

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 NEW COMER FUNERAL HOME
5 181 TROY SCHENECTADY ROAD
6 APPLICATION FOR FINAL APPROVAL
AND SEQR DETERMINATION

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

19 ALSO PRESENT:
20 Kathleen Marinelli, Esq., Counsel to the Planning Board
21 Brian Sipperly, P.E, L. Sipperly Associates
22 Chuck Voss, PE, Barton & Loguidice
23 Joseph LaCivita, Director, Planning and Economic
24 Development
25

1 CHAIRMAN STUTO: Next item on the agenda is New
2 Comer Funeral Home, 181 Troy Schenectady Road. This is
3 an application for final approval and SEQRA
4 determination. This is to raze existing restaurant and
5 construct a new 10,800 square foot funeral home and
6 1,125 square foot garage.

7 If there are any members of the public that
8 want to speak on that, there is a sign-in sheet to
9 our right and to your left. If you could sign in
10 there, I would appreciate it.

11 Joe, do you have any introductory remarks?

12 MR. LACIVITA: No. The applicant worked with us on
13 a number of aspects of this project. We are at final
14 approval tonight. We are anticipating no problems to
15 get final approval and commence with the project and
16 move forward.

17 I'll turn it over to Brian Sipperly.

18 MR. SIPPERLY: Thanks, Joe.

19 Good evening, Chairman and Members of the
20 Board. My name is Brian Sipperly with Sipperly and
21 Associates. Here tonight with me is Darren Miller,
22 applicant sponsor for New Comer Funeral Services
23 Group; Dale Sink from GLR is a contractor working
24 with the team; and John Allen who is the local New
25 Comer counsel.

1 As Joe stated, we are here tonight to obtain
2 final site plan approval and neg dec SEQRA
3 determination.

4 The project has gone through the paces and
5 through a number of Planning Board meetings as well
6 as kicking this over to the Town Board for an ODA
7 process and approval, as well. So, to save the time
8 on the agenda, unless any of the Board Members would
9 like to have a summary of the project, I'd just like
10 to turn it back over to the Board.

11 CHAIRMAN STUTO: I think that for the public you
12 should just describe the ingress and egress.

13 Can you point out where Route 2 is?

14 MR. SIPPERLY: Sure. For those out there in the
15 audience, Route 2 is going to be on the left hand side
16 of the page going east/west. The property is 2.25 acres
17 and rectangular in nature. To the west we have the
18 AFSCO Fence and the abandoned K-Mart facility. To the
19 east we have some undeveloped lands and a large
20 contiguous 38-acre parcel that was zoned for PDD and
21 recently rescinded back to a COR zone, as well. Grace
22 Fellowship cemetery is across the street. Delatour Road
23 is just off of the page here to the southwest
24 (Indicating).

25 What we have here is an 11,000 square foot

1 single story funeral home with 90 parking spaces.
2 Access is arranged through an off-site right of way
3 parcel on 179 Troy Schenectady Road.

4 To obtain site plan approval we had to go
5 through an ODA process with the Town Board to obtain
6 the right to develop this parcel by means of access
7 through other's land.

8 That's about it.

9 CHAIRMAN STUTO: We also have a Town Designated
10 Engineer on this; Barton and Loguidice. Chuck Voss is
11 their representative.

12 Chuck do you want to give a presentation on
13 this?

14 MR. VOSS: Sure, Peter. As the Board knows, we
15 have looked at this now for quite some time. On August
16 7th we issued basically our final review letter. Really
17 what that does is kind of wraps up a couple of minor
18 details that we saw in the plans. Other than that,
19 Brian and his folks did a nice job in addressing it -
20 all the technical issues that the Board had all the way
21 through the project - the access issues and the
22 stormwater issues, the circulation issues, the easements
23 issues -- other than that, we are satisfied. The site
24 generally complies with where we are headed. We had no
25 really additional comments or questions at this time.

1 A couple of minor details that we saw in our
2 letter - just to clean up the plans, could be a
3 condition of final approval, as we typically do.
4 Other than that, we are happy with the project as
5 it is.

6 CHAIRMAN STUTO: Are there any members of the
7 public that are interested in speaking on this?

8 (There was no response.)

9 Okay, then we'll just open it up to the Board.
10 We have seen this a number of times.

11 (There was no response.)

12 Okay, the environmental review - can you walk
13 us through that?

14 MR. VOSS: Yes. In your packet there is a SEQRA
15 recommendation from the Town Attorney's office. I'll
16 just go through that quickly. It's from Rebekah Kennedy
17 and she recommends that it is obviously an unlisted
18 action and that the Board recommend a negative
19 declaration. If you'd like, Peter, I'll just walk
20 through the questions in Part II?

21 CHAIRMAN STUTO: I think that's a good idea.

22 MR. VOSS: These are the typical questions that the
23 Board is required to ask when assessing environmental
24 impacts of the project. Rebekah filled out this form
25 and she listed basically no or small impact, but I'll

1 just walk through these.

2 1. Will the proposed action create a material
3 conflict with an adopted land use plan or zoning
4 regulations? The answer was no.

5 2. Will the proposed action result in a change
6 in the use or intensity of the land? No, or small
7 impact was listed.

8 3. Will the proposed action impair the
9 character or quality of the existing community? No,
10 or small impact was listed.

11 4. Will the proposed action have an impact on
12 the environmental characteristics that cause the
13 establishment of a critical environmental area? The
14 answer is no.

15 5. Will the proposed action result in an
16 adverse change in the existing level of traffic or
17 affect existing infrastructure for mass transit,
18 walking or walkway? The answer was no.

19 6. Will the proposed action cause an increase
20 in the use of energy and it fails to incorporate
21 reasonably available energy conservation or
22 renewable energy opportunities? The answer was no.

23 7. Will the proposed action impact existing A.
24 public or private water supplies; B. public or
25 private wastewater treatment utilities? The answer

1 was no to both of those.

2 8. Will the proposed action impair the
3 character or quality of important historic,
4 archeological, architectural or aesthetic resources?

5 The answer was no.

6 9. Will the proposed action result in an
7 adverse change to natural resources, for example
8 wetlands, waterbodies, groundwater, air quality,
9 flora, fauna? The answer was no.

10 10. Will the proposed action result in an
11 increase in the potential for erosion, flooding or
12 drainage problems? The answer was no.

13 11. Will the proposed action create a hazard
14 to environmental resources or human health? The
15 answer was no.

16 With that, the negative declaration basically
17 affirms the Planning Board as lead agency. It
18 affirms the contact person and it also lists the
19 reasons for determination of nonsignificance. I'll
20 just read that quickly for the Board.

21 The lead agency has reviewed the application,
22 site plans, project description and all supporting
23 documentation and conducted such further
24 investigation of the project and its environmental
25 effects as the lead agency has deemed appropriate.

1 Based on this review, the lead agency has determined
2 that the action will have no significant effects on
3 the environment, therefore an environmental impact
4 statement is not required and that the Board adopt a
5 negative declaration.

6 Peter, you can just put that into a motion.

7 CHAIRMAN STUTO: Do we have a motion on the
8 negative declaration?

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

10 MS. DALTON: I'll second it.

11 CHAIRMAN STUTO: Any discussion?

12 (There was no response.)

13 All those in favor, say aye.

14 (Ayes were recited.)

15 All those opposed, say nay.

16 (There were none opposed.)

17 The ayes have it.

18 On the main question before the Board which is
19 for final site plan approval, contingent upon the
20 comments and the TDE letter -

21 MR. LACIVITA: Actually, Peter, they have a waiver.

22 CHAIRMAN STUTO: Pardon me. Go ahead.

23 MS. MARINELLI: I'll just read the resolved part
24 for the waiver and the Resolution for New Comer Funeral
25 Home, 181 Troy Schenectady Road, Land Use Law waiver

1 findings.

2 Resolved, that the Board hereby finds that the
3 extent of the requested waivers is not considered
4 substantial; and be it further

5 Resolved, that the Board finds the applicant
6 has established that there are no practical
7 alternatives to the proposed waiver that would
8 conform to the standard and that the waiver is
9 necessary in order to secure reasonable development
10 of the project site; and be it further

11 Resolved, that the Board hereby issues a waiver
12 from the maximum front building setback of 20 feet;
13 and be it further

14 Resolved, that these waiver findings be a
15 condition of the site plan approval of the
16 application and be kept in the project file in the
17 Office of the Planning and Economic Development
18 Department.

19 CHAIRMAN STUTO: Any comments or questions?

20 (There was no response.)

21 Do we have a motion on the waiver Resolution?

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

23 MR. LANE: Second.

24 CHAIRMAN STUTO: I would ask that the stenographer
25 submit the entire Resolution into the record.

1 Any discussion?

2 (There was no response.)

3 All those in favor, say aye.

4 (Ayes were recited.)

5 All those opposed, say nay.

6 (There were none opposed.)

7 The ayes have it.

8 On the main question before the Board which is
9 for final approval, contingent upon the comments of
10 the Town Designated Engineer letter and the various
11 comments by the Town departments, do we have a
12 motion?

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

14 MR. SHAMLIAN: I'll second.

15 CHAIRMAN STUTO: Any discussion?

16 All those in favor, say aye.

17 (Ayes were recited.)

18 All those opposed, say nay.

19 (There were none opposed.)

20 The ayes have it.

21 MR. SIPPERLY: Thank you.

22 CHAIRMAN STUTO: You're welcome.

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24 (Whereas the above entitled proceeding was
25 concluded at 7:20 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

