

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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GAFFERS COURT MIXED USE

4 3 GAFFERS COURT

BOARD UPDATE ON REVISED PROJECT

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6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY L. STRANG, a Shorthand Reporter,
8 commencing on February 23, 2016 at 8:34 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 TIMOTHY LANE
13 BRIAN AUSTIN
14 TIMOTHY LANE
15 LOU MION
16 CRAIG SHAMLIAN
17 KATHY DALTON

18 ALSO PRESENT:

19 Kathleen Marinelli, Esq. Counsel to the Planning Board
20 Michael Tengeler, Planning and Economic Development
21 Joseph LaCivita, Director, Planning and Economic
22 Development
23 John Avakian
24 Robert Ensign
25 Frank Fazio

1 CHAIRMAN STUTO: The final item on the agenda
2 - and I understand this is for information - Gaffers
3 Court Mixed-Use, 3 Gaffers Court. This is a Board
4 update on the revised project.

5 Mike Tengeler, you have comments on this?

6 MR. TENGELER: Yes, I'll just set the table
7 real quick. Frank Fazio is here to present on behalf
8 of Pat Ferracane. They were here about three and a
9 half months ago with a project where they were
10 requesting three or four waivers from the Planning
11 Board.

12 At that time the Board wasn't really in the
13 position to vote favorably toward the waivers, so what
14 they did was go back to the drawing board to make it
15 zoning and planning compliant project. As a courtesy,
16 I've asked Frank to present on behalf of Pat Ferracane
17 - the new layout that's zoning and design standard
18 compliant - just as a courtesy for the Planning Board
19 Members who saw it before and for any members of the
20 public.

21 CHAIRMAN STUTO: Thank you.

22 MR. FAZIO: Good evening. My name is Frank
23 Fazio and I have done the site planning for Pat
24 Ferracane on this.

25 Basically, we restructured the plans as Mike

1 has stated and also we did have four waivers that we
2 were requesting.

3 One was that we had parking within a 10 foot
4 setback. We have parking spaces in the front setback
5 line. The building was set back the maximum of 20
6 feet from the property line and building orientation.
7 What we did with the site plan was at our last meeting
8 we presented the adjoining property owner had some
9 concerns about the building being very close to his
10 property line - within five feet. If you recall, the
11 project did go before the Zoning Board and a variance
12 was received to put the building five feet from the
13 property line.

14 So, taking that into consideration, what we did
15 was move the building back over to the 20 foot setback
16 line. What that did was take away our parking in the
17 front. We weren't able to bring the driveway into the
18 10 foot minimum requirement. The building is now up
19 to the 20 feet, so that waiver is no longer required
20 for the parking space or the pavement area being 10
21 feet from the property line is no longer required.
22 Again, it has all the parking removed from the front.

23 By doing this, we put all the parking in the
24 rear of the building in the back part of the land.
25 So, we are able to meet all the side yard setbacks. We

1 still can have the building over there (Indicating)
2 based on zoning, but we did want to make it compliant
3 to give him as much room as possible. We were able to
4 put some landscaping in there - some evergreen trees
5 as a buffer to the building. Changing the site plan
6 does nothing to the impervious area or greenspace.
7 It's very much the same as we first presented it,
8 thereby the stormwater management system that we
9 designed initially that would contain the storm which
10 was required by the Town - it still does do that.

11 This is the revised building. We went back and
12 we took into consideration some of the Board's
13 comments and we did incorporate them in there.

14 We still are retaining the balconies. We have
15 treated the front facade a little more. It's more
16 pleasant from the road entrance. This is the new
17 building layout. The side pretty much stays the way
18 it was. We just put some enhancements on the front to
19 make it a little more attractive.

20 MR. TENGELER: There are a couple of things to
21 add. You'll notice in your packets that we've gone
22 through SEQRA for the changes.

23 Rebekah from our Town Attorney's office states
24 that there are no significant changes. It's still a
25 Type II action as was classified before. There really

1 aren't any changes statistic wise. The enhancements
2 to the building took place as well as the elimination
3 of four waivers that they were actually requesting.
4 From a Code standpoint, we're happy to see that the
5 applicant was willing to go back to the drawing board
6 and willing to create a project that is compliant.

7 MR. LACIVITA: Fully compliant, actually.

8 CHAIRMAN STUTO: So, this is a courtesy call
9 for us. I don't think that we have any comments.

10 MR. SHAMLIAN: I have one question. There was
11 some concern about stormwater and how it was flowing
12 currently down into the ramp area of Route 9. What
13 has taken place to ensure that doesn't happen?

14 MR. FAZIO: As I stated, the design that we did
15 meets all the criteria and conditions for the Town's
16 stormwater. We designed the infiltration basin so
17 that all of the run off will remain on-site. We did
18 one additional thing rather than having runoff in the
19 parking lot into the basin. Sometimes you get issues
20 with snowplowing where the area backs up. It doesn't
21 show on this, but with our utility plan, we put a
22 catch basin in here and we piped it into the drywell
23 in there so that the water will directly into the
24 ground with the drywell. The ground will only take so
25 much water at a time. It will fill back up and the

1 basin is designed to hold that amount. It will then
2 recede back into the ground.

3 MR. TENGELER: Can you touch on the riprap
4 overflow?

5 MR. FAZIO: Yes, just as an emergency, there is
6 overflow over here with riprap on it. There are major
7 storms that come up for that to happen, but we don't
8 see that happening. Also, keep in mind that there was
9 previously a building on this site with pavement that
10 did not have any stormwater management whatsoever.
11 So, we have taken the runoff that used to go off this
12 site and are now containing it all on the site. We're
13 actually improving it.

14 CHAIRMAN STUTO: We do have a member of the
15 public signed up to speak on this. John A. from 5
16 Gaffers.

17 MR. AVAKIAN: I'm still against the residential
18 units on top of everything else being involved with
19 the commercial there. There is no residential near
20 this.

21 CHAIRMAN STUTO: Do you want copies of any of
22 this paperwork? We have no role now. It's fully
23 compliant.

24 MR. AVAKIAN: I asked to talk to him and see
25 what he came up with.

1 CHAIRMAN STUTO: Anything else?

2 MR. ENSIGN: My name is Robert Ensign. I have
3 been here on this project. Thank you for your time. I
4 have one question.

5 The elevation of the riprap - what is that in
6 comparison? There is about a one-foot elevation that
7 I've seen on the plans that you have.

8 Page three has a one-foot elevation change in
9 the retention pond to the top of the riprap. It's not
10 going to take much to fill that up. Once that water
11 -- if there is any - once that hits that one-foot
12 elevation, it's going to spill over into a swale that
13 comes down on my property on 822 Loudon Road. There
14 is not much -- you're giving it a way to go that way
15 and it will go that way. It will damage my property,
16 as we can see from the Circle West Plaza right now.

17 Secondly, how many square feet is this
18 building?

19 MR. FAZIO: It's 2,000 square feet.

20 MR. ENSIGN: So, the square footage is 4,320.

21 I'd have to object to the meeting notice for
22 tonight. It has the total square footage of the
23 building listed at 2,160.

24 MR. FAZIO: That's the footprint, Bob.

25 MR. ENSIGN: The meeting notice specifically

1 says 2,100 square foot two-story. It does not say
2 footprint.

3 MR. LACIVITA: We'll take that under
4 advisement.

5 MR. ENSIGN: I would consider this a defective
6 -- an oversight but defective.

7 MR. LACIVITA: Actually, this is just a Board
8 informational update. This is zoned compliant under
9 the redevelopment.

10 MR. ENSIGN: I understand and I'm with you
11 100%.

12 CHAIRMAN STUTO: Okay, thank you.

13 MR. AVAKIAN: Is this the same plan?

14 MR. TENGELER: This is the same plan that you
15 saw in my office two weeks ago. Everything that we
16 talked about in the office is the same.

17 CHAIRMAN STUTO: Okay, thank you.

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20 (Whereas the above entitled proceeding was
21 adjourned at 8:44 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 _____

