

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 AESTHETIC SCIENCE INSTITUTE
5 922 TROY SCHENECTADY ROAD
6 APPLICATION FOR CONCEPT ACCEPTANCE
7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY STRANG-VANDEBOGART, a Shorthand
10 Reporter, commencing on April 28, 2015 at 7:40 p.m.
11 at The Public Operations Center, 347 Old Niskayuna
12 Road, Latham, New York

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

20 ALSO PRESENT:
21 Kathleen Marinelli, Esq. Counsel to the Planning Board
22 Joseph LaCivita, Director, Planning and Economic
23 Development
24 Chris Longo, PE, Ingalls and Associates
25 Joseph Grasso, PE, CHA
Randy Brenner, BA Construction

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1 CHAIRMAN STUTO: Next item on the agenda is
2 Aesthetic Science Institute, 922 Troy Schenectady Road.
3 This is an application for concept acceptance. This is
4 to raze the existing building and construct a new 10,150
5 square foot two-story school with ground floor level.

6 MR. LACIVITA: Just quickly, Peter, for the people
7 that are in the audience to try to figure out where this
8 is, this is the site of the former Russ and Rebel
9 Leather Company on the eastern side of Route 7.

10 I see Randy Brenner here, the owner, with his
11 development team. The project is looking for four
12 waivers. It's in our COR zone which is the
13 commercial/office/residential zone. It's about 1.6
14 acres. It has been before our Town departments and
15 DCC on March 11, 2015 and then before this Board for
16 sketch plan as we just saw Stewarts, 3/24/15.
17 Tonight they're here for concept acceptance in order
18 to move forward to final. I'll turn it over to
19 Chris Longo of Ingalls and Associates.

20 MR. LONGO: Thank you Joe. As Joe mentioned, I'm
21 Christopher Longo of Ingalls and Associates representing
22 the applicant Mr. Brenner and also Chuck Baugh from BA
23 Construction is here as well.

24 Joe did a really good job introducing the
25 project and the Board has seen this before. It is a

1 redevelopement site and it's less than 1 acre of
2 disturbance. It is pretty much holding that
3 existing footprint of the location of the existing
4 building where Russ and Rebel is now and utilizing
5 the full parking area. There will be an addition to
6 the parking to provide the required number of
7 parking spaces. There was some discussion about
8 that requirement for parking at the last meeting.
9 We do feel that based on the Brenner's review of
10 their existing site and some review of how the class
11 sizes work and how the staff comes and goes, that
12 the proposed 49 spaces would be appropriate for the
13 use. In between our first visit to your Board and
14 today, we have gone through the SEAMAB review and
15 approval for encroachments to the 100-foot
16 watercourse area. So, that has been approved by
17 SEAMAB. There were some conditions of that approval
18 which called for some parking spaces that were only
19 17 feet in depth with a one foot overhang over like
20 some river rock type of edge to the pavement which
21 would also add a little bit of extra support for
22 erosion off of that pavement.

23 There is some stormwater retention area
24 proposed to limit any run-off from this site. As I
25 mentioned it's less than one acre, but within the

1 Town we are still holding the existing condition or
2 not more than a 10% increase from the run-off.

3 As Joe mentioned there are a few waivers that
4 we are requesting. We did get feedback from both
5 the Town Planner and from the TDE on those waivers.
6 It does sound like everybody is in agreement that
7 they are appropriate. As Joe mentioned, there is
8 parking in the front yard; parking lot pavement
9 within 15 feet of Troy Schenectady Road. That's
10 mainly because that right of way is pushed so far
11 into this parcel.

12 The required landscaping for greater than 20
13 parking spaces -- in working with the Town staff, we
14 didn't feel that would be a benefit to this site as
15 there are environmental constraints. We tried to
16 limit the environmental impact as much as possible
17 and in doing so, really the landscaped islands got
18 moved to just on the edge of pavement.

19 There is also the request for not an 80% full
20 build-out of the frontage. Based on the COR zone,
21 it is suggested and it is a design standard to have
22 80% full build-out. Here is a little bit of a
23 unique situation being on the edge of Route 7. It
24 kind of slopes down into the site where the parking
25 area is. Also for this project they are proposing

1 to provide for the Town a new sewer main within an
2 easement along the frontage of the property. So,
3 that really limits the ability to install any
4 fencing or any landscape buffers in that area.

5 Just touching on a couple of the comments from
6 Town Staff which I believe were getting towards
7 final site plan in nature: there are some amenities
8 for the patrons here that would be a picnic table or
9 bike rack type of thing in the rear of the building.
10 The dumpster enclosure would be masonry. As
11 suggested by the design standards. There is
12 landscaping as shown in these very nice looking
13 renderings around pretty much the entire foundation
14 of the building and along the edge of the
15 disturbance area. The entrance would be left in
16 place - that is existing pavement now. That's about
17 a 6% or 7% slope so it's a slope up to Route 7, but
18 it's still negotiable by a passenger vehicle.

19 That's pretty much the key points on the site,
20 but I think that everybody is more concerned with
21 this building that looks very nice and a very nice
22 redevelopment project. If you guys have any
23 questions on that, you should have some handouts in
24 your packets that show the three different
25 renderings of this site. As Joe mentioned, it would

1 be three stories; two above ground and one which is
2 on the parking lot side. That would be fully
3 exposed and on the western side and that would be
4 partly exposed and that would be about four feet of
5 the side. That basement floor would be built-out
6 about three-quarters of that. They are still
7 finalizing the final floor plan and where the
8 stairwells are going to be located and the final
9 layout and actual square footage of that. The
10 footprint that you guys see on this site plan is
11 what it is. So, that would be the footprint. I
12 think that the application calls for 10,150 square
13 feet, so that number could fluctuate slightly there.
14 Especially on the basement floor where part of it is
15 unexcavated floor space.

16 I think that's about it for my presentation of
17 the site plan. Chuck or Randy might want to add on
18 the building and the materials that they are going
19 to use to make this work.

20 CHAIRMAN STUTO: If you have no further comment,
21 we'll turn it over to our Town Designated Engineer.
22 Again, it's CHA and Joe Grasso.

23 Joe can you help us? Do you have comments on
24 this?

25 MR. GRASSO: Sure. This is up for concept site

1 plan approval tonight. There is a comment letter that
2 we issued on May 7th on the application. You may recall
3 that they were here for sketch plan review a couple of
4 months ago. There weren't any real significant comments
5 brought up.

6 A couple of salient features of the site,
7 though, that the site is traversed by the Shaker
8 Creek which was one of the most significant creeks
9 within the Town. It flows to the north and then
10 goes underneath the large culvert across underneath
11 Route 7. Obviously, this project will have some
12 incremental impacts down the slope along the Shaker
13 Creek. There is careful attention being paid to the
14 design of that and the justification for those
15 encroachments and then trying to mitigate the
16 impacts as much as possible. They are doing that
17 through grading as well as some of the
18 recommendations for SEAMAB which is to reduce the
19 size of the parking stalls and the width of the
20 parking stalls. We support both of those waivers.

21 Going through our letter, the plan addresses
22 most of the comments that came out of the DCC
23 process and the sketch plan review.

24 There are a few waivers that Chris had
25 mentioned and those do appear to be justified based

1 on the constraints of the site and obviously when we
2 look at redevelopment projects you know that the
3 justification for the waivers is easier to be met.
4 Obviously, this site is also environmentally
5 constrained. They have provided justification for
6 the waivers. We have not yet prepared written
7 findings. We like to include any commentary from the
8 Planning Board in our preparation of the waiver
9 findings which is something that the Board will
10 have to weigh in on and vote on prior to final site
11 plan approval.

12 Regarding the wavers, we do recommend that as
13 mitigation for those waivers we do suggest that
14 appreciable landscaping be provided along the graded
15 bank along the Shaker Creek watershed to reduce
16 environmental impacts and try to preserve that
17 natural environment of the Shaker Creek basin.

18 CHAIRMAN STUTO: Have you talked to the applicant
19 about that?

20 MR. GRASSO: No, it's only been in our letter. We
21 have not talked about that.

22 CHAIRMAN STUTO: Do you have a reaction to that?

23 MR. LONGO: That was also requested of the SEAMAB
24 Board. We do intend to put some substantial vegetation
25 at the bottom of that slope at the request of that Board

1 to kind of rehab what is there now and make it a nice
2 transition to what will be there in the future.

3 MR. GRASSO: One of the topics that we brought up
4 during the sketch plan review was the adequacy of
5 parking and they have provided a lot of data to justify
6 the number of spaces as proposed because unlike many
7 sites that we have seen in the Town, there are going to
8 be no opportunities for shared parking arrangements on
9 the adjacent properties. Because it's a unique use, we
10 don't have a lot of imperial data to rely on to justify
11 the parking. So, we have worked with the applicant to
12 make sure that we feel comfortable that the 49 parking
13 spaces that are proposed are adequate to support the
14 use. The parking could in fact regulate the intensity
15 of the site. Obviously, the building as designed can
16 accommodate more patrons based on square footage. Based
17 on the operation that they have demonstrated as part of
18 their application, the 49 spaces will be adequate to
19 support their entire use. We are in favor of the
20 parking proposal as it relates to the project.

21 In terms of the architecture of the building,
22 it's a well-designed building and extremely good
23 looking with good intension to detail and consistent
24 with the Town's architectural design standards. We
25 think that this will be a showcase building along

1 the section of Route 7 corridor.

2 The other thing that I wanted to mention is the
3 gravity sewer. There is a trunk line along the
4 Shaker Creek that flows to the north of Route 7. The
5 trunk line is actually down right next to the Shaker
6 Creek. This project will include a new connection
7 to that sewer. Unfortunately, the sewer is on the
8 east side of the creek and the development site is
9 on the west side. So, rather than doing an open
10 trench across the Shaker Creek or a dam situation,
11 they're looking to do a directional drill so that
12 there is no disturbance to the surface. It's a
13 gravity sewer line that's going to be extended. So
14 directional drills and gravity sewer lines is not a
15 typical construction technique that you use. We
16 have had some discussions with Pure Waters to make
17 sure that the approach is feasible and will work
18 with the engineer in Pure Waters as the plans
19 develop to make sure that the sewer connection is
20 done appropriately without any impacts to the Shaker
21 Creek. It's doubly important because not only will
22 that sewer serve this site, but it's requested by
23 Pure Waters that the sewer be run along the Route 7
24 corridor as a gravity line and a public line so that
25 it could serve future properties to the west on the

1 Route 7 corridor. So, there are public benefits
2 aspects associated with that construction. I don't
3 think that it really affects the planning decisions
4 other than that the sewer across the frontage will
5 limit what they can do in terms of landscaping and
6 fencing across the frontage of the project site
7 because there will be a sewer easement there.

8 In terms of SEQRA, it's an unlisted action.
9 Pursuant to SEQRA they have provided a short
10 environmental assessment form that adequately
11 describes the project site as well as the impacts of
12 the project. We don't see any significant impacts
13 at this time and we don't think that any additional
14 environmental assessment will be required. A final
15 SEQRA determination will be made by the Board.

16 CHAIRMAN STUTO: Any members of the public
17 interested and just want to comment?

18 (There was no response.)

19 We'll turn it over to the Board.

20 Lou, you want to start?

21 MR. MION: I don't have too much. You designed it
22 very well.

23 The parking stall that goes over into the
24 wetland -- you have taken care of that as much as
25 you possibly can.

1 MR. BRENNER: We actually reduced the number of
2 parking spaces with advice from the SEAMAB Board. We
3 brought one that was in the wetland area back out of it.
4 We produced a swale along the entire bottom of the
5 property to prevent any run off from the parking lot
6 which currently there is none. Everything is dumping
7 right into the stream. We are producing a swale along
8 the entire bottom of the parking lot that will bring all
9 of the run-off from the entire parking lot back into our
10 stormwater retention. In effect, where there is nothing
11 there now, we are taking care of everything on that site
12 with the stormwater and the stream.

13 CHAIRMAN STUTO: Brian?

14 MR. AUSTIN: I don't have anything.

15 CHAIRMAN STUTO: I think that it's a great
16 redevelopment of the site. My only reservation
17 personally would be: Is there enough parking? I think
18 that the reasons given by the applicant and by the Town
19 Designated Engineer suffice. It will be self-regulating
20 and it's not really connected to anything else and there
21 is nowhere else to park.

22 Tim?

23 MR. LANE: I concur. I think that it looks great.

24 MS. MILSTEIN: I agree.

25 MR. SHAMLIAN: Nice job.

1 CHAIRMAN STUTO: We are just voting on concept
2 acceptance which is not an approval. We don't have to
3 do environmental and take a vote on the SEQRA tonight,
4 nor do we have to take a vote on the waivers. So, if
5 somebody wants to make a motion on concept acceptance?

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

7 MR. AUSTIN: I'll second.

8 CHAIRMAN STUTO: Any discussion on that?

9 (There was no response.)

10 All those in favor say aye.

11 (Ayes were recited.)

12 All those opposed say nay.

13 (There were none opposed.)

14 The ayes have it.

15 Thank you.

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18 (Whereas the above referenced proceeding was

19 concluded at 7:53 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 July 6, 2015

