

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 UPSTATE VETERINARY SPECIALTIES
152 SPARROWBUSH ROAD
5 APPLICATION FOR FINAL REVIEW, WAIVER REQUESTS
AND SEQR DETERMINATION

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7 THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY STRANG-VANDEBOGART, a Shorthand
8 Reporter, commencing on October 21, 2014 at 7:10
p.m. at The Public Operations Center, 347 Old
9 Niskayuna Road, Latham, New York

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

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16 ALSO PRESENT:

17 Kathleen Marinelli, Esq., Counsel to the Planning Board
18 Joe LaCivita, Director, Planning and Economic Development
19 Luigi Palleshi, PE, ABD Engineers and Surveyors
20 Chuck Voss, PE, Barton and Loguidice

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1 CHAIRMAN STUTO: Good evening everyone. Welcome to
2 the Town of Colonie Planning Board. The clock says ten
3 after seven. The first item was tabled to another time,
4 so we'll move onto the next item on the agenda at 7:10.

5 There are a lot of people here. There are
6 seats up here (Indicating). I asked Joe if we had
7 more seats and I don't think that we do except that
8 there are more seats up front, if anybody wants to
9 sit down.

10 The three remaining items on the agenda are all
11 items that will allow public speaking and public
12 comment. We have a sheet on this table right here
13 if you'd like to speak, please sign that. We'll
14 talk about that and do the best that we can on that
15 when the time comes.

16 The 7:10 item on the agenda we will call up
17 now. This is Upstate Veterinary Specialties, 152
18 Sparrowbush Road. This is an application for final
19 review, waiver requests and environmental
20 determination. This is a two-phase 30,308 square
21 foot veterinary medical facility.

22 Joe LaCivita, do you have any introductory
23 remarks on this?

24 MR. LACIVITA: Sure. This project resides in the
25 HCOR which is the highway/commercial/office/residential

1 zoning district. There are three waivers that will be
2 discussed this evening. The applicant will also be
3 discussing the phasing for the project. Dr. Aaron Wey
4 is here with his development team and Luigi Palleshi is
5 here this evening to start off the presentation.

6 CHAIRMAN STUTO: Okay, we've seen this a couple of
7 times before.

8 MR. LACIVITA: Yes, we saw it June 3rd for sketch
9 and then again on July 15th for concept.

10 CHAIRMAN STUTO: Before we start this, the first
11 item that got tabled, do you want the packages back?

12 MR. LACIVITA: Yes, we'll take those back, Peter.

13 CHAIRMAN STUTO: We're turning it over to the
14 applicant on this one.

15 MR. PALLESHI: Good evening. My name is Luigi
16 Palleshi with ABD Engineers and Surveyors here tonight
17 for 152 Sparrowbush Road for the Upstate Veterinary and
18 Specialties.

19 The project is located right at the
20 intersection of Old Sparrowbush Road and Sparrowbush
21 Road on the westerly side is the Northway. The
22 project is a 30,308 square foot veterinary and
23 medical facility. Since the last meeting, the site
24 plan hasn't changed much as far as the layout, the
25 building, the parking - there are two parking areas.

1 One is up front near Old Sparrowbush Road and one
2 along the rear of the building. There are
3 provisions for a future expansion area. That is
4 shaded here in a brown color (Indicating). The
5 landscaping on the plan, lighting and all of the
6 site plan measures for the zoning are in conformance
7 other than the variance requests here tonight.

8 Stormwater-wise everything is sheet flowing to
9 two bioretention areas. That all meets the State
10 DEC stormwater regulations.

11 That will lead into the comment letter from
12 Barton and Loguidice.

13 We met with Barton and Loguidice on Friday. We
14 went over all the comments and at the end of the
15 discussion there were only two items that were
16 outstanding. Nothing related to site plan issues as
17 far as the size of the building, the parking areas
18 or the stormwater areas but more housekeeping stuff
19 and a couple of things that we need to work out; dot
20 the "I's" and cross the "T's". That's the proposal
21 that we have here tonight.

22 I can certainly go through all 10 pages of the
23 B and L comments, but I don't think that it's
24 necessary tonight since we met on Friday and I'm
25 sure that Mr. Voss can explain to you our

1 conversation that we had on Friday. It was a
2 positive feeling. We're here for final site plan
3 approval and the requested waivers as Mr. LaCivita
4 mentioned, and I'll answer any questions that the
5 Board may have.

6 CHAIRMAN STUTO: Okay, we'll turn it over to the
7 Town Designated Engineer, unless the Board has questions
8 at this point.

9 (There was no response.)

10 Our appointed Town Designated Engineer is
11 Barton and Loguidice represented by Chuck Voss.

12 Chuck, could you give us your comments on the
13 project?

14 MR. VOSS: Certainly, Peter; thank you.

15 The Board should have our letter dated October
16 6, 2014 in your packets. Essentially, this was our
17 second preliminary review letter of the project.
18 We've been looking at the project for quite some
19 time now and the applicant has advanced it along
20 very quickly, I would say. They've addressed,
21 really all of our concerns, as Luigi mentioned, from
22 this letter and prior letters. We did meet with the
23 applicant on Friday to literally go through some of
24 our final comments that we have here in this letter
25 and accurately, Luigi, as you described, these are

1 basically just minor things - details and some of
2 the design work, pipe sizes and looking at some
3 additional locations.

4 The one issue that we had that we discussed
5 early on with them was location of the second fire
6 hydrant and we have discussed that with Fire
7 Services and we feel that there is not the need for
8 that. So, the applicant should be fine with the one
9 that they are providing right at the entranceway,
10 which is adequate. It's right by the main driveway.

11 Other than that, the bioretention area - we
12 looked at some calculation and sizing issues there
13 and we looked at the modeling again with the
14 applicant and feel that the new designs are adequate
15 to certainly service the site for this proposed
16 design scenario plus the expansion area that they
17 had discussed earlier with the Board that may come
18 in a couple of years.

19 Other than that, I think that we are completely
20 satisfied and we're at the point where we would
21 recommend a conditional approval that these final
22 details are on their final plans for submission.

23 CHAIRMAN STUTO: If the Board has questions, they
24 can jump in.

25 Since this seems to be moving along can you

1 talk about the waivers and also the environmental
2 review?

3 MR. VOSS: Certainly. We do have a SEQRA
4 Resolution - a SEQRA negative declaration that we'll
5 have Kathy read, and I do have a waiver Resolution here
6 for the three waivers. I can go through that, Peter, if
7 you like.

8 CHAIRMAN STUTO: Please.

9 MR. VOSS: Resolution for Upstate Veterinary
10 Specialties, 152 Sparrowbush Road.

11 CHAIRMAN STUTO: You don't have to read the whole
12 thing. I'll ask that the Stenographer put the entire
13 Resolution into the record. Why don't you speak about
14 the language? What are the three waivers?

15 MR. VOSS: The three waivers were the maximum front
16 setback shall be 20 feet under the HCOR standards. The
17 maximum setback is 20 feet. The applicant is obviously
18 looking to push that further back in the site and
19 location.

20 The second one is for off-street parking. It
21 is encouraged at the rear of the building and side
22 is also permitted, but no parking in the front is
23 allowed under the HCOR design standards. However,
24 they do have parking in the front. Given that it's
25 a corner parcel and the location of where the

1 additional parking is going to be and the building
2 being a predominate feature, we feel that waiver is
3 certainly warranted.

4 Parking shall be provided for the following
5 uses and the following amounts: For veterinary uses
6 it's one space per 200 gross feet of floor area.
7 They are actually exceeding that which they state
8 that they need for their clients as well as future
9 expansion. Again, the site is plenty large enough
10 to accommodate that, plus they're banking spaces as
11 well for future use. Those banked spaces will be
12 green until obviously they need those.

13 Those were the three waivers.

14 CHAIRMAN STUTO: I think that we need to do the
15 environmental and vote on that before we do the waivers.
16 Do you want to roll right into that - the environmental
17 review?

18 MR. VOSS: Sure. Kathleen has that.

19 MS. MARINELLI: This is the notice of determination
20 of no significant impact on the environment.

21 In accordance with Article 8, State
22 Environmental Quality Review of the Environmental
23 Conservation Law and statewide regulations, the lead
24 agency which in this case is the Planning Board,
25 have received an environmental assessment form in

1 connection with the proposed applicant described
2 below. The lead agency has determined that the
3 proposed action will result in no major impacts and
4 therefore will not have a significant effect on the
5 environment and therefore an environmental impact
6 statement is not required to be prepared with
7 respect to this action.

8 CHAIRMAN STUTO: Does somebody want to make that
9 motion?

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

11 MS. DALTON: Second.

12 CHAIRMAN STUTO: And I'm going to ask chuck to talk
13 about the environmental categories that were made in the
14 motion.

15 Chuck, can you talk about what was reviewed? I
16 think that there is a short form environmental.
17 Just touch on the topics, if you could.

18 MR. VOSS: I'm just looking through the Part II and
19 we'll just go through the questions quickly. This is an
20 impact assessment. The lead agency is responsible for
21 this.

22 Will the proposed action create a material
23 conflict with an adopted land use plan or zoning
24 regulations? The answer was no.

25 Will the proposed action result in a change in

1 the use or the intensity of the land? The answer is
2 no.

3 Will the proposed action impair the character
4 or quality of the existing community? The answer is
5 no.

6 Will the proposed action have an impact on the
7 environmental characteristics that would cause the
8 establishment of a critical environmental area? No,
9 because there is no CEA there.

10 Will the proposed action result in an adverse
11 change in the existing level of traffic or effect
12 existing infrastructure for mass transit, biking or
13 walkway? No.

14 Will the proposed action cause an increase in
15 the use of energy and fail to incorporate reasonable
16 available energy conservative conservation or
17 renewable energy opportunities? The answer is no.

18 Will the proposed action impact existing public
19 or private water supplies or public or private waste
20 water treatment facilities? The answer is no.
21 There is no small impact.

22 Will the proposed action impair the character
23 or quality of important historic archeological
24 architectural or aesthetic resources? The answer is
25 no.

1 Will the proposed action result in an adverse
2 change to natural resources? The answer is no.

3 Will the proposed action result in an increase
4 in the potential for erosion, flooding or drainage
5 problems? Again, the answer is no.

6 Will the proposed action create a hazard to
7 environmental resources or human health? The answer
8 is no.

9 CHAIRMAN STUTO: Any comments or questions on that
10 by the Board?

11 (There was no response.)

12 Okay, there is a pending Resolution, a negative
13 declaration.

14 Do we need a vote on the assessment form?

15 MR. VOSS: On the neg dec.

16 CHAIRMAN STUTO: Does anyone disagree with those
17 negative answers?

18 (There was no response.)

19 On the neg dec that's before us, are there any
20 comments or discussion?

21 (There was no response.)

22 All those in favor say aye.

23 (Ayes were recited.)

24 All those opposed say nay.

25 (There were none opposed.)

1 The ayes have it.

2 On the Resolution for the waivers, can you read
3 the now therefore be it resolved?

4 MS. MARINELLI: Now therefore be it resolved that
5 the Board hereby finds that the extent of the requested
6 waivers is not considered substantial; and be it
7 further.

8 Resolved, that the Board finds the applicant
9 has established that there are no practical
10 alternatives to the proposed waivers that would
11 conform to the standard and that the waivers are
12 necessary in order to secure reasonable development
13 of the project site; and be it further

14 Resolved, that the Board hereby issues a waiver
15 from the prohibition of new parking within the front
16 yard; and be it further

17 Resolved that the Board hereby issues a waiver
18 from the maximum front building setback of 20 feet;
19 and be it further

20 Resolved that the Board hereby issues a waiver
21 from the minimum number of required parking spaces;
22 and be it further

23 Resolved, that these waiver finds be a
24 condition of site plan approval of the application
25 and be kept in the project file in the Office of the

1 Planning and Economic Development Department.

2 MR. LANE: I'll make a motion to approve the
3 waivers.

4 MR. MION: Second.

5 CHAIRMAN STUTO: Any discussion?

6 (There was no response.)

7 All those in favor say aye.

8 (Ayes were recited.)

9 All those opposed nay.

10 (There were none opposed.)

11 On the main question, which is for final
12 approval of this project subject to the condition in
13 the Town Designated Engineer review letter and all
14 the Town Department comments and all the Planning
15 Board comments, do we have a motion?

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

17 MS. MILSTEIN: I second it.

18 CHAIRMAN STUTO: Any discussion?

19 (There was no response.)

20 All those in favor say aye.

21 (Ayes were recited.)

22 All those opposed nay.

23 (There were none opposed.)

24 The ayes have it.

25 Thank you.

1 MR. PALLESHI: Thank you.

2 (Whereas the above referenced proceeding was
3 concluded at 7:25 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 November 5, 2014

