

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****
4 ALDI'S FOOD MARKET
5 1881 - 1885 CENTRAL AVENUE
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 June 23, 2015 at 7:15 p.m. at
11 The Public Operations Center, 347 Old Niskayuna Road,
12 Latham, New York

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

20 ALSO PRESENT:
21
22 Joe LaCivita, Director, Planning and Economic Development
23 Kevin Parisi, Trinity Realty Group
24 Rob Osterhout, Bohler Engineering
25 Anna Marie Peretore
Wendy Trans

1 CHAIRMAN STUTO: We'll call up the next item on
2 the agenda because it's after 7:15.

3 Aldi's Food Market, 1881 to 1185 Central Avenue.
4 This is an application for concept acceptance. This is
5 to raze the existing motel and garage and construct at
6 new 17,023 square foot supermarket.

7 Joe LaCivita, do you have any introductory remarks?

8 MR. LACIVITA: Yes, actually the applicant has been
9 here before in front of us for sketch plan review. He
10 is here tonight for concept.

11 The project does a number of things that the Town
12 always looks to have done in projects. One is working
13 with DOT as far as closing down curb cuts and
14 aggregating some properties and also taking down,
15 especially in this corridor -- there is a hotel that is
16 coming down in the back of the restaurant component of
17 this site. We have worked hand in hand with the
18 applicant. We have met one of the tenants, Aldi's, and
19 we're working tonight towards concept and I'll turn it
20 over to Rob Osterhout and Kevin Parisi, if they want to
21 a quick introduction.

22 MR. PARISI: Good evening. My name is Kevin Parisi
23 with the Trinity Realty Group. We are glad to be back.

24 We were here a couple of months ago for sketch plan
25 review with the same concept and same plan. We have done

1 a lot of due diligence since that meeting. We have
2 tried to address a lot of questions and comments and
3 different thoughts for the project. We are here tonight
4 to hopefully discuss concept approval and to keep the
5 project moving forward.

6 CHAIRMAN STUTO: Okay.

7 MR. OSTERHOUT: I'm Rob Osterhout with Bohler
8 Engineering.

9 Just to give everybody an overview, once again, on
10 the project, we have an existing site here. We're
11 talking two parcels; 1881 and 1885 Central. The 1881
12 has the Dragon Buffet Restaurant. The 1885 is currently
13 void of any buildings on the site, but there is some
14 signs of the previous development on the site. This
15 aerial photograph shows the existing conditions.

16 Looking over at our proposed plan for the
17 redevelopment project, we are maintaining the existing
18 Dragon Buffet Restaurant on the 1881 parcel. We are
19 going to be, as part of the project, incorporating some
20 facade improvements and other site improvements around
21 the restaurant. That's on the 1881 parcel.

22 The 1885 parcel is where we are proposing the
23 Aldi's supermarket. As part of the application, we are
24 proposing to merge the two parcels together. Also, we
25 are looking to incorporate a lot line adjustment on the

1 west side of the site with 1893 Central Avenue. The lot
2 line adjustment over here (Indicating) on the west side
3 essentially allows us to make some improvements to the
4 access so that the access drive into the site can align
5 with the existing signalized intersection. If we
6 weren't doing that lot line adjustment, this development
7 would be pushed a little bit further east and we would
8 have a kink in the driveway here in order to make the
9 access work. That was a comment early on in the DCC
10 review.

11 CHAIRMAN STUTO: How much wider did you add to that
12 side?

13 MR. OSTERHOUT: It's about a 30 or 35 foot
14 difference that we're going to be adjusting. As part of
15 that we are going to be relocating some sanitary sewer
16 that is within that area right now. That's on our plans
17 as well.

18 With that, you can see the development, the layout
19 and a lot of great enhancements to the site here as part
20 of this redevelopment project.

21 As we already mentioned, the motel use that is
22 existing on the site today goes back. When you look at
23 the aerial, you can see how far back the motel goes on
24 the property; almost to the rear lot line. That
25 facility will be removed as part of the proposal.

1 CHAIRMAN STUTO: Can you say again what would be
2 removed?

3 MR. OSTERHOUT: The motel use. The restaurant is
4 here and the motel use comes back with an L-shaped
5 building. There is also an accessory building. The
6 dumpsters are located toward the back of the site. All
7 of those existing facilities would be removed as part of
8 the project. Then, we would be providing some
9 greenspace back along that area where the motel building
10 is today and also some fencing. There is existing
11 fencing between the residential and the commercial use
12 shown on the plans here (Indicating). The fence
13 actually encroaches a fairly significant amount onto the
14 project site. We have been working with the neighbors
15 to work out the details of that and right now there is
16 an eight foot high privacy fencing along a portion of
17 the property and some chain link fencing, four feet
18 high, along the easterly portion of the site. We have
19 been working with the neighbors to determine how we are
20 going to handle that. At this point, we're going to
21 maintain the fencing as it is today with the exception
22 of the chain link fencing that is shown on the easterly
23 portion of the site. We are proposing to replace that
24 chain link fence with a higher privacy fence to match
25 the other fencing that already exists on the westerly

1 portion of the site. We are trying to maintain as much
2 of the existing vegetation to the rear of the site as we
3 can.

4 We actually met with the neighbors after the
5 initial Zoning Board hearing that we had for the special
6 use permit. Then, we also met on-site with the
7 neighbors. We have been working with them to try and be
8 good neighbors as we move forward and work through any
9 concerns.

10 With that, the submission has already been made to
11 New York State DOT with the traffic study that was done
12 for the project. We did receive some early comments
13 from New York State DOT, having incorporated them into
14 this layout that you see here (Indicating). We are
15 anticipating receipt of some additional comments from
16 New York State DOT in the near future.

17 From a waiver perspective, there were a few waivers
18 that were noted that we're looking for. Those involve
19 the building setback for the Aldi's Supermarket; the
20 parking in the front yard and parking in the side yard.
21 Then the frontage build-out - we are just about at the
22 frontage build-out requirement with the fencing and the
23 pillars that we are proposed along the frontage and the
24 existing building over on the site.

25 CHAIRMAN STUTO: Are you done?

1 MR. OSTERHOUT: Sure, I'll open it up to any
2 questions you may have.

3 CHAIRMAN STUTO: Can you just talk more about the
4 ingress and egress signalized intersection and why that
5 worked out well? I think that it's an improvement from
6 the existing conditions.

7 MR. OSTERHOUT: So, when you look at the existing
8 conditions, the existing driveway into the site is this
9 thin strip right here (Indicating). This is an old
10 parking area or asphalt pavement. But this existing
11 driveway has a few issues with it. One is that it's
12 off-set from the existing driveway on the opposite side
13 of the intersection; the entrance into Colonie Plaza.

14 Next, there is a CDTA bus stop right in the middle
15 of the intersection - literally right in the middle of
16 the signalized intersection. Your guess is as good as
17 mine how that ever happened and why that is like it is,
18 but it does exist there today. So, as part of the
19 proposed redevelopment, we're taking the existing
20 driveway and we're shifting it a little bit to the west
21 to make sure that it lines up with the driveway for
22 Colonie Plaza on the opposite side.

23 We are also incorporating some off-site
24 improvements for the intersection. Those would involve
25 a dedicated left-turn lane on the east bound approach to

1 the intersection, so that vehicles could get into the
2 site. When you look at the aerial here (Indicating),
3 you can see that there are cross-walks and pedestrian
4 facilities on two legs of the intersection.

5 Part of the off-site improvements adding a
6 cross-walk across the driveway and across the westerly
7 side of the intersection. Not only cross-walks, but
8 pedestrian signal poles will be incorporated and some
9 other improvements.

10 CDTA has asked as part of their review of the
11 project that the applicant consider relocating the bus
12 shelter from the westerly side of the site driveway over
13 to the easterly side of the site driveway. That's
14 something that we're working with CDTA on to provide
15 them with a new pad for the shelter to be relocated.
16 There will be some other minor implement as far as
17 striping goes at the intersection.

18 CHAIRMAN STUTO: How do the lanes go in and out of
19 the site?

20 MR. OSTERHOUT: From an access perspective we have
21 a single lane in. We have two lanes coming out with a
22 dedicated -- what we are showing on this plan is a
23 dedicated right and then a thru and a left turn lane.
24 That may change as we move forward. Again, we are
25 working with DOT on that and the traffic study has

1 evaluated that -

2 CHAIRMAN STUTO: What factors would make that
3 change? I just want to understand that. I understand
4 what you have just described.

5 MR. OSTERHOUT: It's really dependent on the
6 driveway on the opposite side of Central Avenue. We
7 want to make sure that the thru-lane lines up so that
8 we're not creating conflicts and that type of thing.

9 MS. DALTON: The packet that we have indicates that
10 DOT has asked for a change in some of the traffic
11 patterns. What you are explaining to us now is the new
12 traffic pattern based on their comments -

13 MR. OSTERHOUT: Yes. This plan has been revised to
14 incorporate the comments that we got from DOT when we
15 were before the DCC. One of the comments relative to
16 the access that DOC had was that before we acquired this
17 right to do these lot line adjustments on the west side,
18 the access was in the same point. This drive aisle in
19 the site was further over so when you came into the site
20 there was a turn to the right and DOT was concerned
21 about that creating issues for people coming in and not
22 knowing where to go and having to turn immediately as
23 they approached.

24 MS. DALTON: I just wanted to make sure that was
25 the new one.

1 My second question had to do with the light that is
2 there.

3 MR. OSTERHOUT: This is somewhat of a unique
4 situation in that the traffic signal is not owned and
5 maintained by New York State DOT.

6 MS. DALTON: I've never heard of such a thing.
7 That's why I am asking.

8 MR. OSTERHOUT: It's a different scenario than what
9 we typically see, but it's a private signal issued under
10 permit by New York State DOT. The owner of the Colonie
11 Plaza across the street is actually the owner of that
12 signal as it exists today. They are responsible for the
13 maintenance and upkeep of that signal. However, DOT
14 ultimately has jurisdiction over the signal because
15 there is a permit issued for it. At this stage of the
16 game we are working with WP to get their buy-in on the
17 changes that are going to be made at the intersection
18 and to the signal for timing for that dedicated left
19 turn. We don't have any concrete answers other than
20 right now on that proposal, but we are waiting to hear
21 back from them.

22 MS. DALTON: Thank you.

23 MR. LACIVITA: I think that was further supported
24 in Chuck's letter that you saw there; item 5 where it
25 says all the notes previous from DOT. It just talks

1 about the permits. So, as they went through this before
2 they were drafting their comment letter for tonight's
3 concept acceptance, they know that DOT has been
4 satisfied up until now.

5 MS. DALTON: Thank you.

6 MR. MION: I have a question for you. You're going
7 to get rid of the motel part of this; correct?

8 MR. OSTERHOUT: That's correct.

9 MR. MION: And everything is going to line up with
10 this light. I was wondering if you had given any
11 thought to maybe having an area in the back where the
12 people from the trailer court can use that as an exit
13 out to the light instead of coming out onto Central
14 Avenue where there isn't a light.

15 MR. OSTERHOUT: Well, I can tell you this: From a
16 shared access perspective, we are trying to incorporate
17 some shared access to link the commercial uses. So, one
18 provision that we've got on our plan here is a
19 connection to 1893 Central so that this parcel, even
20 though it's vacant today, when that does redevelop or
21 have a tenant in place, that site would have access to
22 the signalized intersection. We try, obviously, not to
23 mix the residential and commercial components here. We
24 have not proposed any type of connection to the
25 residential to the back. To be honest, I don't know how

1 well that would go over because we have heard from
2 residents along the back that they didn't want to have
3 traffic and they wanted to maintain the greenspace to
4 the back. If we looked at making some additional
5 connections it would impact parking which would have to
6 be recovered elsewhere. It would also affect drainage
7 and the screening that we would be able to provide,
8 otherwise.

9 MR. LACIVITA: I think that one of the more
10 important things is trying to put connectivity back
11 there, you'd have to end up widening the pavement to get
12 back there again. It gets to the encroachment and set
13 back issues, but your stormwater basin is to the far
14 left of the area. It would be really hard to cross over
15 there to get the traffic to go into the back to let them
16 come out to a light, or let them go through the other
17 parcels in the back. I think that it would be rather
18 hard to try to bring that there.

19 CHAIRMAN STUTO: I'm not sure that's the final word
20 on that, but I think that we're going to open it up to
21 the public, if it's okay with you.

22 Anna Marie Peretore.

23 MS. PERETORE: My name is Anna Marie Peretore. I
24 reside at 9 Neil Drive.

25 CHAIRMAN STUTO: Can you point to your house?

1 MS. PERETTORE: I'm right here (Indicating). Our
2 property line runs from near the motel that is being
3 torn down. There is a fence and all this greenery back
4 here. There is a fence that runs along our property
5 line. Our backyard will be facing the Aldi's parking
6 lot and slightly the building. We do have some
7 concerns.

8 We did meet with Mr. Parisi and the engineer and
9 did a little walk in the back. I just want to reiterate
10 what was discussed so that we are clear on things.

11 As has been brought up before, the fence has been
12 there for about 13 years when we moved in. We have
13 permission to put our fence there. We were told that
14 it's an environmental easement and that we had
15 permission to put our fence there and that the engineers
16 have all been very kind in not telling us that we had to
17 move our fence and we appreciate that. That's why the
18 fence was put there.

19 Mr. Parisi mentioned on our walk that there would
20 be a connecting fence - taking down the chain link fence
21 that is currently there behind the motel. It's a little
22 rickety and we don't want anyone jumping over our fence
23 into our property. We would respectfully request, as
24 was discussed earlier, that a similar fence of similar
25 height - eight feet and a stockade fence - could connect

1 with ours to be sure that nobody would come onto our
2 property.

3 CHAIRMAN STUTO: I think that I heard the applicant
4 say the same thing. Can you get on the record and tell
5 us?

6 MR. PARISI: That's correct.

7 CHAIRMAN STUTO: There is a note that the chainlink
8 fence is to remain on the concept plan. That has to be
9 changed.

10 MR. PARISI: Right.

11 CHAIRMAN STUTO: We're looking at these photos from
12 your house?

13 MS. PERETORE: From my back yard, yes.

14 CHAIRMAN STUTO: I'll ask the applicant - what
15 about the higher trees? What happens to the trees on
16 the other side of the fence?

17 MR. OSTERHOUT: If you look at the rendering here,
18 there is a lot of vegetation. It's sparse vegetation on
19 the other side of the fence.

20 CHAIRMAN STUTO: On your side, I guess. She has
21 lawn on her side of the fence.

22 MR. OSTERHOUT: Right, looking at the picture you
23 can see the lawn. On our side, we're trying to maintain
24 as much of the existing vegetation as we can because
25 it's very mature. It's large scale rather than taking

1 it down just to put in some smaller plantings. When we
2 met with the neighbors, we talked about that and their
3 preference was that we keep the larger existing
4 vegetation.

5 CHAIRMAN STUTO: That doesn't interfere with your
6 drainage or anything else that you have going?

7 MR. OSTERHOUT: I'll tell the Board the same thing
8 that I told the neighbors and that is that we will
9 maintain as much of that existing vegetation as we can.
10 We do have to clear some of it to incorporate the
11 stormwater management. Our intent is to try to work
12 with them to keep as much as possible. We can't keep it
13 all. We are definitely clearing some of it - just so
14 that everyone is aware as to what we are proposing. We
15 will keep as much as possible.

16 As part of the subdivision, that was approved and
17 ultimately built-out, there is 25 foot wide no-cut
18 buffer along all of the lots that abut the commercial
19 district. That's something that was incorporated into
20 the subdivision design to help with the buffer to help
21 with the buffering to the commercial district. In
22 areas, that has been altered. It's been adjusted or
23 whatever the case may be. Neither here nor there, we
24 are proposing to maintain the fence where it is and try
25 to work with the neighbors to give them as much of that

1 existing vegetation as possible.

2 CHAIRMAN STUTO: So, the residents have a no-cut
3 thing there - 25 feet?

4 MR. OSTERHOUT: That is correct.

5 MR. LACIVITA: And just to be clear, Rob, as I see
6 it now -- so that it's on the record, the fence is on
7 Mr. Parisi's property and Mr. Weis' property - 15 feet
8 in some areas and it has been clear up to that fence
9 line for the neighbors to use your property; correct?
10 We're leaving it as it stands?

11 MR. OSTERHOUT: Correct.

12 MS. PERETTORE: My concern is the greenspace. It's
13 been said that there will be some trees. Our concern is
14 that because they are immature and as you can see from
15 our view, if they take down too many trees we're going
16 to be looking at the parking lot of Aldi's. We want to
17 save as much of that greenery as possible for a buffer
18 zone to keep it quiet. We would request through the
19 Planning Board or in the future with the Zoning Board
20 that perhaps we could walk the property line with all of
21 these engineers and the realtor and the neighbors just
22 to mark the trees to be clear on what we can keep so
23 that there aren't any mistakes. We can't put them back
24 up.

25 CHAIRMAN STUTO: Or misunderstandings.

1 MS. PERETTORE: Or misunderstandings, yes,
2 definitely. So, that is a request of ours.

3 CHAIRMAN STUTO: How does the applicant feel about
4 that?

5 MR. PARISI: To walk the property? We could walk
6 the property again once we have final and a clear
7 definition of it; that's fine.

8 CHAIRMAN STUTO: She wants to mark the trees.

9 MS. PERETTORE: Within reason.

10 MR. PARISI: I do not have a problem with that.

11 MS. PERETTORE: As far as delivery times for Aldi's,
12 we realized their hours - I believe that they close at
13 either 10 or 11 in the evening. When exactly will be
14 the delivery time for the trucks? They're obviously not
15 going to be coming during the day with customers there.
16 We are concerned that if they're going to come at all
17 hours of the night, that will interrupt our sleep. I
18 have children. We just want to make sure that the
19 delivery times will be normal and a reasonable hour.

20 CHAIRMAN STUTO: Okay, we will address that. There
21 is a Town Ordinance that defines some of that; right?

22 MR. LACIVITA: Correct. Typically we try to do
23 dumpster deliveries in between that 7:00 and 7:00
24 timeframe.

25 CHAIRMAN STUTO: The 7:00 and 7:00 is typical. Is

1 that in the Town Code?

2 MR. LACIVITA: Yes.

3 MS. PERETORE: So, it would be between -

4 CHAIRMAN STUTO: That would be 7:00 in the morning
5 and 7:00 at night.

6 MS. PERETORE: Okay, so they wouldn't have any
7 deliveries -

8 CHAIRMAN STUTO: In the middle of the night - no.
9 They're not allowed to.

10 MR. PARISI: Is that Code for deliveries or for
11 dumpsters?

12 MR. LACIVITA: I believe that it's both, Kevin.
13 I'll check into that and confirm that and we can
14 definitely put that in as final when we get to final
15 approval.

16 MR. PARISI: There are two things that I'd like to
17 clarify. This is a 17,000 square foot grocery store.
18 It's very different than what we would traditionally
19 consider a grocery store. We don't have the butcher
20 shop. It's a very different type of delivery. They take
21 one delivery truck a day. It comes from a long distance
22 from a warehouse. The concern with delivery restrictions
23 is that it's very tricky for them to -- it's more of
24 something that they don't want to promise something that
25 they can't necessarily police perfectly. There is

1 traffic and flat tires and a million different things
2 that when that truck comes they literally get one truck
3 a day.

4 There was a comment brought up about idling. All
5 of their trucks have an automatic shut off after two
6 minutes so there is never any idling issue.

7 CHAIRMAN STUTO: When do you expect this one
8 delivery to come in?

9 MR. PARISI: It usually comes in at night, but it's
10 hard to say. It's probably after 7:00. Frankly, it
11 would be tough. The tenant has expressed a lot of
12 concern about having -- it's more of not wanting to
13 commit to something that they know that is impossible to
14 police. They do not do multiple deliveries. They don't
15 have trucks sitting in the dock, like you would see in a
16 normal grocery store for a whole day with the coolers on
17 them. That just doesn't occur with this. This is much
18 more like a pharmacy type. It's a very low usage of
19 their loading dock - extremely low, compared to a normal
20 high turn around.

21 MR. LACIVITA: We did those no idling signs at
22 Price Chopper - the new Market Bistro in the back
23 because of the neighbors that abut there. When it comes
24 time to go to final approval on that, if there are any
25 restrictions, we'll have it confirmed with the actual

1 law. Normally, we would put that restriction on with
2 concept anyway.

3 MS. DALTON: If there is an ordinance, then we have
4 no jurisdiction over that. It is what it is.

5 CHAIRMAN STUTO: We can't expand it.

6 MR. PARISI: Which we understand. Regarding the
7 dumpsters, we'll have to figure that out because it will
8 be an issue for the tenant.

9 CHAIRMAN STUTO: Well then that's an issue that we
10 want to clarify before the next meeting.

11 MR. PARISI: Yes, we'll do that before final.

12 MS. PERETORE: That's good because that was a big
13 concern of mine. Also, with the dumpster timing.

14 CHAIRMAN STUTO: We will make that part of it,
15 right Joe?

16 MR. LACIVITA: Yes.

17 MS. PERETORE: That's it. Thank you.

18 CHAIRMAN STUTO: Thank you and keep communicating
19 and keep coming to the meetings and communicating with
20 the applicant.

21 Wendy Trans.

22 MS. TRANS: I think that I'm okay. I was
23 wondering about the dumpster and so I think that we're
24 good. I don't need to repeat it.

25 MS. DALTON: Before we move on. One of the

1 requests was that somebody walk the property line. I
2 don't know if you have similar concerns with regard to
3 your property line, but if you want to be on record as
4 marking certain trees as well -

5 MS. PERETORE: No, my property abuts right up
6 against the back of the motel, literally.

7 MS. DALTON: So, you don't have those mature trees.

8 MS. PERETORE: No. When the motel comes down,
9 there will be an open exposure to the trailer park. The
10 motel is what separates the trailer park from the rest
11 of that property. So, when the motel is gone, the
12 trailer park will be there.

13 MS. DALTON: I just wanted to make sure that you
14 didn't have that issue. Thank you.

15 CHAIRMAN STUTO: Joe, we have a letter in the file
16 from Barton and Loguidice, our Town Designated Engineer,
17 who has reviewed the project. Can you tell us the
18 important points in that letter for us to consider?

19 MR. LACIVITA: I think that actually Rob talked
20 through a couple of the waivers.

21 The easement that will be needed -- Rob, that was
22 the one question that I had. We're pulling that
23 sanitary system out of the project and moving it into
24 the other parcel. That's going to be by separate permit,
25 so it won't be part of this approval process as time

1 goes on. There is an item from the design standards
2 about the permanent easement will allow cross access
3 between 1885 and 1893 regardless that the properties are
4 combined. Can you speak a little bit about that? Also,
5 the easement that may be needed for the sanitary system?

6 MR. OSTERHOUT: Absolutely, Joe.

7 The first one regarding the shared access between
8 the sites - as mentioned, we have a connection proposed
9 between 1885 and 1893 Central. So, what Joe is
10 referring to is that there needs to be some type of
11 cross access easement in place so that there are some
12 rights that are assigned for that cross access. That's
13 no problem. We will certainly have that to allow access
14 between different frontage points here and to allow that
15 access out to the signal that I touched on.

16 As far as the sanitary sewer easement is concerned,
17 the existing easement runs along the property line on
18 the west side of the site, right where our building is
19 going to be located. We have met with Pure Waters and
20 discussed this with the TDE as well and Pure Waters. We
21 have a plan that we are pulling together and submitting
22 to Pure Waters for the relocation of the sanitary line.
23 As I mentioned, it's roughly a 30 to 35 foot shift that
24 we're making. There will be a new permanent easement to
25 replace the older easement so that the Town has rights

1 to that sanitary sewer in the future.

2 MR. LACIVITA: The only other question that I had
3 from Chuck's notes that we had was can you identify the
4 parking and how that works with the complementary uses
5 along the way and the shared parking? I know that you
6 have 148 cars that are parked throughout the site. The
7 only question that he had was being that we didn't know
8 the number of seats in the restaurant, just talk to us
9 about the 148 and how that shared parking works.

10 MR. OSTERHOUT: Sure thing. We've got the two
11 uses; the restaurant use and the supermarket use here
12 (Indicating). We've got 148 parking spaces shown on the
13 site. That parking ratio is based on the square footage
14 of the supermarket. We've got one per 200 GFA for the
15 supermarket use, which equates to 85 spaces. The
16 restaurant has 160 seats in the restaurant. So, taking
17 that with the employees makes up the difference for the
18 148. We are compliant with the Town's requirements for
19 the two uses. We meet the parking requirements for each
20 individual use. In reality there is probably going to
21 be some shared parking between the two. If somebody is
22 eating dinner and they want to run over to Aldi's
23 afterwards to grab some groceries, they can do that.
24 Obviously, that would not generate the additional
25 parking demand that you might typically see. We do meet

1 the Town Code for the required number of parking spaces.

2 MR. LACIVITA: Just so the Board knows, as I said,
3 the Town Designated Engineer, Chuck Voss and I have been
4 working hand in hand with the developers and the
5 engineers and also Pure Waters in order to move that
6 component out of the project and get that going as soon
7 as we possibly can. There is nothing really holding
8 back the project from both the TDE's mind or PEDD's mind
9 in order to move forward with concept this evening.

10 CHAIRMAN STUTO: I'm going to have a couple of
11 questions.

12 This is easy, but it may not be for you: I see the
13 cross connection to the property on the west and I see
14 the line of traffic if somebody was trying to get to the
15 light. Then, it seems to me that the parking island
16 sort of blocks -- it seems to me that should wind up all
17 the way through to the Chinese restaurant. The parking
18 island blocks that. It's something to consider. I know
19 that you may lose a couple of spots. I don't know if
20 you could make them up elsewhere. I think that's an
21 impediment to the free flow of traffic there and leaving
22 the Chinese restaurant. I don't know if you have any
23 comment to that off hand.

24 MR. OSTERHOUT: It's something that we can look at.
25 To be honest, it hasn't been raised as an issue to date.

1 It's something that we can look at. I think that it's
2 pretty clear, though, the access from 1893 out to the
3 signal - this final would not even come into play.

4 CHAIRMAN STUTO: Understood.

5 MR. OSTERHOUT: I'm not so concerned about free
6 flow traffic between these two. It's not something that
7 we necessarily want to promote. Anybody using the
8 restaurant can certainly get out here and take the left
9 or circulate around if they wanted to do that for some
10 reason as well.

11 MR. PARISI: We have met with the traffic engineer
12 as well. On that comment - almost to the opposite, they
13 were worried of the opposite; if that was too clear, it
14 becomes an alley where this almost slows you down. If
15 you're coming across here (Indicating) and someone is
16 entering the site to avoid a higher speed - a 90 degree
17 incident, and you're coming this way, just seeing that
18 buffer there will kind of slow you and traffic and
19 you're not going to try to jump straight across. You
20 kind of have to change your traffic pattern. That's
21 versus if someone is coming straight across and that T
22 happens, it's a little bit more of a dangerous
23 situation.

24 CHAIRMAN STUTO: I'm not sure if I agree with that.
25 I understand that point, but if you're coming in off of

1 Central Avenue and you want to get to the Chinese
2 restaurant and you somehow get held up because that is
3 such a tight area, you could back up traffic onto
4 Central Avenue. If you could take a closer look at
5 that?

6 MR. PARISI: Sure.

7 CHAIRMAN STUTO: I also think that if you could
8 take a closer look and get a connection to the property
9 to the east and just visit it again. I'm not
10 disagreeing with you, but you could take another look at
11 that. We always want connectivity particularly when
12 it's to signalized intersection. If you could just take
13 another close look at that, I'd appreciate it.

14 I'm concerned about the impact on neighbors in the
15 back. We have talked about that. The final plan for
16 plantings in the back will be important to me as well as
17 screening all around the property and how the property
18 looks in the front from driving. I think that it's a
19 great project. You're improving the site. I'm not
20 disagreeing with that. I don't know if you can talk
21 about that now - what the frontage is going to look
22 like, plantings and so forth.

23 MR. PARISI: I believe that in the front we're
24 doing stone columns with the wrought iron and aluminum
25 fencing.

1 CHAIRMAN STUTO: Is that on our drawing, or no?

2 MR. OSTERHOUT: Yes. So, here is the existing
3 restaurant (Indicating). There is a sidewalk connection
4 from the Central Avenue sidewalks that run along the
5 site. From that sidewalk, we have a little separation
6 between the sidewalk and then our stone pier starts and
7 then we have the fencing along this portion of the
8 frontage (Indicating) and then a gap obviously for the
9 opening for the drive. The fencing and piers pick up
10 again over here and run along the front of the site over
11 to the other existing drive here. That treatment will
12 be incorporated all along the frontage. There will be
13 landscaping along the frontage as well. That's detailed
14 in our detailed plans beyond concept.

15 CHAIRMAN STUTO: That sounds very good; thank you.

16 MR. OSTERHOUT: As just another point to note, the
17 restaurant - there will be facade improvements as well.

18 CHAIRMAN STUTO: You don't have any drawings for
19 that yet do you?

20 MR. OSTERHOUT: I don't have anything detailed on
21 that at this point.

22 CHAIRMAN STUTO: I think that's a great
23 improvement, too.

24 MR. OSTERHOUT: I have a color rendering here that
25 gives you a little bit of insight as to -

1 MR. PARISI: This is kind of the preliminary
2 concept. We are working with an architect right now to
3 design and kind of keep it as a themed look but
4 completely the whole thing will be brand new from an
5 appearance standpoint for the outside.

6 CHAIRMAN STUTO: Theme for the restaurant? It's
7 not going to tie into Aldi's; is it?

8 MR. PARISI: Probably more themed toward the
9 restaurant, but bring a little more contemporary
10 feeling.

11 CHAIRMAN STUTO: Can you bring that up here so we
12 can see it?

13 MR. PARISI: Sure.

14 CHAIRMAN STUTO: I think that we've gone over a lot
15 of important points and if you could stay in touch with
16 the neighbors and communicate with them I think that
17 we'll end up with a better smoother project before we
18 get to final.

19 Concept acceptance is just an acceptance. It's
20 not, strictly speaking, an approval. We don't need to
21 finalize the environmental review before concept
22 acceptance. Having made all of our statements and
23 comments and those having been heard by thea applicant,
24 as well as the comments of the residents being heard by
25 the applicant, do we have a motion for concept

1 acceptance?

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

3 CHAIRMAN STUTO: Second?

4 MR. AUSTIN: I'll second that motion.

5 CHAIRMAN STUTO: Any discussion on that motion?

6 (There was no reply.)

7 All those in favor say aye.

8 (Ayes were recited.)

9 All those opposed say nay.

10 (There were none opposed.)

11 The ayes have it.

12 Thank you.

13 MR. OSTERHOUT: Thank you very much for your time
14 tonight.

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18 (Whereas the proceeding was concluded at 7:44 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 August 5, 2015

