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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

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NORTHERN PASS PDD  
GARAGE AMENDMENT  
1226 LOUDON ROAD

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing on  
September 11, 2018 at 7:33 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
- Nicholas Costa, PE, Advance Engineering and Surveying
- Nia Cholakis

1                   CHAIRMAN STUTO: Okay, next item on the agenda  
2 is Northern Pass PDD, garage amendment, 1226 Loudon  
3 Road, recommendation to the Town Board regarding a  
4 proposed garage amendment to the previously approved  
5 PDD.

6                   Am I correct in that the Department is  
7 presenting this?

8                   MR. TENGELER: That would be me.

9                   CHAIRMAN STUTO: Do you have any preliminary  
10 comments before we turn it over?

11                  MR. TENGELER: Not really. It's pretty  
12 self-explanatory. I believe this is the fourth amendment  
13 that the Board has seen for Northern Pass.

14                  Nick Costa is here to present a very minor  
15 amendment to those three garage buildings. Nia  
16 Cholakakis is here, counsel for Rosetti, if there are  
17 any other questions as well.

18                  CHAIRMAN STUTO: Okay. Thank you.

19                  MR. COSTA: We prepared a plan which is in  
20 front of the Board here tonight for the addition of  
21 three garage buildings. Right now on the site there is  
22 an existing garage building that is right here  
23 (Indicating). What we are adding will be one here that  
24 is proposed, one here and another here (Indicating).  
25 Most of the spots are actually open parking spaces

1 currently. So, what the Schermerhorn Development has  
2 seen is that the tenants have asked for additional  
3 parking - enclosed parking. As you know, there is  
4 already parking under each building. So, each tenant  
5 gets a parking space in the garage - the lower level  
6 garage. These are in addition to that. That was very  
7 successful. They have been asked if they can have some  
8 more and that's why we are here to present this.

9 CHAIRMAN STUTO: We're going to take comments  
10 from the Board, but I just want to tell the public this  
11 is a voting item and the next two items are voting  
12 items. If you would like to speak, there is a sign-in  
13 sheet over on the table to our right/your left - if you  
14 could sign in.

15 Chief, do you have any comments on this?

16 MR. HEIDER: I had a discussion with another  
17 developer and he's having problems. He has garages and  
18 people rent the garages but don't wind up using the  
19 garages for parking spots. Now, he's running out of  
20 parking spots. I wasn't part of this prior approval so I  
21 guess it's more the developer's problem than our  
22 problem. It does become a problem, though. There's not a  
23 lot of open parking up there. You do have parking under  
24 the buildings.

25 MR. COSTA: There are rows of parking here and

1 then the open parking spaces (Indicating).

2 MR. HEIDER: I guess my point is that you will  
3 actually be moving open spaces.

4 MR. COSTA: That is correct.

5 CHAIRMAN STUTO: Craig?

6 MR. SHAMLIAN: I'm not enamored with the idea  
7 of taking open spaces away. I kind of like the open  
8 feel. This is confining it some. That's really about all  
9 I have to say. I am not enamored with it.

10 CHAIRMAN STUTO: Susan?

11 MS. MILSTEIN: I think garages are just  
12 practical.

13 CHAIRMAN STUTO: Kathy?

14 MS. DALTON: I think the only thing I would say  
15 is that clearly you live in the great northeast and  
16 garages make sense. On the other hand, I do somewhat  
17 share - I think it was Craig's concern or maybe the  
18 Chief's -- garages are sometimes cheaper than outside  
19 storage. So, they are renting the garages and they are  
20 leaving their cars out. I am a little concerned that if  
21 that continues at some kind of pace, we're going to lose  
22 green space. That's not the point of this. They can go  
23 someplace else for cheaper storage. I'm not inclined to  
24 do this again, I guess, is my point.

25 MR. COSTA: Okay, thank you.

1                   CHAIRMAN STUTO: I agree with that comment. I  
2 will vote for it. It is going to be your problem. I  
3 don't want to take away from green space. We need more  
4 open spaces. You've fully consider this, right?

5                   MR. TENGELER: It does take away a little bit  
6 of green, but it is a minute amount. I think the site  
7 has 54%.

8                   CHAIRMAN STUTO: If they find out that they  
9 need more asphalt later -

10                  MR. TENGELER: The Board is not in any position  
11 where they want to grant anything in the future, I  
12 understand.

13                  CHAIRMAN STUTO: Any further comments?

14                  MS. DALTON: This isn't a comment, but a  
15 question. Do we have any kind of covenant or requirement  
16 that garages be used to garage cars? Is there anything  
17 stopping folks from using this for storage?

18                  MS. CHOLAKIS: No, there is no current  
19 requirement for that. Understand that there are 12  
20 spaces that are under each of the buildings. There are  
21 12 units in each building, so most people have more than  
22 one vehicle. So, that's really what's prompting the  
23 need.

24                  MS. DALTON: I have been up there a number of  
25 times.

1 MS. CHOLAKIS: There is also storage inside the  
2 buildings. Each person gets a cage. The square footage  
3 of the apartment unit is somewhere in the range of  
4 between 1,650 and 1,700 square feet. So, they are good  
5 size apartments. In addition to that, there are  
6 additional storage cages for each tenant in the parking  
7 garage. So, again, it's mainly because there is not  
8 enough parking for each tenant to have two vehicles.  
9 This allows that.

10 Nobody wants to have to get up in the morning  
11 and wipe their car off from all the snow, especially  
12 from last winter. That is what has prompted this  
13 request.

14 MR. LACIVITA: You know, Peter, we have heard  
15 it a couple times from this Board tonight on this  
16 project about the reduction of green space. Do you want  
17 to make that a condition of the approval that no further  
18 reduction be done?

19 CHAIRMAN STUTO: What is our green space down  
20 to?

21 MR. COSTA: This is a minute amount. I think we  
22 lost about 180 square feet here (Indicating), about 90  
23 square feet here. So, you have about 360 square feet of  
24 green space that was lost.

25 CHAIRMAN STUTO: So, where do we sit

1 percentagewise?

2 MR. HEIDER: You proposed a five unit garage -

3 MR. COSTA: Which one is that?

4 MR. HEIDER: The one that you are pointing to  
5 right there (Indicating). There are no parking spots on  
6 the map.

7 MR. COSTA: That would be the largest loss. We  
8 have the green space.

9 MR. TENGELER: The application references -- it  
10 is a net loss of about 1,600 square feet. The ending  
11 result is 54% which is still green space available on  
12 site. It is still a nice amount of green space on the  
13 site.

14 MR. COSTA: I apologize. There was at one time  
15 where we had it and then took it all as parking.

16 MR. SHAMLIAN: The green space requirement is  
17 higher in the sense because it was a PDD. It was given  
18 things as part of -

19 MR. LACIVITA: The original design, which will  
20 reduce it. We are all concerned about - the Chief spoke  
21 about what the other developers are experiencing and if  
22 it comes back that we need more parking in the future,  
23 we are going to reduce that original intent of the PDD.

24 CHAIRMAN STUTO: Yes but even if you put that  
25 condition on it, what you can do, you can undo. Do you

1 know what I'm saying?

2 MR. LACIVITA: Yes.

3 CHAIRMAN STUTO: I am okay with it.

4 Any other questions?

5 Somebody else may want to put some kind of  
6 condition on it.

7 (There was no response.)

8 We have a Resolution in front of us entitled  
9 Recommendation of the Planning Board to the Town  
10 board. I would ask that the stenographer includes the  
11 entire Resolution into the record and ask that - Mike,  
12 would you read the now therefores?

13 MR. TENGELER: Now therefore be it resolved  
14 that the Planning Board recommends that the site plan  
15 amendments as requested by the applicant be approved in  
16 all respects based upon the following findings of fact:

17 1. The request by the applicant to add three  
18 garage buildings with a total of 17 parking spaces  
19 does not change the density from the PDD application  
20 as originally approved.

21 2. Any future design changes or request to  
22 modify or relocate any aspect of the site and within  
23 the approved PDD must comply with all applicable Town  
24 of Colonie processes and approvals needed.

25 This Resolution shall take effect immediately

1 and shall be transmitted to the Town Supervisor and  
2 members of the Town Board.

3 CHAIRMAN STUTO: Do we have a motion?

4 MS. DALTON: I make a motion.

5 CHAIRMAN STUTO: Second?

6 MR. MION: Second.

7 CHAIRMAN STUTO: Any discussion?

8 (There was no response.)

9 All those in favor, say aye.

10 MS. DALTON: Aye.

11 MR. MION: Aye.

12 MR. AUSTIN: Aye.

13 CHAIRMAN STUTO: Aye.

14 MS. MILSTEIN: Aye.

15 MR. SHAMLIAN: Nay.

16 CHAIRMAN STUTO: The ayes have it.

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18 (Whereas the above entitled proceeding was  
19 concluded at 7:43 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

