

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 \*\*\*\*\*

4 ROSSETTI OFFICE BUILDING  
5 2 LEAR JET LANE  
6 SKETCH PLAN REVIEW

7 \*\*\*\*\*

8 THE STENOGRAPHIC MINUTES of the above entitled  
9 matter by NANCY L. STRANG, a Shorthand Reporter,  
10 commencing on February 28, 2017 at 7:46 p.m. at The  
11 Public Operations Center, 347 Old Niskayuna Road,  
12 Latham, New York

13 BOARD MEMBERS:  
14 PETER STUTO, CHAIRMAN  
15 LOU MION  
16 BRIAN AUSTIN  
17 SUSAN MILSTEIN  
18 KATHY DALTON  
19 TIMOTHY LANE  
20 CRAIG SHAMLIAN

21 ALSO PRESENT:  
22 Joseph LaCivita, Director, Planning and Economic  
23 Development  
24 Michael Tengeler, Planning and Economic Development  
25 Nick Costa, Advance Engineering  
Joseph Grasso, PE, CHA

1           CHAIRMAN STUTO: Next item on the agenda is  
2 Rossetti Office Building, 2 Lear Jet Lane, sketch plan  
3 review, story 61,820 square foot office building.

4           Joe LaCivita, to have any comment before we  
5 turn it over to the applicant?

6           MR. LACIVITA: No, we are at sketch so we will turn  
7 it over to Nick. This is a project that is located at 2  
8 Lear Jet Lane. It is located at the intersection of Wade  
9 Road and the Lear

10          MR. COSTA: This is a 10 acre parcel that is an  
11 area that is already developed with a couple of office  
12 buildings, a manufacturing building. Obviously, this is  
13 Avis Drive that has a lot of different types of uses at  
14 that location.

15          The proposal is to develop the site with a  
16 two-story -- and shows 61,000 square feet and it is  
17 being changed to 30,000 square feet per floor. As  
18 shown on here, the building is being located at the  
19 corner of the intersection with parking for visitors  
20 up in the front and parking at the rear for the  
21 employees.

22          All the infrastructure business very again,  
23 this project, is existing. There are sanitary sewer  
24 laterals that have been left -- I'm sorry, the water  
25 system laterals have been left for a building here.

1           There is a sanitary manhole out on Wade Road that we  
2           are proposing to tie into. Then, there are storm  
3           water management areas that are shown on the plan to  
4           manage the storm water runoff from the site.

5           Access, obviously would be from Lear Jet. There  
6           would be an access drive to the front parking area.  
7           Then, at the cul-de-sac here (Indicating), we would  
8           have access to the rear parking area.

9           The site has about 68% green space overall.  
10          There are wetlands on the site. There are New York  
11          State DEC wetlands. They are delineated and shown on  
12          the drawings.

13          Also, there is a protected town stream that  
14          flows through a portion of the site.

15          Sicker Road is right here, and airport is just  
16          to the south of the site.

17          There is a need for 273 parking spaces for that  
18          square footage of office space. We are providing 273  
19          parking spaces.

20          We are showing landscaping in the islands and  
21          some landscaping in front of the building.  
22          Obviously, there will be a lot more detailed  
23          landscaping as we develop the plans.

24          The site is 10 acres and it is located in a  
25          COR, commercial/office/residential zone.

1           We are looking for a couple of waivers. There  
2           is parking in the front yard and that is the waiver  
3           that we are requesting.

4           CHAIRMAN STUTO: Parking in front yard and what  
5           else?

6           MR. COSTA: That is all that I have.

7           MR. GRASSO: No, I do not think it is parking in  
8           the front yard. There are two waivers. The building  
9           exceeds the 20 feet front yard setback and then the  
10          interior landscaped islands.

11          CHAIRMAN STUTO: Why don't you want to do the  
12          interior landscaping?

13          MR. COSTA: We would lose parking spaces to comply  
14          with the parking. And 68% of the site is being left as  
15          green.

16          MS. DALTON: So, just to be clear, you're asking  
17          for three waivers, then; the front yard setback and  
18          landscaping?

19          MR. COSTA: The front yard setback for the  
20          building.

21          MS. DALTON: Yes, but also parking in the front.  
22          The reason for the interior landscaping?

23          MR. COSTA: We would lose parking spaces and 60% of  
24          the site is being left green.

25          CHAIRMAN STUTO: Joe, I remember that we talked

1 about this property and there is some history from one  
2 or two other Boards. Do you know it, or no?

3 MR. LACIVITA: I think there was some confusion.  
4 Nick, I think you and I had spoken a little bit about it  
5 because the building department came to me regarding the  
6 sign permit that exists currently. The site plan that  
7 they were provided had to 30,000 square foot.

8 MR. COSTA: That was done back in June when we were  
9 developing the sketch plans. At that time, that was the  
10 sketch plan that we had. So, when the sign permit was  
11 applied for, we had the two buildings. This is the  
12 building now. This is the sketch plan that we are  
13 presenting now.

14 MR. LACIVITA: So, this is the one of record?

15 MR. COSTA: Yes.

16 MR. LACIVITA: So, is this one going to be updated?  
17 Did you guys go forward with the sign?

18 MR. ROSETTI: We did not as of yet.

19 MR. LACIVITA: So, I can notify the department that  
20 we're going to have one cohesive set of plans going  
21 through.

22 CHAIRMAN STUTO: Is that it?

23 MR. LACIVITA: This is the plan of record. This is  
24 the one that should be provided for any type of permit  
25 or approval.

1           CHAIRMAN STUTO: Did they get their sign permit?

2           MR. LACIVITA: It sounds like you did not go any  
3 further.

4           MR. ROSETTI: We have the permit. We haven't done  
5 anything with the sign.

6           CHAIRMAN STUTO: Don't they usually get concept or  
7 final before they get the sign permit, or no?

8           MR. LACIVITA: That's rare. I have never heard of  
9 getting the permit prior to the site plan. So, I have to  
10 check into the process on that.

11          CHAIRMAN STUTO: And is it still applicable now  
12 that is the plan has changed significantly?

13          MR. LACIVITA: It went from a monument sign but it  
14 was on a different site plan of record.

15          CHAIRMAN STUTO: Do you know why he did it that  
16 way?

17          MR. COSTA: At that time -

18          CHAIRMAN STUTO: Don't you go through our process  
19 before you get a sign permit?

20          MR. ROSETTI: We were going to do that because we  
21 have three Lear jet also down the street. So, at that  
22 time we were going to do both buildings.

23          MR. COSTA: This is also owned by the applicant  
24 (Indicating).

25          CHAIRMAN STUTO: Joe, if you can check into that?

1 MR. LACIVITA: I will, yes.

2 MR. SHAMLIAN: Is the sign location shown on the  
3 site plan you provided?

4 MR. COSTA: Yes.

5 MR. GRASSO: It will be on the concept plan.

6 MR. COSTA: Most definitely.

7 MS. DALTON: Is there a single corporate entity  
8 that is expected to use all of the space?

9 MR. ROSETTI: We don't really have anyone yet. By  
10 the time we get to through the process, we may.

11 CHAIRMAN STUTO: Joe Grasso, our Town Designated  
12 Engineer - I know you haven't formally reviewed the  
13 project or prepared a review letter, but do you have any  
14 comments at this stage about the project?

15 MR. GRASSO: Yes, we have some comments. We will  
16 touch on some of the comments that the Planning  
17 Department brought up during the DCC review which has  
18 some Planning Board consideration.

19 It is a pretty straightforward site plan  
20 application. We do think they are some very good  
21 points to the layout. We like the building  
22 orientation. Orienting up towards Wade Road - that  
23 the building is pushed to the front and the large  
24 parking area is pushed to the back. It is a pretty  
25 efficient site layout plan.

1           We are not in favor of the dead-end parking up  
2 front - that front access. We think there is  
3 adequately - actually enough room to do a circle  
4 there where they can circle back around. We are not  
5 in favor of developing a new access on Wade Road,  
6 which that is another very desirable feature of the  
7 layout - the way they have it. We think that they  
8 could look at a different configuration up front.  
9 \*Nick did a good job describing the protected  
10 wetlands border and SEAMAB protected area in the  
11 back. They have done a good job keeping the proposed  
12 pavement out of the 100 foot buffer. Any grading  
13 within that 100 foot buffer is what triggers that  
14 SEAMAB and to DEC review and given the site being  
15 undeveloped, we think that they should scale back  
16 the level of development and stay out of that  
17 protected buffer area. There is a significant  
18 wetland area there and we do think that buffer is  
19 important that it stays protected.

20           CHAIRMAN STUTO: Where are they encroaching?

21           MR. GRASSO: If you look on the plan, their limits  
22 of their parking lot pavement basically goes right along  
23 the protected buffer. Generally they are going to  
24 disturb within may be 20 feet of that edge of pavement  
25 for normal grading purposes. We would rather that they

1 pulled that edge of pavement back so that they can not  
2 impact that buffer. If they develop the plan as  
3 proposed, they are going to have to go for a SEAMAB  
4 variance.

5 Likewise, they are proposing their storm water  
6 management area in the back of the site. Probably  
7 more than half of that area is in the buffer and it  
8 is also over the top of the bank of the slope where  
9 it goes down to the wetlands. That storm water  
10 management area gets very close to the wetlands and  
11 we would rather see that storm water management area  
12 pulled up the slope and up on top instead of down  
13 and over the hill. Again, minimize the impacts to  
14 that protected buffer.

15 CHAIRMAN STUTO: I'm going to stop and make a  
16 comment at this point because one of the waivers is the  
17 green space within the parking. Maybe it is the required  
18 number of spots. Coupled with the comments that you are  
19 making saying pull it back, maybe the building is too  
20 big for the amount of buildable space. I'll just make  
21 that comment.

22 MR. GRASSO: Understood.

23 One of the questions was do they have a tenant?  
24 They do not, obviously, yet. That is not uncommon.  
25 They may want to consider a land-banked thing - to

1 land-bank some of the parking so that they don't  
2 have to build it unless a tenant comes in that  
3 really demands the towns parking requirement. For a  
4 lot of tenants the site can become over parked and  
5 it only adds to the environmental impacts of the  
6 project.

7 In terms of some of the other planning  
8 comments, it is in the airport area GIS. We are not  
9 going to require detailed studies because the  
10 mitigation fees that would be applicable would cover  
11 the cumulative impacts of this project on the town's  
12 facilities.

13 We brought up the issue about the SEAMAB  
14 variance.

15 The waivers are relatively minor. There is a 20  
16 foot maximum front yard setback from Wade Road. They  
17 are only proposing 20.9 feet. So, it is almost  
18 negligible and the Planning Department does support  
19 that.

20 The other waiver is the 20 parking spaces and  
21 the minimum landscape island requirements when you  
22 have parking areas greater than 20 parking spaces.  
23 It does look like they should satisfy that town  
24 requirement.

25 One of the comments from Planning was the

1 decorative wall or fencing should be provided to  
2 accommodate that minimum 80% build out across the  
3 frontage. That element would be rather inconsistent  
4 with the other development that has occurred down  
5 Wade Road. Again, this section of Wade Road has kind  
6 of a suburban office park feel. We are not confident  
7 that building out that entire frontage with fencing  
8 and landscaping is required.

9 CHAIRMAN STUTO: How about some green screening? I  
10 don't need to see the whole building, as I drive by.

11 MR. GRASSO: I think that they will probably  
12 include some street trees and nice foundation plantings.  
13 I assume that when you get concept plans and you look at  
14 elevations, this building is going to be very striking  
15 because it sets itself up for that. I think that is one  
16 of the advantages of the site and then the layout, as  
17 proposed. I do think that landscaping is appropriate but  
18 I don't know if that solid wall or fence or continuous  
19 landscaping -

20 CHAIRMAN STUTO: I am making a different comment  
21 which is you drive down that road and there is a lot of  
22 green. I would like to screen the building. That is how  
23 I feel about it. I don't want a building to jump out.

24 MR. GRASSO: Well, that may be something that the  
25 Planning Board may want to consider is that even though

1 the COR design guidelines push the buildings up to the  
2 front, consider the setback -

3 CHAIRMAN STUTO: He is already asking for a waiver  
4 on that.

5 MR. GRASSO: Because it is 20 feet and obviously if  
6 the board supports pushing the building back a little  
7 bit to increase the setback from Wade Road, we can  
8 document that in the waiver findings.

9 There was a comment brought up about the need  
10 for sidewalks.

11 CHAIRMAN STUTO: Just to make my point a little bit  
12 further, if you look on the aerial view as you come down  
13 Wade road from this building (Indicating) it is all  
14 green on the right. If you turn down Old Niskayuna Road  
15 Extension, that is all green. Those are the two streets  
16 that this intersects. Then, you hit the site which is  
17 all treed. That is totally a wooded area. I just think  
18 that the asthetic is better to have a little bit more  
19 screening than it looks like they have right now. That  
20 is my opinion.

21 MR. GRASSO: And that is something that the word  
22 should consider. Just picking up on that so I don't have  
23 to come back to it later, the wetlands and the buffer  
24 area is relatively substantially wooded. The other parts  
25 of the site are more sparsely wooded. There may be some

1 significant trees within that developed area that may be  
2 over eight or 12 inches in diameter that they may want  
3 to save, especially when we look at incorporating some  
4 landscaped islands in the parking lot. If you can work  
5 those around the huge trees that are significantly  
6 sized, it will definitely change the character of the  
7 site. We would look for some more information on the  
8 detailed plans regarding the location of those trees.  
9 \*The town has a tree ordinance and this is one of those  
10 things where you have the ability to ask for that type  
11 of additional detail through the planning process.

12 CHAIRMAN STUTO: How does the feel about that? \*All  
13 the board members agreed.

14 MR. GRASSO: So, it would really be for both  
15 developed portions of the site - say, trees over eight  
16 inches or 12 inches in diameter.

17 I want to talk about the sidewalks because the  
18 site where this is located doesn't have any  
19 sidewalks out along Wade road. The sidewalks stop as  
20 you get closer to Route 7. The only sidewalk that  
21 extends from Route 7 is on the east side of Wade  
22 Road. Normally commercial sites are required to  
23 develop sidewalks all along the frontage.

24 The Planning Department, I believe, made a very  
25 good suggestion. Rather than to develop sidewalks

1 continuous along the sites frontage, extend the  
2 sidewalk that stops on the east side of Wade Road  
3 and bring it down to the site. That is something  
4 that we could look at.

5 MR. COSTA: Joe, I think the suggestion was for us  
6 to bring it up to Avis Drive.

7 MR. GRASSO: From Avis Drive down to 24 Wade Road.  
8 That would create a gap in the front where it ends right  
9 now.

10 MR. COSTA: That would be requested to do that as  
11 those areas get redeveloped.

12 MR. GRASSO: You are right. That was what their  
13 comment was. The add on to that was look at a possible  
14 continuation to see and look at the length of that  
15 compared to the length of the frontage that you would  
16 typically have to do that we would basically give up and  
17 do a trade.

18 MR. ATTORNEY: I think my client - they were  
19 working with some of the property owners currently -

20 MR. GRASSO: Okay. If during concept we could have  
21 a more in depth discussion about the sidewalks to make  
22 sure that we have something that is really logical and  
23 doesn't have gaps when we are all done.

24 CHAIRMAN STUTO: I know that we did the Campito  
25 site recently. He gave us money in escrow for the

1 future.

2 MR. GRASSO: That is all we've got.

3 CHAIRMAN STUTO: Anything else?

4 MR. SHAMLIAN: I kind of agree with Peter. I think  
5 you need to take a look at see whether or not this  
6 building is too big for the site.

7 CHAIRMAN STUTO: How many stories is it now?

8 MR. GRASSO: It is proposed at the maximum building  
9 height. In that zone it is 75 feet.

10 CHAIRMAN STUTO: But to take pressure off the  
11 parking lot in the wetlands - the potential encroachment  
12 on the wetlands and the SEAMAB permit in the islands in  
13 the parking lot, maybe the building could be downscaled.  
14 There is nothing from our perspective that says every  
15 developer is allowed to build the maximum under the  
16 code. We can say that it is too much impact and that we  
17 want to impact it by downscaling. At least a couple of  
18 us are thinking that.

19 MR. AUSTIN: So, the maximum building height in COR  
20 zone is three stories.

21 MR. GRASSO: It is more than that. You could allow  
22 a five-story building.

23 CHAIRMAN STUTO: Are there any navigation easements  
24 over that property from the airport?

25 MR. GRASSO: No. They do have to file the notice,

1 but not put in the easement.

2 CHAIRMAN STUTO: Anything else?

3 (There was no response.)

4 Okay, thank you.

5 MR. COSTA: Thank you.

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7 (Whereas the above entitled proceeding was  
8 concluded at 8: 10 p.m.)

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CERTIFICATION

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 \_\_\_\_\_

