

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 F&P APARTMENTS  
13 LISHA KILL ROAD  
DESIGN CODE WAIVER

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6 THE STENOGRAPHIC MINUTES of the above entitled  
7 matter by NANCY STRANG, a Shorthand Reporter,  
8 commencing on January 12, 2016 at 8:12 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 CRAIG SHAMLIAN  
13 TIMOTHY LANE  
14 LOU MION  
15 SUSAN MILSTEIN  
16 KATHY DALTON

17 ALSO PRESENT:

18 Kathleen Marinelli, Esq. Counsel to the Planning Board

19 Joseph LaCivita, Director, Planning and Economic  
20 Development

21 Michael Tengeler, Planning and Economic Development

22 Brian Sipperly, PE, Sipperly and Associates

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1                   CHAIRMAN STUTO: The next project up is F & P  
2 Apartments, 13 Lishakill Road, design code waivers.

3                   Is that Joe or Mike?

4                   MR. TENGELER: I'll take this one, Pete.

5                   What we have here is a redevelopment project  
6 over 13 Lishakill Road. This is the property directly  
7 behind 2067 Central Avenue which has turned into a  
8 redevelopment project that just came through our  
9 office that is nearing completion.

10                  This project behind at 13 Lishakill is the  
11 redevelopment of that parcel where they are proposing  
12 a 5,200 square foot, two-story four-unit apartment  
13 building. It's a 2,800 square foot building  
14 footprint. It's two-story totaling 5,200 square feet,  
15 with a six-car garage structure on the parcel as well  
16 totaling 1,720 feet. The applicant has received a  
17 variance from the Zoning Board of Appeals to allow for  
18 the exclusive residential use on the site. At that  
19 meeting - and Brian will get into this a little bit -  
20 it was discussed, from what I understand by a  
21 neighbor, that it was suggested that the building not  
22 encroach much past where their house is. Their house  
23 is a 50-foot setback, give or take a couple of feet.

24                  This project is applying for a waiver tonight  
25 for 53 foot setback, concurrent with discussions that

1 occurred at the ZBA on October 16, 2014.

2 I'll turn it over to Brian Sipperly and he can  
3 do a brief introduction on the layout of the land and  
4 you can go through the waiver request.

5 MR. SIPPERLY: Thank you, Mike.

6 Good evening again, Chairman and ladies and  
7 gentlemen of the Board. My name is Brian Sipperly  
8 with Sipperly and Associates for the record. Thanks,  
9 Mike for the introduction.

10 We are here at eye level to seek and obtain a  
11 waiver for exceeding the front yard setback on a minor  
12 road of 20 feet.

13 Here what we have is the present condition,  
14 just to give the Board a rundown.

15 There are two structures on the parcel. One  
16 three-plex combined with a single unit in the back and  
17 presently they are set back a number of feet - over  
18 100 feet and the next page is really what we are  
19 looking at - the proposed development. We are going  
20 the raze the structures and build a four-plex. As  
21 Mike noted, it is a COR zone. We have SFR surrounding  
22 it here.

23 Just to orient the Board, this is 2056 Central  
24 Avenue. Central Avenue is going to run up and down  
25 the short axis of my paper and Lishakill is going to

1 run along the long access. Central Avenue is here and  
2 Albany Street is here (Indicating). This is really  
3 the first transition. As Mike noted, this is new  
4 development. This is a used car dealer. It looks  
5 quite nice and as we thought about the strict  
6 application of the Planning Code for the COR district,  
7 it just didn't feel right to put this building 20 feet  
8 off of the property line and have it really dominate  
9 the scene when cars come in and really just shave the  
10 rest of the single family neighborhood. So, our  
11 proposal is to put it back, just like Mike said, in  
12 line with the other structures. That seemed to be  
13 amenable to some of the residents as well and we  
14 thought it was a good look and also supported by the  
15 Planning Office.

16 In a nutshell, I can go through the project in  
17 more detail if anyone cares to but really that's what  
18 we are here tonight to do.

19 CHAIRMAN STUTO: I'll see if the Board needs  
20 any more detail.

21 MS. DALTON: I don't.

22 MR. MION: I'd just like to make a comment.  
23 Sunday I was pulling out of Lishakill Road. I live  
24 over there. We had some water coming out of the sky  
25 and I there was a stack up of water of about two

1 inches before it drained off.

2 MR. SIPPERLY: You're saying water stacked up  
3 on the new site?

4 MR. MION: Yes, on his pavement. I just wanted  
5 to bring that to your attention because I would hate  
6 like heck to see apartments over there and when it  
7 rains, it doesn't drain properly. The water build-up  
8 - it could eventually drain off, but the people who  
9 were inside the building looking out saying how am I  
10 going to get to my car?

11 MR. SIPPERLY: I don't now if I should admit  
12 this, but we were the engineers on that project. The  
13 silver lining is that -- I can't make them regrade the  
14 site. They wanted to change the tenant and the  
15 drainage conditions were just kind of there. Really  
16 what we did on that job is that we stayed under the  
17 threshold of disturbance that would require any  
18 regrading of stormwater. The client was okay with  
19 that, but I had to at least go on record and give you  
20 an indication on why that existing condition was  
21 there.

22 This one - we worked with the Stormwater Office  
23 and we're doing quantity control. So, we're under an  
24 acre and we are not subjected to a full SWPP but John  
25 Dzialo at the Stormwater Office, because we're in the

1 Lishakill water shed, we are detaining storm events  
2 and that is going to be current in an infiltration  
3 area in the back. We do have a concentrated area to  
4 take our stormwater and run-off from adjacent  
5 properties. We would not exacerbate that situation.

6 MR. MION: I just happen to be driving by it  
7 and it was coming down.

8 MR. SIPPERLY: I like to drive around too and  
9 check out our designs.

10 MR. SHAMLIAN: So, in theory, it's possible  
11 that you could actually help the situation because of  
12 the basin that you're putting in.

13 MR. SIPPERLY: Correct.

14 MR. SHAMLIAN: You're certainly not going to  
15 make it worse.

16 MR. SIPPERLY: That's correct.

17 CHAIRMAN STUTO: Any other comments or  
18 questions?

19 (There was no response.)

20 Okay, I'm going to refer to the memo from  
21 Planning and Economic Development, January 6th and the  
22 recommendation that's in there and ask if there is a  
23 motion to approve that recommendation?

24 MR. LANE: I'll make a motion.

25 MR. MION: Second.

1 CHAIRMAN STUTO: 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 Thank you.

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11 (Whereas the above proceeding was concluded at

12 8:46 p.m.)

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I, NANCY 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.

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NANCY STRANG

Dated \_\_\_\_\_



