esq., Counsel to the Planning Board
20 Joseph LaCivita, Director, Planning and Economic
21 Development
22 Michael Tengeler, Planning and Economic Development
23 Jay Patel

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1 CHAIRMAN STUTO: The next project on the agenda is
2 Super 8, 681 Troy Schenectady Road. This is an
3 application for waiver request. This is presented by
4 Jay Patel.

5 I'll ask Mike to make the presentation on this.

6 MR. TENGELER: If it pleases the Board, I'm going
7 to set the table here and set the scene for the waiver
8 request, and the Board can have any comments and engage
9 the applicant directly from there.

10 This is 681 Troy Schenectady Road, right up the
11 road here, the Super 8 Motel. It's been in
12 operation for quite a while. When the building and
13 parking was initially designed and set up years ago,
14 there was an existing tree that the Board at that
15 time asked to kind of incorporate into the parking.

16 Just to kind of set the history here, that was
17 the old Wade Farm that took all that area back there
18 back in the day. There is a couple of remaining
19 trees. There is one in front of Denny's. It's a
20 historical type tree.

21 Moving to about a year and a half ago, the tree
22 was struck by lightning and most of the tree was
23 demolished. Since then, Jay has come to my office
24 and we have engaged Kevin Franklin, our Town
25 Historian and basically gotten Kevin's permission

1 for Jay to be able to remove the tree stump from the
2 property citing safety concerns. Kevin Franklin,
3 our Historian was on-board with that. He was
4 thankful that we actually engaged him in the
5 conversation.

6 Jay came to us with a specific proposal to
7 eliminate that area as a whole and create five extra
8 parking spaces in there. The greenspace statistics
9 will remain above 35 percent and essentially uniform
10 the parking area.

11 If the Board wants to look through their packet
12 they'll see a pre and post site plan.

13 MR. LANE: Was that right in front of the door?

14 MR. TENGELER: Yes, it's kind of in-line with the
15 middle of the frontage along Troy Schenectady Road.
16 There is a fair amount of trees in the front that are
17 still there as per the site plan - that main focal area
18 of it. The one comment that the department had was that
19 this main focal area there where he has some decorative
20 low-level shrubbery, flowers and mums -- we asked him if
21 he could just push that up, if he were to eliminate
22 those front spaces, can you just kind of keep that focal
23 landscaping that you have there. It makes it look
24 more attractive from Route 7, rather than just the trees
25 that are there now. He's on board with that and he just

1 going to push everything up so essentially if you look
2 at the front page, you'll see the area.

3 This big circle here (Indicating) is that large
4 historic tree that dates back to the Wade Farm. The
5 next page just essentially just - you continue the
6 parking spaces all the way across. He's asking for
7 one waiver because this is a front yard setback.
8 He's asking for a waiver to allow relief from the
9 design standards that would allow new parking within
10 the front yard setback. As you can see, it's
11 uniform on both sides.

12 MR. LANE: Did you get a waiver originally?

13 MR. TENGELER: There must have been a waiver
14 originally if this was done. It predates 2007. There
15 is still 15 feet of space between the front lot line and
16 the pavement. He's not asking for any type of waiver
17 for proximity to the roadway with the pavement. It's
18 just the ability to actually have that pavement for
19 parking purposes within the front yard setback. Again,
20 the greenspace stays above 35 percent. The landscaping
21 is generally up to par with what is there now.

22 The last two remaining issues - we're going to
23 get a site review fee from Jay tomorrow and I've got
24 this project out to Albany County because it is
25 along a county road, even though this is extremely

1 minor work here. The law requires that we alert the
2 county and any recommendations or suggestions that
3 the county has, we will incorporate into our final
4 approval with Jay.

5 CHAIRMAN STUTO: Any comments or questions from the
6 board?

7 (There was no response.)

8 I see in the packet that the actual paving and
9 the project is a departmental action. It's the
10 waiver that's for the Planning Board action.

11 MR. TENGELER: Correct, yes.

12 CHAIRMAN STUTO: There is a negative declaration
13 based on the recommendation of the Assistant Town
14 Attorney, Rebekah Kennedy, that this thing get a
15 negative declaration and it's been signed by the head of
16 the department, Joe LaCivita.

17 MR. TENGELER: That's correct, Pete.

18 CHAIRMAN STUTO: No further environmental action is
19 needed, is that correct?

20 MR. TENGELER: Correct.

21 CHAIRMAN STUTO: Is there a Waiver Resolution?

22 MR. TENGELER: There is a Waiver Resolution. It
23 should be in your packet. If it pleases the Board, I'll
24 start reading from the "therefore be it resolved".

25 CHAIRMAN STUTO: Yes.

1 MR. TENGELER: Now therefore be it resolved the
2 Board hereby recognizes the Troy Schenectady Road
3 corridor as an area of increased density; and be it
4 further

5 Resolved the Board hereby recognizes the
6 granting of this waiver does not hinder the Town's
7 objectives to protect its important natural
8 resources, conserve farmland, create recreational or
9 wildlife trail corridors, the preservation of
10 historic resources or protected viewshed or scenic
11 roadways, and be it further

12 Resolved the Board hereby finds that the waiver
13 request is reasonable to allow for a reasonable
14 development of the site and grants the waiver to
15 allow parking within the front yard setback; and be
16 it further

17 Resolved this waiver finding will be a
18 condition of the site plan approval of the
19 application and be kept in the project file in the
20 office of the Planning and Economic Development
21 Department.

22 CHAIRMAN STUTO: I'll ask that the stenographer
23 include the whole resolution into the record.

24 Do we have any discussion on that resolution?

25 MR. LANE: I'll make the motion.

1 MR. MION: Second.

2 CHAIRMAN STUTO: Any discussion?

3 (There was no response.)

4 All those in favor say aye.

5 (Ayes were recited.)

6 All those opposed say nay.

7 (There were none opposed.)

8 The ayes have it.

9 Thank you.

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11 (Whereas the above referenced proceeding was

12 concluded at 9:43 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 20, 2014

