

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

PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

DEPAULA AUTO
947 TROY SCHENECTADY ROAD
SKETCH PLAN REVIEW

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

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
BRIAN AUSTIN
STEVEN HEIDER
KATHLEEN DALTON
SUSAN MILSTEIN

ALSO PRESENT:

Michael C. Magguilli, Esq. Town Attorney's Office
Joseph LaCivita, PEDD
Michael Tengeler, PEDD
Joseph Grasso, PE, CHA
Daniel Hershberg, PE, Hershberg & Hershberg
Denis Rigosu, Syvertsen Architects
Matt Cheuvin

1 CHAIRMAN STUTO: Next on the agenda is DePaula
2 Auto, 947 Troy Schenectady Road, sketch plan review,
3 16,136 square foot auto dealership.

4 Joe LaCivita, any introductory remarks on this
5 one?

6 MR. LACIVITA: Just for the Board's
7 understanding, we had a DCC on April 12, 2017. This is the
8 Airport Area GEIS so there will be mitigation fees and
9 accumulative impacts of the project and it's in the COR
10 design standard zoning district.

11 I will turn it over for Dan to talk a little
12 bit about where the project was and why they are seeking a
13 waiver variance and they are no longer.

14 MR. HERSHBERG: Mr. Chairman, my name is Daniel
15 from the firm of Hershberg & Hershberg. With me is Denis
16 Rigosu, the architect as well as the attorney representing
17 DePaula.

18 The idea is to build a Maserati/Alfa Romeo
19 dealership.

20 When we first proposed it, we had service bays
21 and a car wash that violated the 200-foot setback from the
22 SFR zone. The SFR zone is here (Indicating). We had a
23 200-foot setback line and these service bays and car wash
24 exceeded that line. So, we proceeded with a variance
25 application. We went to the ZBA and they encouraged us to

1 find other solutions. We did and it meant essentially that
2 we had to move the building to an area where the soil was
3 less desirable and some expense. Other than that, we were
4 able to satisfy it by changing the geometry of the
5 building so that the service bays and the car wash now are
6 further than 200 feet from the SFR zone property line.

7 We are maintaining the 50-foot buffer to the
8 edge of the pavement on the north and northeast side.
9 There are some substantial trees in there. It was
10 mentioned at a meeting that some of area was not so
11 heavily treed. We would propose to infill trees along that
12 line to increase the value of the buffer. New York State
13 DOT said the right-in/right-out is probably an approval
14 situation. The main entrance would be on Mill Road. A
15 question was raised by my clients that we should show a
16 sight distance evaluation and we will certainly do that.

17 Stormwater management - there were some places
18 on the site where there was porous material but most of
19 the site did not have good enough infiltration so we are
20 going to try to use some other standard management
21 practices, probably located back in this corner here
22 (Indicating). There is a stream course at the bottom which
23 is a protected stream course so we've honored that
24 100-foot - are not going to request any action by the
25 SEAMAB group so that we can honor that 100-foot setback.

1 There is a warehouse going here that will be
2 demolished.

3 This building will be maintained and used for
4 part storage.

5 The service bay is the furthest on your left.
6 The Maserati/Alfa Romeo services are combined.

7 There were a couple of issues raised. We do
8 request a waiver, first of all, from being more than 25
9 feet back from the major highway and we do want some
10 parking in the front. We believe that we can meet the 20
11 square feet per parking space for this area out here
12 (Indicating) but for the car storage area here, we would
13 like to seek that waiver also.

14 There is a waiver of about less than 10 feet
15 from the property line with this driveway edge of pavement
16 (Indicating). We would ask for that waiver, too.

17 We think that we need three waivers. Mike's
18 letter said that he thought we needed four waivers and we
19 think that we can do away with the waiver, if you consider
20 just the sales parking portion of it. Because this area is
21 considered parking also, we need that fourth waiver.

22 We will obviously do a landscaping plan. There
23 is a water main that traverses the site. Latham Water has
24 asked us to grant them an easement because it's right
25 along the right-of-way line. They want an easement so if

1 they have to maintain it, they can go on this property.
2 The applicant would certainly do that.

3 There is a sanitary sewer at this point here
4 (Indicating) and we would provide for an easy connection
5 to the sanitary sewer. We will show grease traps to clear
6 the water before it discharges from the service bays. We
7 think that it's a good project. There are issues to
8 address, but they are things that we can address.

9 CHAIRMAN STUTO: Okay, thank you.

10 This is only concept so it's the beginning of
11 our review process.

12 MR. HERSHBERG: It's only sketch plan.

13 CHAIRMAN STUTO: Thank you; sketch plan. So,
14 it's only the beginning of the process of review but we do
15 have a Town Designated Engineer, CHA - Joe Grasso, I know
16 that you haven't completed your review but do you have any
17 preliminary comments?

18 MR. GRASSO: Sure. Just to talk about some of
19 the really positive elements of the plan and why it's a
20 redevelopment project -- the site is already commercially
21 developed so we encourage developers to seek out
22 redevelopment projects in the Town rather than convert
23 more open space in development.

24 The service bays are oriented to the front.
25 Obviously the site might be in setbacks up against the SFR

1 zone, so we think that's a really important feature. We
2 like that the plan has been changed since the DCC
3 application and is now fully zoning compliant. Most of the
4 parking is to the rear which is one of the recommendations
5 and the design standards. They do a good job of that. And
6 there are no impacts within the 100-foot buffer area of
7 the stream corridor. So, there is a really significant
8 stream corridor to the west side of the project site which
9 they are not showing any proposed encroachment. So, that's
10 a good feature.

11 Some of the things that Dan had mentioned, I
12 just want to reiterate. There are four waivers that are
13 required. The building exceeds the 25-foot major road
14 maximum front yard setback. We are supportive of that
15 waiver. We think that it's appropriate for this site.
16 Parking in the front yard setback is not permitted. We
17 also support that waiver. Like I said, most of the parking
18 is to the rear of the site.

19 The third waiver is parking lot pavement within
20 10 feet of the side property line. We do not support that
21 waiver. I think that they are proposing that access drive
22 along the west side, approximately 7 feet off the property
23 line. We think that there is room to shift that over and
24 nullify the need for that waiver.

25 Lastly, there is a waiver for the interior

1 landscaped island requirement and we are supportive of
2 that waiver. It is something that we typically see asked
3 for regarding car dealerships.

4 One thing that I would say is that long row of
5 parking along the northeast side that is closest to the
6 signal family residential zone - even though they meet the
7 50-foot parking setback, it would be nice if that parking
8 row was broken up with some islands and some significant
9 trees kept within it.

10 A couple of other comments that the Planning
11 Department raised in their letter, which we share -- the
12 site does include a car wash and if you could provide some
13 additional information regarding how that's going to
14 operate and whether or not those doors are going to be
15 open and whether or not we can expect any noise impacts
16 from the drier mechanism.

17 Then, because it's a car dealership, are there
18 intended any PA systems used on the site. We would think
19 that the Planning Board may want to restrict it based on
20 the use.

21 CHAIRMAN STUTO: Okay, the applicant is shaking
22 his head no, so can we make a note of that somewhere on
23 the drawing?

24 MR. GRASSO: Yes.

25 CHAIRMAN STUTO: That's correct?

1 distance check, but we expect that will not yield
2 favorable results. As you come in for concept, try to
3 identify what kind of mitigation - whether or not you're
4 clearing vegetation or signage or whatever is required to
5 make that in accordance with the recommended sight
6 distance standards.

7 Lastly, a concern was brought up regarding the
8 potential of test drive routes down Mill Road and through
9 a residential neighborhood. I think that's a really valid
10 concern that we would like some data on as well, unless
11 you can provide some more information tonight.

12 MR. CHEUVIN: I can speak briefly to that,
13 having spoken to the applicant about that issue. You're
14 talking about a much lower volume dealer. The number of
15 cars going in is not in the vein of your Toyota, Chevy,
16 Ford. The traditional volume sales that you see are much
17 much smaller. So, we're not talking about 100 trips a
18 day. We're not talking about 50 trips a day so that the
19 number of test drive trips -- certainly they are going to
20 be there but it's not going to be as significant as it
21 might otherwise be with your typical car dealer. We can
22 definitely get you data on the average sales and the
23 number of trips generated and the anticipated impact on
24 those.

25 MR. GRASSO: Yes, the number of typical test

1 drives a day.

2 Lastly, the site plan respects the 50-foot
3 parking setback along the northeast corner of the site up
4 against the SRF zone which is a really good feature. If
5 there is vegetation within that buffer, I would try to
6 protect it as much as possible. I know that you show some
7 conceptual grading but really try to look at minimizing
8 clearing what is along that side. Then, supplement it
9 where necessary. I know you do a good job of that.

10 That is where we are at.

11 CHAIRMAN STUTO: Do you want to respond to
12 anything?

13 MR. HERSHBERG: I would just say that actually
14 we had heard a portion of those before. Although it shows
15 significant grading back here, we don't think that we'll
16 have to grade that much. The grade difference is only a
17 matter of a couple of feet. We may be able to use a short
18 decorative retaining wall to keep the grade behind that
19 parking the same. So, we don't expect to have to grade
20 very much in that 50-foot area.

21 We will do a survey of the trees back there and
22 see the size of the trees and the types of trees and we
23 can supplement it. It was mentioned that most of them are
24 deciduous. There are very few coniferous trees back there.
25 We can supplement the coniferous trees, providing that we

1 will find stuff that will survive. When you take a wooded
2 area and you put some of your coniferous trees in there,
3 they tend not to do very well because they are shaded by
4 the deciduous trees. There are places that we can find
5 some trees that will survive in there.

6 CHAIRMAN STUTO: Board Members? I have a couple
7 of comments and questions.

8 MR. MION: Coming out onto Mill Road - I do
9 have to agree with that line of sight. I tried pulling out
10 of there the other day and almost got hit.

11 MR. HERSHBERG: You are our test case.

12 MR. MION: I survived, anyway. You might want
13 to do a look at that.

14 MR. HERSHBERG: We will.

15 MR. MION: I agree with that 10 foot waiver.

16 MR. HERSHBERG: Okay. It isn't much of a
17 waiver, but we can move it.

18 MR. AUSTIN: I will say that with the test
19 drive issue - it doesn't matter how many test drives you
20 do, it matters where you test drive. It only takes one
21 test drive to irritate a resident. I understand that it's
22 a higher level of car so you probably have a different
23 clientele who will be test driving these vehicle. It's not
24 a very wide road. Please keep that in mind.

25 MR. HEIDER: I will say what I say all the

1 time. The right-in/right-out is only another reason to
2 take a left hand turn in, if somebody wants to. I
3 understand that it's practical to do the
4 right-in/right-out but with my experience throughout the
5 Town, it's a continuing use of a left-in. You can design
6 it anyway that you want, but try to do as much as you can
7 to make it totally impractical to make a left hand turn. I
8 can see people coming from the west, not realizing that
9 they have to take a left on Mill to get into the
10 dealership. They're going to use the first entranceway
11 that they got.

12 I enjoy the comment about not selling cars like
13 Maseratis because your horsepower is about three times the
14 regular car. Having a little experience with the area,
15 unfortunately, I'm sure that the neighbors will be here
16 talking about the other dealerships that are on Route 7
17 and the mechanics and sales people take all their people
18 via River Road, Forts Ferry Road, Mill Road and sort of
19 ruin it for applicants coming before us. It is just a
20 concern.

21 I'm new to the Board so I don't know all the
22 parking restrictions, but does a Maserati dealership need
23 this many parking spots? They are all facing the
24 residential area. I'm just curious. We see an awful lot of
25 blacktop and I'm wondering whether or not it's necessary

1 to have this many parking spots.

2 CHAIRMAN STUTO: That was my question, too.

3 MR. CHEUVIN: That is an issue that is dictated
4 by the manufactures. They set the floor plan and they tell
5 us, as the applicant or the potential owner of the
6 franchise how many spaces are required in order for them
7 to grant you the dealership.

8 CHAIRMAN STUTO: Can you give us some thought
9 behind that or what their thought is or if you weren't
10 restricted by that, what you would have? How many cars do
11 you expect to move a month? How many parking spots are
12 there, first of all?

13 MR. HERSHBERG: I'll have to check.

14 MR. CHEUVIN: Mr. Chairman, I believe that
15 there is 193 or 194.

16 MR. HERSHBERG: There are 195.

17 CHAIRMAN STUTO: So, on one hand you're telling
18 us that it's a slow-moving thing and on the other you're
19 saying you need all those parking spots. It seems a little
20 inconsistent.

21 MR. CHEUVIN: I will look into whether or not
22 there is an ability to have them deviate from that in
23 light of the sight restrictions. It may be that they tell
24 me no as a result of that being their nationwide standard
25 for every dealer. Whether there is a need to have an

1 inventory that can fluctuate or whether there is a
2 requirement from them.

3 CHAIRMAN STUTO: We may not agree with them -
4 just so you know. We like some real data and we like
5 banked parking. That means that you leave it green and if
6 you have a real need, then you reserve the right to pave
7 it in the future.

8 MR. CHEUVIN: I would much prefer to see my
9 client do that.

10 CHAIRMAN STUTO: The Chief's comments are well
11 taken. There is a lot of pavement that is not used.

12 MR. CHEUVIN: I know that I can get you the
13 average number of expected or projected sales of the first
14 years of being open. I will try to get those over to you.

15 CHAIRMAN STUTO: That was my major question.

16 The other question that I had was the screen to
17 the single-family residential and also what you envision
18 for landscaping in the front. I know you have topography
19 issues or whatever, but I'm not sure what they are going
20 to be looking at. I know that it is 50 feet. That is good
21 also. My comment is that I want to ensure that the visual
22 impact on the neighbors is minimized and what you
23 envisioned the front looking like in terms of landscaping.

24 MR. HERSHBERG: Again, we do have a lot of
25 islands in here. We would propose some large deciduous

1 trees or street trees like we put in. We have to keep them
2 back because there is a utility easement in the front
3 portion of it. We could put them in here (Indicating).
4 There probably would be an isolated tree and some of these
5 islands. They would also be the normal shrub work. We have
6 done some fairly intensive landscaping.

7 It was mentioned that the zone asked for a
8 continuous facade there in the form of a fence. We are
9 certainly going to do that I putting the shrubs alongside
10 to provide semi-screening to the front. Screening will
11 work probably to cover the cars. Anything parked there
12 would be screened.

13 CHAIRMAN STUTO: Any other comments?

14 (There was no response.)

15 Joe, any other comments?

16 MR. GRASSO: No.

17 CHAIRMAN STUTO: Okay, thank you.

18

19 (Where is the above entitled proceeding was
20 concluded at 7:27 p.m.)

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.

Dated _____

NANCY L. STRANG

