

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

UPSTATE VETERINARY SPECIALTIES
152 SPARROWBUSH ROAD

5 *****

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 7:01 p.m. at
The Public Operations Center, 347 Old Niskayuna Road,
Latham, New York.

9

10 BOARD MEMBERS:
11 PETER STUTO, CHAIRMAN
12 LOU MION
13 TIMOTHY LANE
14 SUSAN MILSTEIN
15 CRAIG SHAMLIAN
16 BRIAN AUSTIN

14

15 ALSO PRESENT:

16

17 Kathleen Marinelli, Esq. Counsel to the Planning Board
18 Joseph LaCivita, Planning and Economic Development
19 Department
20 Michael Tengeler, Planning and Economic Development
21 Department
22 Luigi Palleshi, PE, ABD Engineers

21

22

23

24

25

1 CHAIRMAN STUTO: Welcome to the Planning Board.

2 Joe, before I ask if you have any
3 administrative comments, I want to give a real
4 tremendous thank you to CHA and Joe Grasso and Barton
5 and Loguidice and Chuck Voss and to Joe LaCivita for
6 putting together the training session that we had a
7 meeting ago in which we invited the public to come and
8 participate as well, having to do with the role of
9 trees in the development and within the Town of
10 Colonie. I think that you guys and gentlemen and
11 support staff did a tremendous job and I'd like to
12 thank the public who came out to participate. I don't
13 know if anyone here had come.

14 And thank you to the CAC for fully
15 participating. The CAC stands for the Conservation
16 Advisory Committee. Thank you for coming out. They
17 had full participation as well. I just can't say
18 enough because if you looked at the quality of the
19 slides and the presentation, for free for the benefit
20 of us, I thought it was great.

21 Anybody else want to add to that?

22 MR. LANE: I agree.

23 MR. SHAMLIAN: I agree.

24 MS. MILSTEIN: I agree.

25 CHAIRMAN STUTO: Do you have any administrative

1 matters, Joe, before we get to the agenda.

2 MR. LACIVITA: We have a lot going on, Peter.
3 We have the Comprehensive Plan. A piece came in which
4 I will be sending out to the Committee for them to
5 review and hopefully a Town Designated Engineer to
6 review that and help us through the cycle.

7 We have the Albany Shaker Road Corridor Study
8 going on so we'll be looking at some changes to the
9 Land Use Law and we're already booked to September
10 from a Planning Board perspective. That's how busy
11 our day to day is. It's really getting busy.

12 CHAIRMAN STUTO: Okay, we have several items on
13 the agenda. The first one is Upstate Veterinary
14 Specialties, 152 Sparrowbush Road, waiver request.

15 Do you have any introductory remarks to this,
16 Joe?

17 MR. LACIVITA: That's actually Michael.

18 MR. TENGELER: This is an administrative
19 project. The applicant is coming in for a waiver.
20 That includes the construction of six parking spaces
21 in the northeast corner of the site, in a previous
22 approved plan by the Planning Board. The Planning
23 Board saw this about a year ago for the construction
24 of the building and the parking lot. They are
25 noticing that the parking lot is frequently at

1 capacity, so I know that they are going to un-banking
2 the previously approved parking spaces. While they
3 are doing that, they are looking for an approval on
4 six extra ones. The waiver is for a five-foot
5 pavement setback, where the Code allows a 10-foot
6 pavement setback from that side. So, they would like
7 a little lenience on five feet.

8 I'll turn it over to Luigi Paleshi to present.

9 MR. PALLESHI: Good evening. I'm Luigi
10 Paleshi with ABD Engineers.

11 Mike Tengeler did a great job doing my
12 presentation tonight. I don't know how much more I
13 can speak on behalf of that.

14 For the audience, I'm here tonight for the
15 project that was previously approved at the site
16 located at 152 Sparrowbush Road. It was a previously
17 approved site plan for a veterinarian building and the
18 parking lot, as you see. At the time, we had proposed
19 16 parking spaces that were banked.

20 The applicant is observing that at peak hours
21 the parking lot is at capacity. So, we'll be
22 un-banking these previously approved 16 parking
23 spaces. In addition, to try to gain a little bit more
24 parking on the site, we're adding the six additional
25 parallel parking spots in the northeast side of the

1 property. As Mike mentioned, we can't obtain the
2 10-foot separation from the property line to the edge
3 of pavement, so we are asking for a waiver tonight to
4 be within five feet. There is a Niagara Mohawk
5 easement - 50-foot - that does adjoin that side. The
6 piece that it abuts is owned by Giovanone. He has the
7 intension of development there and it would just abut
8 another parking lot.

9 CHAIRMAN STUTO: How wide is the Niagara Mohawk
10 easement?

11 MR. PALLESHI: That's 50 feet.

12 So, that's the parking addition.

13 In addition to the minor site plan
14 modifications here tonight we are adding a six-foot
15 fence in the southern area here. We have worked with
16 the Planning Department in buffering some of that
17 fencing and we are adding additional pine trees in
18 that front quadrant so that when you're standing on
19 Sparrowbush Road looking down into the site, it will
20 stop the straight line of sight of that fence. As you
21 know, the site sits much lower than Sparrowbush Road
22 as you are traveling west.

23 Other than that, it's pretty straight forward
24 minor site plan modifications and I'll turn it over to
25 the Board for any questions.

1 CHAIRMAN STUTO: Thank you.

2 Are there any members of the public interested
3 in speaking on this?

4 FROM THE FLOOR: We are representing Mike
5 Giovanone and Concord Pools. We have no objection to
6 anything here, as long as it doesn't interfere with
7 our property or our future project that we're doing or
8 anything like that. The same thing would apply for us
9 if we need the additional parking spaces available.

10 CHAIRMAN STUTO: Okay. We'll turn it over to
11 the Board.

12 Craig?

13 MR. SHAMLIAN: I don't have anything. It seems
14 reasonable.

15 CHAIRMAN STUTO: We're not violating any
16 greenspace or anything like that.

17 MR. PALLESHI: No. When all of the pavement
18 and everything that you see here -- previously we got
19 future expansions approved and when you look at all of
20 the future impervious on the site, we're still at
21 45.6% green.

22 CHAIRMAN STUTO: I don't seem to hear any
23 objections so I will take a vote -- does this
24 Resolution have to do with it?

25 MR. TENGELER: Yes.

1 MR. LANE: I'll make a motion that we grant the
2 waiver.

3 CHAIRMAN STUTO: Motion to adopt this
4 Resolution?

5 MR. LANE: Motion to adopt.

6 CHAIRMAN STUTO: I'll ask the Stenographer to
7 put the Resolution in its entirety into the record.

8 Mike, can you walk us through the resolves?

9 MR. TENGELER: Now therefore be it resolved,
10 the Board hereby recognizes the granting of this
11 waiver to allow new parking within five feet of the
12 side yard setback does not hinder the Town's
13 objectives to protect its important natural resources;
14 conserve farmland; create recreational or wildlife
15 trail corridors; the preservation of historic
16 resources; or protected view sheds or scenic roadways;
17 and be it further.

18 Resolved, the Board hereby finds the waiver
19 request reasonable to allow for a safe development of
20 the site and grants the waiver request to allow
21 parking within five feet from the side yard setback;
22 and be it further.

23 Resolved, these waiver findings be keep in the
24 project file in the office of the Planning and
25 Economic Development Department.

1 MR. MION: I'll second that.

2 CHAIRMAN STUTO: That's our second. Any
3 discussion?

4 (There was no response.)

5 All those in favor, say aye.

6 (Ayes were recited.)

7 All those opposed, say nay.

8 (There were none opposed.)

9 The ayes have it.

10 Thank you.

11 MR. PALLESHI: Thank you.

12

13 (Whereas the above entitled proceeding was
14 concluded at 7:11 p.m.)

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 _____

