

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

STARLITE OFFICE PARK
629 COLUMBIA STREET
SKETCH PLAN REVIEW

5 *****

6 THE STENOGRAPHIC MINUTES of the above
7 entitled matter by NANCY L. STRANG, a Shorthand
8 Reporter, commencing on October 17, 2017 at 7:50
p.m. at The Public Operations Center, 347 Old
Niskayuna Road, Latham, New York.

9

10 BOARD MEMBERS:
11 PETER STUTO, CHAIRMAN
12 LOU MION
13 CRAIG SHAMLIAN
14 SUSAN MILSTEIN
15 KATHY DALTON
16 STEVEN HEIDER

17 ALSO PRESENT:

18 Joseph LaCivita, Planning and Economic Development
19 Department
20 Michael Tengeler, Planning and Economic Development
21 Department
22 Michael C. Magguilli, Esq., Town Attorney's Office
23 Kathleen Marinelli, Esq., Special Counsel to the
24 Planning Board
25 Joseph Grasso, PE, CHA
Daniel Hershberg, PE, Hershberg and Hershberg

1 CHAIRMAN STUTO: Next on the agenda is
2 Starlight Office Park, Phase 1, 629 Columbia
3 Street, sketch plan review, five-story 150,000
4 square feet office building with road extension.

5 Joe LaCivita, I think I saw an article in
6 the paper about this.

7 MR. LACIVITA: Yes.

8 CHAIRMAN STUTO: Do you have any
9 introductory remarks on this?

10 MR. LACIVITA: We will let the applicant
11 gets set up.

12 I know that you saw in the paper a couple
13 of articles about the site. We are going to dispel
14 some of the misunderstandings of that during the
15 course of the review tonight. It is here for
16 sketch plan review. Mr. Hershberg and his team
17 will go through some of the site layouts and talk
18 a little bit about the construction practice and
19 to answer any questions regarding the tenant - the
20 developer is here, as well.

21 We will turn it right over to Mr. Hershberg
22 as soon he has an opportunity to start.

23 MR. HERSHBERG: Thank you, Mr. Chairman. My
24 name is Daniel Hershberg with the firm of
25 Hershberg and Hershberg. I am here today

1 representing Starlite Associates, LLC. With me is
2 David Buicko, the CEO of Galesi, Paul Fallati, the
3 Vice President of Galesi and Tom Owens, the Vice
4 President and General Counsel, as well as two of
5 the architects.

6 We also have Jeffrey Pangburn from
7 Creighton Manning Engineering who was also doing
8 the traffic engineering on this project.

9 To be clear, what we are here for today is
10 a 150,000 square foot building as a headquarters
11 for Ayco that was announced today to the public so
12 I don't have to tell you for an undesignated
13 tenant. That 150,000 square foot building is
14 situated somewhat centrally to the 57.87 acre
15 site. It is a single site bounded by a National
16 Grid right-of-way here (Indicating), Columbia
17 Street here, Old Loudon Road here and a property
18 line down here which is a border between
19 commercial/office/residential and single family
20 residential.

21 Since that first plan was provided, recent
22 negotiations have changed some of the data there.
23 The building is actually four stories plus a
24 basement. We said it was five stories plus a
25 basement, but it is four stories plus a basement.

1 The building footprint is 34,383 square feet which
2 required us to get an area variance because the
3 maximum building area in the COR zone is 30,000
4 square feet.

5 Also, in order to provide adequate parking
6 since there will be more than 800 employees here,
7 the parking now shows 900 plus or minus parking
8 spaces. We anticipate coming back during this
9 process to separate out a parcel to include this
10 area here (Indicating) which will be approximately
11 20 acres. That is because when you finance the
12 building, you don't want to cover the entire 57
13 acres. So, that 20 acres would include the
14 building and all the parking and egress and egress
15 for this Phase 1.

16 When I say Phase 1, the applicant wants to
17 preserve the right to eventually come back for a
18 Phase 2 which will be 150,000 square feet
19 addition. We do not have any design for that yet.
20 The building has not been designed and obviously
21 the site work has not been completed for that. We
22 anticipate it being very close to this building -
23 connected to the building and in order to provide
24 adequate parking at that time, we would go to deck
25 or construction parking to make up the additional

1 parking. All the parking is 600 feet to the
2 entrance of the building, which was a requirement
3 by the applicant.

4 The plan also includes a courtyard area - a
5 delivery area. I show that on this plan in a
6 little more detail. The ingress and egress is from
7 a proposed Town road. A key element of this
8 project is a road that was laid out in the Boght
9 Road GEIS which calls for a connector road from
10 Route 9R to Route 9 opposite Auto Park Drive.
11 That was the main traffic improvement called for
12 in that GEIS.

13 We understand that mitigation fees slightly
14 more than \$1 million is available. The cost of
15 this road is north of \$5 million. The applicant,
16 rather than wait for the \$5 million culminated in
17 the mitigation fund, will take the obligation of
18 getting funds or supplying funds to complete the
19 construction of that road. That includes design
20 and construction of that roadway.

21 The access will be off that roadway and
22 this roadway will provide a convenient access for
23 people coming down Route 9. Route 9 and Route 9R
24 is a tough intersection in the morning and a tough
25 intersection in the afternoon. This will greatly

1 relieve that direct traffic that is going north on
2 Route 9, leaving Cohoes and the Watervliet area -
3 a very easy way to get there.

4 Out of the 57.87 acres, 81.7% is green now.
5 It won't be green forever. There is a parcel over
6 here that will support other commercial
7 development which is not designed yet. We are not
8 ready to quantify that. There is also potential
9 for a couple of buildings along Old Loudon Road.

10 The article that was in the newspaper
11 mentioned the significant number of residential
12 units. As a matter of fact, 3,000 residential
13 units. The applicant has no intent to apply or
14 build 3,000 residential units.

15 There is a remaining portion of the parcel
16 back here which we think will accommodate some
17 apartment units, but we are not ready to apply for
18 that either. So, even though the article alluded
19 to 3,000 residential units, they were taking that
20 from a table that was in the GEIS that said that
21 one parcel would be served by this road and would
22 not be contained by this particular parcel. The
23 3,000 residential units are people that could gain
24 access to it elsewhere and use that road for
25 ingress and egress.

1 The 6,000 square foot of commercial space
2 is not going to be on this site. We dedicated a
3 significant portion of the 150,000. We added
4 150,000 square feet for the Phase 2 and we might
5 be building may be another 100,000 square feet
6 total on the other parts of the site. So, it
7 would be something like about 400,000 square feet
8 if the future phases all come together. So, to try
9 to quantify what was said in the Times Union - and
10 they did have an article this morning to try to
11 correct that data - essentially, we are applying
12 for a 150,000 square foot building now and the
13 potential is for another phase for another
14 150,000.

15 We will be constructing this roadway which
16 will include new sewer and water. A water
17 connection will be made between Boght Road and
18 Route 9 with a new water main. A sewer connection
19 will stop at a point about here (Indicating),
20 which will carry sewage down to Route 9R. That
21 would all be constructed as part of the
22 infrastructure improvements required for this
23 project.

24 We show a continuous sidewalk along this
25 roadway and a second sidewalk where people can

1 cross over that want to access the other side of
2 the road. So, we will have a sidewalk on a portion
3 of the west side and the entire east side.

4 The applicant believes that this will be a
5 wonderful project for the Town. The addition of
6 800 employees is a wonderful idea with the
7 potential that at 300,000 square feet we are
8 probably talking about 1,600 employees.

9 The storm water management - we had changed
10 the location of that to try to find a better
11 course for that. This will be a sedimentation
12 basin and a wet pond. Because the groundwater is
13 so close, it will either be developed as a wetland
14 or a wet pond. Those are the two devices we intend
15 to use to handle that.

16 Porous pavement is not really suitable for
17 the site. I hate to say that. I would love to use
18 porous pavement, as you folks know, but in this
19 case, number one, the soil has virtually zero
20 infiltration and it is directly over a layer of
21 rock. So, we do not have the capability of using
22 porous pavement except as a collection system.

23 The wetlands and the wetland buffers are an
24 issue here. We have a wetland consultant working
25 with us now. We're going to make an application -

1 a joint application for a permit to New York State
2 DEC and the US Army Corps of Engineers. We tried
3 to limit the amount of wetland impact
4 significantly. It is currently less than one-tenth
5 of an acre with the wetland impact but we also
6 have a significant wetland buffer. When you impact
7 the wetland buffer, you have to do some
8 mitigation. The mitigation would be in the form of
9 what we think we could offer and we have an
10 application and process again into DEC and it is
11 called wetland buffer enhancements. What you say
12 is that essentially you have an awful lot of
13 buffer area. There is a wetland, so if the 100
14 foot buffer is in this area here -- and of course
15 in the development of the site we will do what we
16 call wetland buffer enhancement which would mean
17 essentially we will clear out your and plant
18 natural native species to that area so that it
19 could be easily maintained. That would be
20 considered a buffer enhancement and we will work
21 with DEC to find out whether that is enough to
22 allow us to invade about five acres of the wetland
23 buffers.

24 The architect has prepared some maps which
25 are not part of your packet because quite frankly

1 these were not prepared by the time your packets
2 were made up.

3 This is the aerial taken from a point above
4 Route 9R, looking in (Indicating). That turn
5 around is an architectural feature. It's going to
6 be stamped concrete.

7 The building is shown here with the three
8 stories. If you look into the backside, you
9 actually have a loading dock in the back corner
10 so, it is four stories in that corner. This
11 entrance allows ingress and egress to 9R at two
12 different points. People wanting to leave the site
13 going east towards Cohoes or Watervliet don't have
14 to go through this intersection. This intersection
15 has a traffic light and in this intersection up
16 here will be - the traffic light will have to be
17 re-timed to allow additional time for this traffic
18 here (Indicating). We anticipate that the
19 alignment of Old Loudon Road will be impacted
20 also. Old Loudon Road comes into a very awkward
21 intersection at Route 9. The existing plan that
22 was attached to the GIS shows that becoming a
23 one-way roadway so that you don't have people
24 coming in and trying to make an immediate
25 right-hand turn into Old Loudon Road from Route 9.

1 All of this will be resolved when we get
2 the final roadway design.

3 As I said, we were granted the area
4 variance, so we are now complying with the zoning.

5 At the time that we made the application,
6 we identified that we would need three waivers
7 that we thought of; building more than 25 feet
8 back from the road -- I say 25 feet because I
9 think this may be considered a major road. If it
10 was considered a minor road, the limitation is 20
11 feet.

12 The other variance is parking in the front
13 yard. In order to provide parking convenient to
14 the building, we really think that we have to have
15 parking in the front yard. Otherwise, the entire
16 architectural context of this building will be
17 with the building up front and we don't think the
18 approach to the building would work nearly as
19 well.

20 The third variance mentioned was not having
21 20 square feet per parking space. We have
22 redesigned the parking and we do now meet the
23 requirements so we will not be requesting that
24 waiver.

25 The other waiver that we asked the Board to

1 consider, because I didn't consider it before, is
2 a waiver to allow us to exceed the parking. It is
3 more than 25%. The required parking is one per 225
4 square feet and that is 4.25 per thousand square
5 feet, so it's 640 parking spots. We are requesting
6 close to 900 spots. So, we have to request that
7 this Board grants us the waiver.

8 That's pretty much all of my presentation.
9 Be happy to answer questions the Board may have.

10 CHAIRMAN STUTO: Can you cover two things -
11 and it may not be you. It may be the applicant
12 that has to answer. Can you tell us about Ayco and
13 what their plans are? I know that they are a
14 significant company in the area.

15 Second, have you studied traffic yet? I
16 know you brought your traffic engineer.

17 MR. HERSHBERG: We will take the second one
18 first.

19 We asked Craig Manning who had done the
20 traffic analysis involved with the Boght Corner
21 GEIS -- and that allowed for 600,000 square feet
22 worth of development upon the site - 600,000
23 square feet worth of commercial development on
24 this particular site. We will be less than that.
25 We believe that the total traffic generated, even

1 if we add our second phase and we add these
2 buildings out here which are shown before the
3 context of what we might build there, we would
4 still be generating less traffic that was figured
5 in that GIS. If not, we will have to address that.
6 We think it's going to be very close or less than
7 the number of trips that were generated and
8 considered in the GEIS.

9 I think I'll turn over what Ayco does to
10 the applicant.

11 MR. BUICKO: Good evening. I'm David Buicko
12 and I'm president of the Galesi Group. While I am
13 not speaking for Ayco, we handled the Starlight
14 Theater site since it has been vacant since 1998.
15 We have been struggling to find a user for it ever
16 since we bought it about seven years ago.

17 Those of you might remember that the last
18 event that they had was the Shaker graduation in
19 1998.

20 CHAIRMAN STUTO: I was there in 1978.

21 MR. BUICKO: You graduated in 1978?

22 CHAIRMAN STUTO: Yes. I know I look a lot
23 younger.

24 MR. BUICKO: This is a very competitive
25 process throughout the northeast. Ayco was looking

1 to consolidate three different locations over a
2 period of time. They looked throughout the entire
3 northeast. We felt this is probably the best
4 central location in the capital region. Those jobs
5 could have gone any place including nine offices
6 from Texas, to Pittsburgh, to New York, etcetera.
7 We were very fortunate to convince them that this
8 is the location to put their corporate
9 headquarters. They have three locations in the
10 capital region right now; one on Wall Street, one
11 on British American Boulevard and one in Saratoga.

12 Phase 1 is bringing in approximately -- I
13 don't have the exact number, but we have provided
14 that to the Town and Joe and they are going to be
15 adding another 116 new jobs to the Town of Colonie
16 as well as relocating some people from British
17 American as well as Saratoga. It is not a great
18 win for Saratoga, but a nice win for the Town of
19 Colonie. These are all fantastic jobs.

20 An interesting component that I did not
21 realize is they also have 100 interns that they
22 hire every year which is fantastic for us bringing
23 in and keeping our students here. That is a big
24 issue in terms of retention and in terms of
25 residents going other places after they leave our

1 fine universities. So, from that standpoint, Ayco
2 is one of the best in terms of keeping people in
3 this region with very good salaries, as well. So,
4 from that standpoint it shows that the Town of
5 Colonie and the capital region and the State of
6 New York can compete for corporate headquarters. I
7 think this is a very big win for all of us if we
8 can pull it all off in a place that has been
9 dormant since 1998.

10 If there are any more specific questions on
11 that -

12 CHAIRMAN STUTO: Thank you. That's a very
13 good summary for the Board.

14 This project is being reviewed by our Town
15 Designated Engineer, as are all of our major
16 projects are.

17 CHA, Joe Grasso - I know you haven't done a
18 complete review yet, but you have any preliminary
19 comments?

20 MR. GRASSO: Yes, but there is not much
21 more to add. Dan covered a lot in his
22 presentation.

23 Again, there is no comment letter in your
24 packet because the project is only at sketch plan
25 review. I did make some notes, though.

1 Just like the last project, we commend the
2 applicant for bringing forth a really sizable
3 development project on a previously developed
4 site. We obviously always commend applicants for
5 doing that. There are obviously many more
6 challenges with previously developed sites and we
7 are appreciative of their efforts so far to bring
8 this plan forward.

9 From a site plan perspective - because it
10 is a large plan - the layout does a really good
11 job respecting the on-site wetlands. There is
12 extremely minimal wetland impacts associated with
13 the project in and really all are associated with
14 the connector road, which is what we had known
15 when the connector road was laid out during the
16 Boght GEIS update.

17 We support the proposed access arrangement
18 for the project, as well as the presentation of
19 the building and the layout of the various parking
20 areas. We are supportive of the waivers. We think
21 that it fits in the context of a site plan of this
22 size and within the context of the area.

23 A portion of the site is within the
24 conservation development overlay district. So,
25 that conservation analysis is something that would

1 need to be required as part of the concept site
2 plan application process in order to determine the
3 maximum allowable density.

4 As a reminder, 40% of the non-constrained
5 lands within that overlay district would have to
6 be protected as protected open space. We would
7 expect the project is going to meet that
8 requirement, but it is something that we need to
9 fit into this calculations during the concept
10 review so we can verify it for the Planning Board.

11 The project, like Dan has mentioned, is in
12 the Boght Area/Columbia Street GEIS study area.
13 That study was initially done back around 1990.
14 The transportation component of that study was
15 updated and started to be updated in 2005. As a
16 result, there is some significant development
17 projects along the Route 9 corridor. The traffic
18 study was completed by Creighton Manning beginning
19 in 2011.

20 You may recall the findings statement of
21 that, which took a couple of years to finalize,
22 was adopted in 2013. This project will be required
23 to comply with that updated findings statement and
24 if for some reason it was very inconsistent, the
25 Planning Board would look to have an independent

1 Environmental Impact Statement done. We think that
2 this project is going to be fully compliant with
3 the statement of findings. Based on the plan that
4 we have seen, they are making substantial
5 commitments to bring it into conformance with the
6 statement of findings. So, we don't think that
7 this project will require another update to the
8 EIS.

9 The 2011 traffic study -- just to speak to
10 this a little bit more -- this parcel was
11 identified as Parcel 28. If any of the Planning
12 Board Members were here, that was the tagline
13 because we listened to all of the projects which
14 were parcels within the study area that we
15 expected to be developed either by 2015 or 2020.
16 We had expected this parcel to be developed by
17 2020.

18 The study looked at this property as being
19 developed with 400,000 square feet of office and
20 50,000 square feet of mixed commercial.

21 I just want to clarify Dan's point. Those
22 are not limits as to what the development
23 potential of the property is. Just because that is
24 what was evaluated in this study, doesn't mean the
25 property couldn't be developed with significantly

1 more square footage than that and still be deemed
2 in conformance with the statement of findings.
3 It's just that the mitigation fees would be more
4 based on the size of the project.

5 The scope of the improvements were
6 identified as part of the study - looked at this
7 physical property being developed with that level
8 of development. As Dan said, what we are looking
9 at is a first phase which is much less than that.
10 Additional phases will tend to be looked at
11 against that number to validate the list of
12 transportation improvements. There is no limit on
13 developmental potential within this site in terms
14 of the GEIS.

15 I just want to add that at the time, we
16 didn't know if Parcel 28 was going to be developed
17 with office space or retail. So, what the Planning
18 Board had requested was a sensitivity analysis to
19 be done to look at the property with one-half
20 million square feet of retail uses. The traffic
21 impacts associated with that where the traffic
22 generation was significantly greater than office -
23 the impacts were greater and it was found that the
24 improvements that were identified in the study
25 would not need to change that much from what would

1 be required to support 400,000 square feet of
2 office. The reason why I bring this up is because
3 the project that we are looking at is going to sit
4 well within the scope of the improvements that
5 were identified.

6 Obviously, like Dan had mentioned, they are
7 already aware of those improvements. They will
8 provide a detailed traffic study to validate the
9 timing of those improvements, because there is a
10 long list of improvements within the study area.
11 Some of those improvements will be triggered by
12 this project. Some could be triggered by future
13 phases of the project. Some of those improvements
14 are not going to be triggered at all and would
15 come as additional development occurs within the
16 study area.

17 We note that the project, based on its
18 location is going to trigger the need for the new
19 connector road from Route 9 to 9R. It is also
20 going to trigger the need for a traffic signal.
21 There is not one there now. A new traffic signal
22 at Auto Park Drive/Route 9 intersection -- it is
23 also going to require a realignment of the
24 northern end of Loudon Road. That was at least
25 contemplated as part of this study. I don't think

1 the site plan had shown it, but we know that is
2 required. There was a plan of that included in the
3 GIS update.

4 The final list of improvements would be a
5 joint review by not only our office but the Town
6 of Colonie CDTC and DOT, obviously. DOT controls
7 the improvements along Route 9 and along the Route
8 9R corridor, so there will be cooperation and
9 development of the project.

10 CHAIRMAN STUTO: Can you talk a little more
11 about the connector road? Dan touched on it, but
12 how important that is?

13 MR. GRASSO: The connector road is really
14 important because what it does is it alleviates
15 congestion at the Route 9/Route 9R intersection.
16 That intersection is so large - it is almost that
17 the 9/9R intersection cannot be made much bigger
18 than it currently is because it is almost at
19 maximum capacity and maximum build.

20 CHAIRMAN STUTO: Can you point to where
21 that is, Dan?

22 MR. HERSHBERG: Route 9 and 9R - it's right
23 up here (Indication).

24 MR. GRASSO: It provides direct access to
25 the Northway. It has multiple lanes in each

1 direction. It's extremely pedestrian unfriendly.
2 The connector road is a unique concept that came
3 out of the study. It took advantage of the fact
4 that the Starlight Theater was presently
5 undeveloped and it basically peels traffic away
6 from that intersection - both traffic that wants
7 to head east or in a north direction. By doing
8 that, it increases the capacity and reduces delay
9 at the 9/9R intersection and provides an overall
10 improvement throughout the whole corridor.

11 The other thing that this connector road
12 does and the signal there -- is that allows
13 additional development to occur along the Auto
14 Park Drive corridor without creating impacts along
15 the Route 9 or 9R corridors as well. So, it not
16 only certainly benefits this site, but it benefits
17 the vacant properties on Auto Park Drive and then
18 provides a benefit to the overall regional
19 traffic.

20 Does that answer your question?

21 CHAIRMAN STUTO: To me, it does. I don't
22 know if the Board has any other questions or
23 comments on that.

24 (There was no response.)

25 Thank you.

1 MR. GRASSO: The other thing that I wanted
2 to mention was that Dan mentioned that there was a
3 lot of wetland buffer impacts. A detailed wetland
4 study and wildlife study something that we would
5 expect to be completed. That is something that the
6 applicant should be aware of. It is not a land use
7 requirement, but it is something that based upon
8 the scale of the project and the amount of impacts
9 - a buffer is something that we think should be
10 included in the application materials.

11 Those are the notes that I had.

12 CHAIRMAN STUTO: We will open up to the
13 Board.

14 Craig, what do you want to say?

15 MR. SHAMLIAN: At this point, it is a
16 great project. Generating this number of jobs in
17 the Town -- I think it's a wonderful addition to
18 the Town. This project was contemplated obviously,
19 not with this particular tenant, but the
20 development of the property was contemplated. The
21 addition of a connector road is pretty important.
22 I think there are a lot of details to come but
23 right now is a great project.

24 MR. LACIVITA: I think one of the things
25 that the project has not mentioned yet and we

1 learned about it today is that it does create jobs
2 and most importantly retains a lot of jobs that
3 are already here in the Town. Between One Wall
4 Street and British-American -- One Wall Street
5 being over off of New Karner Road and
6 British-American -- there are already 625 of those
7 jobs that are already in the Town. Those stay
8 here. That's what's really important. Those people
9 also shop here. So, it is important to retain
10 these jobs and people.

11 MR. MAGGUILLI: Dan, what type of timeline
12 are we looking at?

13 MR. HERSHBERG: We break the ground next
14 month? We do have some steps to run through. We
15 have DEC to contend with. They have told us that
16 they will move relatively rapidly once we give
17 them the plan and we are undergoing a wetland
18 analysis. We already have the archaeological
19 undertaken and we have the geotechnical work that
20 is already completed on the site. We are doing
21 some additional boring just to track the level of
22 the rock. So, all of that stuff is taking place.
23 We would like to be able to pull a building permit
24 early May 2008. We are cut out to work very
25 diligently to turn paperwork around as quickly as

1 we can. All of the consultants are hard at work
2 right now.

3 CHAIRMAN STUTO: Any comments or questions
4 from the Board?

5 MR. AUSTIN: Dan, do you see the phase of
6 the connector road going in first -- or opening up
7 first before the project is finished?

8 MR. HERSHBERG: We have to complete it
9 before we get the Phase 1 CO. That is one of the
10 most aggressive portion of this. We have to get
11 Town approval for the land conveyance roadway. Our
12 goal would be that when we occupy the building we
13 anticipate the road will be fully operable.

14 CHAIRMAN STUTO: Anything else?

15 (There was no response.)

16 Thank you, very much. We appreciate this
17 briefing before you actually bring it before us
18 for concept application.

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20 (Whereas the above referenced proceeding
21 was concluded at 8:15 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
Legal Transcription
2420 Troy Schenectady Rd.
Niskayuna, NY 12309

