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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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CENTURY HILL PLAZA OFFICES  
15 AND 16 PLAZA DRIVE  
SKETCH PLAN REVIEW

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing  
on February 6, 2018 at 7:05 p.m. at The Public  
Operations Center, 347 Old Niskayuna Road, Latham,  
New York

BOARD MEMBERS:  
PETER STUTO, CHAIRMAN  
KATHLEEN DALTON  
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  
Michael Tengeler, Planning and Economic Development  
Department  
Ryan Weitz, PE, Barton and Loguidice  
Christopher Bette, First Columbia  
Kevin Bette, First Columbia

1                   CHAIRMAN STUTO: Hello everybody. Welcome to  
2 the Town of Colonie Planning Board. We have several  
3 items on the agenda that we're going to go forward with.

4                   Joe, we have a thank you note from a student that  
5 Brian is going to read, if you don't mind.

6                   MR. AUSTIN: We had a student visit, I believe,  
7 at the last meeting. Her name was Sarah Randall. She  
8 sent a very nice card and I'll just read it real  
9 quickly. It says:

10                   Thank you for the opportunity to let me sit in to  
11 observe the presentations. All of you made this a  
12 rewarding and learning experience. The meeting was  
13 very informational and interesting on what steps that  
14 need to be followed to complete a project for a  
15 building. Seeing the blueprints for the project made  
16 it much more visual for me to see where the project  
17 was going in the last months that I have at Holy  
18 Names. This will remain with me into my college years.  
19 Again, I'm very grateful for this rewarding  
20 experience. Sincerely, Sarah Randall.

21                   CHAIRMAN STUTO: Thank you, Brian. That was  
22 nice.

23                   Joe, do you have any preliminary matters before  
24 we call up the agenda?

25                   MR. LACIVITA: No, but the only thing that I

1 want to remind the Planning Board Members is that next  
2 week we do have another meeting. It's all going to be  
3 sketch plans. We added that meeting a couple of weeks  
4 back.

5 CHAIRMAN STUTO: Okay, so we're meeting next  
6 Tuesday.

7 MR. LACIVITA: Yes.

8 CHAIRMAN STUTO: Thank you for reminding us.

9 The first project is Century Hill Plaza Offices,  
10 15 and 16 Plaza Drive, sketch plan review, two-story,  
11 40,000 square foot office and a four-story 67,830  
12 square foot office.

13 Joe, anything on this before we turn it over?  
14 There was some history to this, wasn't there, Joe?

15 MR. LACIVITA: Yes, there has been some history  
16 and I'm sure that Mr. Bette will talk about that  
17 shortly.

18 The project received concept back in 2010, but  
19 based on the history of the project we still brought  
20 it back before a Development Coordination Committee  
21 meeting December 20, 2017. We just wanted to make sure  
22 that it was going forward on the right path.

23 I'm going to turn it over to Chris Bette to talk  
24 a little bit about where the project was and where we  
25 are today. This is for sketch.

1                   CHAIRMAN STUTO: So, no vote will be taken  
2 tonight.

3                   MR. LACIVITA: Correct.

4                   MR. CHRISTOPHER BETTE: Thank you, Joe and  
5 thank you, Mr. Chairman.

6                   My name is Chris Bette. With me tonight is my  
7 brother Kevin. We are with First Columbia. We are  
8 developers of the office buildings on Century Hill  
9 Drive.

10                  We are here tonight to ask the Board to reapprove  
11 a plan, as Joe mentioned, that was approved by the  
12 Planning Board in 2010. The site is the lands to the  
13 north of Auto Park Drive so we have Route 9 to the  
14 right side of the plan here on the easel, Auto Park  
15 Drive and the Northway on the left side of the plan.  
16 It's roughly 18 acres, inclusive of what is the Anjio  
17 Dynamics building that is there today. Back in 2010 we  
18 took the plan through up to concept approval,  
19 including a negative declaration. The Board also  
20 approved the parking waiver that we requested.

21                  In 2011 we came back to the Board because concept  
22 approval is only good for one year with one extension  
23 for one year. We asked the Board to extend our  
24 approval, which they did. Several of you on the Board  
25 tonight were here that night for that extension

1 approval, as well.

2 There is some history. Just to go back a little  
3 bit further in time. We bought the piece from Otto  
4 Oldsmobile who was developing the site as the Latham  
5 Auto Park. They went through the process and got final  
6 approval - regraded the site. I don't know. Some of  
7 you may remember it. It was way back when the site was  
8 a drive-in movie theater. So, when Otto Oldsmobile  
9 came in, they actually removed what was probably all  
10 the drive aisles and the parking spots for what was  
11 the drive-in movie theater.

12 We acquired it after that. Again, we took it  
13 through concept approval. Again, we are here tonight  
14 for the same exact plan that you saw in 2010 and 2011.  
15 We are just asking the Board to reapprove it. We are  
16 going to take it back to concept.

17 As the Chairman had said, we have several  
18 buildings on it. The buildings are going to be  
19 developed on a tenant need basis. We are trying to  
20 actively market it. My brother Kevin will probably  
21 give you an idea as to what we have been doing as far  
22 as marketing. He follows up on that.

23 We're going to be in the process here. We've done  
24 the DCC. We are here for sketch. We're on for concept.

25 MR. LACIVITA: Did you mention the open

1 development piece?

2 MR. CHRISTOPHER BETTE: I did not.

3 Way back probably in 2010 we designated the  
4 entire development of lands that we own - Auto Park  
5 Drive on the right hand side, the Northway on this  
6 side, Century Hill Drive on the far left, 30-some odd  
7 acres - 38 acres that we had designated as an open  
8 development area. What that allows us to do is be able  
9 to put some of the buildings that don't have frontage  
10 on a Town road to have access and fire access which is  
11 an allowable site plan approval.

12 MR. LACIVITA: So, that far road which is Plaza  
13 Drive - that actually is a private road. That's why the  
14 ODA was placed over the entire parcel because the only  
15 dedicated Town road at this time was Auto Park and that  
16 is the cul-de-sac. Plaza Drive, through the process, was  
17 dedicated as a private road. That's why the ODA is yet  
18 to be rescinded by Resolution of the Town Board.

19 MR. CHRISTOPHER BETTE: Is that anticipated?

20 MR. LACIVITA: No, I'm saying that it's still  
21 in effect.

22 MR. KEVIN BETTE: So, if I could just  
23 interject. I'm Kevin Bette.

24 The connector road was identified in the GEIS  
25 as one of the traffic improvements that needed to be

1 made along with other interchanges in the whole  
2 vicinity. We would also like to request from the  
3 Planning Board that connector road count for our  
4 mitigation fees, just like the other connector road  
5 across the street. From when I was here at the last  
6 meeting, we were trying to explain things and I  
7 brought a plan here that kind of shows you the whole  
8 area. So, here is Century Hill. We built 345,000  
9 square feet so far. So, the rest of Phase II is  
10 another 335,000 square feet. So, we will have close to  
11 700,000 square feet on the 38 acres.

12 The same GEIS had suggested a connector road  
13 from Johnson Road to Auto Park here (Indicating) that  
14 had suggested our connector road from Century Hill  
15 Drive to Auto Park Drive. They are about the same  
16 length. We think that those connectors make a lot of  
17 sense and we have always been a proponent to allow  
18 interchangeable cross easements between parcels  
19 because it helps traffic not getting back out onto the  
20 main road and back in.

21 When we had done our project the Planning Board,  
22 I think rightly so, said you guys build your own  
23 connector road since you own both sides of it; so we  
24 did when we built the Anjio Dynamics. That's when we  
25 built this connector road (Indicating). The way that

1 the GEIS read was that these two connectors were to be  
2 built. This one is currently scheduled to be paid from  
3 mitigation fees. To date we have paid almost a  
4 million dollars in mitigation fees to the Town.  
5 Conceptually, the million dollars from our project  
6 could pay to build this road. We also had to pay  
7 another million dollars to build our connector road.  
8 What we would like you to consider is being  
9 consistent -

10 CHAIRMAN STUTO: I think that we know what you  
11 are saying. I'm not sure if that is our call or not.

12 Do you know if the Town Attorney's office or  
13 anybody else is looking at that issue?

14 MR. LACIVITA: This is the first that I have  
15 heard of it. We would end up having to look at that.

16 MR. KEVIN BETTE: We are just bringing it up  
17 because it was the Planning Board's call back then to  
18 implement those improvements. What we are saying is to  
19 be consistent amongst the developers, either build your  
20 connector roads through your property as part of your  
21 project or have them be in the mitigation fees. That's  
22 all we are saying.

23 CHAIRMAN STUTO: Would it be too much trouble  
24 to ask you to write a letter on just that issue?

25 MR. KEVIN BETTE: Yes, I can do that.

1                   CHAIRMAN STUTO: Pretty much to everybody; the  
2                   Town Supervisor and I would suggest copy the Town Board,  
3                   to us and so forth and the Town Attorney. We can make  
4                   sure that your request is analyzed properly.

5                   MR. KEVIN BETTE: We wrote a letter when they  
6                   were doing the findings for the 2013 GEIS and we didn't  
7                   get any response from anyone. I think that there is some  
8                   confusion about who pays for what. That is all we are  
9                   saying in this new application. We would like to have at  
10                  least the Planning Board's opinion how they should move  
11                  forward; either it's in mitigation or it's out of  
12                  mitigation. This is a key part of the 2013 plan which  
13                  was to put the new westbound segment next to Rite Aid  
14                  here because that would alleviate a lot of traffic at  
15                  that interchange, too. So, there is money in those  
16                  mitigation pots. Some of that should be spent before  
17                  this gets done just to make sure that they don't have  
18                  traffic problems. So, there are certain things in that  
19                  2013 study -

20                  MR. LACIVITA: Yes, we are analyzing all of  
21                  that now, Kevin, as to what improvements need to come.  
22                  We will do a presentation to the Planning Board, as  
23                  well, regarding this entire area.

24                  MR. KEVIN BETTE: I talked to Mr. Buicko and  
25                  all the other developers in the area. We are all very

1 supportive. I think that you will see more development  
2 in this area. We just want to make sure that it's well  
3 planned and that you don't run into problems when you  
4 build. So, we have a 60,000 square foot tenant that is  
5 anxious to get going which is why we wanted to bring  
6 this back up.

7 CHAIRMAN STUTO: Which building would that be?

8 MR. KEVIN BETTE: When we originally designed  
9 this, Mr. Chairman, we didn't know who the tenants were  
10 so the concept was get the overall density. We have  
11 received our negative declaration so we have all of that  
12 out of the way - and then come in with a specific  
13 project. Whether we take this building - which is kind  
14 of what we wanted to do - within the same amount of  
15 density, reconfigure the building as tenant demand  
16 comes. So, whether we build this building or this  
17 building or this building, we're trying to work with our  
18 tenant -

19 CHAIRMAN STUTO: You're not sure where they are  
20 going.

21 MR. KEVIN BETTE: We had to come into you to  
22 get concept again. At the next concept meeting I can  
23 give you a detailed plan of what this tenant wants. It's  
24 confusing. This is the plan that you approved before.  
25 We wanted to show you that tonight at sketch. If we move

1 forward, we'd like to show you the details of what -

2 CHAIRMAN STUTO: You're not going to give us a  
3 hint? You're a little bit vague there. Where are the new  
4 tenants going to go? You don't want to talk about it?

5 MR. KEVIN BETTE: They're trying to figure out  
6 exactly how much square footage. We are doing the design  
7 for them now. Right now they are shooting for 60,000.

8 CHAIRMAN STUTO: Which of those elevations do  
9 they want to do?

10 MR. KEVIN BETTE: We think that we want to be  
11 on this location here (Indicating).

12 CHAIRMAN STUTO: Do you want to show us the  
13 elevation?

14 MR. KEVIN BETTE: What we were trying to do on  
15 the elevation was to do a combination of the metal panel  
16 sustainable building with some of the brick elements to  
17 tie in some of the other buildings. We have basically  
18 three materials on the site; the aluminum panel and  
19 glass. So, this building would be designed - this is  
20 facing the highway and would have a lot of glass. This  
21 would be very heavily tinted glass for the western sun  
22 (Indicating). The other side of the building would have  
23 some brick elements to it. So, we are trying to tie it  
24 into the rest of the architecture of the park.

25 CHAIRMAN STUTO: Okay, any questions from the

1 Board?

2 MS. DALTON: I have a few. My first is probably  
3 a point of order but on the agenda we called this 15 and  
4 16 Plaza Drive. On the narrative we actually call it 3  
5 Auto Park Drive.

6 MR. LACIVITA: The frontage on that other  
7 building that Kevin pointed out a minute ago - that has  
8 frontage to Auto Park.

9 MS. DALTON: So, it's a moving target. I just  
10 think that we should be consistent.

11 MR. LACIVITA: 911 has talked about all  
12 addresses that are already with it and I know that 3  
13 Auto Park became one of the locations as a possible next  
14 phase tenant.

15 MS. DALTON: Okay. The other thing is not a  
16 question for the applicant but actually just in general.  
17 Have we ever talked to the state as a Town perhaps it's  
18 the county - I actually don't know what the jurisdiction  
19 issues are, but in trying to make another Northway  
20 entrance/exit onto Pollock Road? I know that it's not  
21 that much further, but if we are going to continue to  
22 have development between the 800 that we are talking  
23 about by the old Starlite Theater and then we are  
24 talking ultimately about another 1,150 or something  
25 employees in your buildings or thereabouts. So, we're

1 talking about almost 2,000 more occupants or workers  
2 just trying to get through that already over-burdened  
3 exit. So, who would talk to whom about creating  
4 something else there?

5 MR. LACIVITA: Do you want to address that?

6 MR. KEVIN BETTE: Yes, because we talk to DOT  
7 all the time. It's an act of congress to get another  
8 exit on 87.

9 MS. DALTON: That can be done. Paul Tonko is a  
10 wonderful Congressman.

11 MR. KEVIN BETTE: From a traffic standpoint,  
12 that was all studied in the GEIS. So, it handled it.

13 You have a lot of traffic infrastructure right  
14 here. It's just getting rid of a few bottlenecks that  
15 will make it all function.

16 Chris and I have developed some stuff in  
17 Florida. If this was 75 and 41 you'd have millions of  
18 square feet at this interchange. You have a lot of  
19 capacity, it's just it's being used by a lot of the  
20 commuter traffic that makes it difficult and we just  
21 have to get rid of a couple of the bottlenecks. That's  
22 what the GEIS studied going back to 2004.

23 When we made our application in 2008 the  
24 Planning Board said great, now we know who the users  
25 are. Let's re-do the traffic models. So, this whole

1 plan that we have plus 500,000 square feet from the  
2 Starlite Theater site was all put into that traffic  
3 model and it all came out to be acceptable if we made  
4 those improvements.

5 So, we have been studying this problem for a  
6 long time. Chris and I are both traffic guys. It works  
7 really well - when we did the Anjio updates and the  
8 traffic numbers everyone was kind of fearful. That's  
9 another 60,000 square foot building. How much more  
10 traffic can this handle? We've had no incidents at all  
11 getting in and out of Century Hill Drive. Going home  
12 is easy for us because most of our traffic is making a  
13 right out of here. The problem last time is they could  
14 make a right if this was wide enough to get traffic  
15 through. So, getting rid of that bottleneck is kind  
16 of an important piece. Then, solving some of these  
17 left turn lanes and whatnot. So, it's all been  
18 studied in the GEIS, extensively.

19 CHAIRMAN STUTO: Does that answer your  
20 question?

21 MS. DALTON: Kind of. I get it that it may not  
22 be incumbent on this applicant and maybe it should be in  
23 another venue and also, I'm not a traffic guy. It just  
24 seems to me as a resident trying to get through that  
25 area at any point in time that widening roads or doing

1           some of what I would call incremental things, given the  
2           stress that we are talking about with the kinds of  
3           development that we are talking about putting there. It  
4           might be an adequate solution but I don't think that  
5           it's an optimal solution.

6                       MR. KEVIN BETTE: I don't disagree with you.  
7           All of the developers in this area have been getting  
8           together to cooperate in this GEIS with the Town. We  
9           want to make sure that our tenants can get in and out  
10          also. So, I'm just saying that it's been awhile. The  
11          Town kind of slowed down the office market, but you will  
12          see more growth coming to the north end of Colonie now  
13          that the economy is doing very well. I think that we  
14          have studied it to death and the development up here  
15          (Indicating) plus ours plus what was considered the  
16          other part of Auto Park was going to be Walmart at the  
17          time. We put all of that traffic into that model that  
18          CDTC did and we were able to handle the traffic with the  
19          recommendations that were in that 2013 plan to be  
20          adequate. It's still not great. I live in the Town too  
21          and it's not easy getting through there. I would think  
22          that this is where you want new job growth because it  
23          does have the capacity.

24                      MS. DALTON: I have no argument about that at  
25          all, but if we are going to do that - I understand that

1           there are plans. I'm just wondering if we can make those  
2           plans better. That's why I said I don't think that it's  
3           necessarily for the applicant but I think that it's  
4           something that you need to continue because as a Town -  
5           also you said that the developers have gotten together  
6           and I appreciate that but we also have apartments and  
7           homes so there is a lot of other development that's not  
8           commercial development that is happening in that  
9           northern part of Town.

10                         MR. KEVIN BETTE: That was all in the GEIS.  
11           It's not that the developers got together, the Town made  
12           us get together during the GEIS. You have some changes  
13           now.

14                         The Amedore Group bought what was going to be  
15           Walmart. Jim Morrell is now tearing down the Holiday  
16           Inn Hotel and he's going to do something. So, you have  
17           some new uses coming into the market. That's what I  
18           said last time. There are a lot of new uses and we  
19           should put it all back into the traffic model to make  
20           sure what you're approving will actually work. We can  
21           do that quickly. I know that a lot of these projects  
22           want to get going, just like we do. It doesn't need to  
23           take a lot of time. There is a lot of studies that  
24           have already been done on how to fix this area.

25                         CHAIRMAN STUTO: And we will continue on

1 traffic, no doubt.

2 Ryan, did you have any preliminary comments?

3 Ryan is our Town Designated Engineer with Barton  
4 and Loguidice.

5 I know that you haven't fully studied the  
6 project, but do you have any comments at this point?

7 MR. WEITZ: At this point, Mr. Chair, I think  
8 that looking at the plan that they have proposed, it is  
9 the plan that's dated 2010 that they came in for. So, in  
10 looking at it from that perspective there has been no  
11 significant changes in their proposal. SEQOR should  
12 carry through from the last iteration. We will take a  
13 close look at that during the concept review and bring  
14 that back to you. I think that all of our other  
15 comments have been discussed at this point.

16 CHAIRMAN STUTO: Did you submit a traffic  
17 study back then; do you remember?

18 MR. KEVIN BETTE: Yes.

19 CHAIRMAN STUTO: Can you review that obviously  
20 and make sure that it's still relevant?

21 MR. WEITZ: yes, we can take a look at that.

22 MR. KEVIN BETTE: We were actually checking the  
23 counts at both Century Hill Drive and Auto Park to match  
24 up to what the study said. So, we have that count going  
25 on right now.

1 CHAIRMAN STUTO: Okay, good.

2 Board Members, any questions?

3 (There was no response.)

4 Okay, thank you.

5 MR. KEVIN BETTE: Thank you.

6 MR. CHRISTOPHER BETTE: Mr. Chairman, we are  
7 looking for a parking waiver on the site, similar to  
8 what we did on -

9 CHAIRMAN STUTO: What kind of parking waiver?

10 MR. CHRISTOPHER BETTE: A reduction in parking.

11 CHAIRMAN STUTO: Can you bank them, or no?

12 MR. CHRISTOPHER BETTE: What we have  
13 demonstrated throughout the park was the ability to - a  
14 cross easement and the ability for the usage of the  
15 adjacent parcel's parking and that has worked well for  
16 what we have done here. We demonstrated this many years  
17 ago that our parking lots designed to Code were 30%  
18 vacant every day. So, in our process of getting all of  
19 our buildings approved and built, we have asked the  
20 Board to give us that waiver, allowing us to reduce the  
21 density parking.

22 CHAIRMAN STUTO: Okay, we will review that very  
23 closely.

24 MR. CHRISTOPHER BETTE: Back in 2010 we talked  
25 about an encroachment on the 50-foot side yard setback

1 and we can work around it. That was just one little  
2 area. It would just be the one waiver. Way back when we  
3 were talking about the one waiver, we took off the  
4 parking close to the property line.

5 CHAIRMAN STUTO: okay, thank you very much.

6 MR. CHRISTOPHER BETTE: Thank you.

7

8 (Whereas the above entitled proceeding concluded at  
9 7:23 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  
LEGAL TRANSCRIPTION  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309

