

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 OFFICE / WAREHOUSE
5 100 MORRIS ROAD
6 APPLICATION FOR CONCEPT REVIEW

7 *****

8 THE STENOGRAPHIC MINUTES of the above entitled
9 matter by NANCY L. STRANG, a Shorthand Reporter,
10 commencing on June 20, 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 STEVEN HEIDER

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

1 MR. GRASSO: Good evening and welcome to the Town
2 of Colonie Planning Board. We have a couple of matters.

3 We'd like to welcome a new Board Member, Steve
4 Heider, three to the left over here. He's a former
5 Police Chief and has a lot of experience. He brings
6 a new perspective to the Board with transportation,
7 public safety and several decades of
8 professionalism.

9 Steve, welcome to the Board.

10 The Ridgeview project which had been noticed
11 and scheduled for the 20th on the Planning Board got
12 rescheduled to a time indefinite. They held a
13 public meeting at the Boght Fire House at 5:00.

14 Anything else you'd like to say about that?

15 MR. LACIVITA: The only thing that I'd like to say
16 is that we said July 11th that they would come back,
17 which we are, for the subdivision component. I know that
18 they are just waiting on what the next step is. If there
19 are a lot of changes, then we're going to be pushing th
20 em back indefinitely. Right now I'm holding a spot for
21 July 11th on that project.

22 CHAIRMAN STUTO: Okay, any other matters before we
23 call up the first project?

24 MR. LACIVITA: I did want to follow-up with you on
25 Steve's introduction.

1 It says in the Colonie Spotlight that Steve was
2 an employee for more than 42 years. I thought you
3 were more than an employee. You were the face of
4 the Town. You are going to bring a lot of
5 perspective to this Planning Board. You saw the
6 Town grow, you saw what traffic has become over
7 time. So, I'm excited to have you on the Board and
8 I thought you were a great choice. So, thank you for
9 accepting this job.

10 CHAIRMAN STUTO: Do you want to talk about the
11 Comprehensive Plan Committee, because I know you have a
12 meeting coming up.

13 MR. LACIVITA: Yes, tomorrow we do have a meeting.
14 It's June 21st. It's the schedule that we had for the
15 outcome of the survey -- the Siena Poll.

16 CHAIRMAN STUTO: That will be interesting.

17 MR. LACIVITA: It will be interesting. We're also
18 going to have a brief presentation from CHA. I don't
19 believe that Creighton Manning is coming but on our
20 Albany Colonie Shaker Road Corridor Study, we're looking
21 at a brief presentation on that. Joe is going to do the
22 one on the Albany Airport GEIS. That's also going out
23 to a study as well. So, we're going to show some dates
24 and times coming up and Joe will give a brief scoping
25 session on that.

1 CHAIRMAN STUTO: Joe Grasso, do you have anything
2 to add to that?

3 MR. GRASSO: No.

4 CHAIRMAN STUTO: Onto the agenda. I see that Nick
5 Costa is here.

6 Office Warehouse at 100 Morris Road,
7 application for concept review, proposed
8 construction of a 4,921 square foot building.

9 MR. COSTA: Good evening. My name is Nick Costa.
10 I'm with Advanced Engineering. We're here tonight to
11 present the proposed warehouse office building at 100
12 Morris Road.

13 This is a plan that presented to the Board for
14 sketch plan review and it basically has been
15 advanced to the concept level with all the concept
16 level detail that goes with it.

17 Not much of the site has changed since the time
18 that you saw it at sketch plan. We did do some field
19 measurements of the site distance at the proposed
20 driveway. We have also moved the dumpster to the
21 back and relocated the three largest trees that were
22 located here (Indicating). They are existing -- and
23 the one existing tree that is right on the property
24 line here.

25 Other than that, the plan has really remained

1 the same as it was back when it was presented to you
2 at sketch plan. The site does meet the greenspace
3 requirement. I think that it's over 50% greenspace.
4 There is parking. There are two parking spaces and
5 one handicapped space up here in the front and
6 another space for an office person and then there
7 are parking spaces in the back.

8 The site is fairly open. It's been that way for
9 a little while now. Again, we did relocate the three
10 large trees in the front, as requested.

11 That's pretty much the changes that have been
12 made to the site.

13 There is existing water and sanitary sewer in
14 the back. We are connecting to those existing
15 laterals that have been installed for the site.
16 There is an existing water main on this side of the
17 road (Indicating) and there is an existing water
18 lateral stubbed out and the same with the sanitary
19 sewer stubbed out. We don't have to cut across the
20 road to get those utilities into the site to serve
21 the proposed building.

22 If there are any questions, I'd be more than
23 happy to answer them.

24 CHAIRMAN STUTO: This has been reviewed by our Town
25 Designated Engineer, CHA, by Joe Grasso. He'll go over

1 his comments.

2 I had spoken to Joe earlier today, so I'm
3 cheating to that extent, but he had mentioned that
4 there were sight line questions pulling in and out
5 of the driveway. Can you go over that?

6 MR. COSTA: We did measure the sight line distances
7 from the driveway. Those -- 514 feet looking left if
8 you're going out of the driveway and 529 looking right.
9 That's taken at the height of the vehicle when you would
10 be sitting in the vehicle. Those were measured with a
11 survey instrument. It wasn't something that was done
12 theoretical.

13 CHAIRMAN STUTO: Is that documented on paper
14 anywhere?

15 MR. COSTA: I can give you our field notes or
16 survey notes.

17 CHAIRMAN STUTO: Or you could write it up; either
18 way.

19 MR. COSTA: Yes, we can write it up.

20 CHAIRMAN STUTO: Before Joe Grasso starts, the
21 three items are voting items on the agenda so we will be
22 taking public comment. There is a sign-in sheet over
23 there, if you could sign in. If anybody wants to speak
24 on this project, please sign-in over there.

25 Joe Grasso, can you give us your comment in

1 reviewing this project for the Town?

2 MR. GRASSO: This project, because it is up for
3 concept, we did do a formal review and there is a letter
4 in your packet dated June 9th. The first one - like Nick
5 had said the plan is generally consistent with what we
6 saw at the sketch plan review stage. There have been
7 some minor refinements to the plan and a lot of
8 additional information provided to make sure that at
9 least the Town of Colonie concept site plan review
10 requirements and the plan does address all of the
11 comments that required plan changes that were brought up
12 during the DCC process with all the various Town
13 Departments. So, it's in good shape there.

14 One of the more significant items for the
15 Planning Board to consider - and we touched on this
16 during the sketch plan review - is that the project
17 site is located in the conservation development
18 overlay zoning district and with that comes some
19 stringent design and greenspace requirements and
20 open space provisions for those parcels with that
21 overlay district that are deemed to have
22 conservation value. From our earliest review of the
23 project site, we did note that this project site had
24 any of those features that should qualify for
25 conservation development. Nick has provided

1 additional information during the concept
2 application process and based on all that additional
3 information as well as the comments that we received
4 from Albany Pine Bush Preserve Commission, we
5 continue to not feel that the project is worthy of
6 conservation development standards. So, if those
7 standards don't apply to the project, it can be
8 redeveloped in accordance with the Town's zoning
9 standards, which is fully compliant.

10 CHAIRMAN STUTO: Does anybody have any questions
11 for Joe on that point?

12 (There was no response.)

13 MR. GRASSO: Just to clarify because it is an
14 important designation and there are some criteria that
15 we can look at.

16 One of the things is that the parcel does not
17 adjoin other land that would combine with open space
18 on the parcel that would result in the preservation
19 of substantial amount of land with conservation
20 benefits.

21 The other thing that I wanted to mention is
22 specifically in the Albany Pine Bush Preserve
23 Commission's letter regarding the application which
24 is also in your packet. The parcel is in the Albany
25 Pine Bush Study Area. This area that the site is in

1 was recommended for protection as part of the Albany
2 Pine Bush Preserve. They go onto say that upon
3 closer review it appears that the parcel is heavily
4 disturbed, partially paved and adjacent to several
5 fully built parcels. Therefore, considering its
6 small size 0.72 acres and context within existing
7 development, the Pine Bush Preserve Commission does
8 not anticipate the implementation of the proposed
9 site plan would result in potentially significant
10 negative impacts on our ability to create and manage
11 a viable preserve as detailed in the 2017 management
12 plan update for the Albany Pine Bush Preserve. That
13 was something that we relied heavily on for our
14 determination that the project does not warrant
15 conservation development.

16 CHAIRMAN STUTO: We have a representative from the
17 Conservation Advisory Council.

18 Did you want to say something?

19 MS. WEED: I just wanted to ask what species of
20 trees that you were planning to put in there.

21 MR. COSTA: We haven't done a detailed landscaping
22 plan, but it will be a mix of deciduous and evergreens
23 that would be off the list from the Pine Bush
24 Commission. We would utilize that list to plant the
25 site.

1 MR. GRASSO: To wrap up the comment on the
2 conservation development, if the Planning Board does
3 agree with our recommendation to allow the project to
4 proceed as a conventional site plan, we would provide
5 written findings for the Board's consideration when the
6 board actually reviewed the final site plans for the
7 project.

8 CHAIRMAN STUTO: Does anybody have any objections
9 to that recommendation?

10 (There was no response.)

11 MR. GRASSO: One of our comments, as you had
12 mentioned earlier on regarding the sight distance -
13 Nick, if you could just give us some written
14 documentation on what those distances were -- do you
15 know how they compared to the minimum recommended
16 distances?

17 MR. COSTA: I think that they are above, Joe. We'll
18 give you a response to that which shows both.

19 CHAIRMAN STUTO: Joe, promulgate the distances.

20 MR. GRASSO: There are reference standards but
21 there is nothing in the Town Code. We always defer to
22 public standards.

23 There are two ways to do those. You normally
24 don't do those based on the posted speed limit. The
25 most detailed way to do it is based on the 85th

1 percentile running speed. Another alternative is if
2 you don't want to go through that level of analysis
3 is to do it for 10 miles per hour over the speed
4 limit.

5 Lastly, I just wanted to mention the SEQR
6 review of the project. It is an unlisted action
7 pursuant to SEQR. The applicant's team has provided
8 a short EAF. The involved agencies are just the Town
9 of Colonie Planning Board. The Albany Pine Bush
10 Preserve Commission is just an interested agency and
11 a short EAF describes the environmental setting of
12 the project site and the anticipated impacts. We
13 will plan on making a SEQR recommendation to the
14 Planning Board as part of our final site plan
15 review.

16 The last thing that I wanted to say is that
17 this site had some clearing done prior to the
18 application being brought before the Town. It was
19 one of the concerns that we raised from the DCC
20 process. I think that we had even talked about it
21 during the sketch plan review meeting. The applicant
22 has gone out there and seeded the site and the
23 vegetation is coming up. So, it's going to be at
24 least temporary stabilized pending the outcome of
25 this site plan application, which we do appreciate

1 them narrating. The plan does reflect a clearing
2 limit line. It's a little bit hard to see on the
3 plan but they are preserving what we would consider
4 some pretty significant trees, both in the front
5 yard and the side yard which will help this project
6 fit into the neighborhood that is surrounding.

7 That's all we have at this time.

8 CHAIRMAN STUTO: Were there any members of the
9 public looking to speak on this project?

10 (There was no response.)

11 Okay, we'll open it up to the Board.

12 (There was no response.)

13 Okay, I guess then that we are looking for a
14 vote on concept acceptance.

15 I will make my summarizing comments, which I
16 think it fits in. I think that we've gotten over the
17 conservation concept. It's not going to be
18 applicable to this. That's how it looks, although we
19 are not formerly voting on that.

20 I saw the comment from the Pine Bush about not
21 invasive indigenous plantings and that was brought
22 up by the Conservation Advisory Council.

23 The sight line thing - we'd like to have some
24 documentation on that.

25 Otherwise, in my humble opinion, it seems to

1 fit the area - one of the permitted uses in that
2 area. So, those are my summary comments.

3 Do we have a motion on concept acceptance?

4 MR. MION: I'll make the motion.

5 MR. AUSTIN: Second.

6 CHAIRMAN STUTO: Any discussion?

7 (There was no response.)

8 All those in favor, say aye.

9 (Ayes were recited.)

10 All those opposed, say nay.

11 (There were none opposed.)

12 The ayes have it.

13 MR. COSTA: Thank you.

14 CHAIRMAN STUTO: Thank you.

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16 (Whereas the above entitled proceeding was
17 concluded at 7:30 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 _____

