

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 ROUTE NINE SQUARE
1095 LOUDON ROAD
APPLICATION FOR AMENDED FINAL SITE PLAN
5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY STRANG, a Shorthand Reporter,
8 commencing on February 9, 2016 at 7:01 p.m. at The
Public Operations Center, 347 Old Niskayuna Road,
Latham, New York

9

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

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1 CHAIRMAN STUTO: Welcome to the Town of Colonie
2 Planning Board. We have a pretty full agenda so we'll
3 try to use our time as efficiently as possible.

4 Joe, do you have any introductory remarks
5 before we call up the agenda?

6 MR. LACIVITA: Nothing at this point, Peter. I
7 know that there was a gentleman here from the
8 Conservation Advisory Council, Michael Brennan,
9 representing them tonight but we'll recognize him once
10 he comes back in.

11 CHAIRMAN STUTO: Yes, I think that he just went
12 out in the hall.

13 First item on the agenda is Route 9 Square,
14 1095 Loudon Road. This is an application for amended
15 final site plan for bank use and drive aisle waivers
16 and environmental determination.

17 Joe LaCivita, do you have any introductory
18 remarks?

19 MR. LACIVITA: Yes. 1095 Loudon Road we used
20 to know as the former Boght Fire House. Nick Costa
21 brought this project to us with his applicant prior.
22 We made approval to that and it's actually under
23 construction and almost completed at this point in
24 time. As they go forward to tenanting the retail
25 component of it, which is the building to the north of

1 the site, as Nick will take us through the
2 presentation, there is a change in use here. We
3 approved it prior for a restaurant use.

4 Now, we have a tenant for a bank coming here.
5 It's here tonight for the drive-aisle extension.

6 Nick, I don't want to steal your thunder so
7 I'll let you take that presentation.

8 CHAIRMAN STUTO: We'll just mention to the
9 public that there is a sign-in sheet over there to our
10 right and to your left. If you want to speak on this
11 project, please sign in. Thank you.

12 MR. COSTA: Thank you, Joe, for that summary
13 of the project status.

14 As Joe mentioned, we have under current
15 construction - the canopy has been completed. The
16 mini-mart is almost completed. There is a lot of
17 interior work to be done and the apartments are pretty
18 much 80% complete. The only remaining component that
19 hasn't been advanced is the retail. As Joe mentioned,
20 the owner has been in discussions with a bank and
21 that's the reason for the amendment. We did modify
22 the plan. We do have some additional pavement at this
23 location toward the frontage.

24 As you may recall, we did have a drive-thru for
25 the restaurant which was located right here

1 (Indicating) and that used to come around and
2 discharge into this area so that people could go
3 whichever way they wanted to go. This did get
4 expanded and it is closer to the front yard.

5 CHAIRMAN STUTO: Is there a drive-thru on the
6 bank?

7 MR. COSTA: Yes, there is.

8 CHAIRMAN STUTO: And still on the restaurant?

9 MR. COSTA: Yes. We are keeping the restaurant
10 as an option because like I said, the owner has been
11 in conversations with the possible bank tenant, but
12 nothing has been signed as far as commitment for that.
13 They would like to build the footprint of this
14 building to be able to accommodate either a bank or a
15 restaurant.

16 CHAIRMAN STUTO: The obvious question would be
17 will two drive-thrus work?

18 MR. COSTA: If the restaurant doesn't go in,
19 that won't be applied.

20 CHAIRMAN STUTO: So, it's one or the other?
21 You're looking for one or the other?

22 MR. COSTA: Yes, that's correct. It's an
23 option.

24 CHAIRMAN STUTO: Do you want to comment on it
25 as a department, Joe? I see that it's been reviewed

1 by the department.

2 MR. LACIVITA: We didn't see any real detriment
3 to the change in the site. Again, it is an and/or.
4 We probably won't see it both happening at any point
5 in time. I think that the applicant is getting the
6 approval for the bank because I think that he's closer
7 to signing that lease or at least that the
8 conversation that I had with the applicant and his
9 engineering firm. I think that we're looking to get
10 that approval, should the bank come and sign. If not,
11 I think that if the restaurant comes then we revisit
12 it at that point as well.

13 MR. LANE: Would the bank be overall considered
14 a less intense use?

15 MR. LACIVITA: Yes, from a SEQRA perspective,
16 yes. That change in flipping that from a restaurant
17 use as compared to a bank, the hours of operation make
18 it less intense use for the site, so we welcome the
19 bank use compared to a restaurant at that location.

20 CHAIRMAN STUTO: How come we didn't have a TDE
21 look this over or an engineer -- from the traffic
22 circulation perspective?

23 MR. LACIVITA: We actually walked through with
24 Nick to look at that circulation comparative to other
25 bank uses. It wasn't like you were seeing drive-thrus

1 from a truck standpoint. It's going to be small
2 vehicular use. We looked at the curvatures. We took
3 it to our own DPW and internal departments and saw
4 them to be similar to other bank drive-thrus that we
5 had. So, we didn't see the necessity to bring it
6 through the TDE process as from our eyes, it was a
7 less intense use. Peter is here from Clough Harbor
8 who took the original review and we had conversations
9 with Joe and actually this evening with Peter.

10 CHAIRMAN STUTO: So, the bump-out is just the
11 canopy for the bank.

12 MR. COSTA: That's correct. The two drive-thru
13 lanes and then the ATM drive-thru would be right here
14 (Indicating) on the outside.

15 MR. SHAMLIAN: What is being done, Nick, to
16 control traffic? Before it was one lane coming out
17 from around the building to the drive-thru and now you
18 actually have the potential for three lanes coming
19 around the corner and meeting right there.

20 MR. COSTA: Right, we have stop signs. That's
21 how the control was even with the restaurant. Again,
22 if the restaurant goes, this pavement wouldn't be
23 widened. It would remain the way that it's shown as a
24 restaurant.

25 CHAIRMAN STUTO: Do we have any members of the

1 public looking to speak on this one?

2 (There was no response.)

3 I'm not opposed to it. I would say that the
4 final plans, should be reviewed by the Town Designated
5 Engineer and I would also say that it should be
6 limited to one drive-in and not two drive-ins. So, if
7 the bank goes through, we can't have a restaurant
8 drive-in there as well, unless someone tells me that
9 I'm wrong about that.

10 Under those conditions, do we have any comments
11 or questions?

12 (There was no response.)

13 So, we're going to need the TDE to look at the
14 final drawings and approve them and also limit it to
15 one drive-in and not two drive-ins.

16 MR. COSTA: Yes, it would only be one drive-in.

17 CHAIRMAN STUTO: I just want to be clear on the
18 record.

19 MR. LACIVITA: So, limited to one drive aisle?

20 MR. COSTA: No, one drive in.

21 CHAIRMAN STUTO: You can't do a bank and a
22 restaurant.

23 Any comments or questions from the Board?

24 (There was no response.)

25 All those in favor say aye.

1 (Ayes were recited.)
2 All those opposed say nay.
3 (There were none opposed.)
4 The ayes have it.
5 Thank you.
6 MR. COSTA: Thank you.

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9 (Whereas the above proceeding was concluded at
10 7:08 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 STRANG

Dated _____

