

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 STEWART'S SHOPS  
406 ALBANY SHAKER 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 December 13, 2016 at 8:45 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 SUSAN MILSTEIN  
14 CRAIG SHAMLIAN  
15 BRIAN AUSTIN  
16 TIMOTHY LANE

17

18 ALSO PRESENT:

19

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 Nick Costa, Advanced Engineering  
Christopher Potter, Stewarts Shops  
Joseph Grasso, PE, CHA  
Susan Webber  
Jim Christian

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CHAIRMAN STUTO: Next project's is Stewart's Shops, 406 Albany Shaker Road, sketch plan review, raze existing convenience store and fuel canopy and replace with a 3,675 square foot convenience store and four pump island fuel canopy.

Joe LaCivita, do you have any preliminary comments?

MR. TENGELER: I will be handling this one. This is the Stewart's Shop sketch plan review, 406 Albany Shaker Road. There was the DCC meeting on September 28 of the share. They are looking to merge the existing Stewart's property with a neighboring property.

The Town Departments, Albany DPW made their initial comments after the DCC meeting.

Nick Costa is here in behalf of advanced engineering and will turn it over to him.

MR. COSTA: Thank you Mike. Good evening. My name is Nick Costa and I'm with Advanced Engineering and Surveying. I'm here to present the site plan improvements over at the Stewart's site located at the corner of Everett Road in Albany Shaker Road. The street number is 406 and 410 Albany Shaker Road.

Also with me is Chris Potter and Steve Kinley

1 from the Stewart's Shops.

2 This is a site that's existing. There is a  
3 half-acre parcel that Stewart's owns at the southwest  
4 quadrant of the intersection. There is an existing  
5 store with existing pumps. There are curb cuts to  
6 access the site and that has been there for quite a  
7 long time.

8 Stewart's finally met with the neighbors - the  
9 family that owns this portion of the parcel that goes  
10 from just about this area right here (Indicating) all  
11 the way to Wedgewood and also long Albany Shaker Road.  
12 They have agreed to purchase a portion of that parcel  
13 in the zoning line for this parcel is located in a  
14 split zone and that it is single-family residential in  
15 this area (Indicating) and COR in this area.  
16 Obviously, the existing parcel for Stewart's is also  
17 COR.

18 What we have shown is the expansion of that  
19 half-acre to about two acres and it would line up  
20 with the zoning line - the COR/single-family  
21 residential zoning line.

22 The proposed site has all the infrastructure.  
23 There is sanitary sewer already servicing the existing  
24 store. There is water servicing the existing store.  
25 There is storm sewer on Everett Road and Albany Shaker

1 Road. All those utility infrastructures would be  
2 utilized for the new store.

3 The new store is about 3,500 square feet. It  
4 would maintain access off of Albany Shaker Road and  
5 also off of Everett Road. Although we are moving the  
6 driveways - we are moving it as far as we can to the  
7 West. This one is also moved a little bit (Indicating)  
8 to the south, almost where the building is currently  
9 located.

10 The topography on the site is generally sloping  
11 from Albany Shaker Road towards the south and towards  
12 the Sand Creek which runs behind those homes. That  
13 eventually discharges into the Patroon Creek and then,  
14 into the Hudson River.

15 That's what the intent is - to redevelop the  
16 site. Again, I am sure that you are familiar with the  
17 process and the phasing that Stewart's goes through.  
18 The store and the pumps remain open while they develop  
19 the new facilities. Then, they remove the building and  
20 the pumps once the new facilities are operational.  
21 That is the intent that they want to accomplish.

22 As I was saying, storm water is available. Some  
23 of the storm water will be coming out towards Everett  
24 Road. Some of the storm water will be going towards  
25 the back - the rear where the green space is. It will

1 be in accordance with the New York State Design  
2 Manual. We will have a storm water pollution  
3 prevention plan for this site.

4 Just to give you some site statistics: There is  
5 about 58% green space proposed in the rest of it is  
6 obviously impervious. The building is about 6% of the  
7 site, even after development. There is not very much  
8 to the canopy and building.

9 This is a larger plan. It does show the  
10 sidewalk improvements and access to the site on the  
11 little bit bigger scale. I also have here the building  
12 elevations that Stewart's is proposing at the site.

13 Chris, do you want to talk about the building?

14 MR. POTTER: As far as design of the building,  
15 it is very similar to all the other ones that have  
16 been recently approved within the Town; hardyboard  
17 cement siding, gray color with stone veneer along the  
18 bottom and the much liked cupola that the members  
19 like. As far as the canopy: white facia with molding  
20 on the top and bottom of the facia to tie in with the  
21 moldings that are on the building. There is also a  
22 side porch with a patio that faces Albany Shaker Road  
23 that comes of this outdoor seating and picnic tables.  
24 It would almost make that look like another front.  
25 Essentially, there are two fronts to the store.

1                   CHAIRMAN STUTO: Is there a variance required  
2 or waivers?

3                   MR. COSTA: Yes. Our next step would be to go  
4 to the Zoning Board of Appeals. As I mentioned before,  
5 there is single-family residential on that side, so it  
6 is within 200 feet -- the gas use is within 200 feet  
7 of it.

8                   There are also some waiver is required with  
9 regards to the placement of the building and parking.

10                  CHAIRMAN STUTO: It's gas being within 200 feet  
11 of a residential zone, or the actual house?

12                  MR. COSTA: No, the zone.

13                  CHAIRMAN STUTO: One house - it's is owned by  
14 (SIC) Despar on ours. With that zoned, what is the  
15 current use?

16                  MR. COSTA: The current use is residential but  
17 it's zoned COR, commercial/office/residential.

18                  CHAIRMAN STUTO do you know if it's rented out  
19 for owner occupied?

20                  MR. COSTA: It is rented.

21                  CHAIRMAN STUTO: Does the owner have future  
22 plans, or you don't know?

23                  MR. COSTA: I do not know.

24                  CHAIRMAN STUTO: What use is that finger of  
25 land of yours that goes to Everett Road? Maybe it was

1 ingress and egress in the past.

2 MR. COSTA: It looks like it's asphalt  
3 pavement, but there is a sewer line easement. The  
4 sewer line is out on Everett Road and it actually  
5 comes up to here (Indicating) and it picks up the  
6 building. This portion will be abandoned up to this  
7 manhole. This will remain is a sewer easement.

8 MR. SHAMLIAN: With the slope that exists on the  
9 property, will you be needing to build any retaining  
10 walls?

11 MR. COSTA: Yes. There is a retaining wall  
12 shown right here (Indicating).

13 MR. SHAMLIAN: But no other spots? Not on the  
14 back side of the building?

15 MR. COSTA: No. This is what we have come up  
16 with.

17 CHAIRMAN STUTO: The questions that I am  
18 asking, I am asking because I am trying to anticipate  
19 the impact on the neighbors. The person in the rental  
20 property - that person is probably going to think hard  
21 on what the impact is on them; also, the other ones on  
22 the residential street. There are two lots that are  
23 adjacent and maybe that's third lot -- they would be  
24 very interested in what you are doing. Which you said  
25 that you are impacting them or not impacting them?

1 MR. COSTA: I think that there is quite a bit  
2 of a buffer between those lots.

3 CHAIRMAN STUTO: Is the buffer area changing in  
4 any way?

5 MR. COSTA: Only to provide some type of a  
6 storm water management area.

7 CHAIRMAN STUTO: So, you're going to be digging  
8 something?

9 MR. COSTA: Yes, in this area we will be  
10 changing the shape of that ground. This is all open  
11 (indicating). The wood line is not going to change.

12 CHAIRMAN STUTO: From the aerial, it looks  
13 sparse.

14 MR. GRASSO: Neck, that zoning boundary where  
15 the COR extends south all the way to the residences -

16 MR. COSTA: It extends at least up to here  
17 (indicating).

18 MR. GRASSO: So it does extend all the way to  
19 the back of the property.

20 MR. COSTA: Yes, it does.

21 CHAIRMAN STUTO: Joe Grasso, what do you think  
22 of the left-hand turn in there on Albany Shaker -  
23 either just passing through an intersection and  
24 looking to take a left hand turn - potentially through  
25 oncoming traffic.

1           MR. GRASSO: Our initial reaction was we were  
2 okay with the two full access curb cuts. We looked at  
3 the site a lot obviously. It is better when you can  
4 have an existing establishment to look at and we are  
5 very much in favor of pushing the curb cuts further  
6 away from the signal which we think is advisable. It  
7 is a really, really tight site now. That would be a  
8 movement that we would want to take a close look at.  
9 We do know that there are two through lanes there,  
10 westbound - Albany Shaker coming out of the signal  
11 that converge and go down into one lane. We would want  
12 to take a close look at where this curb cut is  
13 proposed. Our initial reaction would be that we would  
14 be okay with the full access curb cut there.

15           CHAIRMAN STUTO: I guess up there occasionally  
16 because I come from Menands. It's always a dilemma  
17 for me coming west. Do I take a left and then a right  
18 or do I take the left? It's not totally safe, that's  
19 all I'm saying, under the current conditions.

20           MR. COSTA: This is what we proposed.

21           CHAIRMAN STUTO: Understood. You're going to  
22 have a lot more traffic going in and out also.

23           MR. LACIVITA: We actually had a meeting about  
24 two and half weeks ago with Crisafulli and Albany  
25 County regarding that turn lane there. There have been

1 a couple accidents there since this development on  
2 that side. I know that Albany County is looking at  
3 that now and what proposed changes are going to come  
4 with their design, we don't know. We don't believe  
5 that it is going to impact the curb cuts that are  
6 currently being proposed there, but I know that based  
7 on the most recent accident a couple weeks ago that  
8 Albany County is taking a hard look at this.

9 MR. GRASSO: And we will coordinate our review  
10 with Albany County because obviously the changes that  
11 they are looking to make would change the conditions  
12 on -

13 MR. LANE: Was there a T-bone?

14 MR. LACIVITA: One ran through it, Tim, and  
15 actually landed and unfortunately it was a fatal  
16 accident - and went through the buildings. The other  
17 one actually try to beat the light ends when it  
18 squeezed down, hit the Sign Board. So, there were two  
19 driver occurrences.

20 MR. GRASSO: The concern, I think you would  
21 want to be aware of, is that you have two lanes that  
22 are beginning to converge in somebody slows up to take  
23 a left into the site and then somebody tries to go  
24 around that vehicle and tries to occupy the lane with  
25 somebody else that's looking to converge to the one

1 lane.

2 Nick, if you could set some stakes out there as  
3 to where that curb cut is, we would have a better  
4 sense of where it is in relation to that converging  
5 Lane.

6 MR. COSTA: Albany County was at the DCC  
7 meeting. They had a representative there.

8 MR. AUSTIN: So, you're not in favor of rights  
9 in/right out.

10 MR. GRASSO: Initially, we didn't think that we  
11 would need to restrict movements but it is something  
12 that we will take a closer look at .

13 CHAIRMAN STUTO: I think that it needs a real  
14 close look.

15 MR. AUSTIN: It reminds me of the one in front  
16 of 713 Wade Road It has rights in and writes out  
17 there, too. There are not as many lanes, obviously.

18 MR. GRASSO: Yes, that is a different type of  
19 roadway. We will take a closer look.

20 MR. COSTA: There is a crosswalk that is  
21 supposed to be built there.

22 MR. LACIVITA: Based on the two accidents, that  
23 is what Albany County is contemplating as to what they  
24 do with that, Nick. I know that this intersection is  
25 being reviewed and during the course of this project

1 we will be on top of it.

2 MR. GRASSO: This is sketch plan, so we don't  
3 have a review letter. I think that it is important for  
4 the planning board to understand the level of  
5 expansion of the site. Obviously, it's coming closer  
6 to the residential neighbors, which is something that  
7 should be taken into consideration with the Planning  
8 Board's review. I think the plan in this area of  
9 review is helpful to understand the context of the  
10 site regarding the neighborhood, which I commend you  
11 for bringing that tonight.

12 I had mentioned that the curb cuts getting  
13 further away from the intersection. The site as it  
14 operates right now is really tight for the fuel tanker  
15 trucks. You may want to talk about how they're going  
16 to maneuver but obviously we would expect that it's  
17 going to be significantly improved over the way it  
18 operates today.

19 Joe did mention that something that we have  
20 been pushing for is better pedestrian accommodations  
21 at this intersection, as well is a crosswalk across  
22 the street and ped timers which have been incorporated  
23 into the latest phase of the Crisafulli development.  
24 Also, there is the need for pedestrian connection or  
25 sidewalk continuously across the road frontage to

1 connect the sidewalk on Albany Shaker to Everett Road.  
2 There is not one now. So, that is going to be shown as  
3 part of this project along with a crosswalk from  
4 Crisafulli's - I think it is really a significant  
5 pedestrian improvement that is needed in the area.

6 With the newer stores and the sites we  
7 typically see a much better lighting design, newer  
8 down light's style fixtures. We see better landscaping  
9 and better architecture of the building.

10 The buffering across the back and solid visual  
11 separation to the residences I think is going to be  
12 really important. Landscaping is good. We may also  
13 suggest a fence.

14 In terms of the grading work, we think it's  
15 going to be an improvement to leveling out the site.  
16 When you get into the retaining walls and proximity to  
17 the neighbors, we start to get concerns about the  
18 potential impacts of that because it could potentially  
19 put them in a hole. The further you can take that  
20 retaining wall away from there to make sure there is  
21 room for you to maintain your site - snow storage and  
22 things like that, it's got a be taken into  
23 consideration.

24 Right now, the store doesn't have an access all  
25 the way around the building. This one does. That is a

1 big change. Most of the new stores have that  
2 circulation around the building, some don't. How  
3 important is it to the operation of the store to have  
4 that circulation behind the building? Is there a way  
5 for the site plan to work without that circulation?

6 MR. POTTER: I would say that it's pretty  
7 important. It gets a spot for the trucks with the  
8 trailers and landscape people in larger vehicles away  
9 from the gas to be able to park and to free up the  
10 congestion up front of the store. There would have to  
11 be delivery area back there anyway for our deliveries.  
12 Really, all you would be adding is the access on the  
13 one side. We have parking and two sides as well as the  
14 rear for our dumpster and deliveries for building.

15 MR. GRASSO: But the parking isn't on the South  
16 side of the building. That is just an access lane to  
17 get around behind there.

18 MR. POTTER: Yes. That is really just for  
19 access.

20 MR. GRASSO: That couldn't be used to  
21 accommodate all your delivery needs?

22 MR. POTTER: It would not work out with the  
23 layout on the inside. The coolers and freezers are on  
24 that side of the building.

25 MR. COSTA: Plus, there would be a lot more

1 maneuvering.

2 MR. GRASSO: Understood.

3 Let me see if there are any other comments that  
4 I want to bring to the board's attention that came out  
5 of the DCC.

6 So just to clarify the variances by the ZBA:  
7 The Building Departments comments, at least during the  
8 DCC process, was that a variance would be required for  
9 the following: a minimart in a dumpster are within 200  
10 feet of the zoned boundary of a single family  
11 residence district and also a canopy for the gas pumps  
12 is in the front yard.

13 CHAIRMAN STUTO: I thought that Nick said  
14 something different.

15 MR. GRASSO: That is why I wanted to clarify  
16 what was documented in the packet because it is  
17 different than what Nick had described.

18 Do you have any comment on that?

19 MR. COSTA: No.

20 MR. GRASSO: So, there are two variances. A is  
21 minimart and dumpster are within 200 feet of the zoned  
22 boundary of the SFR. The second one is a canopy for  
23 the gas pumps is in the front yard.

24 CHAIRMAN STUTO: Is that what you said, Nick?

25 MR. COSTA: No. I said there was gasoline use.

1           MR. GRASSO: And then the waivers that would be  
2 required of the Planning Board which you have seen  
3 consistent with the other convenience store  
4 applications in the Ttown - the building exceeds the  
5 25 foot major road maximum front yard setback, parking  
6 in the front yard setback would typically not be  
7 permitted. The third is: Parking spaces proposed a  
8 minimum of 20 square feet of landscaped island within  
9 the interior of the parking area. Lastly, a parking  
10 waiver of five spaces will be necessary. All of those  
11 would be considered by the Planning Board as part of  
12 the preliminary and final plans.

13           In terms of the SEQR, a portion of the project  
14 is on the National Register of Historic Places. That  
15 is the adjacent property to the west. That is part of  
16 the project site. As such, this action is a type I  
17 action for SEQR purposes and a coordinated review will  
18 be conducted by the Town Attorney's office. The  
19 project will require a preparation of a full  
20 Environmental Assessment Form to assist in the review.

21           MR. SHAMLIAN: The current Stewarts - what are  
22 the hours? What time did they close? What would you be  
23 proposing for this one?

24           MR. POTTER: I am not positive on the hours. I  
25 would guess probably 5:00 to 11:00 or 5:00 to midnight

1 or 4:00 to midnight; somewhere around there. Our  
2 typical hours are 4:00 to midnight.

3 MR. SHAMLIAN: So, you're not looking to  
4 extend.

5 MR. POTTER: No, we are not looking to extend.  
6 4:00 to midnight would be most likely what it would  
7 be.

8 MS. MILSTEIN: What is the size of the current  
9 store?

10 MR. COSTA: It's about 2,500 square feet.

11 MS. MILSTEIN: Where is it located in relation  
12 to this one?

13 MR. COSTA: The existing building is right in  
14 this area (indicating).

15 MS. MILSTEIN: So, it's going from 2,500 square  
16 feet to about 3,500 square feet; correct?

17 MR. COSTA: From 2,315 two 3,675.

18 MS. MILSTEIN: Then the gas pumps are going  
19 from where to where? Does the current one have gas  
20 pumps?

21 MR. COSTA: Yes, it does.

22 MR. GRASSO: They are way up front. The very  
23 tight to the corner.

24 MR. COSTA: There are eight pumps proposed.

25 MS. MILSTEIN: Where they are located now, it

1 doesn't affect the 200 feet to the residential; is  
2 that it?

3 MR. COSTA: Why do we need to variance?

4 MS. MILSTEIN: If the pump stayed where they  
5 were, what you need a variance?

6 MR. COSTA: I believe we would still need the  
7 variance. We still would be within 200 feet.

8 MR. LANE: That is not a grandfathered thing?  
9 They are currently on the site and it still requires -

10 MR. TENGELER: It's an expansion.

11 CHAIRMAN STUTO: I guess I'm going to put my  
12 cards on the table and what my impression is so far.  
13 I think this stores going to change the nature of that  
14 corner. I think some of the variances imply -- or  
15 particularly the waivers imply that you're trying to  
16 do a little too much and too little of an area -- the  
17 parking waivers, in particular and also the island  
18 inside the parking. In other areas, it may be  
19 appropriate. I'm not 100% convinced that it is here.  
20 So, the alternatives might be to downscale the  
21 building or something. I know the site is small now,  
22 but everybody talks about self-mitigation and all  
23 that. I think that's what goes on at that site. When  
24 this goes in, it's good to change the character of  
25 that corner in a big way.

1                   Would you agree with that statement, Joe  
2                   Grasso?

3                   MR. GRASSO: when you look at the existing site  
4                   you think that it's just a redevelopment, but it is an  
5                   expansion and I think that is where it would be  
6                   helpful to see with the existing store in the existing  
7                   canopies are -- they are highlighted in the plan so  
8                   you can see the change. If there is a way to condense  
9                   the layout at all -- and I understand the size of your  
10                  stores pretty fixed. One variable could be the number  
11                  of pumps. You have two dispensers for four fueling  
12                  stations right now. How many are you going to have  
13                  after the development?

14                  MR. POTTER: We are going to have eight.

15                  MR. GRASSO: So, there's going to be double. I  
16                  know on different sites you have been very creative  
17                  with how you have tried to work with your fueling pump  
18                  arrangement. Maybe there is a way to not push it back  
19                  so far and try to keep it more compact to the corner.  
20                  Again, you could argue both ways. First you're trying  
21                  to create a better setting with appreciable  
22                  landscaping and have it be more of a suburban context  
23                  or conversely, keep it like it is and really keep it  
24                  compact and more towards the front. The advantage of  
25                  the site is that it is large and they have room to do

1 appreciable landscaping and screening around the  
2 backside. That is something that we often don't see on  
3 Stewarts sites. It's really up to the Planning Board  
4 to give a feeling as to which way -

5 CHAIRMAN STUTO: The fact that they need so  
6 many waivers -- I mentioned to that would make it  
7 bigger. You're right, it's up to us to decide. What I  
8 just said is how I feel about it. That is my  
9 impression right now.

10 MR. GRASSO: Well, this is sketch plan so I  
11 think these are good things that should come out  
12 during the concept plan. And maybe something where  
13 there are multiple alternatives that are considered -

14 CHAIRMAN STUTO: It is not Route 7. It's not  
15 Osborn and Shaker. It is a different intersection.  
16 It's going to change the character of the corner a  
17 lot.

18 MR. GRASSO: That is what sketch plan is for.

19 CHAIRMAN STUTO: Right. That's how I feel about  
20 it.

21 MR. COSTA: We could go to the Zoning Board of  
22 Appeals for variances, right? That is our next step.

23 MR. GRASSO: I do think that they should go to  
24 the ZBA and respect the process. I would think that  
25 the variances would only be lessened by any further

1 review by the Planning Board. Normally if we think  
2 that the variances are going to change and get worse  
3 by the Planning Board's review of the site plan, then  
4 we would want to deal with the site plan and try to  
5 get a general layout reached. In this case, I think  
6 that the variances would only be lessened. So, I think  
7 that they should -

8 CHAIRMAN STUTO: I am not understanding your  
9 point.

10 MR. GRASSO: The question was: should they  
11 proceed to the ZBA because that is the next step in  
12 the process. Normally, they would.

13 CHAIRMAN STUTO: They are looking for guidance.

14 MR. GRASSO: Yes; should they go to the ZBA or  
15 should they come back for another sketch plan with  
16 different alternatives and hash that out. Does the  
17 Planning Board have a sense there?

18 MR. LACIVITA: Do you remember the last time on  
19 the Fuller Road project, you got your variance in  
20 everything from the ZBA in this for changed it and  
21 then you had to go back. Your variance had changed. It  
22 may be worth looking at alternatives.

23 CHAIRMAN STUTO: There is no harm in doing  
24 that, from our perspective. I like to hear from the  
25 neighbors, too. It's at sketch, and fairness.

1           MR. COSTA: We did meet with the neighbors -  
2           some of the neighbors.

3           MR. GRASSO: Based on the feedback that you  
4           have heard, do you think that there are some changes  
5           to the plan that you would consider and therefore  
6           warrant additional review by the Planning Board? Like  
7           Joe said, there is a good chance that you could have  
8           to go back for variances twice.

9           MR. POTTER: Yes, I think that we could revisit  
10          the design. One thing that we do consider when we look  
11          at these is to keep the shop open during the  
12          construction of a new shop. The placement of the  
13          existing shop which we could show in the future does  
14          limit us on where that new building can go to allow  
15          that existing building to stay open while we do  
16          construction. So, that is something that we can take  
17          into account what we do the layout.

18          MR. SHAMLIAN: Is that something that you would  
19          be amenable to discounting in terms of the potential  
20          layout?

21          MR. POTTER: As far as potentially closing?

22          MR. SHAMLIAN: Yes.

23          MR. POTTER: No, that would not be. One of the  
24          big things is we would then have 8 to 12 weeks of  
25          construction and our employees of be out of work.

1 That's the big thing for us.

2 Another constraint with the site is the grade.  
3 There is quite a grade change from road to road. The  
4 way that canopy is laid out, it works well with the  
5 grade of the site. Right now I believe we're at 13% or  
6 14% as you come in off of Albany Shaker. This is  
7 flattened out behind (Indicating). There's quite a bit  
8 of improvement there. Across the front, where the gas  
9 is - that's only 3%. I think it's a huge improvement  
10 grade wise to what is currently there. We can  
11 certainly take a look at rotating some stuff and  
12 shifting some stuff around. We have a number of  
13 options that we actually went through. We can pull  
14 those out again.

15 MR. SHAMLIAN: What kind of objections, if any,  
16 came from your meeting with the neighbors?

17 MR. POTTER: I don't recall any, other than  
18 they were concerned with the landscaping and trees on  
19 the corner.

20 CHAIRMAN STUTO: To any of the neighbors want  
21 to talk? We will make an exception on the sketch  
22 plan. Did you want to say something?

23 MS. WEBBER: I am Susan Webber. I live very  
24 close to Stewart's. I am there every couple days and  
25 it's my favorite place for ice cream. I love the

1 employees. Especially, please don't get rid of the  
2 brouhaha.

3 The shop now is very much too small and there  
4 are not enough parking places. I am hoping that you  
5 will reconsider the amount of parking places. You're  
6 asking for five fewer than are required and I think  
7 that may be you need more. I am just suggesting that.

8 I like the look of it. It's very attractive.  
9 Mr. Stuto, I think you may be right about how it will  
10 change the character of the neighborhood. It does seem  
11 a little big. Although, the area here (Indicating) is  
12 empty. It's just scrubby. I don't think it's going to  
13 be that bad to have the Stewart's shop bigger and back  
14 in there a bit more, especially with the lovely  
15 landscaping that might happen.

16 I have one real problem, though. That is the  
17 number of gas pumps. If you notice, this canopy goes  
18 way over here and doesn't leave much room for traffic.  
19 You have eight bays instead of one bay. Right now we  
20 have four but one bay. So, this is a lot bigger. It  
21 stretches very far.

22 CHAIRMAN STUTO: It looks like the one on Route  
23 9. Am I correct on the scale and the layout?

24 MR. POTTER: No. Route 9 has six fueling points  
25 and three dispensers.

1 MS. WEBBER: That is what Wade Road has. I was  
2 there today. This is four. I would ask that one be  
3 gone.

4 MR. POTTER: This has two additional fueling  
5 points from the one across from Hoffman's.

6 CHAIRMAN STUTO: So, there are three stations  
7 in two cars for each station?

8 MR. POTTER: Correct.

9 CHAIRMAN STUTO: So, this is even bigger. That  
10 is significant.

11 MS. WEBBER: The canopy is bigger than the  
12 existing store.

13 Thank you for letting me speak.

14 MR. CHRISTIAN: We did meet with Stewart's two  
15 weeks ago and I think overall we are pleased - - going  
16 from a Stewart's to another Stewart's is not something  
17 that we would be opposed to. I don't know what the  
18 site might be used for. It has been for sale for a  
19 long time and who knows what could go in there. In  
20 that respect, a bigger Stewart's is better than who  
21 knows what. The gas pumps are a little much. I hadn't  
22 thought about it but the way you said it, Pete, it  
23 will change the look of the intersection. We were  
24 looking at it being Stewart's to a Stewart's.

25 MR. GRASSO: So, I think that the

1 recommendation is to take another look at the site  
2 plan and see if there are changes, come back for some  
3 concurrence before they get going to the ZBA.

4 MR. COSTA: Thank you.

5

6 (Whereas the above proceeding was concluded at  
7 9:20 PM)

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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 \_\_\_\_\_

