

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 STEWARTS SHOP
5 406 ALBANY SHAKER ROAD
6 REVISED SKETCH PLAN

7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY L. STRANG, a Shorthand Reporter,
10 commencing on June 6, 2017 at 7:00 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 KATHY DALTON
18 CRAIG SHAMLIAN
19 SUSAN MILSTEIN

20 ALSO PRESENT:
21 Joseph LaCivita, Director, Planning and Economic
22 Development
23 Michael Tengeler, Planning and Economic Development
24 Michael C. Magguilli, Esq., Town Attorney's Office
25 Nicholas Costa, PE, Advance Engineering & Surveying
Christopher Potter, Stewarts
Joseph Grasso, PE, CHA

1 CHAIRMAN STUTO: Welcome everybody to the Town of
2 Colonie Planning Board. We have a couple of
3 clarifications before we get started. I assume that most
4 of the people that are here are for Ridgewood View
5 Meadows at North Colonie, subdivision and PDD sketch
6 plan review. There are probably some people here for the
7 other project as well, which is the Stewarts.

8 I will just explain something about our
9 procedure - something about some correspondence and
10 communication that we receive and how we're trying
11 to go through this process in the most beneficial
12 and fair way and most deliberative way that we can.

13 With respect to the Ridgewood View Meadows -
14 and that the one near Dutch Meadows - tonight it was
15 on for sketch plan review and part of their
16 application is for a subdivision. Some of you may
17 have seen the map that's on the web which I think
18 includes 14 houses and they are looking to do
19 another piece up front on Route 9 with some assisted
20 living and so forth. We are going to take this
21 process slowly and deliberately like I said.

22 Sketch plan review, as you know, is where the
23 applicant -- actually there is not really a formal
24 application -- a perspective applicant comes in and
25 says can we just run a map by you and talk about it?

1 It's not a meeting that is noticed by mail to the
2 residents. Normally in the typically case, they
3 explain and we give feedback and then they come for
4 their formal application for site plan review or
5 subdivision review. Although it's not necessarily
6 required by law - we take public comment, deliberate
7 and then we go back and forth. Maybe we vote on
8 concept acceptance and at some point it may get to
9 final application and final acceptance.

10 It's been pointed out to Joe LaCivita, the head
11 of the Planning Department and also the Supervisor's
12 office that it's an unusually situation when sketch
13 plan review is one meeting and then the application
14 for concept is the following meeting. What I am
15 recommending to our Board and I've asked Joe to talk
16 to the applicant about this and I don't know if he
17 has been successful - is to take the meeting that
18 was scheduled for the 20th and postpone it until we
19 all get a chance, including the neighbors, to digest
20 what is said. Maybe the developer will meet with the
21 residents and go over it with them. I want this to
22 be as informative to the residents and have their
23 comments taken as possible.

24 Did you have any luck getting ahold of him?

25 MR. LACIVITA: No.

1 CHAIRMAN STUTO: If not, I would like to entertain
2 a motion to postpone that meeting.

3 MR. LACIVITA: I know that Frank is here this
4 evening. We haven't talked about it. I did try just
5 calling him a couple of minutes ago when we did discuss
6 that upstairs.

7 Let me tell you a little bit about the project.
8 There was a Resolution January 18, 2017 - Resolution
9 91, which had the combined application of the memory
10 care facility and almost like a progression of care.
11 At that time, it was contemplated that single family
12 was a component of the PDD within it. We are here
13 tonight to show how three connected parcels are
14 working together.

15 I remember the CGM subdivision that was, I
16 think, 27 homes and we came up to stormwater issues
17 and just overall drainage issues. As we were talking
18 through the process with the developer, Frank
19 Polsinello, the single family component - because
20 this next parcel that we are talking about is a
21 split zone. The single family component can ride on
22 its own because it's zoned applicable in that area.
23 The developer has done some great work and Roger
24 Keating will take us through the process of all
25 three sites. They have done some great work on

1 having those drainage issues on the CGM parcel. In
2 fact, I think that they even absorbed some of it in
3 their stormwater plan.

4 With that being said, there is going to have to
5 be an amendment to the PDD because since then - I
6 think that May 8th we had a subdivision application
7 to pull the single family out of the PDD, but show
8 how everything works collectively. That was the
9 intent of tonight's meeting - is to show how all
10 these parcels work together and explain the PDD that
11 we are going to see sometime in the future with Ben
12 Avery and his group and then talking about the
13 memory care facility and that at that point the
14 single family would have worked along the way in the
15 process for concept which through timing maybe the
16 June 26th would have been sufficient enough to work
17 on concept. So, I agree that we should probably hold
18 it off another meeting or two. Let's get through
19 tonight's presentation.

20 CHAIRMAN STUTO: I want to address this up front
21 for the residents. That's a lot to digest. I think that
22 it's going to take a lot of work. We're going to talk
23 about Stewarts now. If you want to talk to Mr.
24 Polsinello outside, that's fine. When we come back -
25 that's my strong preference. I haven't talked to any of

1 the Board Members but we want to go slow and
2 deliberately on this one. So, we want to take all the
3 residents' comments. I don't want anybody to feel as
4 though that it's being rushed.

5 MR. LACIVITA: There is no intent to do so.

6 CHAIRMAN STUTO: We're going to start on the first
7 item on the agenda shortly. Our Board Counsel is sick so
8 thank you, Mike Magguilli for filling in.

9 The first item on the agenda is Stewarts Shop,
10 406 Albany Shaker Road, revised sketch plan.

11 Again, this is a sketch plan and we're not
12 taking a vote. We're trying to refine it a little
13 more before we open it up for the public process.

14 MR. COSTA: Good evening. I'm Nick Costa with
15 Advance Engineering and Surveying. With me tonight is
16 Chris Potter from Stewarts. We're here to present the
17 proposed Stewarts redevelopment at Albany Shaker Road
18 and Everett Road.

19 As you mentioned, this is sketch plan review.
20 We have been in front of the Board a couple of other
21 times to present this sketch plan. We are here
22 tonight to present the revisions that have been made
23 to the plan, as suggested and requested by the
24 Board.

25 As you can see on the sketch site plan, the

1 size of the shop has been reduced. The loading area
2 has been relocated. Additional landscaping
3 vegetation has been shown to buffer the single
4 family residential area. Then, the canopies out in
5 the front have been broken up into two canopies and
6 also the pump alignment has been changed to be
7 angled so that it would make it easier to get in and
8 out of the pump alignment.

9 So, those are really the bulk of the changes
10 that have been made to this plan from the last time
11 that this was in front of you. The site does have an
12 existing Stewarts that's located at this corner and
13 Stewarts is purchasing a portion of this parcel
14 that's owned by the Audi family. This portion is
15 located in the COR zone, while the remaining portion
16 that we refer to as Lot 2 is located in single
17 family residential and that has frontage along
18 Wedgewood Drive and Albany Shaker Road. There is a
19 building that the Audi family owns and has
20 historically raised their family in - at that
21 location. It was used for farming and agricultural
22 purposes.

23 The site does have access from both Everett
24 Road and Albany Shaker Road. We're going to maintain
25 those entrances with the exception that we are going

1 to be reducing the width so that traffic flow can be
2 a little bit more orderly than what goes on right
3 now. This is all a big curb cut right now
4 (Indicating) and this is also larger than what it
5 needs to be.

6 CHAIRMAN STUTO: Are those entrances looped further
7 from the corner or just using the furthest most point of
8 the current entrance.

9 MR. COSTA: We're using the furthest most entrance.
10 The one on Albany Shaker Road is moving north as much as
11 we can move it north. Right now the entrance starts
12 right here.

13 CHAIRMAN STUTO: Where does the other one start?

14 MR. COSTA: It's right in here.

15 CHAIRMAN STUTO: It's not narrow

16 MR. COSTA: We are narrowing it.

17 CHAIRMAN STUTO: How many feet is that from the
18 corner of the property? I use the current Stewarts there
19 and they seem like they are too close to the
20 intersection.

21 MR. COSTA: To the center of the entrance it's
22 about 180 feet from Everett Road. That's about the same
23 for Albany Shaker Road.

24 CHAIRMAN STUTO: I will ask Joe Grasso, our Town
25 Designated Engineer, to address that as well.

1 I will express my feelings, which I have before
2 and I know that I think that this project - I
3 understand it. I understand that there are problems
4 with the current site. It's a little too jammed up.
5 Even though you have toned it down a little and
6 reduced the size of the building a little, I think
7 that it's going to change the character of that
8 corner. I do have concerns. I know that we have seen
9 a couple of renditions of the gas canopies. We have
10 eight pumps there now. I've raised this point
11 before. The Stewarts on Route 9 across from
12 Hoffman's only has six.

13 MR. GRASSO: Just to get the numbers right - when
14 we are talking about pumps or fueling positions -

15 CHAIRMAN STUTO: That's what I mean by fueling
16 positions.

17 MR. GRASSO: Right now there are four fueling
18 positions at the existing site. What this plan proposes
19 is eight fueling positions. There has been talk about
20 what the right number of the fueling position is;
21 whether it should be reduced to six and is eight the
22 right number. Even at the last meeting there were some
23 Board Members who thought that it should be limited and
24 that you could fit even more.

25 I think that where we left at the last meeting

1 was whether or not the right number was six or
2 eight. Eight is what is on the plan before you.

3 CHAIRMAN STUTO: I appreciate that clarification. I
4 agree with you. That makes it clearer for everybody.
5 There was a different configuration.

6 MR. GRASSO: Yes, there was. During an earlier
7 sketch plan review we had looked at one long canopy. I
8 think that it was about 118 feet long, stretched across
9 the front of the store with perpendicular pumps. In
10 order to try to address some concerns of the Board from
11 the mass and the scale of that long canopy, they came in
12 with some other options. They changed the orientation to
13 go, instead of parallel to the building, they went
14 perpendicular and they split it but they used the
15 dive-in style dispensers where you come in at an angle
16 make circulation a little bit cleaner. Then, there was
17 an option with the consolidated to six fueling position
18 and three pumps under one canopy.

19 CHAIRMAN STUTO: Do you want to go through your
20 letter, Joe?

21 MR. GRASSO: We don't have a letter. This is just
22 an updated sketch plan review but the things that Nick
23 had described in his presentation - we think that all of
24 our previous concerns that have been expressed by the
25 Board have been addressed with this plan.

1 I'm not sure if Nick talked about the existing
2 tree. There is a large six-foot in diameter tree
3 that will have to be removed to implement any of the
4 plans that we have looked at. We don't think that
5 there is any options available, based on where that
6 tree is, that it could be saved. We have discussed
7 the possibility that maybe if the tree is going to
8 be removed whether or not it could be reclaimed and
9 repurposed into the furnishings within the site.
10 That is something that the Board can deal with later
11 on. It's important to know that the tree is going to
12 be impacted with any redevelopment of the site with
13 a Stewarts.

14 The access points - we're comfortable with as
15 well as Albany County Department of Public Works.
16 They have also reviewed it. We think that those
17 access points are pushed as far away from the
18 intersection as you can go and still serve as
19 appropriate access points for this type of use on
20 the site. Obviously, along Everett Road, it can't go
21 any further without encroaching on the adjacent
22 property. The one on Albany Shaker Road is as far
23 west as you can go and still serve the pumps out
24 front. So, we think that the big issue for the
25 Board to weigh in on is the configuration of the

1 pumps out front.

2 We do appreciate the scaling back of the
3 building. Before it was 3,600 square feet and now
4 they are down to around 3,300.

5 There is one other thing before we get into the
6 pumps. There are some questions about the number of
7 new trips that this project is expected to generate
8 and we did get some data from the applicant. The
9 redevelopment would increase the number of trips,
10 including the pass-by credit from 47 trips now
11 during the p.m. peak hour to 68 trips. So, it's an
12 increase of 21 trips taken into account the pass-by
13 credit which is the traffic that is already on the
14 road. That's some new data that can be factored
15 into your decision. Other than that, it's really
16 about the pumps. Really, it's a subjective thing.

17 One thing that we have seen is that reducing
18 the number of pumps likely won't decrease the usage
19 of the site. If you cut the plan down to six fueling
20 position as opposed to eight, you're still probably
21 going to get the same number of patrons to the site.
22 You may get some more queuing at those pumps.
23 Obviously, this site is going to have a lot more
24 maneuverability than the existing conditions out
25 there but it is something to keep in mind.

1 CHAIRMAN STUTO: What do you base that statement
2 on?

3 MR. GRASSO: When you look at the studies in terms
4 of trip generation, it's really more tied to the size of
5 the building than it is the number of dispensers out
6 there. It's somewhat not intuitive. That's what the
7 data is showing us.

8 CHAIRMAN STUTO: Do you agree with that from your
9 experience?

10 MR. GRASSO: Yes and where the site is we understand
11 that it is an extremely busy site. They're trying to
12 accommodate the anticipated need. Yes, the need is going
13 to increase as development continues to take place and
14 the site gets expanded, but it's not directly related to
15 the number of dispensers out front.

16 CHAIRMAN STUTO: Do you have an opinion on the
17 visual impact?

18 MR. GRASSO: I think that splitting the canopy and
19 angling the pumps definitely is an improvement over the
20 long 118-foot canopy that we had previously reviewed. I
21 think that the aesthetic would be further improved by
22 having six fueling positions and a smaller canopy along
23 with it.

24 CHAIRMAN STUTO: A single canopy?

25 MR. GRASSO: Yes, a single canopy but that's just

1 purely from an aesthetic standpoint.

2 CHAIRMAN STUTO: How do the Board Members feel?

3 MR. MION: I was up there this weekend. I saw how
4 they queue right out to Albany Shaker Road. You can't
5 get in and you can't get out. You're stuck. At first I
6 was looking at maybe reducing it down to three pumps
7 from the four. After thinking about what I have heard
8 lately, there are two ways of looking at that. You can
9 have an additional fourth pump and you have a way of
10 less queuing, which would alleviate the issue of
11 backing up at both Albany Shaker and also Everett. So,
12 I'm leaning towards going with the four pumps at this
13 point.

14 CHAIRMAN STUTO: On that point, do you think that
15 the queuing would be improved because of the bigger
16 lot, more pavement and the distance from the pump and
17 the entrance.

18 MR. GRASSO: From the current conditions?

19 CHAIRMAN STUTO: Yes.

20 MR. GRASSO: Yes, it's going to be a significant
21 improvement.

22 CHAIRMAN STUTO: Whether it's three pumps or four
23 pumps?

24 MR. GRASSO: Yes. The queuing at the dispensers
25 will obviously go down when we add that fourth pump. The

1 site is designed to accommodate that additional queuing
2 whether or not we have three or four in there.

3 CHAIRMAN STUTO: So, it's not an issue.

4 MR. GRASSO: It's not an issue in terms of queuing
5 up and blocking the entrances. That's what we are
6 currently seeing. Chris or Nick may be able to comment
7 on that question.

8 MR. COSTA: With regards to the queuing?

9 MR. GRASSO: The queuing impacting the access
10 based on either three or four pumps.

11 MR. COSTA: With the four you'd have less queuing.
12 There is another pump when people are waiting to get to
13 a pump.

14 CHAIRMAN STUTO: Right, compared to current
15 conditions even if you had three it would be a vast
16 improvement on the queuing and the encroachment on the
17 roads.

18 MR. COSTA: That's correct.

19 CHAIRMAN STUTO: Any other comments at this point?

20 (There was no response.)

21 Craig or Susan?

22 MR. MILSTEIN: What is the size of the current
23 store that is there?

24 MR. GRASSO: That's 2,300 square feet. It's going
25 to go from 2,300 to 3,300 square feet.

1 MR. MILSTEIN: So, what other Stewarts is about
2 3,300 square feet; do you know?

3 MR. POTTER: The one at Wade Road is pretty close
4 to that - Wade Road Extension.

5 MR. GRASSO: Most of the new ones are at 3,600.

6 MR. POTTER: Actually, most of the new ones are
7 between 3,700 and 3,900.

8 MR. MILSTEIN: Which ones would those be?

9 MR. POTTER: Any one of the ones that we are
10 building now. We're constructing one in North Creek,
11 Second Avenue in Troy -

12 MR. GRASSO: The other ones in Colonie that you've
13 done - Vly Road or Route 9.

14 CHAIRMAN STUTO: What is the one across from
15 Hoffman's?

16 MR. POTTER: I would say that is closer to the 33.

17 MR. MION: Vly Road is 33?

18 MR. POTTER: That would be same as the one by
19 Hoffman's. Then, we went slightly larger at the Wade
20 Road Extension.

21 MR. SHAMLIAN: I'm probably with Lou. I think that
22 probably if you're going to have just overall better
23 flow on the site and I don't think that there is that
24 much difference between the six and the eight. I guess,
25 regardless of what configuration it takes as we go

1 forward, I would maybe like to see some different things
2 -- and I'm not saying that I'm in favor of anything
3 different but at least some other option as to what the
4 canopy looks like. Maybe some different roof covering
5 on the canopy.

6 MR. POTTER: I actually brought some.

7 MR. GRASSO: I'm just going to ask Chris to
8 clarify.

9 MR. POTTER: Those elevations - the top one would
10 be your standard canopy - just a flat fascia with a
11 crown molding over the top and a molding along the
12 bottom, which is what you see at the other three that
13 we have done.

14 MR. GRASSO: The CAD drawing that you're showing -
15 you're showing two sets of pumps where the photo that
16 you're showing is showing four.

17 MR. POTTER: Right, that's just for visual.

18 MR. GRASSO: There is a difference between the plan
19 and the photo - just in terms of the depth of the
20 canopy.

21 MR. POTTER: The second canopy on the elevation
22 drawing would have a pitched roof on the top to tie into
23 the building architecture.

24 MS. MILSTEIN: The one in the photograph has four
25 pumps?

1 MR. POTTER: Right, it's a cube of four. It's just
2 like the two that we have, but then there would be an
3 additional two beyond it.

4 CHAIRMAN STUTO: Joe, can you explain what we're
5 looking at and why we're looking at it? I'm not 100%
6 sure. I know that we're looking at alternatives.

7 MR. GRASSO: So, I think that what he has tried to
8 present here is an option for the roofline whereas the
9 standards Stewarts roof that you see even with the
10 standard Cumberland Farms or Speedway is that really
11 fifth profile, white fascia canopy and sometimes they
12 have been asked to put on a gabled roof which almost
13 looks like a hip style and not all the way to a peak. I
14 do see an appearance of more of a standard sloped
15 shingled roof.

16 CHAIRMAN STUTO: It's an architectural feature that
17 may make it look more attractive.

18 MR. POTTER: It would look less like a gas canopy
19 and more like a building.

20 MR. SHAMLIAN: I presume that there are some other
21 things that you could do. What you presented is definitely
22 a nice architectural element. There are other things
23 that could be done as well. You could do some short
24 parapet walls, yes?

25 MR. POTTER: It's something that we could look

1 into, yes. This is the extent of what we have done in
2 the past.

3 CHAIRMAN STUTO: At first blush it looks
4 attractive.

5 MR. MAGGULLI: Are you submitting these new
6 renderings - are you submitting those just for our
7 information or are you submitting that for the Board to
8 consider as part of a formal application?

9 MR. POTTER: At this point it's just for your
10 information as an alternative design. What we came in
11 with is just the top canopy which is a flat vertical
12 fascia.

13 MR. MAGGULLI: But you do want the Board to
14 consider the alternative roofline?

15 MR. POTTER: yes.

16 MR. MAGGULLI: Then I think that what we'll have to
17 do is mark this somehow so that it's clear on the record
18 that this has been submitted. You can call it
19 Applicant's 1 or however you want to do it. We just have
20 to make it clear what we are referring to so when we go
21 back and read the record, we can note with certainty
22 what we were looking at.

23 CHAIRMAN STUTO: How about June 6, 2017 canopy
24 alternatives?

25 Can you amend that to say with photograph only

1 - the photograph part of it?

2 This is how I see it. If you want to keep going
3 on the architectural possibilities. I think that's
4 great. I think that you've been back and forth and I
5 think that we kind of down to the architectural
6 feature of that and also whether it's eight pumps or
7 whether it's six pumps. We only have four Board
8 Members here -

9 MR. GRASSO: Three or four pumps. I don't want to
10 misstate for the record the number of fueling positions.

11 CHAIRMAN STUTO: The fueling positions would either
12 be eight or six and the pumps would be either three or
13 four.

14 Can you come back with those alternatives?
15 We're just going to have to put it to a vote when
16 you come for concept.

17 MR. COSTA: Okay.

18 CHAIRMAN STUTO: I don't think that it's going to
19 be resolved today. We can vote but I'm going to vote for
20 three and other people have expressed four. We're not
21 voting anyway.

22 MR. GRASSO: There is really no other change to the
23 plan. The site plan layout will stay the same regardless
24 of the number of pumps, right?

25 MR. POTTER: Correct.

1 MR. GRASSO: So, none of the data changes other
2 than that.

3 CHAIRMAN STUTO: I did want to ask something. Are
4 we optimizing the park-like features or the landscaping?
5 I know you have a pretty good tree planting plan right
6 there. What is going on with the greenspace over there?
7 Is there anything more that can be done?

8 MR. COSTA: This is going to have a small
9 stormwater management area. Then, it's going to be left
10 as it currently is. There is pretty good vegetation
11 along here. That's not going to be disturbed. It's
12 going to remain that way.

13 Chris, if we go to three pumps, it won't be
14 breaking up the canopy right?

15 MR. POTTER: Right.

16 CHAIRMAN STUTO: So, we're going to come back with
17 some of those alternatives.

18 Can you look at the landscaping to see if it
19 been improved in that area?

20 MR. GRASSO: Just to clarify that - in terms of the
21 landscaping or the use, are you looking for it to be as
22 a buffer to the residents? It is a SFR zone so we want
23 to be sensitive to that and encouraging use of that area
24 by patrons of the store, which I would probably
25 discourage without looking at it.

1 CHAIRMAN STUTO: A buffer to the single family
2 house.

3 MR. GRASSO: Which they have added to that.

4 MR. COSTA: Thank you.

5 CHAIRMAN STUTO: Thank you.

6

7

8 (Whereas the above entitled proceeding was
9 concluded at 7:30 p.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

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 _____

