

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 COLONIE ASC MEDICAL OFFICE  
5 207 TROY SCHENECTADY ROAD  
6 SKETCH PLAN REVIEW

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8 THE STENOGRAPHIC MINUTES of the above entitled  
9 matter by NANCY L. STRANG, a Shorthand Reporter,  
10 commencing on August 25, 2015 at 7:37 p.m. at The  
11 Public Operations Center, 347 Old Niskayuna Road,  
12 Latham, New York

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

16 ALSO PRESENT:  
17 Kathleen Marinelli, Esq., Counsel to the Planning Board  
18 Brian Sipperly, PE, Sipperly and Associates  
19 Joseph Grasso, PE, CHA  
20 Fred Franco, PE, Hyman Hayes Associates  
21 Ted Wladis, MD  
22 Joseph LaCivita, Director, Planning and Economic  
23 Development

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1           CHAIRMAN STUTO: We will call up the next item on  
2 the agenda. Colonie ASC Medical Office, 207 Troy  
3 Schenectady Road. This is a sketch plan review for a  
4 one-story 12,010 square foot medical office.

5           Joe, do you have any comments on this before we  
6 start?

7           MR. LACIVITA: Yes, actually we just heard from  
8 Stephanie regarding the Cumberland Farms at the prior  
9 location which was 211, and you have to love it when a  
10 plan comes together. During the course of that project  
11 we had a lot of conversations about the connector road  
12 to the back and how that was going to work. This parcel  
13 happens to be the one in the middle of both the  
14 Cumberland Farms and the bank. So, we now put together  
15 the last link in that component on Troy Schenectady Road  
16 and the applicant is here tonight with Mr. Sipperly to  
17 go through and kind of take us through sketch plan so  
18 that we can advance on this project which I believe the  
19 applicant is closing at the latter part of the year on  
20 the property to move forward.

21           MR. SIPPERLY: Good evening Chairman and Members of  
22 the Board. My name is Brian Sipperly and I'm with  
23 Sipperly and Associates. Here tonight with me is Dr.  
24 Ted Wladis. He is one of the project sponsor  
25 applicants. We also have, as the project architect,

1 Fred Franco from Hyman Hayes Associates.

2 Thank you, Joe, for the introduction. We have  
3 here the last piece of kind of a master plan 2006  
4 subdivision on the corner of Swatling Road and Troy  
5 Schenectady Road. This kind of brings it all the  
6 way from Swatling all the way down to the previous  
7 project that I talked about at the 7:05 agenda which  
8 was 181 Troy Schenectady Road. That parcel, too, was  
9 part of the overall subdivision of the larger piece  
10 of land originally.

11 Like I said, there is a 2.25 acre site that is  
12 rectangular in nature. Today it's an undeveloped  
13 site residing in the COR zone. It has about 238  
14 feet of frontage along Troy Schenectady Road.

15 As you can see here, to the south we are  
16 bordered by Troy Schenectady Road. To the west we  
17 have 211 Troy Schenectady Road which is the  
18 Cumberland Farms which was recently approved by the  
19 Planning Board. To the east we have the Trustco  
20 Bank and to the north we have the same contiguous  
21 38-acre parcel that was PDD zoned just recently  
22 rescinded back to COR.

23 The topography on the site is a gentle to  
24 moderate slope - 0% to 10% sloping in the northeast  
25 direction. The soils on the site are predominantly

1 fill materials, site covers and kind of open fields  
2 and secondary growth and some moderate grass cover.  
3 There are no wetlands on the site. We rarely find  
4 that these days.

5 As I mentioned the parcel is part of the 2006  
6 subdivision where Joe touched upon it that access  
7 was previously arranged through the subdivision and  
8 this parcel has ingress and egress over 179 Troy  
9 Schenectady Road to reach Swatling. The 2006  
10 subdivision, as you recall, had a dated ingress and  
11 egress easement solely on 211 and through the  
12 process of that approval we were working with DOT  
13 and corridor access management decided to ship that  
14 access point down to straddle the property line. We  
15 were a benefactor in that we avoided another ODA  
16 process in that and it worked out well. Cumberland  
17 Farms was able to go in and use our existing curb  
18 cut approval so we can just ride the tails on that  
19 one.

20 From a utility perspective, everything is  
21 either right along Troy Schenectady Road or right on  
22 our site. We have a sanctuary sewer line going  
23 right through the site so the utilities are  
24 accessible. In terms of easements, the frontage is  
25 riddled with easements in terms of a New York State

1 drainage easement and private electric gas and tel.

2 Running in the north/south direction, like I  
3 mentioned here, we have a New York State storm  
4 drainpipe that is not encumbered with an easement  
5 and we'll be happy to work that out with the Town  
6 and DOT and how to handle that one.

7 The property is subject to the GIS mitigation  
8 fees for the Boght Road/Columbia Street area. The  
9 parcel does lie wholly within the Latham Water  
10 District.

11 In terms of the site development, the  
12 applicants are proposing a 12,000 square foot single  
13 story medical office building which is a permitted  
14 use in the COR zone. We talked about access with  
15 211 Troy Schenectady Road and 179 and the easements  
16 that exist for that.

17 Requirements for parking are 70. We provide  
18 70. Greenspace after proposed developments are here  
19 are 47%. From a stormwater perspective, some early  
20 infiltration tests that we have done out here prove  
21 that the soil does perk, albeit limited. So, a  
22 combination of some bioretention planters around the  
23 building and infiltration basin will be used at this  
24 point moving forward. The devil will be in the  
25 details.

1           We are asking for one waiver which seems to be  
2           pretty consistent along this road. We are asking  
3           for a setback of 55 feet versus the 25 foot along  
4           the major road. The justification for that is  
5           again, we are riddled with utility easements along  
6           here preventing us from bringing the building  
7           forward as well as we are going to need some  
8           stormwater planters and some associated piping and  
9           some room for signs. We really didn't want to take  
10          that building footprint foundation and just slam it  
11          against the top of those easements. That is why we  
12          are requesting the waiver.

13           We think that it's consistent with where  
14          Trustco Bank is and where the canopies are located  
15          here. We like what Cumberland Farms did with the  
16          wrought iron and stone fence and so we'd like to  
17          carry that theme on down the road and produce kind  
18          of seamless transition.

19           That's my sketch update to the Board. I'm open  
20          to any questions and comments.

21           CHAIRMAN STUTO: I think that it would be helpful  
22          if we had our Town Designated Engineer make a few  
23          comments. I know that you haven't done a formal review  
24          yet. CHA is our Town Designated Engineer on this one.  
25          Joe Grasso is the representative.

1 Joe?

2 MR. GRASSO: It seems to be a pretty  
3 straightforward site plan application. It obviously had  
4 a lot of planning of the site, as it relates to the  
5 adjacent properties already.

6 To tell you the truth, it's a fantastic site  
7 plan. So, I commend the applicant and their  
8 consultants for bringing forth a great plan  
9 thoughtfully laid out so early on in the process.

10 The big issues - access management is key to  
11 this site, as Brian described. The shared access  
12 connections, both with the Cumberland Farms and that  
13 back access to Swatling Road had previously planned  
14 and those are great components of the site.

15 The other thing that I'd like to point out from  
16 a site plan that we don't often see is the parking  
17 on this site is to the sides and to the rear. Even  
18 the parking on the sides is really minimized. On  
19 the side to the east -- that's a single side loaded  
20 parking bay where it's not going to appear very big.  
21 When you come to the west side of the building,  
22 you've got the turnaround which is going to shield  
23 the parking to the back. I think that the site is  
24 going to look dynamic from the Troy Schenectady Road  
25 corridor.

1           Some of the issues still to work out - Brian,  
2           the connection to the Trustco Bank site - is the  
3           intent to convey an easement all the way through the  
4           site to allow the Trustco site to use the Swatling  
5           Road access? Is that the intent?

6           MR. SIPPERLY: It's funny that you say that, Joe.  
7           This was actually developed not exactly like this but  
8           there is a site plan developed in 2007 for another  
9           medical office use so it did go through some Town  
10          reviews at that time where access was talked about cross  
11          access. So, that actually comes from holding some of  
12          the things that were there in that 07 design and  
13          carrying it forth. We knew that cross access was  
14          important so we do have provision for it and yes, we're  
15          working with some Town staff departments through DCC  
16          where they didn't like where that was. When we fixed  
17          the location I think that we have to memorialize it.

18          MR. GRASSO: Do you know if there have been any  
19          discussions with the Trustco?

20          MR. SIPPERLY: I do not know.

21          MR. GRASSO: I think that will be important at  
22          concept. When we think about cross access where we  
23          think of traffic coming through the site to get to the  
24          new access points, but also on this one we have to look  
25          at traffic that would leave the medical office building

1 and cutting through the Trustco site. So, we really  
2 have to just take a good look at that and make sure that  
3 we're not violating any access management principals.  
4 In theory, allowing the Trustco Traffic through the site  
5 to access Swatling Road is a good thing, but we just  
6 don't want to look with the blinders on when we consider  
7 that.

8 MR. SHAMLIAN: Trustco is not a right-in/right-out.  
9 It's full-access, right?

10 MR. GRASSO: I think that it's full. Those are the  
11 things that we'll have to take a closer look at through  
12 the planning process.

13 There is what we would consider a major DOT  
14 drainage that comes off of Route 2 and cuts through  
15 the site. I know that there was some talk whether  
16 or not that had to be a Town-owned easement or DOT.  
17 I don't think that there is any benefit to the Town  
18 owning that. I don't know if that's something that  
19 you can follow up with DOT to see if DOT is looking  
20 to have an easement conveyed to them over that  
21 drainage. The bottom line is that I don't think  
22 that the Town needs to take any responsibilities for  
23 that drainage. It's really going to be the site's  
24 drainage or the drainage that comes off of Route 2.

25 MR. SIPPERLY: I agree. I think that we talked

1 about that at DCC. Where we proposed to the Town of  
2 Colonie came from the 2007 feedback when the Town  
3 wanted the easement. But again, we know that's a  
4 place-holder discussion topic and we were asked by the  
5 DCC to approach the DOT about how they want to handle it  
6 because I believe that it was all open-channel stuff and  
7 when fill started coming in, closed drainage systems  
8 occurred and I think that they wanted to have hands off  
9 until they saw what was going on. Something tells me  
10 that they don't want to own it, but we will investigate.

11 MR. GRASSO: Is there an existing easement that  
12 covers the access over to Swatling?

13 MR. SIPPERLY: There is and it's in the deeds to  
14 the parcels. We're just showing the driveway portion  
15 that's going to be constructed as part of this project  
16 and also the construction costs will be shared with 211.  
17 There are provisions in the deeds to do reimbursements  
18 and things like that.

19 MR. GRASSO: I know that this is looking into the  
20 future on the adjacent property that you may not know  
21 the plans of but is the long-term intent to make that a  
22 Town road or leave it as a private road?

23 MR. SIPPERLY: Not that long ago it was a PDD with  
24 Ridgefield Drive and that would be the Town standard  
25 sections and since it has been rescinded we'd like to

1 build it as cheap as possible and hope that the next  
2 developer has to bear that if it is -

3 MR. GRASSO: Just so that the Planning Board is  
4 aware, our early position - we don't see a reason to  
5 make that a Town road. We don't see any benefit in the  
6 town. It's not something that we would push for that  
7 access road to be built to Town road standards. If they  
8 want to build it as a 24-foot wide paved curbed access  
9 road, that's fine with us, as of right now.

10 In terms of the parking - the parking for  
11 medical office is higher than what you may see for a  
12 normal office building and you're meeting the Code's  
13 requirement. Is that also the parking demands based  
14 on your expected tenancy or would you be willing to  
15 consider some possible land-banked parking?

16 MR. SIPPERLY: Funny that you say that because the  
17 owners and the project sponsors and the architects feel  
18 the opposite. They worked a lot in this medical field  
19 before and they feel that 70 is actually overkill for  
20 whatever they will need just due to the inherent nature  
21 of there being two surgery rooms in here. Between the  
22 employees that could happen - and even if every person  
23 drove themselves, we could never generate and fill 70  
24 spaces. So, they feel adamantly that 70 is way  
25 overkill. They would like to go the other way. They'd

1           like to construct less and then show future banked  
2           parking. I guess looking at the available room - what  
3           were you thinking? Some kind of percentage that would  
4           help?

5           MR. GRASSO: Yes. I think that the Planning Board  
6           is willing to consider anything. Obviously, when you  
7           have a known tenant, you should build toward their needs  
8           as opposed to just building per the Code.

9           MS. DALTON: That was my question because if it's a  
10          surgical center, obviously the traffic flow of patients  
11          is going to be different than a primary care doctor.

12          MR. SIPPERLY: They won't be driving home either.

13          MS. DALTON: And most of the time, you're not even  
14          allowed if you wanted to drive yourself home. If  
15          someone is going to bring them and someone is going to  
16          sit there while they are in surgery and somebody is  
17          going to bring them back, it's going to be a longer  
18          procedure time than we would have in a primary care  
19          center. So, I was just wondering about the 70 spaces.  
20          I thought that was a lot.

21          MR. SIPPERLY: Exactly. We are doing it for code  
22          and I think that we're at an impasse here in terms that  
23          you think that it's too many and you would like to see  
24          some banking. I think that we should talk about it  
25          between here and concept and figure out what we bring

1 back to the Board.

2 MS. DALTON: If there is some kind of standard for  
3 the kind of center that you are proposing, I think that  
4 makes sense if you can show that to us.

5 CHAIRMAN STUTO: It doesn't hurt to bank spaces  
6 though.

7 MR. GRASSO: And it's an easily waverable item.  
8 We're going to be looking at waivers anyway.

9 CHAIRMAN STUTO: You can take a hard look at that.

10 MR. GRASSO: Yes, we will.

11 Speaking of waivers, Brian, you mentioned one -  
12 the front yard setback for the building which we  
13 support based on the easements that are there.  
14 Really you don't have a drive aisle or anything in  
15 the front so we think that you have gone and really  
16 created a nice front yard to the building which we  
17 think is consistent with that along the Route 2  
18 corridor.

19 The Planning Department also did pick up on the  
20 possible waiver for the parking and it might have  
21 been just because the one corner of the access drive  
22 extends a few feet closer to Route 2 -- we'll have  
23 to work through that to see if that actually is a  
24 required waiver. Piggy backing on that, the parking  
25 configuration there - Pure Waters, as part of their

1 DCC comments did request that if the connection to  
2 Trustco is developed, that it be at the end of that  
3 parking row as opposed to in the middle just because  
4 it would enhance their access to a sewer manhole  
5 right in that corner. So, that's something that  
6 we'd like you to take a look at as you advance  
7 through the design.

8 MR. SIPPERLY: That didn't seem like too hard of a  
9 thing to accommodate. Where the access is shown works  
10 with the existing grates today, but that can be done.

11 MR. GRASSO: You mentioned continuing the street  
12 scape theme from the Cumberland Farms with the fence and  
13 plantings which we think is a fantastic idea. Do you  
14 have any renderings yet of the building and what it's  
15 going to look like? If you don't can you make sure that  
16 you bring those -

17 MR. FRANCO: We have some concept sketches which I  
18 have with me, if you'd like to see them now or later?

19 CHAIRMAN STUTO: Sure, we'd like to see them.

20 MR. SIPPERLY: Joe, one of the other reasons that  
21 we are requesting the 55 front yard setback is when we  
22 landed on this access configuration and the architect  
23 started working with the floor plan and the drop off  
24 locations, we really couldn't start to bring it forward  
25 and still work with the floor plan. In holding this and

1 holding what we wanted to with geometries here - that  
2 was the other reason besides the utilities that we  
3 requested.

4 MR. GRASSO: Speaking of that geometry at the drop  
5 off, you'll see in your packets that there is a comment  
6 by DOT where they expressed a concern about when you  
7 come in off of Route 2 into that shared access drive,  
8 you are immediately hitting a decision point with the  
9 cars that would go through the drop off lane and the  
10 cars that would go to the Cumberland Farms site. We  
11 think that there is adequate queuing there where we  
12 don't think that it's going to create such a delay in  
13 traffic that it would start to encroach on the Route 2  
14 corridor. We don't share the same level of concern that  
15 DOT is and we think that the plan is acceptable as laid  
16 out.

17 MR. SIPPERLY: Can I comment on that, Joe?

18 MR. GRASSO: Sure.

19 MR. SIPPERLY: I did speak with Kevin Novak about  
20 that before the project even went in for sketch. I  
21 thought that was going to be a concern of his and at the  
22 time he mentioned that the thought that the geometries  
23 were okay, just over sign it and give people those  
24 arrows to go -- so hopefully we can sign it and be okay  
25 with that.

1           MR. GRASSO: Can you just walk through with the  
2 building architecture and the design style and the  
3 materials?

4           MR. FRANCO: I'm Fred Franco and I'm with Hyman  
5 Hayes Associates.

6           Just as a matter of discussion, we are in the  
7 process of refining the elevation and we haven't  
8 really made a whole lot of concrete decisions at  
9 this point about the exterior finishes. We're  
10 looking for some durable materials particularly on  
11 the levels where they are interacting with the site  
12 and the basic overall plan was to use sort of a  
13 variety of earth tone and kind of moderate themed  
14 earth toned type of accent colors and materials.

15           At this point we're not terribly far down the  
16 road in terms of the development of it. The basic  
17 forms that we are looking at are shown here. The  
18 basic concept was the waiting area up toward the  
19 street with an entry to the surgical center and a  
20 secondary entrance in the back where potential  
21 medical offices are. That is sort of the grand  
22 scheme of things.

23           MR. GRASSO: Thank you.

24           CHAIRMAN STUTO: This is one story?

25           MR. FRANCO: Correct.

1           CHAIRMAN STUTO: This is 30 feet high?

2           MR. FRANCO: It will be well under that.

3           CHAIRMAN STUTO: It says that on the floor plan  
4 drawing.

5           Joe, do you have any reaction to the  
6 architecture?

7           MR. GRASSO: No. It's got a modern look.

8           MR. FRANCO: Truth be told, we're looking for  
9 something that has a certain amount of modern appeal to  
10 it. We've had some success with some of these other  
11 centers where we provide some textural relief to a  
12 completely machine-like piece of architecture. In  
13 general, it wants to be clean and sort of seamless and  
14 modern and appealing for medical services, I suppose.

15          MR. GRASSO: Off the cuff, it has the potential to  
16 be a striking building. Obviously, it has to be tasteful  
17 with the colors and textures to bring that home so it's  
18 not out of place along the corridor.

19          MR. FRANCO: Correct. We are reviewing your actual  
20 zoning ordinances. There is some discussion in there  
21 about that. We're well aware of that.

22          MR. GRASSO: As you advance in the design process,  
23 bring more colored renderings and that would be great  
24 for the Planning Board to weigh in on.

25          MR. FRANCO: Will do.

1 MR. GRASSO: And the last thing that I just want to  
2 mention in terms of SEQRA is that it's an unlisted  
3 action. Like Brian said, it's in the Boght area GEIS so  
4 mitigation fees will be paid to address cumulative  
5 impact of this project in the GIS study area.

6 That's all we have at this time.

7 CHAIRMAN STUTO: Thank you for a very thorough  
8 review for sketch plan.

9 Any other comments or questions from the Board?

10 MS. MILSTEIN: I just have a couple.

11 What kind of medical office is it? I think  
12 that I missed that.

13 MR. SIPPERLY: Eye surgery.

14 MS. MILSTEIN: And offices, as well?

15 MR. WLADIS: Right now, just surgery.

16 MS. MILSTEIN: How much staff do you anticipate?

17 MR. WLADIS: That would be 10 to 12 right now at  
18 maximum.

19 MS. MILSTEIN: I saw the ambulance transfer. What  
20 is that?

21 MR. SIPPERLY: I'll take this Dr. Wladis.

22 That was just a provision that was needed by  
23 the applicant in terms of -- you might want to add  
24 some color, but I have to imagine that if there is  
25 an emergency and the ambulance can drop off --

1 MR. WLADIS: That's exactly correct. In the event  
2 that there is something untold that goes on during a  
3 procedure, we want to have quick access from ambulance  
4 to get in and out of there.

5 MS. MILSTEIN: So, it's not going to be a regular  
6 occurrence.

7 MR. WLADIS: No, we guarantee it won't.

8 MR. SHAMLIAN: Where is the access for the  
9 ambulance?

10 MR. SIPPERLY: If the access for Trustco would be  
11 here (Indicating), it's proposed for right here. We had  
12 an elevation sort of showing where it was and we'll  
13 provide that for the concept. Ultimately it kind of  
14 backed in right here (Indicating).

15 CHAIRMAN STUTO: Anyone else?

16 (There was no response.)

17 Okay, thank you.

18 MR. SIPPERLY: Thank you, very much. We appreciate  
19 it.

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22 (Whereas the above entitled proceeding was  
23 concluded at 7:535 p.m.)

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CERTIFICATION

I, NANCY L. STRANG, 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 L. STRANG

Dated September 30, 2015

