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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

LUIZZI OFFICE/WAREHOUSE
950 5TH AVENUE
SKETCH PLAN REVIEW

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing on
September 11, 2018 at 7:00 p.m. at The Public
Operations Center, 347 Old Niskayuna Road, Latham, New
York

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

ALSO PRESENT:

Kathleen Marinelli, Esq., Counsel to the Planning
Board
Joseph LaCivita, Director, Planning and Economic
Development
Michael Tengeler, Planning and Economic Development
Nick Costa, PE, Advance Engineering and Surveying
Joseph Grasso, PE, CHA
Peter Luizzi
Victor Caponera, Esq.

1 CHAIRMAN STUTO: Good afternoon everyone or
2 good evening, I should say. Welcome to the Town of
3 Colonie Planning Board. We have several items on the
4 agenda.

5 Joe LaCivita, the Town Department Head - I
6 will ask if he has any Town Planning business to
7 discuss.

8 MR. LACIVITA: Just briefly. Tomorrow we do
9 have our Comprehensive Plan meeting at the Crossings at
10 6:00 p.m. We're going to have a presentation by our Town
11 Designated Engineer, Barton and Loguidice, who ran our
12 Comprehensive Plan. We will go through all the findings
13 that we have, the studies we've had and where we are as
14 we start to move forward and towards recommendation to
15 the Town.

16 CHAIRMAN STUTO: Thank you.

17 We will go right to the agenda. First item on
18 the agenda is Luizzi Office/Storage, Peter Luizzi,
19 applicant, 950 5th Avenue, sketch plan review,
20 office/storage 35,000 square feet redevelopment site.

21 Joe LaCivita, do you have anything to say
22 before we turn it over to the applicant?

23 MR. LACIVITA: This is a redevelopment site.
24 There are a lot of efforts going on in the Lincoln
25 Avenue corridor area. We saw this in our DCC,

1 Development Coordination Committee meeting on June 13,
2 2018. It is an industrial zoning district and tonight we
3 have Nick Costa here to go over the project.

4 MR. COSTA: Thank you, Joe.

5 Good evening, my name is Nick Costa and I'm
6 with Advance Engineering. We were asked by the
7 applicant, Mr. Luizzi, who is here with us tonight, to
8 redevelop the site for his offices.

9 This is a site that is located on Lincoln
10 Avenue, which is right here (Indicating). It is
11 located close to the Watervliet Arsenal, which is just
12 to the north of this. This is about an 83-acre parcel
13 that was formally utilized by the railroad as a
14 railroad yard. What Mr. Luizzi is doing is buying
15 about 23 acres - I'm sorry, 30 acres.

16 CHAIRMAN STUTO: That's 30 of the 80 some odd?

17 MR. COSTA: Yes. It will be subdivided. He
18 wants to develop this into offices and his construction
19 operation yard. In the future, some additional buildings
20 - some additional offices. A maintenance facility will
21 be at this location (Indicating).

22 The site is in an industrial zone, as Mr.
23 LaCivita mentioned. All the infrastructure that is
24 necessary to service the site is available nearby to
25 the site. There is municipal water, municipal sewer

1 and there is room on the site to do storm water
2 maintenance. So, the point is to build a new road that
3 comes off of 1st Street and have an access drive to
4 the new office buildings and to the proposed
5 maintenance building and also to the gravel storage
6 area. The stockpiles - that's what it would be in the
7 storage area.

8 The road would get extended so that in the
9 future when the remaining 50 acres get developed, they
10 would also have access off of this roadway.

11 The site will still have about 55% green on
12 the site. Storm water is intended to be done in this
13 area (Indicating). There is an existing pond here. The
14 site is fairly flat.

15 CHAIRMAN STUTO: Which way does the water flow?

16 MR. COSTA: It comes toward the south. So, what
17 we are planning on doing is expanding the size of that
18 existing pond and getting into the outlet system that is
19 there.

20 CHAIRMAN STUTO: Is this going to be the
21 principal headquarters for the business?

22 MR. COSTA: That is correct.

23 That's pretty much what I have. If there are
24 any questions, I will be glad to answer them.

25 CHAIRMAN STUTO: We will get comment from our

1 Town Designated Engineer, but I want to ask a question.

2 What is the environmental situation on that
3 particular site?

4 MR. COSTA: It has been cleared, right Peter?

5 MR. LUIZZI: On the section that we had tested
6 already, we have no environmental issues on the first 30
7 acres that we have tested. We have done extensive
8 testing on it already.

9 CHAIRMAN STUTO: And obviously you're going to
10 follow up to the extent that you have to, as the
11 progress goes forward.

12 This is being reviewed by our Town Designated
13 Engineer, CHA. I know there has not been a complete
14 review yet, but Joe Grasso from CHA is here.

15 Joe, do you have any comments at this point?

16 MR. GRASSO: Sure. We didn't do a formal
17 review, so there is no letter in your packets. I would
18 just go through some comments.

19 Before I do, Nick, if you could just go back
20 - I think this is a really good overall plan where it
21 shows not only the proposed development, but it also
22 shows the site in context with the larger area and the
23 lack of adjacent uses to the site. There aren't any
24 sensitive preceptors. When I say sensitive preceptors,
25 I'm talking about residences that could be impacted by

1 industrial operations because obviously this is an
2 industrial zone and this is going to be a yard use and
3 contractor storage and office space.

4 So, Nick, this project involves not only a
5 commercial site plan but a commercial subdivision
6 application. So, we talked about the 80 acres. What's
7 rendered on that drawing - that is the 30 acres. On
8 the plan it shows 23 acres. The 80 acres is really -

9 MR. COSTA: That's the rest of it.

10 MR. GRASSO: So, if you could show how far to
11 the north it goes.

12 MR. COSTA: It goes all the way to the arsenal.
13 Actually, it goes to where Lincoln turns and becomes
14 part of Watervliet Shaker Road.

15 MR. LUIZZI: If I may, Joe?

16 MR. GRASSO: Yes.

17 MR. LUIZZI: Where you see all the old trains
18 on the property - it goes right up to the bridge that
19 crosses over to the arsenal.

20 MR. GRASSO: So, it's currently proposed as a
21 two-lot subdivision, right?

22 MR. COSTA: That's correct.

23 MR. GRASSO: That back parcel will have
24 frontage where? On 5th Street?

25 MR. COSTA: There are a couple of different

1 streets that it aligns with that are to the north of the
2 site. That's why this address is 5th Avenue or 5th
3 Street.

4 MR. GRASSO: The reason why it is important is
5 even though that parcel will have frontage on 5th
6 Street, the long-term plan really is being set up by
7 this project which is to start new construction of what
8 will eventually become a new Town road into the site and
9 paralleling the railroad tracks. So, that's what Nick is
10 pointing to. I think that's appropriately cited.

11 CHAIRMAN STUTO: Coming off of 1st Street?

12 MR. GRASSO: Coming off of 1st Street. So, you
13 are basically retaining the other acreage to the east
14 for the industrial lot development, which obviously this
15 site will contain 25 or 30 acres but the additional 50
16 acres is hopefully going to follow this model where this
17 road gets extended for the access to the back lot and
18 then industrial uses are off of them. So, we want this
19 industrial traffic to come down to this road and out
20 onto 1st Street rather than use the frontage out onto
21 5th Street.

22 CHAIRMAN STUTO: Is 5th Street a real Street?

23 MR. COSTA: Yes. It's paved right up to -- I
24 think there may be a fence there

25 MR. GRASSO: So, it could be for emergency

1 access or something.

2 CHAIRMAN STUTO: But it is a paper street,
3 beyond that?

4 MR. COSTA: No, it ends right here
5 (Indicating). It is a dirt road through the site

6 MR. GRASSO: There is no paper street.

7 CHAIRMAN STUTO: Okay, thank you.

8 MR. GRASSO: The other thing is when you look
9 at the site, it is well laid out in that all the storage
10 yard area and parking lot areas are behind the building.
11 So, it's going to be screened from the corridor of 1st
12 Street. I think that is a desirable part of the plan.

13 We didn't have too many comments. There
14 weren't that many things that came up during the DCC
15 review. There is an existing pond within the site that
16 they are trying to incorporate into the site plan
17 because it is a pond and it may be jurisdictional by
18 the Corps of Engineers, so that is something that I
19 would try to get nailed down by the next time you come
20 in for concept approval. We think there is an
21 opportunity to incorporate that into a really nice
22 aesthetic feature of the project. Obviously, sometimes
23 it's really difficult to deal with existing water
24 bodies especially when the Corp takes jurisdiction.
25 The opportunity is there. You could use it as a

1 feature. You could use it for stormwater management
2 purposes. Those are all things that you may want to
3 look at as you develop the plan.

4 We look to the vegetation on the site and
5 there doesn't seem to be any expanse of mature
6 vegetation. So, we don't feel like a tree survey is
7 warranted, especially due to the fact that there
8 aren't any receptors to the site in terms of
9 residences where you would want to protect that
10 buffer. So, we don't feel like doing a tree survey is
11 going to provide any benefit to the evolution of the
12 site plan.

13 Again, that is intended to be a Town road at
14 some point in the future. So, we recommend that it be
15 built to Town road standards or easily adaptable in
16 the future.

17 MR. LUIZZI: We would build to Town specs,
18 depending upon what happens in the back of the property
19 and what goes forward would determine whether it ever
20 becomes a Town road. Maybe somebody develops back
21 property, or we move forward with that and it becomes an
22 owner or private road.

23 MR. GRASSO: An easement - right.

24 MR. LUIZZI: But we would still build it to
25 Town specs in case it does go forward.

1 MR. GRASSO: And just to note that if it's used
2 as the sole point of access to the back lot development,
3 the Town's interpretation of that is that triggers an
4 open development area. So, just be cognizant of that so
5 that you don't put yourself in a situation that you
6 can't get out of.

7 MR. CAPONERA: Joe, were you at the DCC
8 meeting?

9 MR. GRASSO: Yes.

10 MR. CAPONERA: You are talking about the
11 wonderful boulevard.

12 MR. GRASSO: I'm going to get there. Did you
13 want to talk about it?

14 MR. CAPONERA: No. I'm waiting for you.

15 CHAIRMAN STUTO: Why is it an open development
16 area? It will be a Town road and they will have
17 frontage.

18 MR. GRASSO: What Pete is talking about is the
19 option of not conveying it to the Town. The Town may not
20 want it.

21 CHAIRMAN STUTO: Doesn't he have frontage on
22 1st Avenue?

23 MR. GRASSO: Yes, but it doesn't matter. The
24 Town's interpretation is that if you don't use your
25 frontage for access, then it requires an open

1 development area. That's the Town Attorney's Office
2 interpretation.

3 CHAIRMAN STUTO: Where is that going to connect
4 to? It's going to connect to 1st Avenue, isn't it?

5 MR. GRASSO: It would, but that's a private
6 road and would require an easement. That back parcel -

7 CHAIRMAN STUTO: Oh, to the back parcel.

8 MR. GRASSO: Yes, so that's why I'm talking
9 about the possibility in the future.

10 CHAIRMAN STUTO: You don't own the back parcel,
11 do you?

12 MR. LUIZZI: We have it under option.

13 MR. GRASSO: We are assuming that through the
14 subdivision you would grant rights of access to your
15 property to the back.

16 MR. LUIZZI: Correct.

17 MR. GRASSO: So, we are not forced to have that
18 property be accessed to the residential neighborhood.

19 Vic said it. The boulevard they are proposing
20 along the road -

21 CHAIRMAN STUTO: Would you recommend that they
22 make an offer to the Town to dedicate the road?

23 MR. GRASSO: No. Not yet. Not until there is an
24 interest where the Town feels it's worthy.

25 CHAIRMAN STUTO: I said an offer that we can

1 have the option. He is building it to Town standards.

2 MR. GRASSO: I'm not speaking for the
3 applicant, but I am not opposed to him maintaining
4 control over it.

5 CHAIRMAN STUTO: I'm not saying that we don't.
6 I am saying just an offer. I am not saying that we
7 dedicate it.

8 MR. GRASSO: I just don't see the advantage. As
9 long as it was covered by an ingress/egress easement to
10 the back property so they couldn't block access through
11 there. Yes, that is something that the Planning Board
12 may want to weigh in on.

13 So, the boulevard - we are not in favor of it
14 from a safety perspective. Sometimes they can be used
15 nicely to set up the entrance to a development.
16 Because of driver confusion and maintenance, we are
17 just not in favor of boulevards. So, we would
18 recommend that be eliminated.

19 CHAIRMAN STUTO: Let me stop you on that one.

20 Does the Board have any feeling about that?
21 It is aesthetic versus the issues that you're talking
22 about, right? A boulevard is nice.

23 MS. MILSTEIN: I like boulevards.

24 CHAIRMAN STUTO: We will keep that issue open.

25 MR. GRASSO: Again, if it is a Town road, that

1 is something that we would want to get input from DPW so
2 that they are willing to accept the road with the
3 boulevard, obviously who is going to maintain the
4 boulevard, the landscaping, whether or not there is
5 lighting there, whether or not there is signage on the
6 boulevard. Then, you have the issue of cars turning down
7 the wrong way in which with trucks it becomes a safety
8 concern. If the Board feels like it is a desirable
9 feature, that's what the applicant is proposing. So, it
10 is just something that we generally don't support.

11 CHAIRMAN STUTO: At least the first section
12 might be nice. That's all I am saying.

13 MR. GRASSO: Okay.

14 So, because of the storage uses in the back -
15 I know you've got some setbacks but if this is really
16 the limits of your operation, you may not know what
17 your limits are. You may want to consider the start of
18 some kind of berming or buffering along your property
19 lines because you don't know who your neighbors are
20 going to be. I think the intent is for you to be able
21 to use it as a big storage yard back there. Obviously,
22 you're going to have heavy equipment and you want to
23 be a good neighbor to whoever your neighbors are.

24 CHAIRMAN STUTO: Where would you suggest that
25 would be, specifically - assuming he was just going to

1 do this as an isolated project?

2 MR. GRASSO: It would be along the outside or
3 around - I will call it the northeast corner of the
4 property.

5 Pete's operation may continue to grow and he
6 may want to grab another 10 or 20 acres and it would
7 be unfortunate for you to spend 50 grand on a berm and
8 landscaping and find out that it was all for naught
9 because you would need a couple hundred feet of space.
10 Just think about that because obviously in your
11 long-term plans, shielding your uses on the site from
12 the neighbors is something that I think the Planning
13 Board should be aware of.

14 That's all we've got.

15 CHAIRMAN STUTO: Chief, do you have any
16 comments?

17 MR. HEIDER: I have two. The initial entrance
18 on first Street - that just goes into a small parking
19 lot?

20 MR. COSTA: Yes.

21 MR. HEIDER: Is there a reason that you're not
22 going to connect that?

23 MR. COSTA: Actually, on this plan, that was
24 one of the comments and on this plan we did connect it.

25 MR. HEIDER: The entrance to the maintenance

1 building is going to be off of that entranceway
2 somewhere? It would take 8 parking spaces.

3 MR. COSTA: It will take up a couple of spaces.

4 MR. HEIDER: You show it just sort of sitting
5 there.

6 MR. COSTA: That's correct.

7 MR. GRASSO: Just to clarify, because you bring
8 up a good point. The maintenance building is really to
9 serve your operation, which is really tied to your
10 corporate office which would be the first building
11 coming in.

12 MR. COSTA: No, it is this one (Indicating).

13 MR. GRASSO: Okay, I thought it was the other
14 one.

15 MR. COSTA: Now that's a future location.

16 MR. GRASSO: Okay, that clarifies that.

17 MR. HEIDER: Peter has done a great job with
18 the reconstruction on Railroad Avenue and the
19 appearances look great. Knowing this site is an ugly
20 mass, there is nothing bad about this thing. However, if
21 anybody remembers history about three years ago, there
22 was a different corporation with lots of trucks that
23 took over the site of the old Adirondack Steel. They
24 were doing gravel compost and all that kind of stuff.
25 They received a huge backlash from neighbors a mile away

1 because of air pollution and air quality. I just bring
2 it up. I know there are no residential neighbors here. I
3 am in favor of the rebuild. At some point, you may get a
4 push back. You may have to talk about exactly what you
5 will be doing in the yard.

6 MR. GRASSO: Now is a good time to bring it up
7 because you are obviously a large site contractor. Is
8 there any reclamation, crushing operations, screening -

9 MR. LUIZZI: There is. There is screening and
10 crushing up of recycled products. I think the one
11 separation between what you're talking about, Chief, is
12 Gallivan had a piece of property. They had the same
13 problem in Brunswick when they were in Brunswick with
14 the mulch and the compost and I think that's where most
15 of the problems are coming from is the smell from the
16 mulch and the compost. We don't distribute or
17 manufacture the mulch. We do crushing and it can get
18 dusty at times. I think we can take precautions as far
19 as some kind of watering system to prevent the dust. We
20 only generally do crushing a couple of times a year. We
21 are doing it right now when we are at our shop. It
22 generally lasts for three or four weeks when we do it.

23 With topsoil, we do screening and I don't
24 think there is generally any problem with the organics
25 or the smell of that.

1 CHAIRMAN STUTO: Keep a note of that and we
2 will talk about that again and mitigation measures.

3 Craig?

4 MR. SHAMLIAN: The maintenance building - how
5 tall is that going to be?

6 MR. LUIZZI: It probably will be a standard
7 warehouse. Probably 24 foot inside.

8 MR. SHAMLIAN: The other question I have is: Is
9 there any concern about where the entrances are in
10 relation to the railroad crossing?

11 MR. GRASSO: No. We have looked at that before
12 and it is far enough away.

13 MR. SHAMLIAN: That's it.

14 MS. MILSTEIN: I don't have any questions.

15 CHAIRMAN STUTO: Anyone else?

16 (There was no response.)

17 I think everybody has made a lot of good
18 points. They were great points, actually. The one that
19 I would want to repeat is some type of screening -
20 visual screening for the neighbors. We will be
21 concerned about the neighbors. Luckily, it's in a
22 pretty good spot for this use.

23 MR. LUIZZI: I think that's a little bit of a
24 problem we are having on Railroad Avenue. We came in
25 with the two new warehouses and with the operation that

1 was there. We are trying to move out of that area and we
2 would be very cognizant of the fact that we want to
3 protect the neighbors on this piece right here and not
4 be in the same situation.

5 CHAIRMAN STUTO: Okay, thank you.

6 (Whereas the above entitled proceeding was
7 concluded at 7:20 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: _____

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