

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 LAGUNA MOBIL CAR WASH  
610 TROY SCHENECTADY ROAD  
5 INCENTIVE ZONING REQUEST

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7 THE STENOGRAPHIC MINUTES of the above entitled  
8 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
9 Reporter, commencing on January 13, 2015 at 7:10  
p.m. at The Public Operations Center, 347 Old  
Niskayuna Road, Latham, New York

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

19 ALSO PRESENT:

20 Michael C. Magguilli, Esq., Town Attorney  
21 Joseph LaCivita, Director, Planning and Economic  
22 Development  
23 Brian Sipperly, PE, Sipperly & Associates  
24 Michael Tengeler, Planning and Economic Development  
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1           CHAIRMAN STUTO: Do you have any administrative  
2 things, Joe, before we call up the agenda?

3           MR. LACIVITA: Nothing at this time.

4           CHAIRMAN STUTO: First item on the agenda is Laguna  
5 Mobil Car Wash, 610 Troy Schenectady Road. This is for  
6 an incentive zoning request.

7           Do you have any remarks, Joe, on this project?

8           MR. TENGELER: I have a little introduction. They  
9 are here tonight for essentially a waiver on the  
10 greenspace. They are going to be dropping below the  
11 required 35%. That's what the proposal is, and in doing  
12 so they are proposing to make a incentive zoning payment  
13 in the amount of \$16,900.00.

14           Brian Sipperly is here to present from L.  
15 Sipperly and Associates.

16           MR. SIPPERLY: Good evening Chairman and Members of  
17 the Board. My name is Brian Sipperly with L. Sipperly  
18 and Associates. I'm here tonight to discuss the Laguna  
19 Mobil Car Wash project.

20           What you see here, just to orient ourselves, we  
21 are at the intersection of Exit 6 and New York State  
22 I87 (Indicating). This is a current Mobil Gas  
23 Station. To the west, I have Rensselaer Avenue  
24 (Indicating). To the south bordered by a hotel  
25 called Microtel. On the north we are bordered by

1 New York State Route 7 (Indicating) and of course I  
2 just said on the east New York State I87.

3 The applicant is seeking to add an automated  
4 car wash, approximately 20 foot by 34 foot 12 foot  
5 in size. It would be an accessory structure to the  
6 principal use of a gas station and it is an allowed  
7 use in the zone. The site is just under an acre;  
8 about .84 acre. We have 144 feet of road frontage  
9 along Route 7 and about 203 along Rensselaer Avenue.

10 As Mike indicated, we're here for the intent of  
11 zoning for the reduction in greenspace. The site is  
12 presently sitting at about 29.3% greenspace and the  
13 proposal is to take it to 25.7% as a result of  
14 taking some of the current greenspace that there is  
15 now and creating a horseshoe for the access and  
16 stacking of the car wash and the structures  
17 themselves.

18 CHAIRMAN STUTO: Can you tell us how much  
19 greenspace we would lose square footage wise or acreage  
20 wise?

21 MR. SIPPERLY: Acreage wise you are going to lose  
22 1,200 square feet. I just want to point out that this  
23 parcel has been subject to numerous takings over the  
24 past from I87 and the widening of Route 7 to where --  
25 it's probably not too visible to you from that far away,

1 but maybe in your planning packets -- the original gas  
2 station c-store, if you will, was located approximately  
3 here and to the south with the existing pump stations  
4 (Indicating). As a result of the site plan to move the  
5 building back and the taking, it had lowered them below  
6 the 35%.

7 CHAIRMAN STUTO: Craig, do you have any questions  
8 or comments?

9 MR. SHAMLIAN: I guess the only question I have is:  
10 Is there a dryer on the car wash and what are you doing  
11 to mitigate water coming out onto Route 7 - the car wash  
12 in the wintertime?

13 MR. SIPPERLY: Two good questions. Let me handle  
14 them in chronological order. This is automated. All of  
15 the doors go down and everything turns on and keeps the  
16 sound and the noise inside the unit that handles the  
17 blowers.

18 In terms of the water, the waste water is going  
19 to be connected to municipal sewer and it's going to  
20 head to a series of two grease traps, and then out  
21 to a man hole and then we're going to tie into  
22 Rensselaer Avenue.

23 MR. SHAMLIAN: So, is a dryer part of the car wash?

24 MR. SIPPERLY: It is part of the car wash. It will  
25 be the final operation.

1                   CHAIRMAN STUTO: Susan?

2                   MS. MILSTEIN: Nothing.

3                   CHAIRMAN STUTO: Tim?

4                   MR. LANE: No.

5                   CHAIRMAN STUTO: Brian?

6                   MR. AUSTIN: No.

7                   CHAIRMAN STUTO: Lou?

8                   MR. MION: You're relocating the dumpster?

9                   MR. SIPPERLY: Yes, we are relocating the dumpster  
10                   to the east side of the c-store in between the proposed  
11                   car wash and the c-store and then correct, we are  
12                   creating a horse shoe loop that will have room for about  
13                   four to five cars in stacking. The owner estimates  
14                   about 15 cars per day to be running through this thing  
15                   so the stacking, we think, is more than adequate for any  
16                   given times for vehicles queuing up for a car wash.

17                   MR. MION: That's close. You're going to be right  
18                   on the edge of the hill.

19                   MR. SIPPERLY: We are, so we are retaining what we  
20                   are proposing.

21                   MR. MION: Do you really think that 15 cars can  
22                   stack up in that space?

23                   MR. SIPPERLY: No, 15 cars a day - the owner  
24                   anticipates to be using the car wash. We have provided  
25                   for four to five cars and the horseshoe to stack.

1           MR. TENGELER: The code calls for three per bay.  
2 They have supplied four spots for stacking so it's  
3 adequate stacking as far as Town Code is concerned.

4           CHAIRMAN STUTO: Kathy?

5           MS. DALTON: Is there a reason that you're not  
6 moving the dumpster to the other side.

7           MR. SIPPERLY: That's a good question. We wanted  
8 to keep the parking contiguous so we are losing some  
9 space as a result of that, but we have six spaces out in  
10 front plus the four. We didn't want to create gapped  
11 parking so we wanted to keep infrastructure and  
12 equipment to one side and keep it easy for the packer  
13 truck that comes in and grabs it over here (Indicating)  
14 and not mess with either the loading operations of the  
15 tanks themselves, that are over there. That was kind of  
16 our thought.

17          MR. MION: In the front of the bay when you come  
18 out -- yesterday when I was over there and it's a little  
19 tight when the truck was parked at the pump when I was  
20 trying to get through. I have just a car and the truck  
21 probably wouldn't have made it.

22          MR. SIPPERLY: It is going to be a little bit tight  
23 on the curb. We are not proposing to move the curb  
24 further east, but we could. There might need to be some  
25 signage there, but I have noticed that before.

1 Sometimes an AAA truck parks there and waits for calls  
2 and I've seen that before, as well.

3 MR. MION: I wasn't even looking at that. I was  
4 looking at the person who was using the pump. They have  
5 the good oversized truck in there. It was night. I've  
6 got a Camry. It's just the point.

7 MR. SIPPERLY: Point taken.

8 CHAIRMAN STUTO: Mike, what is the SEQRA status of  
9 this?

10 MR. TENGELER: The SEQRA has been reviewed by  
11 Rebekah Kennedy in our Town Attorney's office. It's  
12 been classified as a Type II action. Rebekah has signed  
13 off on it. That's SEQRA as well as the document  
14 prepared by Sipperly and Associates. That's in your  
15 packet. Rebekah signed it as of October 2, 2014.

16 I've also passed out, subsequently, an  
17 incentive zoning worksheet that illustrates how we  
18 came up with the \$16,900.00 incentive zoning payment  
19 being proposed as well as the Planning Board  
20 findings, if the Board feels that it's appropriate.

21 CHAIRMAN STUTO: They were in the package too, I  
22 think.

23 Is the Board okay with reading the Resolution?  
24 The next time is not until 7:15. Do you want to  
25 read it?

1 MR. TENGELER: Sure. I'd love to.

2 Now therefore be it resolved, the Board hereby  
3 recognizes the Troy Schenectady Road corridor as an  
4 area of increased commercial density; and be it  
5 further

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

13 Resolved, the Board hereby finds the waiver  
14 request fair to allow for a safe and reasonable  
15 development of the site and grants the waiver in the  
16 form of incentive zoning to allow for the reduction  
17 in greenspace; and be it further

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

22 There is a space for Peter Stuto, Chairman, to  
23 sign, January 13, 2015.

24 CHAIRMAN STUTO: I would ask that the stenographer  
25 put a copy of this Resolution in the record.



1 Do we have any discussion on the Resolution?

2 (There was no response.)

3 MS. DALTON: I have a question. With regard to  
4 granting the waivers, can we just review the reasons why  
5 we grant -- under what circumstances that we grant the  
6 waivers?

7 CHAIRMAN STUTO: The statute is in here if you want  
8 to take a look at it.

9 MR. MAGGUILLI: The Planning Board has the  
10 discretion to grant waivers in situations like this.  
11 You do have to make a finding that the various factors  
12 were met to your satisfaction and that the waiver would  
13 be in the best interest of the residents of the Town of  
14 Colonie.

15 The only thing that I would add to the  
16 Resolution is some specific language with respect to  
17 the \$16,300.00 payment as to when it was going to be  
18 made and that the waiver is conditioned upon payment  
19 of the incentive fee.

20 Does that answer your question?

21 MS. DALTON: Yes; thank you.

22 MR. LACIVITA: Noted.

23 CHAIRMAN STUTO: When does the applicant plan on  
24 paying?

25 MR. TENGELER: Before final plans are stamped.

1 It's a condition of approval.

2 CHAIRMAN STUTO: What was the other condition?

3 MR. MAGGUILLI: That the waiver is conditioned upon  
4 payment.

5 MR. TENGELER: Memorializing the amount and the  
6 condition.

7 CHAIRMAN STUTO: If there is no objection from the  
8 Board we'll amend the Resolution to that effect.

9 (There was no response.)

10 Okay, no objection being heard, do we have any  
11 more discussion on the Resolution?

12 (There was no response.)

13 Do we have a motion?

14 MR. MION: I'll make a motion.

15 MR. AUSTIN: I'll second.

16 CHAIRMAN STUTO: Any discussion now?

17 (There was no response.)

18 All those in favor say aye.

19 (Ayes were recited.)

20 All those opposed say nay.

21 (There were none opposed.)

22 The ayes have it.

23 Thank you.

24 MR. SIPPERLY: Thank you.

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1                   (Whereas the above referenced proceeding was  
2                   concluded at 7:20 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 January 26, 2015

