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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

CORNERSTONE WAREHOUSE
83 KARNER ROAD
APPLICATION FOR CONCEPT ACCEPTANCE

THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY L. STRANG, a Shorthand Reporter,
commencing on April 4, 2017 at 8:02 p.m. at The
Public Operations Center, 347 Old Niskayuna Road,
Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
BRIAN AUSTIN
KATHY DALTON
TIMOTHY LANE
CRAIG SHAMLIAN

ALSO PRESENT:
Katheen Marinelli, Esq. Counsel to the Planning Board
Joseph LaCivita, Director, Planning and Economic
Development
Michael Tengeler, Planning and Economic Development
Brad Grant, PE, Barton and Loguidice
Howard Sandwick
Ted DeLucia
Chris Longon

1 CHAIRMAN STUTO: Next on the agenda is Cornerstone
2 Warehouse, 83 Karner Road, application for concept
3 acceptance, 3000 square foot warehouse.

4 Joe LaCivita, any introductory remarks for this
5 project?

6 MR. LACIVITA: We are here for concept acceptance,
7 Peter. The project was before us back in April almost a
8 year ago - April 5, 2016. We are here tonight for
9 concept acceptance. we have Ted DeLuca and Chris Longo.

10 Do you have anybody else with your team?

11 MR. DELUCA: The owner of the site is here as well.

12 Thank you.

13 As Mr. LaCivita said we has been at this for
14 about a year now. We went to the DCC and we make
15 corrections. We were before the sport for a sketch
16 plan a few months back.

17 There were a couple of comments that were
18 brought to our attention during the sketch plan
19 review.

20 I will start with some basic things.

21 The outside lighting - we downward facing. We
22 have some pictures. We have one in the front and one
23 in the rear.

24 We provided the blacktop to the edge of
25 pavement from the building to the curb. We added a

1 couple additional parking spots totaling six now. We
2 provided extra space in the back for the dumpster
3 locations where the truck to get in for the
4 turnaround that was required.

5 With regard to the plan, I know that you have
6 the packet there and I trust that you have looked it
7 over for design. This is a typical Morton building
8 that we are proposing. I am sure most of you are
9 familiar with that this is in an industrial zone.
10 The purpose of this building is for cars and no
11 construction. This is to house commercial equipment.
12 It's just a small two-brother company.

13 Again, this is a typical Morton building
14 similar to what we are putting up. The only thing is
15 that this is flipped. With the front view, the
16 overhead doors are on the side (Indicating). There
17 are two garage doors in the back, as per the floor
18 plan that I provided you. The color tones are going
19 to be a little bit different. He is looking to go
20 with a tan on the top with a burgundy on the bottom
21 with a burgundy stained seamed roof. It's kind of a
22 boring floor plan. Again, this is a drive-thru with
23 a overhead door in the front (Indicating). Two in
24 the back and a couple pass doors with a small
25 office and one bathroom. Again, no services come

1 there. There are no customers that come there. It
2 is basically our own equipment that we bring back
3 during the day.

4 We did receive some comments from the TDE and
5 the Pine Bush Preserve Commission. We did not get
6 this until very recently. I think it was Thursday.
7 The engineer, Chris Longo, was out of the country
8 actually until late yesterday. So, unfortunately we
9 have had no time really to do anything on a plan. We
10 certainly can just talk about it at this meeting.

11 One of the comments that I will work with -
12 the TDE mentioned -

13 CHAIRMAN STUTO: What document are you referring
14 to?

15 MR. DELUCA: This is from the TDE, Barton and
16 Loguidice.

17 CHAIRMAN STUTO: What is the date of that?

18 MR. DELUCA: this was dated February 16, 2017. We
19 just received this stuff on Thursday - this past
20 Thursday.

21 CHAIRMAN STUTO: Why is that?

22 MR. DELUCA: That was the email that was sent to me
23 with all the information that I got from the Planning
24 Department.

25 MR. LACIVITA: They get it from the packets.

1 Typically what happens is we get a submission from
2 concept. We get to absorb it. We make our comments to it
3 and that comes to you. As I mentioned to Ted on the
4 phone the other day, these comments get incorporated
5 into the next set of plans that come to us -

6 CHAIRMAN STUTO: So, the letter was to you and not
7 to the applicant; is that what you are saying?

8 MR. LACIVITA: It comes to us as proposed through
9 the process. It is included in the packet. It comes to
10 you guys on a Planning Board perspective because this is
11 the review that they do through concept. It is not the
12 intent that these comments are addressed to us prior to
13 getting here. It is at that next submission that they
14 are handling it and incorporate it. I know that Ted
15 just got them the other day, but that's what we talked
16 on the phone. We anticipate these and the talking points
17 at this meeting. None of these comments, if you read
18 through them, kill the project. It doesn't change the
19 project in any way, shape or form.

20 CHAIRMAN STUTO: Okay.

21 MR. DELUCA: There are a couple things that I can
22 address. There was one comment about the side yard
23 setbacks. We intend to seek a variance -

24 CHAIRMAN STUTO: You know what we normally do? We
25 have the TDE go through their letter and maybe it will

1 make more sense for that to happen. Then, you can tell
2 us if you object to any of the comments.

3 MR. DELUCA: Very good.

4 CHAIRMAN STUTO: It may be a little more efficient
5 that way.

6 Are you done with your initial presentation?

7 MR. DELUCA: At this point, it's pretty
8 self-explanatory. We obviously have landscaping that was
9 proposed. A lot of those comments are in here that I was
10 going to address.

11 CHAIRMAN STUTO: Okay, we will let the TDE give his
12 presentation and then you can react to that.

13 MR. GRANT: Thank you, Peter.

14 CHAIRMAN STUTO: Can you identify yourself for the
15 record?

16 MR. GRANT: I am Brad Grant from Barton and
17 Loguidice.

18 I'm going to refer to our February 16, 2017
19 concept review letter. I will get rid into the
20 general comments.

21 I was just going to talk about the side yard
22 in the front yard setback requirements. In the
23 packets there is a Zoning Board of Appeals decision.
24 Those variances were approved. I think that's where
25 you were going with that. We are on the same

1 wavelength here.

2 That said, it is in an industrial district. It
3 is a narrow lot. It is 75 feet by 300 feet. There
4 are two residences - at least one residence right
5 next to the project. We would be looking for some
6 landscaping buffer.

7 CHAIRMAN STUTO: Can you point to the residence?

8 MR. DELUCA: It's on the side, over here
9 (Indicating). There is a residence on each side,
10 actually.

11 FROM THE FLOOR: There is a business, actually, on
12 the right side. At one time, it was a home but it was
13 turned into a business.

14 MR. DELUCA: The residence, as you face the
15 property from the road is on the left. The business is
16 on the right.

17 MR. GRANT: The next comment - this square footage
18 of the warehouse and office space should be shown on the
19 site plan application.

20 Some of these things are housekeeping items.
21 Typically, it gets addressed in the next submission.

22 The parcel is located on the state map of
23 archaeological significant areas. A cultural
24 resource report will be required at submission of
25 preliminary final plans or a letter from SHPPPO

1 stating that there is no historical significance on
2 the site.

3 Provide a narrative of the project. I guess
4 I'll stop right there because essentially this has
5 been a warehouse project. I think I understand now
6 the storm water management report was for a
7 commercial garage. First, I didn't know what garage
8 meant but I think what you are talking about is
9 storing your equipment in it.

10 MR. SANDWICK: Yes.

11 MR. GRANT: What happens outside the building?

12 MR. SANDWICK: Really, nothing. The storage may be
13 some material that they have left over from a job or
14 something like that. Other than that, not a thing. My
15 trailers that I haul my equipment on will be in the back
16 yard. There are a couple of 20-foot trailers. Other than
17 that, not a thing. We are there for maybe 15 minutes in
18 the morning, come back, drop off the equipment - we are
19 never there. Unless it's a rainy day and we have to work
20 on equipment, then we would be inside the shop and not
21 outside it all.

22 MR. GRANT: The reason that came up is that this is
23 an area of the Pine Bush that has wonderful sands there.
24 Infiltration is proposed. So, when I hear garage, my
25 ears perk up. This isn't sounding like a hot spot where

1 you are working on equipment, storing chemicals, fuels
2 or none of the above. That would be important. The storm
3 water management report talks about dry retention and
4 swales leading to dry detention. It is basically an
5 infiltration basin that you are looking at. It is within
6 an aquifer area. There is an extra foot of separation.
7 I was back there today. It is wet back there, but there
8 was no standing water. It is percolated. Obviously, you
9 are going to increase runoff so you do have some things
10 proposed and I will get into those later. I just want
11 to keep going on the letter.

12 A proposed landscaping, grading and site
13 lighting should be cognizant of the site location.
14 Neil Gifford had some pertinent comments from the
15 Albany Pine Bush. Essentially, the Town Code
16 190.30(h) is talking about native species.

17 Environmental - we recommend the proposed
18 action be classified as a type I under SEQR.
19 Basically, it is an unlisted action but being that
20 you are near the Pine Bush, that puts you over to
21 the Type I. A completed full Environmental
22 Assessment Form determination of significance is
23 appropriate for a Type I action which really is the
24 long form.

25 MR. LONGO: Your comment mentions two and a half

1 acres. This is really only a half acre. I think that
2 would take that out of that classification for Type I.
3 I think further down in the comment package the Town
4 Attorney had made a comment as to what this should be.
5 Quite a few pages down the Town Attorney suggests that
6 this is a Type II action.

7 MR. GRANT: Yes, it can't be Type II. If you're
8 building anything, it is either unlisted or type I.

9 MR. LONGO: I am pretty sure that the state in
10 their consideration of changing or updating the SEQOR
11 Law, they are talking about small developments like
12 this. I want to point you to the Town Attorney's
13 comment.

14 MR. LACIVITA: They have that in their packet.

15 MR. LONGO: One of the last few pages here - page
16 9 - the Town Attorney's Office - this action is Type II
17 for SEQOR. No further SEQOR review as necessary.

18 MR. LACIVITA: Well, being that we are not acting
19 on SEQORA tonight, I think that it's going to be a
20 conversational thing moving forward. The TDE will work
21 through the process.

22 CHAIRMAN STUTO: That is not that difficult to
23 analyze.

24 Brad, will you talk to the Town Attorney?

25 MR. GRANT: Yes. I have tried to relax some things

1 and streamline their process. We can talk about them.

2 The storm water management report - there was
3 some soils investigations particularly on
4 infiltration sites. Those need to be witnessed by
5 the Town. We are probably looking at repeating
6 those.

7 I think you found what you would have expected
8 to find. It's basically five and a half foot down
9 with groundwater. It's all Pine Bush yellow sand.
10 the infiltration tests were done at 18 inches.
11 That's close to the bottom. I don't know if they
12 really need to be deeper. They are going to need to
13 be re-performed for the Town staff. Usually go by
14 the DEC method, but they have to see those.

15 the report was based on 6 inches per hour -
16 infiltration rate. That sounds about right for that
17 kind of sand.

18 At one time there was going to be half pavement
19 and half gravel.

20 MR. DELUCA: Essentially, it is similar to know. It
21 is pavement from the building out to the curb and the
22 remainder is gravel.

23 MR. GRANT: I have a couple iterations of plans
24 here.

25 You have a French drain along East side, which

1 I like. What we want to do is catch and control and
2 treat runoff before it gets to the neighbor's side.
3 This is a very flat site. Grading is somewhat
4 difficult, but you are doing the right thing. You
5 are elevating the building so you have some grades
6 to work with.

7 The front parking - I was looking for - so it
8 goes from 322 right off towards that house to the
9 west. It is basically a spur in the French drain
10 along that edge of pavement would tie it into the
11 one you have going into the back. There is a little
12 more stone and pipe, but that is protection for what
13 would otherwise run off to the next door neighbor.

14 That's what I have for the letter.

15 It is in an aquifer zone. This is the sole
16 source for Niskayuna, actually.

17 I took a walk over there and in the back where
18 the storm water area is going to be there is a
19 fairly large warehouse basically perpendicular to
20 your lot. That whole area including the house to the
21 west - there's really not an open swale that I saw
22 leading to the railroad system, as stated in the
23 storm water report. Basically, it is a low area
24 that just infiltrates. I suspect when there is frost
25 on the ground it might hold some water for a while.

1 It shows that it dissipates and infiltrates into the
2 ground right up to the 50 year storm - something we
3 need to confirm with the Town staff with a
4 stabilized rate. Usually, you take half of the
5 stabilized rate. The 6 inches per hour is a
6 conservative value based on the sands. We just need
7 to have the Town witness them.

8 Basically, it is a concern that you can keep
9 all the drainage on your sites, even for a 50 or
10 100-year storm or if it has to convey out to the
11 west toward the back of that property. If you keep
12 walking along that building, it rises up going
13 toward the railroad. It is really a bowl back there.

14 CHAIRMAN STUTO: Thank you.

15 I don't know if you wanted to react to any of
16 that or not.

17 MR. DELUCA: Actually, most of it was to the
18 engineering.

19 CHAIRMAN STUTO: Any other comments from the Board?

20 MR. MION: Do you intend on putting a fence near
21 that residence? I know they have some young children
22 and there.

23 MR. SANDWICK: Yes, I do intend to fence the whole
24 rear area. I don't want people going in and climbing on
25 the equipment and any trailers or whatever I have parked

1 in the back. Yes, there probably will be a 6 foot high
2 privacy fence.

3 MR. MION: From the road, back?

4 MR. SANDWICK: From the building, back.

5 MR. DELUCA: From the rear of the building?

6 MR. SANDWICK: Yes.

7 CHAIRMAN STUTO: So, can you trace where that would
8 be?

9 MR. SANDWICK: Yes. It's going to be right from the
10 rear of the building (Indicating) right on the property
11 line, back around and back. There will be a gate here
12 someplace.

13 MR. MION: I think you might want to consider at
14 least on the side of the house, bringing it out to the
15 road. You're going to have cars there. You've got kids
16 there that play in that field right now. I say young,
17 but I think one is six and one is nine or something like
18 that. They are used to going over into that field.

19 MR. SANDWICK: I have no problem. I can run it
20 right down the whole property line. That's not a problem
21 at all.

22 MR. MION: I am concerned about their safety.

23 MR. SANDWICK: And I'm concerned about my stuff
24 because I don't need young kids climbing on my stuff.

25 MR. MION: As I said to the resident also, if kids

1 really want to get there, they're going to get there.

2 MR. SANDWICK: I understand.

3 MR. DELUCA: Just so I understand, are we saying on
4 the west side we are going to have a fence, way back
5 around with the gated area.

6 MR. MION: That's fine. Since on the other side is
7 a business -

8 CHAIRMAN STUTO: Any other comments?

9 (There was no response.)

10 We are here for concept acceptance. Do we have
11 a motion?

12 MR. MION: I will make that motion.

13 MR. AUSTIN: Second.

14 CHAIRMAN STUTO: And a discussion?

15 (There was no response.)

16 All those in favor, say aye.

17 (Ayes were recited.)

18 All those opposed, say nay.

19 (There was none opposed.)

20 The ayes have it.

21 Without further objection, we will be
22 adjourned.

23 MR. DELUCA: Thank you.

24 (Whereas the above entitled proceeding was
25 concluded at 8:33 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 _____

