

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

HUNTINGTON MEDICAL OFFICE

123 EVERETT ROAD

APPLICATION FOR CONCEPT ACCEPTANCE

5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled matter
7 by NANCY L. STRANG, a Shorthand Reporter Commencing
8 on October 3, 2017 at 7:02 p.m. at The Public
9 Operations Center, 347 Old Niskayuna Road, Latham,
10 New York

11 BOARD MEMBERS:

12 PETER STUTO, CHAIRMAN

13 CRAIG SHAMLIAN

14 STEVEN HEIDER, Recused

15 KATHLEEN DALTON

16 LOU MION

17

18 ALSO PRESENT:

19 Kathleen Marinelli, Esq. Counsel to the Planning
20 Board

21 Joseph LaCivita, Director, PEDD

22 Brad Grant, PE, Barton and Loguidice

23 Tom Andres, PE, ABD Engineers

24 Rich Paulson, Huntington Associates

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1 CHAIRMAN STUTO: Good evening, everyone. Welcome
2 to the Town of Colonie Planning Board.

3 We have several items on the agenda. There is a
4 sign-in sheet there for the voting items which would be
5 Huntington Medical Office, Giovanone and Ramic
6 Redevelopment. So, if you want to speak on those items,
7 there is a sign-in sheet over there (Indicating).

8 Do you have any business before we call up the
9 items on the agenda?

10 MR. LACIVITA: I have nothing administratively,
11 Peter.

12 CHAIRMAN STUTO: Okay, Huntington Medical Office
13 is the first project. This is that 123 Everett Road,
14 application for concept acceptance, two story 53,910
15 square feet medical office.

16 Joe, do you have any remarks on this one?

17 MR. LACIVITA: Just to put it on the record,
18 Peter, this is a project that is in our
19 commercial/office/residential zone.

20 We saw it at the DCC on May 24, 2017. This
21 Board saw it on July 11, 2017 for sketch. Tonight we are
22 here to listen to ABD starting off.

23 CHAIRMAN STUTO: Chief Heider would like to say
24 something.

25 MR. HEIDER: For a number of reasons, I have to

1 recuse myself from any actions in this matter.

2 CHAIRMAN STUTO: Okay, we will turn it over to
3 the applicant.

4 MR. ANDRES: Good evening. I'm Tom Andres from
5 ABD Engineers. In the audience is Rich Paulson from
6 Huntington Associates.

7 This is a project that was started in 2006 --
8 approximately 2006/2007. The first portion of the
9 project was constructed which was 142,000 square feet of
10 two-story office. That is where Ortho New York is right
11 now. It had been planned for a 55,000 square foot
12 building as a companion building to it at the time.
13 There was not a demand back then. Years later, there is
14 now a demand. So, where and with a 54,000 -- which is
15 what was originally approved or originally contemplated.

16 The site was all integrated. There is a main
17 entrance that would still be utilized for both of the
18 projects.

19 There was a storm water management design that
20 encompassed the whole parcel. There has been some
21 changes in the New York State DEC regulations since that
22 time. So, there is some storm water management that
23 still has to be provided on this site.

24 At the time, this was general business. COR was
25 not in place yet. So, the buildings were set back a

1 certain distance so they have the parking in the front.
2 The building was sort of in the middle, to the rear of
3 the site. Obviously, the change in zoning -- I believe
4 that was the 25-foot setback off the road. We felt and
5 we came to you both in the DCC meeting and we came to
6 you at the sketch level -- the logic was to be able to
7 keep the buildings in the same configuration that was
8 originally anticipated with the parking in the front. It
9 just works a lot better for the site design because the
10 site is very high in the rear. It slopes toward Everett
11 Road. There is probably a good 20-foot grade change
12 across there.

13 Unfortunately, that does require us to put the
14 storm water management that is required under the new
15 DEC regulations in front. We did speak to you at the
16 sketch meeting in reference to that. We have come up
17 with what we feel is a very pleasing design - something
18 that will be holding water in a bio retention area with
19 some plantings.

20 As part of the design, we are also trying to -
21 even though the building is in the rear, provide that
22 80% frontage coverage by utilizing something very
23 similar to what Fresh Market has with the stone pillars
24 and fencing and landscaping.

25 This shows the two-story building. It is a

1 little different from the Ortho New York building that
2 it has a different roof line. That's why it is a little
3 bit smaller in square footage, but we will have that
4 stone fencing and that landscaped area and that repeat
5 pattern through.

6 The site rises from Everett Road. You can see
7 the detention basin will be down below -- I'm sorry, I
8 mean the storm water management area which is really a
9 bio retention basin. We will have a small retaining wall
10 for grading and also aesthetics. We will also have some
11 type of protection railing or fencing set up as we show
12 here (Indicating). We will actually have a little bit
13 more, looking up, then what shows on here because the
14 site does start to climb up.

15 CHAIRMAN STUTO: Do you mind walking that in
16 front of the Board?

17 MR. ANDRES: I certainly can.

18 Again, this gives you the idea of the fencing
19 and the landscaping. It is a very small retaining wall.

20 MR. SHAMLIAN: So, are you planning on extending
21 the fence down from the other building, as well?

22 MR. ANDRES: We are not because that is actually
23 fully landscaped. It has the landscaped pods.

24 As part of the development, by utilizing the
25 center area, there was some minor modifications to the

1 121 Everett Road property. Because of that, there is a
2 slight reduction because that had 35% green. There is a
3 slight reduction of the green space on that. So, I think
4 we are at 33 point something percent. We are just a
5 little bit down from that 35%. That is something that we
6 are going to have to look at a waiver for. We put that
7 in the waiver request. We do have over 35% on the 123
8 site.

9 Also, the new regulations require landscaped
10 islands and a certain percentage based upon the number
11 of parking. We are slightly less than the percentage of
12 landscaped islands. We have made some large green areas
13 the front of the building, but those don't actually
14 count because they have to have at least 75% of the
15 island that has to be surrounded. So, a number of the
16 islands that are in there actually do not count under
17 that computation.

18 Because there was an initial design that had
19 some parking down off of the second entrance that we are
20 proposing. I guess it's really a secondary access. We
21 had parking here (Indicating). The staff's
22 recommendation was that we do that. They said, try to
23 see if we could fit it up at the far end. We were able
24 to put it at the far end of the site, but we do have one
25 parking space up in this corner right here (Indicating).

1 It is against the NIMO lands that are slightly less than
2 the 10 foot offset that is required for the parking. I
3 believe those are the waivers.

4 CHAIRMAN STUTO: Do you need all that parking?

5 MR. ANDRES: I think that we do.

6 MR. SHAMLIAN: Will all the parking be utilized
7 in the other building? Whenever I have been there, I have
8 not seen -

9 MR. ANDRES: It is not being utilized.

10 CHAIRMAN STUTO: So, does that imply that you
11 don't need all of this parking?

12 MR. PAULSON: Well, Ortho was taken over most of
13 the space at 121 Everett Rd. Some of the tenants are
14 moving out so we want to make sure -- that's why we want
15 to have the shared parking between the two buildings. A
16 rheumatologist is going to be moving out and Ortho New
17 York is going to be moving their pain management in there.
18 They see more patients. We want to have more than enough
19 parking.

20 CHAIRMAN STUTO: Sometimes with banked parking --
21 and then if you find out that you need more, then you are
22 free to add it.

23 MR. PAULSON: We would like to have as much as we
24 can.

25 CHAIRMAN STUTO: Brad, will you take a look at

1 that.

2 MR. GRANT: Yes.

3 CHAIRMAN STUTO: Please proceed.

4 Can you talk about the access? Are they both
5 proposed full-access?

6 MR. ANDRES: Yes, they are. This is an existing
7 access drive, so that is already built. We were proposing
8 a secondary off of Everett just because we now have almost
9 100,000 square feet and I thought from the fire
10 department's standpoint it would be nice to have a
11 secondary access and Everett Road as the center turn lane
12 there. I don't expect an issue with it. I guess that it
13 depends on where the base of the clients are coming from,
14 how much that will really be used. I think that you will
15 still end up using it because it is set up to be able to
16 pull in and drop off just as this has the same type of
17 drop-off.

18 CHAIRMAN STUTO: Do you have any opinion on that,
19 Brad?

20 MR. GRANT: Yes. I know that I talked to Chuck
21 about that and he had questioned the second access because
22 you do have a centralized shared access. I think that
23 Albany County also commented on that.

24 CHAIRMAN STUTO: What do they say? Do we want to
25 restrict that to right-in and right-out?

1 MR. GRANT: That was one of the things that Chuck
2 and I had talked about as a possibility.

3 CHAIRMAN STUTO: Did you want to say something?

4 MR. PAULSON: Yes. Part of the reason that we
5 wanted to have a secondary access is that Albany ENT is
6 going to have their shots. So, people will come in just to
7 get shots and they leave. We thought that would be better
8 to just circulate -

9 CHAIRMAN STUTO: We know what you wanted, but we
10 are deciding whether it is better for the outer community.

11 MR. PAULSON: We could go either way.

12 MR. ANDRES: We did have a discussion initially
13 with Albany County when they were at the DCC meeting.
14 While I know the comment was to look and see if we really
15 need that, we can certainly work with them.

16 CHAIRMAN STUTO: Okay, let's keep an eye on that.
17 Do have more on your presentation?

18 MR. ANDRES: I think the rest of it is just tying
19 into the utilities and things like that.

20 CHAIRMAN STUTO: Our Town Designated Engineer is
21 Barton and Loguidice. Brad Grant is representing them.

22 Brad, can you give us your comments on the
23 project?

24 MR. GRANT: Sure. On December 22 we issued a
25 comment letter for concept review. I'm not going to go

1 over every single comment here.

2 There are waivers being requested. We note that
3 the applicant is requesting for waivers; internal
4 parking islands, parking within 10 feet of the property
5 line, the front setback is at 25 foot and there is the
6 green space reduction for 121 Everett. Additional
7 waivers may be required for parking in the front yard
8 and surface storm water management in the front yard.
9 That was one of Planning's comments. Bioretention basins
10 can be planted attractively and can be an amenity. To
11 give runoff reduction value, you more or less need
12 something like that. It's really not something that they
13 would be able to do in the back. This all does drain to
14 the front. It's kind of working with the site topography
15 that you have. With a good planning plan it can be an
16 amenable feature of the project and do what it is
17 supposed to do which is manage the storm water.

18 We noted the screening and landscaping lighting
19 to be provided in compliance with the COR design
20 standards. The architectural design conforms to the COR
21 design standards. Any rooftop or ground level mechanical
22 service equipment should be screened from public view
23 and it should be illustrated that it should be notated
24 on future plans.

25 SEQR and a full environmental assessment

1 form -- the project site is located within an
2 archaeological sensitive area according to the New York
3 State Cultural Resource and Information System. A
4 cultural resource report or letter of no effect from
5 SHPPO will be required with the submission with the
6 final plans.

7 MR. ANDRES: Just to let the Board know, we have
8 done the whole archaeological study and have the SHPPO
9 sign-off already.

10 MR. GRANT: Good.

11 Also, a review of the US Fish and Wildlife
12 Service - there is often the case of endangered species
13 of the Northern Long-Eared Bat. Please coordinate with
14 the National Heritage Program if necessary.

15 The EAF should be changed to an affirmative
16 answer.

17 The building is noted to be sprinklered. That
18 is still the case?

19 MR. ANDRES: That is correct.

20 MR. GRANT: They will provide a hold harmless or
21 easement encroachment agreements which kind of brings up
22 the question that decorative fence and the pillars -

23 MR. ANDRES: They are all outside of the
24 right-of-way. There was a lot of work and doing that
25 because we had granted the Town an easement onto the

1 property for the sewer. Everything is actually outside the
2 right-of-way. Because of that, we actually had to do the
3 retaining wall along this edge but we worked that in and
4 from an architectural standpoint and an aesthetic
5 standpoint it is a plus.

6 MR. GRANT: The storm water management test pits
7 are a required - at least one per 5,000 square foot of
8 filter area. The Town will witness those.

9 Do you have any preliminary thoughts on what
10 soils you have?

11 MR. ANDRES: We have all C Soils. The design is
12 actually completed and we will be submitting it to you
13 once we move past this point. We are not utilizing
14 infiltration.

15 MR. GRANT: The proposed storm water quality
16 practices on the new property of 123 Everett appear to be
17 using the existing practices at 121. Provide a brief
18 narrative of detailed maintenance and performance history
19 of the 121 system.

20 Albany County had some similar comments on
21 that. It is largely ditched along there. It will
22 require some driveway culverts. We know that the site is
23 located above principal aquifer equipment and separation
24 of groundwater. Provide cross-sections with the various
25 storm elevations on them.

1 The longitudinal grade of the driveway - the
2 driveway as it turns out, is one way. Apparently they
3 want to have a future provision for sidewalks - a
4 percent and a half cross slope area of the driveway -

5 MR. ANDRES: We noted that this driveway exists
6 and there is a sidewalk all the way down to it. This is
7 all built. The only thing would be over here which there
8 would be across here (Indicating).

9 MR. GRANT: There will be roof drains on the
10 proposed building. So, illustrate where those will
11 discharge to.

12 MR. ANDRES: We actually will have it all on the
13 plan.

14 MR. GRANT: The gated dumpster enclosure shall be
15 screened and landscaped due to the close proximity of the
16 residential neighborhood to the rear - signage restricting
17 refuse of recycling collection.

18 You put that comment on the plans -- when I
19 looked at this it said collection between 7:00 a.m. and
20 7:00 p.m. I know that it is semantics, but it should be
21 no collection between 7 p.m. and 7:00 a.m.

22 MR. LACIVITA: That's no collection.

23 MR. ANDRES: I thought it was that collection is
24 only between those hours. So, you just want to set it as
25 no collection during the evening hours -

1 MR. LACIVITA: The off hours.

2 MR. ANDRES: We said it as the time you are
3 allowed collection. So, it is restricting it to that
4 time.

5 MR. GRANT: Provide lighting cut sheets for the
6 next submission compliance with the COR standards and no
7 trees shall be planted within 10 feet of existing or
8 proposed public sewer mains.

9 In the back there are quite a few trees. I'm
10 sorry that it was not in color, but I left the Board
11 some Google views of the property. Traditional Lane is
12 in the back. There is a good stand of trees along the
13 back property line. It looks primarily pine.

14 MR. ANDRES: It is. As part of the original work
15 over here, some additional trees have been planted
16 (Indicating). So, they are 11 years into it. Because there
17 was so many, Mr. Paulson just had to recently take some
18 down. The neighbors asked him to take a few of the dead
19 ones because there was just so many up there.

20 MR. GRANT: It should be noted that from the
21 property line adjacent to the Traditional Lane properties
22 there is quite a cut grade that goes down.

23 MR. ANDRES: We actually have a section on our
24 final plans that show that. You won't be able to see
25 anything there.

1 MR. GRANT: Again, that rooftop in the screening
2 of those are necessary.

3 That's about it, Pete.

4 CHAIRMAN STUTO: Okay, can you talk about the
5 architecture a little? You may have touched on it. It
6 seems like you talked about the landscaping a little bit
7 more. We have a rendition here of the building.

8 MR. ANDRES: You caught me a little off guard
9 because architectural is not really my expertise.

10 The intent of what ACP was working with BBL was
11 to put a complementary building -- so, it is a different
12 look than 123 which is more of just a punch out window
13 masonry building. This was a little more interesting in
14 creating a little bit or center focus which is what this
15 was doing and having those drop roof lines. So, when you
16 come in, this will be one story that steps back and then
17 the two-story comes up. That gives you the overall
18 reduction in the building square footage.

19 Again, the canopy is in the front because we
20 found that it worked so well at 121 - so, the same type
21 of canopy coming out with the column support so you can
22 get larger senior vans under it.

23 MR. LACIVITA: Is this the center floor design
24 Rich, where you have people coming in -

25 MR. PAULSON: Albany ENT - when we laid out there

1 floor plan - they need that clinical space on the first
2 floor. As you walk through the center court it's all going
3 to be Albany ENT. The second floor will be the surgery
4 center. The surgery center will be Ortho New York/Albany
5 ENT and St. Peter's Hospital. They are also involved in
6 this project. Part of the reason that we expanded the
7 square footage was they want to try to get in six ORs. so,
8 that's what kind of drove the different roof lines.

9 CHAIRMAN STUTO: Does anyone have an opinion? I
10 mean, I don't know if it could be enhanced in some way.
11 Maybe it looks fine.

12 MS. DALTON: I like it.

13 CHAIRMAN STUTO: Other members of the public
14 looking to speak? I see no one has signed up.

15 (There was no response.)

16 Okay, we will take comments from the Board.

17 Kathy?

18 MS. DALTON: I think it looks good. I think the
19 build-out of the front looks a little bit odd, but you
20 pointed out that you highlighted it. I mean, the yellow
21 fencing.

22 MR. ANDRES: Because of perspective it looks like
23 it's right there. When you actually look at the drawing,
24 it's way down here and its way back there (Indicating).
25 So, there is a long distance between it. I think that

1 would just emphasize it more - especially adding the white
2 color to it. I think it's going to blend in a little bit
3 more.

4 MS. DALTON: I suspect that is true.

5 I would ask about the archaeological study. You
6 had that done?

7 MR. ANDRES: It's all done, yes.

8 CHAIRMAN STUTO: Lou?

9 MR. MION: I'm good with it.

10 CHAIRMAN STUTO: Craig?

11 MR. SHAMLIAN: I guess the question that I still
12 have is whether or not that should be a full access - the
13 second driveway. My inclination is that it should not be.
14 It would just seem like logically we are trying to cut
15 down the number of points on most of the roads through the
16 Town and you have a great entrance there. It serves both
17 buildings. That's the only thing that I would recommend.

18 CHAIRMAN STUTO: I will repeat a couple of
19 things. The things that are important to me are what Craig
20 just mentioned. I found the comment from Albany County
21 DPW. "We would prefer to follow access management
22 principles on this arterial street. Is the second access
23 strictly necessary?"

24 So, Brad, if you would take a closer look at
25 that with Albany County and the applicant, we would

1 appreciate it.

2 I would like you to consider banked parking.

3 Brad, if you could take a quick look at that?

4 Also, Brad, you talked about the screening in
5 the back near the residential - can you summarize your
6 comment in a couple of sentences? It seems to be quite
7 an area. Are you suggesting that we make an allowance
8 for more plantings back there?

9 MR. GRANT: I think that with the amount of
10 grading right up to those trees or right up near them the
11 cut slope - there is potential for damage on some of the
12 trees, particularly if they are mostly White Pine. I think
13 similar to what was done with Maxwell Road, it's not a bad
14 thing to put in a note and allowance of 6 perhaps conifers
15 to supplement any of those damaged, removed -

16 CHAIRMAN STUTO: Are you okay with that?

17 MR. ANDRES: Actually, all of these dark ones
18 were the proposed ones. If we were only going to six, we
19 would be happy.

20 CHAIRMAN STUTO: Other than that, I don't have
21 any other points.

22 Oh, I do want to make a point on the
23 diminishment of the green space. There is a fee
24 associated with that, I believe, right?

25 MR. LACIVITA: Yes, there will be.

1 MR. GRANT: Pete, I have just one last thing.

2 CHAIRMAN STUTO: Sure.

3 MR. GRANT: The lettering below the roof line -

4 MR. ANDRES: That is something that is
5 architectural. We are putting that on, but obviously we
6 will be working with the sign regulations to see what we
7 can put up there.

8 MR. SHAMLIAN: What are you doing for a street
9 sign?

10 MR. ANDRES: There is a sign here that says
11 medical. So, it is a generic sign that we will work with.

12 MR. SHAMLIAN: So, you are not proposing another
13 pylon sign down by the street?

14 MR. ANDRES: No. I think at one point we may have
15 shown something there. After discussions, this has Ortho
16 New York on it. This will have obviously, identification
17 and this is a generic sign.

18 CHAIRMAN STUTO: Hopefully the applicant has
19 heard what our comments are. We are only appear for
20 concept acceptance. We have Town Department comments, the
21 comments from our Town Designated Engineer and you have
22 heard comments from the Board. With those comments all in
23 mind, do we have a motion for concept acceptance?

24 MS. DALTON: I will make that motion.

25 MR. MION: I will second.

1 CHAIRMAN STUTO: Any discussion?

2 (There was no response.)

3 All those in favor, say aye.

4 (Ayes were recited.)

5 All those opposed, say nay.

6 (There were none opposed.)

7 The ayes have it.

8 We do have one recusal.

9 MR. ANDRES: Thank you, very much.

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11 (Whereas the above entitled proceeding was concluded
12 at 7:21 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.

Dated: _____

NANCY L. STRANG
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NISKAYUNA, NY 12309

