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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

GUCCIARDO REAL ESTATE OFFICE
1074 TROY SCHENECTADY ROAD

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing
on March 6, 2018 at 7:00 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

ALSO PRESENT:

Kathleen Marinelli, Esq., Counsel to the Planning
Board
Joseph LaCivita, Director, Planning and Economic
Development
Michael Tengeler, Planning and Economic Development
Department
Fred Metzger, PE
Theresa Gucciardo

1 CHAIRMAN STUTO: Welcome to the Town of Colonie
2 Planning Board meeting.

3 Joe LaCivita, do you have any administrative
4 matters to discuss?

5 MR. LACIVITA: No, not at this time, Peter.

6 CHAIRMAN STUTO: First item on the agenda is
7 Gucciardo Real Estate Office, 1074 Troy Schenectady
8 Road, waiver request for one handicap parking space and
9 access aisle within the front yard setback.

10 Anything on this application, Joe?

11 MR. LACIVITA: This is Michael's.

12 MR. TENGELER: This is an administrative
13 project that we have been reviewing in-house. The
14 applicant is Anthony Gucciardo sitting over there with
15 Theresa Gucciardo.

16 MS. GUCCIARDO: That's not Anthony, this is his
17 brother. Anthony is not here tonight.

18 MR. TENGELER: Fred Metzger is presenting.

19 The current use of the site is a single
20 family residential house in a mixed-use zone which
21 does not allow for a full residential property per the
22 zoning. It is considered a pre-existing non-conforming
23 use.

24 Gucciardo Realty purchased the property and
25 turned it into an office, which is fully zoning

1 compliant. As such, they have to refit the building to
2 modify it for ADA accessibility. They will be putting
3 a ramp in the front yard and there is going to be a
4 handicap parking spot within five feet of the ramp.

5 The New York State Building Code requires
6 that you have your handicap access in the closest
7 proximity possible to the handicapped ramp. In this
8 situation it's a special circumstance necessitated.

9 CHAIRMAN STUTO: Okay, we will turn it over to
10 the applicant. You can tell us your story and show us on
11 the drawing.

12 MR. METZGER: I have a blow-up here, but I
13 think you guys have little maps in front of you. I am
14 Fred Metzger with the Gucciardos regarding the zoning
15 for the variance for the front - parking in front of the
16 building, as Mr. Tengeler explained with the ADA
17 handicap accessible ramp to the building and in doing
18 so, adding the parking spots right next to it or
19 adjacent to it so it would be as close to the handicap
20 as possible so that way anyone who parked their would
21 have the shortest distance to the building. In doing so,
22 we would need the variance to allow for the parking in
23 the front of the building.

24 Also, as Michael said, it would be used as
25 handicap but also double as a turn around so anybody -

1 both employees and clients that would be stopping by -
2 they would be able to use this as a three point turn
3 to turn around to access Route 7 instead of backing
4 out as it currently is basically set up.

5 CHAIRMAN STUTO: Can you show precisely where
6 the handicap spot is? I am not seeing it on the
7 drawings.

8 MR. METZGER: Here's the building and here is
9 the former entrance (Indicating). We will have a new
10 one with stairs accessing this for clients and/or
11 workers to access and then the ramp is going to run down
12 this way. There will be a portion of it that will be
13 paved back here and then the paving will be basically 10
14 feet from the property line. The red would be the
15 handicap parking spot.

16 CHAIRMAN STUTO: Thank you.

17 MR. METZGER: You're welcome.

18 CHAIRMAN STUTO: Any members of the Board have
19 any questions?

20 MR. MION: Wouldn't it be better instead of
21 doing away with the steps on the side - put them on that
22 side (Indicating)?

23 MR. METZGER: I believe the ramp would be much
24 longer and harder to put on that side of it. Plus, in
25 doing so, it would kind of block some of the extra

1 parking as well - to put the handicap spot here and then
2 not be able to utilize some of the other spaces. Again,
3 I think the bigger thing is that it would also double as
4 the turnaround. So, if we don't have that spot in the
5 front, anybody that would come there would have to back
6 out onto Route 7, which were trying to curtail
7 completely.

8 MR. MION: Thank you.

9 MR. METZGER: You're welcome.

10 CHAIRMAN STUTO: Are there members of the
11 public that wanted to speak on this?

12 (There was no response.)

13 Do we have to do the SEQR?

14 MR. TENGELER: No, the SEQR has already been
15 handled. It has been signed-off on.

16 CHAIRMAN STUTO: Can you walk us through the
17 resolution?

18 I will ask the stenographer to put the entire
19 Resolution into the record. You can read the title and
20 then the resolves.

21 MR. TENGELER: Planning board findings, Land
22 Use Law design standard waivers, 1074 Troy Schenectady
23 Road, Gucciardo Real Estate Office.

24 Whereas Anthony M. Gucciardo, the applicant,
25 has proposed a change of use from a residence to a

1 real estate -

2 CHAIRMAN STUTO: You can jump down to now
3 therefore.

4 MR. TENGELER: Now therefore be it resolved the
5 Board hereby recognizes the improvements proposed to the
6 site will not overload municipal sewer, water or school
7 districts; be it further resolved that the Board hereby
8 recognizes the granting of the above waiver does not
9 hinder the Town's objective to protect it's important
10 natural resources, conserve farmland, create
11 recreational or wildlife trail corridors, preservation
12 of historic resources or protected view sheds or scenic
13 roadways; be it further resolved that the Board hereby
14 finds the waiver request reasonable to allow further
15 development of the site and grants the waiver request to
16 allow for one new handicap parking space with an
17 adjacent access aisle in the front yard building
18 setback; be it further resolved that this waiver finding
19 be kept in the project file in the office of the
20 Planning and Economic Development Department.

21 CHAIRMAN STUTO: Any discussion?

22 (There was no response.)

23 Do we have a motion?

24 MR. MION: I will make that motion.

25 MR. SHAMLIAN: I will second.

1 CHAIRMAN STUTO: I just want to make one
2 point -- green space - you have 40% green space?

3 MR. METZGER: We have 35% we have 37% and we
4 are required to have at least 35%.

5 CHAIRMAN STUTO: So, we are above the
6 requirement.

7 We have a motion and a second.

8 Any other discussion?

9 (There was no response.)

10 All those in favor, say aye.

11 (Ayes were recited..)

12 All those opposed, say nay.

13 (There were none opposed.)

14 The ayes have it.

15 Thank you.

16 MR. METZGER: Thank you.

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18 (Where's the above entitled proceeding was concluded
19 that 7:10 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

