

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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MITOLA DENTAL OFFICE

1240 LOUDON ROAD

SKETCH PLAN REVIEW

5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY L. STRANG, a Shorthand Reporter,
8 commencing on February 9, 2016 at 7:10 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 BRIAN AUSTIN
13 TIMOTHY LANE
14 LOU MION
15 CRAIG SHAMLIAN

16 ALSO PRESENT:

17 Kathleen Marinelli, Esq. Counsel to the Planning Board

18 Michael Tengeler, Planning and Economic Development

19 Joseph LaCivita, Director, Planning and Economic
20 Development

21 Nick Costa, PE, Advance Engineering

22 Peter Lilholt, PE, CHA

23 David Mitola

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1 CHAIRMAN STUTO: Next up is Mitola Dental
2 Office, 1240 Loudon Road. This is a sketch plan
3 review. This is for a 4,000 square foot professional
4 office.

5 Again, Joe LaCivita, do you have any
6 introductory remarks on this one?

7 MR. LACIVITA: Yes, we welcome tonight Dr.
8 David Mitola. His father is here tonight in the
9 audience with him.

10 Mr. Mitola is bringing his office from Cohoes
11 up to Colonie. As we go through the presentation from
12 Nick Costa, as he gets prepared, I want you to pay
13 attention to the orientation of the building as it is
14 a special kind of design and what we learned from a
15 dental use as to the sunlight that comes from the
16 northern direction as to the orientation of the
17 building.

18 As we see this building coming forward next to
19 the Orshen barn, next time you're up there buying a
20 pumpkin, stop in and get your teeth cleaned.

21 CHAIRMAN STUTO: Can you give us some
22 introductory stuff on the conservation aspect of this?
23 Maybe Pete can speak to that.

24 MR. LACIVITA: I think that was going to be
25 part of your presentation through the overlay, unless

1 you wanted us to do it.

2 CHAIRMAN STUTO: I had a discussion with Pete
3 Lilholt before and it's more from our perspective of
4 the analysis that we have to go through; just briefly.

5 MR. LILHOLT: The project is located in the
6 conservation overlay district and as you recall the
7 intent of the conservation overlay district is to
8 conserve and protect the environment with sensitive
9 portions of the site. This is one of some other
10 projects that we are seeing through the DCC process
11 and others that are coming forth to the Planning
12 Board. Later there is one on the agenda tonight on
13 Morris Road where you have a commercial or industrial
14 use and with the conservation analysis, the way that
15 it ought to be handled from my conversations with Mike
16 Lyons in the Planning Department is -

17 CHAIRMAN STUTO: And your review of the Land
18 Use Law?

19 MR. LILHOLT: Correct. You need to make a
20 determination as a Planning Board up front whether or
21 not there is environmentally sensitive portions of the
22 site that ought to be protected in the beginning. If
23 not, it can be kind of handled as a traditional site
24 plan application - and the 40% greenspace. If there
25 is, then you have to go through the full conservation

1 analysis and then a finding has to be devolved which
2 includes permanent protection of those lands - steep
3 slopes and wetland, as well as the 40% and above.

4 CHAIRMAN STUTO: I don't know if you have it at
5 your fingertips but what are the factors that have to
6 be looked at to determine whether the environmentally
7 sensitive areas -- I don't know if you have it opened
8 in front of you.

9 MR. LILHOLT: I don't have the Land Use Law in
10 front of me, but it's basically that it has
11 conservation value.

12 CHAIRMAN STUTO: I want a laundry list of the
13 things that we have to look at.

14 MR. LILHOLT: It would be like flood plains,
15 wetlands, steep slopes, wetland buffers.

16 CHAIRMAN STUTO: Kathleen, if you could find
17 that before we're done?

18 MS. MARINELLI: Sure.

19 MR. LACIVITA: Section 190.30 of the Land Use
20 Law.

21 MS. MARINELLI: Got it. "One, as a part of the
22 site plan review, the applicant shall prepare a
23 conservation analysis consisting of inventory maps,
24 the position of the land, and analysis with
25 conservation value of the site. The conservation

1 analysis shall show lands of conservation value
2 including but not limited to the following: A.
3 Constrained land; B. Open space and recreational
4 resources; C. Buffer areas defined to include
5 screening and environmental buffers; D. Land
6 exhibiting present or potential recreational, historic
7 or archeological, ecological, agricultural, water
8 resource, scenic or other natural resource values."

9 CHAIRMAN STUTO: Thank you. That's the
10 framework that we have to keep in mind as we view this
11 project.

12 MR. LILHOLT: Correct. If there are those
13 environmentally sensitive areas worth conservation,
14 they have to be permanently protected with easements
15 or deed restrictions.

16 CHAIRMAN STUTO: So, if the first door that we
17 go through is yes, in which case you have one way to
18 view the project -- or no, and then it's looked at as
19 a regular site plan, but with a 40% greenspace.

20 MR. LILHOLT: Correct.

21 CHAIRMAN STUTO: Thank you. We'll turn it over
22 to the applicant.

23 MR. COSTA: Thank you.

24 This parcel is located at 1240 Loudon Road and
25 it's opposite the intersection of Loudon Road with

1 Fonda Road. The intersection is right here
2 (Indicating). This is Loudon Road and this is Fonda
3 Road (Indicating). T.

4 His is the parcel. The parcel is approximately
5 just a little bit less of an acre; .99 acres in size.
6 In general, it's a rectangle and it has over 200 feet
7 of frontage along Loudon Road. It's zoned
8 office/residential.

9 Dr. Mitola would like to develop this for his
10 new offices. The building that is being proposed is
11 4,000 square feet in size. The parcel is fairly open.
12 There isn't a lot of vegetation on this site. The
13 topography - it's a little bit lower. The topography
14 goes from Route 9. This area right here would be the
15 highest (Indicating) and it slopes generally that way
16 and towards the bike path. The bike path is located
17 right here (Indicating) and the tunnel -- the bike
18 path goes through to get out to Fonda Road.

19 CHAIRMAN STUTO: How much does the elevation
20 change over the course of the lot?

21 MR. COSTA: I would say 10 feet. It mostly
22 happens right in this area (Indicating). Once you get
23 down in this area, it's fairly flat.

24 As shown on the sketch plan that we prepared
25 and reviewed with the DCC, the parking and access

1 would be off of Loudon Road. This right here would be
2 the main access to the parcel (Indicating). Then, the
3 parking for the patients and for the employees would
4 be located right here (Indicating). The dumpster
5 enclosure is shown to be at that location and as
6 proposed, there would be landscaping that would be
7 developed for the site. Like I said, there isn't much
8 vegetation on the site.

9 There are existing utilities that are nearby.
10 There is a watermain that runs along here (Indicating)
11 and then there is a force main that runs along the
12 bike path. The force main would be access for the
13 discharge of the waste water and the water main would
14 be tapped into to provide the domestic water use that
15 the facility would have.

16 For stormwater, we have located a stormwater
17 management area. We have shown it to be located
18 anywhere in this area (Indicating). Like I said, the
19 topography lends itself to have that occur anywhere in
20 that area.

21 That's pretty much it. If there are any
22 questions -

23 CHAIRMAN STUTO: Do you know the conservation
24 analysis yet, or no?

25 MR. COSTA: On this particular parcel, we don't

1 feel that there is any constrained lands. The lands
2 are open meadow-type lands.

3 CHAIRMAN STUTO: There are also a lot of other
4 factors that have to be looked at according to what
5 was just read to us.

6 MR. COSTA: Yes.

7 MR. LACIVITA: Nick, can you also go through
8 the potential easement that's needed?

9 MR. COSTA: Yes, we did have some comments from
10 DOT. This driveway has been sited so that it aligns
11 itself with the existing traffic light that is here.
12 DOT would like to have the access for the Orshen
13 parcel utilize this new driveway (Indicating). So, in
14 the future there would be an easement that would go
15 through here to allow the Orshens to use that
16 driveway.

17 CHAIRMAN STUTO: You don't have any objection
18 to that?

19 MR. COSTA: I don't believe so.

20 MR. MITOLA: I'm David Mitola. Thank you for
21 hearing the presentation.

22 Potentially, yes. From an easement standpoint
23 I don't have a problem with an access road back there.
24 My main issue would be with maintenance and liability
25 down the road. From the potential development, nobody

1 knows what might be back there.

2 CHAIRMAN STUTO: But you understand what DOT is
3 saying, right? That's a major piece back there that
4 is eventually probably going to get developed at some
5 point and they would like to have the traffic all
6 directed to opposite Fonda Road.

7 MR. MITOLA: Yes, I understand that. My issue
8 is that I would like some language built in that I
9 don't want to be -

10 CHAIRMAN STUTO: I think that those things can
11 be worked on - the liability stuff. How wide would
12 that have to be?

13 MR. COSTA: We're making it as a standard
14 driveway which would be 24 feet wide.

15 CHAIRMAN STUTO: I'll turn to the TDE. How
16 wide would the access easements have to be?

17 MR. LILHOLT: Depending on what the land use
18 might be, I think that what we are looking at is -- it
19 could be a future public right of way basically
20 creating a four-way intersection that is signalized.

21 CHAIRMAN STUTO: Does that become a Town road?

22 MR. LILHOLT: It could be a Town road.

23 CHAIRMAN STUTO: How wide would that have to
24 be?

25 MR. LILHOLT: It would have to be at least 50

1 feet.

2 CHAIRMAN STUTO: Is there enough room there to
3 do it?

4 MR. LILHOLT: There is enough room.

5 MR. LACIVITA: And I think that Nick's design,
6 where he's got it currently, Peter, is actually
7 centered as to where the other ones across the street
8 -- where Fonda Road is -- again, that is basically a
9 two-laned highway across the street so that you would
10 see that duplicated on this side because it's going
11 into hopefully nothing more than a single family use
12 down behind it.

13 CHAIRMAN STUTO: Is that what it's zoned back
14 there?

15 MR. LACIVITA: Correct; single family.

16 MR. SHAMLIAN: What is the dimension from the
17 property line to that edge of parking where that
18 easement is - in that easement area? I guess I would
19 be most interested in where it's the narrowest, which
20 looks to be more toward the back of the property.

21 CHAIRMAN STUTO: The driveway is shown 24 feet
22 wide so if that gives you an idea -

23 MR. COSTA: This is about 20 feet at the
24 narrowest here.

25 MR. SHAMLIAN: I'm sorry. To the edge of the

1 parking to the southern property line.

2 MR. LILHOLT: He's trying to see if he can get
3 a 50 foot right of way through there.

4 MR. COSTA: This is 60 feet (Indicating).

5 MR. SHAMLIAN: What is it at the narrowest
6 point which looks to be right about there
7 (Indicating)?

8 MR. COSTA: It's about 48. This is getting
9 reconfigured. Based on the DCC meeting we had -

10 MR. SHAMLIAN: That's where I was headed. It
11 looks like the whole thing could shift a little
12 further north.

13 MR. COSTA: That's correct; yes. Based on the
14 DCC meeting that we had -- again, this is the initial
15 sketch plan. We're going to be addressing the DCC
16 comments which will cause us to realign that. Next
17 time you see it, it will not look like that.

18 CHAIRMAN STUTO: Okay, building orientation?

19 MR. COSTA: The building orientation in the
20 design standards - the long part of the building is
21 supposed to be oriented along the road. In this case,
22 this area here is reserved for the dental operations
23 area.

24 CHAIRMAN STUTO: The rooms with the chairs?

25 MR. COSTA: Yes, the rooms with the chairs.

1 Generally, they should be oriented to the north so
2 that there isn't any shining or sunlight that hits the
3 tools that are used.

4 MR. MITOLA: Can I comment on that?

5 CHAIRMAN STUTO: Sure.

6 MR. MITOLA: Essentially, like Nick was saying,
7 ideally when you construct these dental offices, you
8 want the treatment rooms facing the northern exposure
9 and you kind of want them in a row, too. It's kind of
10 for efficiency uses. The reason that you want it
11 facing north is two fold. From a light standpoint you
12 don't want eastern whereas facing Loudon Road.
13 Easterly, you had the sun coming in and it can be
14 blinding. That's the reality of it.

15 Secondly, from an energy efficiency standpoint
16 you control your climate zone and the treatment zones
17 much more easily when you're facing north and the
18 other parts of the building is not as pivotal. That's
19 why they like them to face north.

20 MR. COSTA: The applicant is committed to
21 making this look like the front of the building. So,
22 architecturally it's going to be addressed at that
23 time.

24 CHAIRMAN STUTO: Any comments or questions from
25 the Board?

1 (There was no response.)

2 Our Town Designated Engineer, Pete Lilholt -- I
3 know that you haven't formally reviewed it, but I
4 don't know if you have any comments on what has been
5 presented so far.

6 MR. LILHOLT: Many of the comments have been
7 discussed. There was some good discussion at the DCC
8 meeting and this is a pretty straight forward project.
9 The big design element of course is the fourth leg of
10 the signalized intersection, and I know that Nick will
11 coordinate with DOT. We already have comments from
12 them. There is also a guide rail there. So, adding a
13 four signal-head to that three-way intersection will
14 take some coordination effort with DOT, but it's good
15 corridor access management to have that and not only
16 the design for this site but for the potential future
17 development of the Orshen piece that is currently
18 vacant and an agricultural type use.

19 With regard to the layout, there were a number
20 of waivers requested including the building exceeding
21 the 25 foot major road setback in the front yard from
22 Loudon Road, parking in the front yard parking lot
23 within 15 feet of Loudon Road and 20 square feet of
24 landscaped aisle interior to the parking. We talked
25 about that and that's where Nick kind of eluded to

1 some of the changes. We suggest that the building be
2 rotated 90 degrees and pushed up front and then having
3 the parking to the side and rear of the building to be
4 more in compliant and reduce the number of waiver
5 required. As Dr. Mitola said, there is a reason for
6 this particular configuration or the layout but they
7 are going to look to incorporate at least some of
8 those comments and make the face of the building as
9 fronting Loudon Road look to be the front of the
10 building even though the physical entrance would be
11 from the parking lot side.

12 CHAIRMAN STUTO: Is there any way to move some
13 of the pavement? I know that you wanted to drain the
14 water back there.

15 MR. COSTA: We'll look at that and we'll move
16 as much as we can to the side and the rear.

17 CHAIRMAN STUTO: Comments or questions from the
18 Board Members?

19 (There was no response.)

20 I do think that we have to address that
21 conservation issue. Somebody has to put it through
22 the analysis and tell us why or why not.

23 MR. COSTA: We can work on that.

24 CHAIRMAN STUTO: Thank you.

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1 (Whereas the above proceeding was concluded at
2 7:24 p.m.)
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CERTIFICATION

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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 _____

