

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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GOLDSTEIN CHRYSLER JEEP DODGE RAM

4 1 AUTOPARK DRIVE

APPLICATION FOR CONCEPT ACCEPTANCE

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6 THE STENOGRAPHIC MINUTES of the above entitled
7 Public Hearing by NANCY L. STRANG, a Shorthand
8 Reporter, commencing on July 26, 2016 at 7:12 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 LOU MION
13 TIMOTHY LANE
14 SUSAN MILSTEIN
15 CRAIG SHAMLIAN
16 BRIAN AUSTIN

17

18 ALSO PRESENT:

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20 Kathleen Marinelli, Esq. Counsel to the Planning Board
21 Joseph LaCivita, Planning and Economic Development
22 Department
23 Michael Tengeler, Planning and Economic Development
24 Department
25 Daniel Hershberg, PE, Hershberg and Hershberg
Dennis Riguso
Al Goldstein, Goldstein Chrysler Jeep Dodge Ram
Joseph Grasso, PE, CHA
Laura Weed, Conservation Advisory Council

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1 CHAIRMAN STUTO: Next item on the agenda is
2 Goldstein Chrysler Jeep Dodge Ram, 1 Autopark Drive,
3 application for concept acceptance.

4 Joe LaCivita, any introductory remarks?

5 MR. LACIVITA: Yes. Back on February 24th this
6 came to DCC and we saw this once before at sketch just
7 a few weeks ago. I know that we are in an accelerated
8 review to try to get Mr. Goldstein in the ground here
9 with this project.

10 Dan, I know that there are a couple of waivers
11 being asked of this project, as well. I think that
12 you have four waivers and you could probably walk
13 through the process on that as well. We are here to
14 see a new construction - actually a redevelopment of
15 the site which works pretty well. We'll go straight
16 forward into the review. I know that we are a few
17 minutes ahead of time.

18 MR. HERSHBERG: Dan Hershberg of Hershberg and
19 Hershberg. I'm here with Al Goldstein who is the
20 applicant.

21 The building has changed. When we were here
22 before we had a building over 40,000 square feet. The
23 building went back deeper. Essentially, we regraded
24 more of the parking lot to take care of the grade
25 difference. We modified the building. It's now

1 33,035 square feet.

2 CHAIRMAN STUTO: Since you were here before?

3 MR. HERSHBERG: When we were here with the
4 sketch plan. So, we did make a change here. That was
5 a technical change made due to the difficulty of
6 achieving the grade.

7 CHAIRMAN STUTO: Does it affect your operation
8 much?

9 MR. HERSHBERG: Apparently, Al has approved it
10 for the operation of the facility. They have reviewed
11 it, as they always have to -- all these plans have to
12 be reviewed with the manufacturer to be certain that
13 they are comfortable with what they are showing. It
14 apparently works.

15 CHAIRMAN STUTO: Did that increase the asphalt?

16 MR. HERSHBERG: No, it stayed exactly the same.
17 We were plopping a building right in the middle of a
18 parking lot. It didn't change the impermeable area.

19 Actually, there are four waivers that are
20 listed in Joe's letter and there is some indication
21 that some of them may not even be required.

22 The greater than 25 foot setback from the
23 roadway may not be required because this lot did
24 contain other buildings that had a different distance
25 back from the right of way. We limited the amount of

1 parking so that we kept the building as tight as we
2 thought we could to the Loudon Road right of way.

3 The 15-foot parking setback -- these are
4 existing parking spaces here (Indicating) so we don't
5 think -- that's only at this point here where we have
6 a variance and this point here (Indicating). These
7 are existing parking spots along Autopark Road. We
8 are not changing anything. We think, essentially,
9 that waiver may not really be required.

10 The two that we are asking for and we can
11 certainly think about potentially changing some of
12 them -- we only show a couple of landscaped islands.
13 We could increase those. The idea is that this area
14 here (Indicating) is different than the vehicle storage
15 area and it normally has been treated differently. We
16 are willing to go back and review and see whether or
17 not we can change more of these spots to landscape.
18 There are a couple of spots down here where we can
19 also increase at that corner there without costing us
20 any additional parking. Like most of these
21 dealerships, the number of parking spots is a critical
22 issue.

23 The fourth waiver is parking in the front yard.
24 We have limited the parking here to -- we used to have
25 parking all the way back to this building

1 (Indicating). We pulled the building up and we
2 limited the parking there. There is a comment in
3 Joe's letter. We recommend the parking in the
4 northeast corner so that it does not encroach on a
5 front yard setback and would eliminate the need for
6 this waiver. We certainly can discuss that and go
7 over that between now and final submittal but I think
8 that our goal right would be that if we eliminate
9 parking any place, we're going to have to replace it.
10 It won't affect the greenspace requirement, but we'll
11 have to find another spot to put those cars, because
12 as I said the number of parking spaces is somewhat
13 critical.

14 We show a decorative fence along the frontage
15 here (Indicating) and again the question was there is
16 a small area between the driveway and the first
17 display area where we couldn't put a decorative fence
18 that far. Beyond that we run into the sanitary sewer
19 easement so we are prevented from putting that
20 decorative fence in the sanitary sewer easement. So,
21 we could change that layout there.

22 Again, the other comments are well understood.
23 We did have some changes in the plan. There are a
24 number of issues here which we can certainly resolve
25 before preliminary final when it comes back to you

1 folks.

2 We do anticipate landscaping. There is a very
3 well landscaped area down here (Indicating), which
4 goes all the way out into the roadway. It interferes
5 with the idea of putting a sidewalk all the way to
6 Autopark Road. You would have to change that area to
7 do it, but we are willing to work with Joe Grasso to
8 see what we can do to resolve that problem. People
9 who are familiar with this know that this is a very
10 nice landscaped area at that intersection and we'd
11 like to try to keep that.

12 Other than that, most of these other comments I
13 think are technical in nature and we can certainly
14 handle those.

15 CHAIRMAN STUTO: Do you have an elevation that
16 you can put up?

17 MR. HERSHBERG: Yes, and I have the architect
18 here too.

19 This is the proposed building. It's nice
20 layout. It's a modern layout that virtually all of
21 the manufacturers want for their facilities. We think
22 that it has some architectural pizzazz and we think
23 that it works pretty well.

24 CHAIRMAN STUTO: Do you want to give the
25 architect a crack at it?

1 MR. HERSHBERG: Dennis, do you want to talk
2 about your building?

3 MR. RIGUSO: It's a standard Chrysler building
4 that you have probably seen before for a different
5 dealership in your area. Chrysler dictates the
6 finishes on the exterior. They have their metal panel
7 entry piece and storefront. These are the sides, as
8 we go back with efus (Indicating).

9 Besides that, there is service on one side and
10 car delivery on the other side.

11 CHAIRMAN STUTO: Did we have discussions about
12 the side and when it turns into brick? Am I thinking
13 of a different project? Does it go into brick as you
14 go around the corner?

15 MR. RIGUSO: We're still working on those
16 details. We haven't figured it all out just yet.

17 CHAIRMAN STUTO: Okay.

18 MR. GOLDSTEIN: We have to make it look good on
19 all sides because we have Autopark Drive and then we
20 have behind us. All the sides will look good.

21 CHAIRMAN STUTO: Good. That will be important
22 to us. I think that the landscaped fencing - how it
23 looks from the road is an important issue. I'll just
24 mention that. Dan has been here many times. You can
25 work that out with Joe Grasso and the Board will be

1 very interested.

2 Are there members of the public looking to
3 speak on this one?

4 (There was no response.)

5 Joe Grasso, on behalf of CHA is reviewing this
6 project.

7 MR. GRASSO: I'm going to go through and touch
8 on just a couple of our comments. Dan touched on most
9 of them.

10 Can you just talk about the disposition of the
11 existing building and whether or not any improvements
12 are planned to that?

13 MR. HERSHBERG: The existing building will
14 stay. We do plan to add a landscaped strip in front of
15 it to make it a little bit more desirable. That
16 existing building is to remain and it's going to be
17 used for Goldstein's auto services functions.

18 CHAIRMAN STUTO: Are you dressing that up at
19 all?

20 MR. GOLDSTEIN: I think that we're going to get
21 through the period of building. We've got service
22 stalls in the other building and see if that's what we
23 want to do with it. If we decide to keep that
24 building, we'll renovate it. If we don't decide to
25 keep it, we'll come in front of the Board with

1 something else. Most likely, there will be no
2 decision until at least we're built.

3 MR. GRASSO: We did issue a concept review
4 letter dated July 15th in your packet. Like I
5 mentioned, Dan went through most of the comments. We
6 see this as a good redevelopment project and we
7 appreciate that the applicant is willing to take over
8 a former dealership and then reinvest heavily in it
9 with a new building and what we would consider a
10 substantial site plan improvements throughout the
11 site.

12 Greenspace is about the same. The site right
13 now is a little bit less than 35%. They are basically
14 getting it up to the Town's minimum of 35%, but it's
15 basically unchanged which is obviously good that we're
16 not adding more impervious area on the site.

17 Dan mentioned the four waivers that are
18 requested and some of them may not be required based
19 on our interpretation of the Code which is something
20 that we'll work up with the Planning Department. The
21 one that I would like to bring to the Board's
22 attention which I think could result in some plan
23 changes is the landscaping interior to the parking
24 area. The Town requirement is 20 square feet of
25 landscaped area for every parking space.

1 Obviously, this site has a tremendous paved
2 inventory lot which we don't feel like standard can be
3 applied because of its unique use as inventory space
4 and is a standard parking lot. It's primarily
5 screened from view from Autopark Drive and Loudon
6 Road. Nonetheless, we do think that the application
7 of that standard to the parking areas that are visible
8 from Loudon Road and along Autopark Drive - we do
9 think that it could be applied and would make a
10 substantial visual improvement and provide some shade
11 in the parking areas and incorporate an area for some
12 significantly sized trees into the site plan. So, we
13 would like the applicant to look at that as they
14 continue to advance the plans. It might be advisable
15 for the Planning Board to weigh in on that as well.
16 When you incorporate these islands, it generally
17 results in some impacts to the existing parking count.

18 The other thing that I want to mention is that
19 the Planning Department brought up a good request and
20 that was to extend a sidewalk along Loudon Road from
21 the National Grid right of way which I think is where
22 Fuccillo is ending their sidewalk and bringing it all
23 the way down to the Autopark Drive.

24 When we did the update to the Boght Road GIS,
25 the need for pedestrian improvements in this corridor

1 was identified. When it's in an area like this along
2 Loudon Road, it should be incumbent on the applicants
3 when they redevelop the properties to build those
4 sidewalks.

5 Dan has expressed some constraints about
6 extending the sidewalk down from their curb cut all
7 the way down to Autopark Drive and the impacts on the
8 sign at the corner.

9 I'm sensitive about that sign because I
10 designed that sign.

11 Nonetheless I think that we should work with
12 Dan and really see if there is a way that we can get
13 that sidewalk down along Route 9 all the way down to
14 Autopark Drive because we think that it can serve a
15 high usage in the future when these linkages start to
16 get made between these sidewalks along this commercial
17 corridor.

18 The other thing that I want to mention, in
19 terms of SEQR, it's an unlisted action so Dan has
20 provided a short EAF which we have reviewed. We do
21 think that it does a good job describing the
22 environmental setting and existing conditions of the
23 site and the proposed project and it doesn't appear
24 that the project is going to result in significant
25 environmental impacts.

1 The site is within the Boght Road/Columbia
2 Street GIS study area and one way that this project
3 addresses cumulative impacts of development on the
4 Town is to pay its fair share of mitigation fees in
5 accordance with the statement of findings there.
6 That's identified in our letter and our office will
7 prepare a SEQR determination as part of the review of
8 the final site plans.

9 The other comments that we made are relatively
10 technical and more geared towards preliminary final
11 plan review. I'm going to withhold going through
12 those but those are provided for Dan's consideration
13 as he advances the final plans.

14 CHAIRMAN STUTO: Okay, any comments from the
15 Board Members?

16 MR. SHAMLIAN: Dan, this plan has 606 parking
17 spots. When you were here for sketch, how many
18 parking spots were there; do you know?

19 MR. HERSHBERG: I think that there was 578 or
20 something like that. We were able to increase it
21 slightly due to reducing the size of the building.
22 I'm not able to find that right now, but it was less.

23 MR. GRASSO: I would have guessed about 40
24 spots or so.

25 MR. SHAMLIAN: I agree that getting the

1 sidewalk to connect is critical, otherwise what is
2 the point?

3 We do have an awful lot of parking spots in the
4 front of these buildings.

5 MR. LACIVITA: Dan, on your initial site plan
6 it's 576.

7 MR. HERSHBERG: I was going to say 578 but 576
8 sounds right. At the sketch plan review we did show
9 less parking.

10 CHAIRMAN STUTO: Joe, do you hear what Craig is
11 saying?

12 MR. GRASSO: Yes.

13 In terms of the islands being cut into the
14 front parking or elimination of a road in order to
15 accommodate space -- because there is still what we
16 consider an appreciable set back off of Loudon Road
17 and the sidewalks nowadays don't have to be within
18 the right of way. We can do it through an easement
19 arrangement and push it closer to the parking areas.
20 It looks like there should be enough room to
21 accommodate it and get it down. Obviously, when you
22 get down close to the sign, our thought was rather
23 than try to squeeze it in front of the sign, to maybe
24 go behind the sign. You could eliminate half a dozen
25 spots or something in order to accommodate it behind

1 the sign. As long as it gets down to that Loudon Road
2 corridor.

3 MR. HERSHBERG: I've seen that making more
4 greenspace down there is doable without really
5 crossing the parking spots if we expand some of these
6 islands and do something down at the corners to
7 satisfy some of Joe's comments and what the Board
8 would like to see. We can replace it and keep the 35%
9 green. There are some other areas that we could add
10 additional parking. We can actually have no parking
11 loss. I think that we can work with the idea of not
12 only the sidewalk, but the additional landscaped
13 islands and doing something at the corner there.

14 CHAIRMAN STUTO: We look forward to seeing
15 that.

16 MS. MILSTEIN: If we didn't grant the waivers
17 on the parking spaces, right now it's 606 but what
18 would the number of parking spaces be?

19 MR. HERSHBERG: My guess is we would lose 12 to
20 14 parking spots to get your 20 square feet if we only
21 consider the areas in front of the building for the
22 area where patrons park, rather than storage.

23 MR. GRASSO: If you apply it to the whole site,
24 you'd probably lose 50 or 60 spots.

25 MR. HERSHBERG: I was just talking about the

1 area that is not for car storage. It's for patron
2 use. We probably would lose 12 to 15 parking spots.

3 MR. GOLDSTEIN: We stock between 300 and 500
4 new and used cars; sometimes higher. We have employee
5 cars -- maybe 50 employees and then we have customers.
6 Parking spots are very dear for us.

7 MR. HERSHBERG: Also, when somebody comes in
8 and leaves their car, it has to be pulled out and
9 parked waiting for them to come. Based on how busy
10 their repairs are, it could be a significant number of
11 cars there for that purpose.

12 MS. MILSTEIN: Overall, it could result in a
13 loss of 50 parking spots?

14 MR. HERSHBERG: I think that what Joe said
15 there is that if we applied the 20 square feet for
16 each parking space, we would lose probably 50 parking
17 spaces. The norm for this Board is that they don't
18 really require an inventory parking area and only in
19 the front portions of the building which is used for
20 customer parking. My guess is that we'd probably lose
21 12 or 15 parking spaces.

22 CHAIRMAN STUTO: Anything else.

23 (There was no response.)

24 Okay, we have a proposal to vote on concept
25 acceptance. Do we have a motion?

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

2 MR. LANE: Second.

3 CHAIRMAN STUTO: Any discussion?

4 (There was no response.)

5 I would just like to make a comment. It's a
6 great redevelopment and we're glad to see that and
7 hopefully you have heard everything that we've said
8 and we'll have a nice response when you come back.

9 MS. WEED: Did you say that there was an
10 aquifer under this project?

11 CHAIRMAN STUTO: We are in the middle of a
12 motion. We prefer the comment before somebody makes a
13 motion.

14 MS. WEED: I'm Laura Weed from the Conservation
15 Advisory Council. One of the members of the
16 Conservation Advisory Council had commented that there
17 may be an aquifer under this site. I know that it's a
18 redevelopment so if it's threatened, it's threatened
19 for many years. Still, I think that's something that
20 should be considered.

21 MR. GRASSO: We will consider it, yes. It is a
22 valid comment. We'll consider it before our review.

23 MR. LANE: Could the Conservation Advisory
24 Council put any documentation together that they might
25 have or what that is based on?

1 MS. WEED: Yes.

2 MR. GRASSO: There are resources out there that
3 we typically use in order to do that screening. We'll
4 follow-up on it.

5 CHAIRMAN STUTO: Do you have any comment, Dan?

6 MR. HERSHBERG: Normally, the only ones that
7 are concerned about our primary aquifer -- the
8 Schenectady/Niskayuna is the one in our area. That's
9 the one that was under the Rotterdam mall in that area
10 which was controversial. I don't think that we're
11 impacted by that, but in any event we are not doing
12 anything. We are not going to impact that at all
13 because the asphalt area is asphalt and we're staying
14 within that existing footprint. We're not increasing
15 it at all.

16 CHAIRMAN STUTO: If you could be more prepared
17 to talk about that next time.

18 MR. HERSHBERG: Yes, I can.

19 CHAIRMAN STUTO: Okay, we're in the middle of a
20 motion. Are there any more comments or questions by
21 the Board?

22 (There was no response.)

23 We'll take a vote. All those in favor?

24 (Ayes were recited.)

25 All those opposed?

1 (There were none opposed.)

2 The ayes have it.

3 Thank you.

4 MR. HERSHBERG: Thank you.

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6 (Whereas the above entitled proceeding was

7 concluded at 7:36 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 _____

