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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

USHU, LLC.
611 TROY SCHENECTADY ROAD
OPEN DEVELOPMENT AREA RECOMMENDATION
TO TOWN BOARD

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter, commencing on October 17, 2017 at 7:02 p.m. at The Public Operations Center, 347 Old Niskayuna Road, Latham, New York.

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
CRAIG SHAMLIAN
SUSAN MILSTEIN
KATHY DALTON
STEVEN HEIDER

ALSO PRESENT:

Joseph LaCivita, Planning and Economic Development Department
Michael Tengeler, Planning and Economic Development Department
Michael C. Magguilli, Esq., Town Attorney's Office
Kathleen Marinelli, Esq., Special Counsel to the Planning Board
Nick Costa, PE, Advance Engineering & Surveying
Robert Cordell, Cordell Consulting Services
Chuck Atkins

1 CHAIRMAN STUTO: Welcome everybody. Welcome to
2 the Town of Colonie Planning Board. I see that we have
3 a lot of residents here, which we always welcome.

4 There are four items on the agenda. We will
5 take public comments for the voting items which are
6 first, second and fourth. If we are not voting, we
7 will not take public comments because there will be
8 ample opportunity in the future for public hearings
9 and public comment. These are substantial projects, so
10 we will try to get straight to business and get all of
11 the valuable information and input that we need.

12 Joe, do you have any introductory remarks
13 before we call the agenda?

14 MR. LACIVITA: No, we can go right into the
15 agenda, Peter.

16 CHAIRMAN STUTO: Okay, the first item is USHU,
17 LLC, open development area, 611 Troy Schenectady Road,
18 open development area recommendation to Town Board.

19 Joe?

20 MR. LACIVITA: This project at 611 Troy
21 Schenectady Road came to us from Resolution 288 of
22 June 2017. The applicant is looking for an open
23 development area because what is he planning on this
24 6.76 acres is a subdivision of the parcels. The
25 parcels already exist. The projects that had been

1 built are two hotels and a restaurant that are there.
2 This is for financing purposes.

3 You have everything in your packet in front of
4 you today. We are working with the applicant. He was
5 complying with everything that we asked. We are
6 hopefully looking for a favorable recommendation.

7 We have a Resolution in your packet as well,
8 should the Board feel ready to move forward with it.

9 In front of us is Bob Cordell representing the
10 applicant.

11 MR. CORDELL: Good evening, my name is Bob
12 Cordell with Cordell Consulting Services. I am
13 representing the applicant.

14 The engineer is Nick Costa. Nick is on his way
15 here. He had another Planning Board meeting in Troy,
16 so he will be here very shortly.

17 As Director LaCivita said, the project isn't
18 going to change from what it is now. The buildings are
19 existing.

20 CHAIRMAN STUTO: You don't have a board for the
21 public to see?

22 MR. CORDELL: I do not. I will have one when
23 Nick Costa comes. He says that he is right around the
24 corner.

25 CHAIRMAN STUTO: Should we take a breather

1 until he arrives?

2 Joe, what do you think?

3 MR. LACIVITA: I can put up mine, if you like.

4 CHAIRMAN STUTO: Okay, we will give it a try.

5 MR. LACIVITA: Bob, would you mind just kind of
6 walking through the project just to show what exists
7 today and why the need for the ODA?

8 MR. CORDELL: The project is located at the
9 corner of the Northway southbound and Troy Schenectady
10 Road. This being the Northway ramp southbound and this
11 being Troy Schenectady Road (Indicating).

12 What currently exists are hotel buildings that
13 used to be the old Howard Johnson's and they are still
14 motels and hotels. There is a restaurant - a
15 freestanding restaurant in the front -

16 CHAIRMAN STUTO: To give the actual names, if
17 you have them?

18 MR. CORDELL: The Quality Inn Suites and it's a
19 Sake restaurant.

20 So, the proposal is to subdivide the parcels
21 into three parcels only one of which has the required
22 road frontage on Troy Schenectady Road. In order to
23 subdivide a parcel it needs 100 feet of frontage on a
24 public road. We cannot get that because the grade
25 can't get access on the Northway. The grades at the

1 top of the hill on the east side of the property are
2 very steep grades down and access is not permitted
3 here. New York State will not grant us access. The
4 only access that we have is the existing access from a
5 public street that serves as a driveway to the Sake
6 restaurant.

7 There is another way, and for firefighting and
8 emergency purposes, through the parcel connecting to
9 the west that shows the Carrabba's restaurant and the
10 shopping center. So, we can get through there.
11 Firefighters can get through there. It's not like it
12 is a dead-end.

13 We are proposing to subdivide the properties
14 into three properties for financial purposes so that
15 the current owner is able to develop the properties.

16 CHAIRMAN STUTO: Okay, I see that Nick Costa is
17 here.

18 Nick, do you want to participate in this?

19 MR. LACIVITA: Nick, could you clarify the use
20 of the term development? The parcel has already been
21 developed and there won't be any future development in
22 the future. This is purely a financing purpose. That
23 is why the ODA is before us. I just want to clarify
24 the use of the word development or proposed
25 development.

1 MR. COSTA: It is part of the open development
2 area. So, this is a parcel that is 6.76 acres that the
3 current owner would like to subdivide into three
4 parcels. Because they don't have the frontage as
5 required for the three parcels -

6 CHAIRMAN STUTO: Okay, Bob has told us that.
7 Can you tell us how you are going to get access?

8 MR. COSTA: Sure. There will be cross
9 easements across the access road that will serve all
10 three parcels.

11 CHAIRMAN STUTO: Can you trace the road?

12 MR. COSTA: Sure. The current access road is
13 right here (Indicating). There is a very large
14 vertical wall so that the elevation from here to here
15 is substantial. The entrance is right here. This is
16 the Sake restaurant (Indicating). There is a road that
17 goes along here. It keeps going and accesses the
18 hotel. This access road also goes back here and
19 accesses the two buildings that are also used for
20 hotel purposes.

21 CHAIRMAN STUTO: In your locking that all in
22 with cross easements.

23 MR. COSTA: That's correct - and utilities.

24 CHAIRMAN STUTO: Are the roads adequate to
25 handle fire and safety equipment?

1 MR. COSTA: Yes.

2 CHAIRMAN STUTO: Did Fire Safety make a comment
3 on this?

4 MR. COSTA: I believe that they did. I believe
5 that there were no issues.

6 CHAIRMAN STUTO: Joe, do you know?

7 MR. LACIVITA: All Town Department comments are
8 with your packets as well.

9 CHAIRMAN STUTO: Joe, do you have any comments?
10 The Department recommends approval, right?

11 MR. LACIVITA: Yes, we do. We worked with the
12 applicant on several different comments. They were
13 compliant on all and we recommend a favorable
14 recommendation. That's why you have a Resolution
15 before you this evening.

16 CHAIRMAN STUTO: Are there any comments or
17 questions from the Board Members?

18 MS. DALTON: Nick, I just had a question about
19 why the lines were drawn the way that they are with
20 the Sake property and that they are kind of an odd
21 shape.

22 MR. COSTA: It's really because of what is left
23 over for Sake. It is a good question. As you can see,
24 the parking for this hotel is all in here and it is
25 also the same for here (Indicating). The parking is

1 along the front and the side and the front of this
2 building, actually. So, what is really left is that
3 piece.

4 MS. DALTON: So, what does it do in terms of
5 green space? I mean the green space as it is now --
6 what does it do to the three parcels?

7 MR. COSTA: There is a site statistic for each
8 lot that is summarized here. I think they all meet the
9 minimum of 35% with the lot number three being 35%.

10 MS. DALTON: So, there would be no benefit to
11 bringing that piece down -

12 MR. COSTA: That is correct.

13 CHAIRMAN STUTO: Anybody else on the Board?

14 MR. HEIDER: I have just one question. You talk
15 about the easements within the parcel?

16 MR. COSTA: Yes.

17 MR. HEIDER: What about that road that curves
18 across in front of the restaurant? is that a permanent
19 easement in? That is your secondary access required,
20 right?

21 MR. COSTA: Yes, it would be part of the
22 easement.

23 MR. LACIVITA: All those easement and drawings
24 - all the meets and bounds to those have been provided
25 to the department and they will be taken care of

1 during the minor subdivision process, once the ODA is
2 acted on by the Town Board.

3 CHAIRMAN STUTO: The Resolution says the Town
4 Attorney's office approves the easements.

5 MR. LACIVITA: Yes.

6 CHAIRMAN STUTO: Is there anybody from the
7 public who would like to speak on this project?

8 MR. ATKINS: Hi, my name is Chuck Atkins and I
9 am a lifelong resident. I just had a question.

10 The property is divided up this way
11 (Indicating). How does that impact the existing
12 businesses' ability to use the properties? Does it
13 change it at all?

14 MR. COSTA: Done, whatsoever.

15 CHAIRMAN STUTO: Anybody else from the public?

16 (There was no response.)

17 MS. MILSTEIN: Is there sufficient parking once
18 things are subdivided in each of the parcels?

19 MR. COSTA: There is shared parking. So, there
20 will be easements for that also. There is also people
21 that frequent the hotel and they may walk over to the
22 Sake restaurant. They may not necessarily take their
23 vehicle.

24 CHAIRMAN STUTO: We have a Resolution before
25 us. I will ask the stenographer to put the entire

1 Resolution into the record.

2 Kathleen, would you mind reading the title?

3 MS. MARINELLI: Special rule of Planning Board
4 setting conditions and limitations and recommending
5 establishment of an open development area for 611 Troy
6 Schenectady Road, Town of Colonie, pursuant to Town
7 Law Section 280-a.

8 CHAIRMAN STUTO: Are there any comments or
9 questions from the Board?

10 (There was no response.)

11 Do we have a motion?

12 MR. MION: I'll make a motion?

13 MR. AUSTIN: I will second it.

14 CHAIRMAN STUTO: Any discussion?

15 (There was no response.)

16 All those in favor say aye.

17 (Ayes were recited.)

18 All those opposed, say nay.

19 (There were none opposed)

20 The ayes have it.

21 Thank you.

22 MR. COSTA: Thank you.

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24 (Whereas the above referenced proceeding was concluded
25 at 7:10 p.m.)

CERTIFICATION

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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

