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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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ROSETTI MIXED-USE OFFICE/APARTMENTS VLY ROAD  
TWO STORY 8-UNIT AND TWO STORY 10-UNIT  
APARTMENT BUILDINGS SKETCH PLAN REVIEW

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing  
on December 5, 2017 at 7:00 p.m. at The Public  
Operations Center, 347 Old Niskayuna Road, Latham,  
New York

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- BRIAN AUSTIN
- LOU MION
- CRAIG SHAMLIAN
- STEVEN HEIDER
- SUSAN MILSTEIN

ALSO PRESENT:

- Kathleen Marinelli, Esq., Counsel to the Planning Board
- Joseph LaCivita, Director, Planning and Economic Development Department
- Michael Tengeler, Planning and Economic Development Department
- John Lapper
- Michael Tucker, PE, VHB
- Nia Cholakis, Esq.
- William Fay

1                   CHAIRMAN STUTO: First on the agenda tonight is  
2 Rosetti Mixed-Use Office/Apartments, 54 Vly Road, two  
3 store 8-unit and two story 10-unit apartment buildings,  
4 sketch plan review.

5                   Joe, do you have any preliminary comments on  
6 this?

7                   MR. LACIVITA: No, we will just turn it over to  
8 John.

9                   MR. LAPPER: Good evening. I'm John Lapper. I'm  
10 here on behalf of Rosetti Properties.

11                   This is a 18 unit apartment complex. The  
12 density will actually allow more than that, but this  
13 is what fits comfortably on the site.

14                   The other interesting issue is there is a  
15 question of whether or not the property should be  
16 accessed by the arterial, New Karner or Vly - the  
17 secondary road and in general you want to keep traffic  
18 off of the arterial and onto the secondary roads.

19                   In this case, there is a residential  
20 development on Vly and the residents have expressed  
21 loudly that they don't want traffic on the road. This  
22 is not a big traffic generator.

23                   It is only a Project of 18 units. For that  
24 reason, what we are proposing is to use the existing  
25 curb cut for the existing Rosetti office buildings, so

1           there won't be any new curb cut and it will not impact  
2           the residents - the existing residents.

3                         Those are two conceptual issues that of  
4           course we will talk about with the Board.

5                         At this point, I will ask Mike to walk you  
6           through the site plan and then we will take any  
7           questions.

8                         MR. TUCKER: Thanks John.

9                         Good evening. I am Mike Tucker from VHB.

10                        The plan that I have here shows the four  
11           parcels that Rosetti Companies are going to merge into  
12           a single parcel.

13                        The blue parcel here is the 54 Vly Road piece  
14           which is where the 18 apartments are proposed in two  
15           separate buildings. This is their existing office  
16           development. So, when we merge all of those parcels,  
17           it will be roughly 5.7 acres.

18                        When we reviewed the zoning - the density  
19           requirements of the zoning of 18,000 square feet per  
20           acre -- you subtract the existing commercial space out  
21           of that and then you can convert up to 80% of that  
22           total to residential use. That allows roughly 19 1/2  
23           units or something similar. We are proposing 18 units  
24           of apartments in two separate buildings.

25                        This is just a little bit more of a detailed

1 site plan that was developed by the architect that  
2 shows the two buildings, an 8-unit building, a 10-unit  
3 building all with their own garages and access from  
4 the outside.

5 John had mentioned one of the other things  
6 that we were looking at was access directly to New  
7 Karner accessing to Vly or -- bring that access there.  
8 Again, it is 18 units and it is not a big traffic  
9 generator.

10 The Rosettis are comfortable having that  
11 traffic come through their office park. As we move  
12 forward, we will work with the Town to determine  
13 whether this ends up being - if the Town wants it to  
14 be a full access onto Vly or just an emergency access  
15 or if they want any access there at all. Either way,  
16 it works fine for the project. The main access, as I  
17 mentioned, will be through the park.

18 CHAIRMAN STUTO: What is this? Is this COR or  
19 NCOR?

20 MR. TUCKER: It is OR.

21 CHAIRMAN STUTO: Office/residential.

22 What is the philosophy behind  
23 office/residential, Joe, from the Land Use Law?

24 MR. LACIVITA: It is a mixed-used zoning  
25 district which allows for just strictly office and the

1 residential components. It's probably one of the more  
2 constricting of the mixed-uses.

3 CHAIRMAN STUTO: Isn't there a preamble?

4 Kathleen, if you can look that up?

5 What I'm really getting at is some sort - you  
6 can talk about two different things and integration  
7 with the neighborhood and that kind of thing. It  
8 really doesn't look, at first blush -- pardon me,  
9 ma'am, do you have a problem?

10 FROM THE FLOOR: Yes, I would like to ask a  
11 question, but I don't want to interrupt.

12 CHAIRMAN STUTO: There is no questions from the  
13 public on this project.

14 FROM THE FLOOR: What is that right there on  
15 the board?

16 CHAIRMAN STUTO: It is a Rosetti Apartment  
17 Project off of Vly Road. What are you here for, ma'am?

18 FROM THE FLOOR: I'm here for Arrow Street.  
19 There is going to be a condo, I guess.

20 CHAIRMAN STUTO: Okay, that is the third item  
21 on the agenda.

22 FROM THE FLOOR: Thank you. I was lost out  
23 there.

24 CHAIRMAN STUTO: There will be this one,  
25 another one and that will be the third one.

1 FROM THE FLOOR: Thank you.

2 CHAIRMAN STUTO: You are welcome.

3 It looks like it's just an apartment building  
4 in the middle of a bunch of offices. I don't know what  
5 accommodations there are for that type of living there  
6 and that's why I wanted to ask the underlying clause,  
7 Joe.

8 MR. LACIVITA: If you look at the opening to  
9 the OR district at 190.483 it just says designed and  
10 developed - OR has been created to facilitate a  
11 mixed-use environment that fosters greater opportunity  
12 to balance employment and housing opportunities. There  
13 is no comment about connectivity to a neighborhood or  
14 anything else. That is really the idea there.

15 MR. TUCKER: As you go further out Vly Road, it  
16 is residential.

17 CHAIRMAN STUTO: There is not going to be any  
18 interaction - very little interaction between that  
19 residential and this, in my opinion. I am not saying  
20 that you are not complying with the Zoning Law, I don't  
21 know if this is a good application of it.

22 What types of amenities are there outside of  
23 the apartments for the residents and for children,  
24 pedestrian and etcetera?

25 MR. TUCKER: We currently have not taken the

1 design that far yet. We can work with Rosetti and look  
2 at providing some amenities on site like a small  
3 playground or something for the kids and sidewalks.

4 As John had mentioned, 18 units fit  
5 relatively comfortable on there.

6 CHAIRMAN STUTO: Do we know what the look of  
7 the building is going to be like yet?

8 MR. TUCKER: They have not been designed as  
9 yet.

10 MR. SHAMLIAN: Can you run through the math  
11 again on the density allocation? Then we will want you  
12 to run through -- this is a one-acre lot?

13 MR. TUCKER: This is 1.96 - this piece.

14 MR. SHAMLIAN: I'm curious as to what it is on  
15 the 1.96.

16 MR. TUCKER: The answer is that we are going to  
17 be merging all of the parcels.

18 MR. SHAMLIAN: But why?

19 MR. TUCKER: To take advantage of the density.  
20 What they are giving up is the right to build any more  
21 office buildings in the future.

22 MR. SHAMLIAN: Go through the map.

23 MR. TUCKER: So, there are a total of four  
24 parcels there. That totals 5.6 acres. On the four  
25 buildings on the existing three commercial properties,

1           there is just over 44,000 square feet of office space.  
2           You are allowed 18,000 square feet per acre in that zone  
3           and I don't have the numbers in front of me, but when  
4           you take that 44,000 square feet away from the total  
5           allowable square footage, you are left with a number  
6           that when divided by 3,000 square feet per unit which is  
7           how you convert to that residential, and gives you  
8           roughly 19 and change in the mix that is allowable.

9                        As Mr. Lapper said, all of those parcels will  
10           be combined into a single parcel. I see where you are  
11           looking at but as was said, the Rosettis are giving up  
12           the option to put more commercial space in that 18,000  
13           square feet also.

14                       MS. CHOLAKIS: It is already all commercial.

15                       CHAIRMAN STUTO: Anyone from the Board?

16                       MR. MION: I have a question. As you come in  
17           off of Vly and you build a house on the right - I guess  
18           that would be the north side - I notice that there is a  
19           retaining wall along the outside. Is that their  
20           property, or is that your property or what?

21                       FROM THE FLOOR: That's my property.

22                       MR. MION: So, you're going to use some  
23           precautions to maintain that wall.

24                       MR. TUCKER: Absolutely.

25                       MR. MION: When I looked on the south side, I



1 was trying to follow the tree line right straight down  
2 the property line. It seems like I'm not sure where the  
3 property line is. Is anybody encroaching on anybody  
4 else's property with this? Are they encroaching on you,  
5 or is it the other way around? When I looked there were  
6 trees cut. Probably a line ran through the trees into  
7 the north side of the tree and on the south side of the  
8 tree there was asphalt extended for parking.

9 MR. TUCKER: The driveway for the house that  
10 was on this property is all on this property. As far as  
11 where the trees match with the property line, I would  
12 have to go a little bit closer. We did not do the survey  
13 on it. I can dig that out though, for sure.

14 MR. MION: I'm just concerned about making sure  
15 that they are not on your property and you are not on  
16 their property.

17 Also, for the neighbor who has a retaining  
18 wall, making sure that stays secure.

19 MR. TUCKER: Sure. Again, as I said, this  
20 connection to Vly was originally shown - it doesn't have  
21 to be there for the project to work. It's a matter of  
22 what the Town is going to want. We were not sure whether  
23 they would want an emergency access there or any  
24 connection at all.

25 MR. MION: I understand that part. They were

1 moving earth around there and they get kind of close to  
2 that wall.

3 MR. TUCKER: Okay.

4 CHAIRMAN STUTO: Anybody else from the Board?

5 (There was no response.)

6 Let me just explain something. This is a  
7 sketch plan and I'm not sure how you found out about  
8 it, but we are glad you're here. We normally don't  
9 take comments during sketch plan. They have to come  
10 back for a concept review, if they want to. It appears  
11 as though, at least so far, they will probably be  
12 permitted to put some type of residential on that lot.

13 We have just given you the documents - the  
14 same documents that we have which show the layout of  
15 the property. You know as much as we know.

16 FROM THE FLOOR: I just want to voice a  
17 concern, if I may?

18 CHAIRMAN STUTO: Okay, can you be quick? Please  
19 identify yourself.

20 MR. FAY: My name is William Fay and I live at  
21 57 Vly Road, directly across from 54 Vly Road.

22 Our concern - the residents are concerned  
23 about the traffic on Vly Road.

24 We know where they are going to build and we  
25 are good with that. We were at the density hearing

1           which they can build up to 14 units but not 18 units,  
2           since they changed the plans. That's all fine with me.  
3           They can build their apartments. Vly Road is an old  
4           country Road. It's been there for ages.

5                     CHAIRMAN STUTO: You heard him say they are  
6           proposing New Karner?

7                     MR. FAY: No, I did not.

8                     CHAIRMAN STUTO: No, they are saying drive  
9           through the office buildings to get to New Karner.

10                    MR. FAY: That was the idea back in March. I'm  
11           just saying that they cannot build a road off of New  
12           Karner.

13                    CHAIRMAN STUTO: Not directly on it.

14                    MR. FAY: Yeah.

15                    CHAIRMAN STUTO: It will be through the  
16           apartments.

17                    MR. FAY: The engineer did not want it on Vly  
18           either.

19                    The Midway Fire Department will be the  
20           service vehicle for that. So, they will come from the  
21           east towards that. The Colonie Fire Department --  
22           well, they would, in case of an emergency if they need  
23           a backup.

24                    There are no sidewalks on Vly Road. He said  
25           sidewalks. I just heard that a few minutes ago. What

1 are they going to do? There are no sidewalks on that  
2 street. There are kids on our street. There are school  
3 buses.

4 CHAIRMAN STUTO: I don't think that they are  
5 proposing any connection to Vly Road.

6 Am I correct?

7 MR. TUCKER: Correct.

8 MR. FAY: The one concern is we don't want it  
9 cut through from New Karner to Vly Road. We don't want  
10 any additional traffic.

11 CHAIRMAN STUTO: Understood.

12 MR. FAY: And I do propose that if there is any  
13 traffic that they may want to go near Vly Road, then a  
14 traffic measurement be taken. Vly Road is heavily  
15 traveled now and used as a shortcut between Watervliet  
16 Shaker and Central Avenue. It is to avoid New Karner,  
17 because of the traffic on that.

18 CHAIRMAN STUTO: Understood.

19 MR. FAY: I don't begrudge them making their  
20 apartments. I don't see why Mr. Rossetti can't use his  
21 office complex that is vacant as condos or make them  
22 into condos. He's got three office buildings. That's  
23 neither here, nor there.

24 I am sorry. Thank you for listening to me.

25 CHAIRMAN STUTO: Ma'am, do you have anything in

1 addition?

2 FROM THE FLOOR: Actually, I had quite a few  
3 concerns.

4 CHAIRMAN STUTO: This is not the forum for  
5 that, I'm sorry.

6 FROM THE FLOOR: I am talking about water mains  
7 and things like that. It's a 16 inch and you're going to  
8 need at least 12 more for 36 to 72 people.

9 These are two bedroom apartments. Where the  
10 garages? Are they under the buildings? Are they going  
11 to be three floors so that they can look into my  
12 kitchen?

13 CHAIRMAN STUTO: Do you mind answering this  
14 lady's questions in the hallway?

15 MR. TUCKER: Absolutely.

16 CHAIRMAN STUTO: These gentlemen will answer  
17 your questions in the hallway. We are going to come  
18 back. This is a very preliminary meeting. We will get  
19 all of your questions answered.

20 FROM THE FLOOR: Okay.

21 CHAIRMAN STUTO: Anything else from the Board?

22 (There was no response.)

23 Obviously, we will be very interested in how  
24 it looks. I question whether it fits, but it may be  
25 compliant.

1                   MR. TUCKER: We have heard your comments and we  
2 will come back and show amenities, buffering,  
3 landscaping and the architecture.

4                   CHAIRMAN STUTO: Okay, thank you.

5

6                   (Whereas the above entitled proceeding was  
7 concluded at 7:17 p.m.)

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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  
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