

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 STEWART'S SHOPS
186 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 April 28, 2015 at 7:21 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 BRIAN AUSTIN
14 SUSAN MILSTEIN
15 TIMOTHY LANE
16 CRAIG SHAMLIAN

17 ALSO PRESENT:

18 Kathleen Marinelli, Esq. Counsel to the Planning Board

19 Joseph LaCivita, Director, Planning and Economic
20 Development

21 Chris Potter, Stewarts

22 Joseph Grasso, PE, CHA

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1 CHAIRMAN STUTO: Next item on the agenda is
2 Stewart's Shops. 186 Troy Schenectady Road. This is a
3 sketch plan review. This is a 3,975 square foot
4 convenience store and twelve fuel canopies.

5 Does the department have any introduction to
6 this?

7 MR. LACIVITA: Yes, this project has come to us in
8 two different design patterns. It's gone through the
9 DCC which is the Development Coordination Committee on
10 May 14, 2014 and then it went through a little bit of a
11 redesign with a road connector on 11/5/14. Both
12 designs show a request for five waivers, still having 12
13 pumps in all under the two canopies.

14 I'm going to turn it over to Stewart's so that
15 they can begin their presentation.

16 MR. POTTER: Good evening. My name is Chris Potter
17 and I'm from Stewart's. Like Joe had mentioned, we had
18 been to the DCC twice now. We are currently under
19 contract for property located at 186 Troy Schenectady
20 Road which is on the corner of Route 2 and Delatour. We
21 will be required for a minor subdivision. Currently the
22 property is owned by Forced Realty.

23 We have done a number of different plans. This
24 is the first option that we did which was sight plan
25 option one. We started out with full access on

1 Route 2 and the cut on Delatour was relatively close
2 to the intersection. We had a 3,500 square foot
3 building. We were looking to purchase 1.4 acres.
4 With that building we were also going to have an
5 exterior freezer and two canopies with three
6 dispensers each. After looking at that and meeting
7 with DOT, our second option that we went into - this
8 was before we went into DCC, the first plan that
9 they saw was this rendition. We went up to 1.6
10 acres. We were looking to purchase the building.
11 The footprint changed slightly. We were just about
12 3,400 square feet. We continued with two canopies
13 and three dispensers each. Access went from full
14 access on Route 2 to right-in and right-out and the
15 cut on Delatour stayed the same. After comments
16 from that meeting, that brought us to where we are
17 at today. They brought up visibility of the rear of
18 the building so we rotated the entire site. We have
19 increased what we were looking to purchase to 1.9
20 acres. The building went larger. We are up to
21 almost 4,000 square feet with two canopies, and
22 three dispensers each. We have also added access to
23 the Salvation Army property which would allow us to
24 utilize the light just in case. We have added some
25 pedestrian accommodations, new sidewalks and also

1 the build-out with the fence along the front on both
2 Delatour and Route 2. There is outdoor seating on
3 the side for picnic tables with a covered porch.
4 That's pretty much how we got to where we are at
5 today.

6 CHAIRMAN STUTO: Okay. We have a Town Designated
7 Engineer CHA in the form of Joe Grasso who is going to
8 be reviewing this. I think that he's looked at it.

9 Joe, do you have any comments before the Board
10 has questions?

11 MR. GRASSO: Yes. This is just up for sketch plan
12 review. It's the first time that you're looking at it.
13 There is no formal comment letter from CHA in your
14 packet, but your packet does include the comments that
15 were raised at the two DCC meetings that the project has
16 gone through thus far. We have been involved in the
17 review of the project since its inception, so I think
18 that we have a pretty good handle as to the site
19 proposal so I can speak to it.

20 I think that Chris did a good job in explaining
21 the iterations of the plan over the past year or so.

22 I did want to step back a little bit further
23 and just talk about the property that had been
24 subdivided previously back in 2007. It was about a
25 10-acre piece that extended from Route 2 down along

1 Delatour Road to about 1,000 feet. That was a
2 two-lot subdivision which created a 3.3 acre corner
3 lot that is the subject of this parcel proposed for
4 Stewart's and then a remnant piece. Just west of
5 that, which Chris can point out on the plan, is the
6 Salvation Army store which went through a site plan
7 review process a short time ago by the Planning
8 Board. It's currently under construction. The
9 access for the Salvation Army is through a
10 signalized intersection out at Route 2. That's the
11 existing traffic signal that served the K-Mart
12 plaza. So, as part of the Salvation Army, they had
13 to do improvements to that signal and basically
14 create that fourth leg. What's important is when
15 the Salvation Army project was approved, there was
16 an ingress/egress easement granted in favor of this
17 3.3 acre corner lot to allow access from this site
18 to access that traffic signal. The easement only
19 extended back about 100 feet off of Route 2. So,
20 that's important as it relates to this site.

21 When this property was subdivided back in 2007
22 there was an easement granted also in favor of this
23 corner site that would line up across from the
24 church access drive on Delatour Road. So, we had
25 those two access easements already in place. Here

1 in the initial planning of the project, we brought
2 up the issues that the desired access arrangement
3 should include a cross-connection over to the
4 Salvation Army access drive which gets access to the
5 signal as well as trying to take advantage to the
6 access easement to the south and line up from the
7 access drive across from the church property. What
8 you see now, the current plan, shows those
9 improvements. So, it's got a full access drive that
10 goes over to the Salvation Army.

11 What is also proposed on this plan is a
12 rights-in and rights-out onto Route 2 frontage.
13 That was not something that was envisioned during
14 the original subdivision. It's something that
15 Stewart's would like to accommodate their access.
16 They are supportive of that rights-in and rights-out
17 access connection to Route 2 and we think that DOT,
18 understanding that this is proposed for Stewart's,
19 will allow that rights-in and rights-out to occur.
20 Ultimately, it's there. They own Route 2, so they
21 are going to dictate whether or not that proposed
22 rights-in and rights-out will occur. The importance
23 of that cross connection to the Salvation Army is to
24 accommodate the lefts-out movement. We want this
25 access connection in a spot and signed such that

1 patrons that are leaving the Stewart's store know
2 that they can get to that signal and take that left
3 so that they are not making illegal movements out to
4 the rights-in and rights-out. The other access on
5 Delatour Road is proposed as a full-access and we
6 don't see any issues with where that is currently
7 located. We don't see any issues with the stacking
8 on Delatour Road impacting that location. So,
9 access is an important consideration for the
10 Planning Board to consider.

11 The other things that I'd like to bring up is
12 the orientation of the building. Chris did say that
13 the orientation of the building has changed. When
14 we develop these corner sites with Stewart's, how
15 the building is going to look as you approach the
16 site coming down Delatour or down Route 2 is
17 important. So, you should look at the architecture
18 of the building and the need for any screening or
19 buffering to the backside of the building.

20 CHAIRMAN STUTO: Is this the current proposal?

21 MR. GRASSO: That is the current proposal; yes.

22 Then, he has passed out the elevations
23 associated with that.

24 The other thing that I want to bring up is
25 pedestrian accessibility. That was something that

1 you'll see in the comments brought out of both DCC
2 meetings. Currently, that is crossing on Route 2
3 west of the signal with Delatour Road and then it
4 comes across to a bus stop there, on the site's
5 frontage and that's the extent of the sidewalk along
6 Route 2, until you get down to the Salvation Army
7 site. The Salvation Army site is also building a
8 sidewalk across their frontage. There is no
9 sidewalk connection in between those that exist
10 right now and there is no sidewalk that extends from
11 Route 2 on either side of Delatour Road as you head
12 to the south. Once you get to the church access on
13 the other side of the road, I think that there is a
14 sidewalk that extends there and then heads down to
15 the Sisters of Carondolet.

16 CHAIRMAN STUTO: So, you're saying below the
17 driveway is where the sidewalks go.

18 MR. GRASSO: Yes, on the other side of the road.
19 So, typically, when commercial sites are developed, we
20 look for sidewalks to be developed continuously across
21 the site's frontage, but you have to understand here
22 that by doing so we would create a gap in the sidewalk
23 system along Route 2 between the Stewart's site and the
24 Salvation Army site. So, it may be desirous to make
25 that connection now, either as another project

1 requirement or as a trade-off against building a
2 sidewalk down Delatour Road. That's something that the
3 Planning Board may wish to review and comment on.

4 CHAIRMAN STUTO: How does the applicant feel about
5 making both connections?

6 MR. POTTER: Down Delatour and Route 2?

7 CHAIRMAN STUTO: Yes.

8 MR. POTTER: The only thing with Delatour - and we
9 talked about this briefly with the DCC - was that you
10 would end up with a mid-mark crossing here (Indicating).
11 The other option was to go up the same side of Delatour
12 currently and then come across at the light. The only
13 problem with that is the existing utilities that are
14 there. There are hydrants, a utility pole and then the
15 grade drops off significantly down to the business that
16 is there. So, to put it within the right of way, you
17 would have to move utility poles and hydrants.

18 CHAIRMAN STUTO: Have you studied that yet, Joe?

19 MR. GRASSO: Yes. We would not be supportive of a
20 mid-line crossing, as is described in one of the DCC
21 comments. If the sidewalks were extended on the west
22 side of Delatour Road, the intent would be that in the
23 future, that sidewalk system would extend all the way
24 down to Delatour Road - 155, basically.

25 CHAIRMAN STUTO: Would you agree to all the

1 impediments that he said are there?

2 MR. GRASSO: Yes, we would want to take a closer
3 look at it. I understand that there are overhead
4 utility lines there and I know that there are some grade
5 issues. We would want to take a close look to see those
6 weren't an obstacle that couldn't easily be overcome.
7 Nonetheless, that's something that we can speak to when
8 it comes back for concept review.

9 CHAIRMAN STUTO: Okay, take a close look at that,
10 okay?

11 MR. GRASSO: Yes.

12 And the only other thing that I would want to
13 mention is from a SEQRA perspective. The building
14 is under 4,000 square feet, so it's a Type II action
15 and no SEQRA review is required.

16 CHAIRMAN STUTO: I think that Brian has a question.

17 MR. AUSTIN: You had mentioned about the sidewalk
18 on Route 2. Are you amendable to continuing that
19 sidewalk - the one that goes to nowhere to the one that
20 connects to -

21 MR. POTTER: Yes, I think that's something that we
22 can look at.

23 MR. SHAMLIAN: Joe, is the piece here with the
24 easement to the Salvation Army -- is that crossing the
25 lot?

1 MR. GRASSO: You do bring up a good point. The
2 question is: Is the cross connection to the Salvation
3 Army piece bifurcating this lot?

4 CHAIRMAN STUTO: Can the applicant just point to
5 that so that the public understands?

6 MR. GRASSO: So, the subdivision creates two
7 parcels; the Stewart's that is 1.9 acres and then the
8 remnant piece in between is 1.3 acres. The access road
9 that gets built there is kind of in a floating easement
10 where the location can possibly shift slightly based on
11 how that property is developed in the future. We would
12 not think that access road would be permanent in that
13 location and create a pad site to the north side of it
14 as well as to the south side. We would expect that
15 access road would be incorporated within possibly a
16 parking area along the frontage and then the building
17 would probably sit to the back or the south side of the
18 access connection which is consistent with the setback
19 for the Salvation Army and the Stewart's store. I know
20 that the owner's representative was here previously and
21 expressed some concerns about the cross-connection going
22 in now, which we feel strongly about. I think that we
23 are amenable to that cross-connection being in a
24 floating easement that could possibly shift depending on
25 how that site plan develops on that remnant parcel.

1 MR. SHAMLIAN: You're going to have to shift closer
2 to Route 2 pretty much because of the easement and
3 essentially where the road is conditioned at this point,
4 correct?

5 MR. GRASSO: That's correct. The Salvation Army
6 which would not be a party anymore -- that touch down
7 spot is limited and we want to make sure that this touch
8 down spot and the Stewart's is toward the front of the
9 store and not to the back. Like I said, it's important
10 that the patrons know that there is an easy logical
11 connection there to take those lefts out.

12 CHAIRMAN STUTO: Do you have any comments on
13 screening or the building architecture or finishes?

14 MR. GRASSO: It's their standard architecture that
15 we've seen built in the Town which is appealing and
16 consistent with the Town's design standards. All I
17 would say is that from the back of the building as
18 you're going to approach the site coming down Delatour
19 Road heading to the north, the access drive or the
20 loading area is paved right up to the back of the
21 building. We would want to see some islands cut in or
22 some landscaping up against the back of the building.
23 If not, it should be significantly screened.

24 CHAIRMAN STUTO: Against the back or along the
25 greenspace there?

1 MR. GRASSO: There are two options. One would
2 either be to incorporate some islands up against the
3 back of the building based on how the loading area is
4 configured, or more heavy screening on the south side of
5 the loading drive behind the building; either/or. We
6 could take a closer look at that when we get into
7 concept again.

8 CHAIRMAN STUTO: Are you doing fencing like we have
9 on the Route 9 Stewart's?

10 MR. GRASSO: They have shown some fencing across
11 their frontage build-out. I think that it's something
12 that should be looked at together with their street
13 planting theme that was also mentioned by the Planning
14 Department in their comments.

15 MR. AUSTIN: I'm really scouring the plans here. I
16 love to go to Stewart's to fill my tires because it's
17 free, as air should be. I don't see the free air on
18 here.

19 MR. POTTER: We will have free air.

20 MR. AUSTIN: Thank you.

21 CHAIRMAN STUTO: Anyone else from the Board?

22 MR. LANE: On this plan, the land is slightly oddly
23 shaped. Does that have any negative impact on the
24 adjacent lots for their liability down the road? Maybe
25 not entirely where you are concerned, but I'm just

1 looking at the way that it bumps out a little bit.

2 MR. POTTER: Which is what we had to do to make it
3 fit.

4 MR. LANE: That's still a viable lot, as far as it
5 stands?

6 MR. POTTER: One part of the deal of us getting
7 additional property was that we were going to handle
8 stormwater mitigation for any future development with
9 what we were going to do. That would allow them to have
10 more developable area on the remaining piece. We're
11 going to do a combined stormwater system. That will
12 allow them for some additional space for development.

13 MR. LANE: Thank you.

14 CHAIRMAN STUTO: Anything else?

15 MR. GRASSO: Is the Board comfortable with the
16 access arrangement, as shown?

17 MR. LANE: Yes.

18 MR. GRASSO: And you'll think about the sidewalk
19 connection so that when they come in for concept, you
20 can speak to that?

21 CHAIRMAN STUTO: Yes.

22 Thank you.

23 (Whereas the above referenced proceeding was
24 concluded at 7:39 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

