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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

MIXED USE RETAIL/RESIDENTIAL
922 TROY SCHENECTADY ROAD
SKETCH PLAN REVIEW

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter Commencing
on November 27, 2018 at 7:20 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
- KATHY DALTON

ALSO PRESENT:

- Kathleen Marinelli, Esq., Counsel to the Plannin
Board
- Joseph LaCivita, Director, Planning and Economic
Development Department
- Luigi Palleshi, PE, ABD Engineers
- Joseph Grasso, RLA, CHA
- Randy Brenner

1 CHAIRMAN STUTO: Next item on the agenda is Mixed
2 Use Retail/Residential, 922 Troy Schenectady Road, sketch
3 plan review, construct a new 4,100 two-story eight unit
4 apartment building with parking.

5 MR. LACIVITA: Luigi, this is you again so I will
6 let you get set up for second.

7 This project was before the DCC on September 26,
8 2018. The applicant is the same as 922 Troy Schenectady Road.
9 They are actually putting a school there now and this is a
10 complement to your use to what currently exists and an added
11 parking for that use, as well.

12 I will turn it over to Luigi when he is all set.

13 MR. PALLESHI: Thanks again. I'm Luigi Palleshi
14 with ABD Engineers. I am here tonight for 928 Troy
15 Schenectady Road. It is right next to the Peter Harris Plaza.
16 It is just east of the Peter Harris Plaza and in between
17 Grassland. The 928 used to be known as the Apex building and
18 922 received site plan approvals from this Board back in
19 2015. That building will obviously remain. It is a
20 three-story building approximately 12,000 square feet of
21 commercial space. It is known as ASI, Aesthetic Science
22 Institute, as well as Cryotherapy. There curb cut is off of
23 Troy Schenectady Road with parking along the rear.

24 The owner is Randy Brenner, who was here tonight.
25 He purchased the Apex building.

1 The success of 922 is in need of parking, so he
2 purchased 928 in hopes of getting more parking for the
3 facility.

4 So, what I am showing here is the existing
5 building - the existing Apex building and then he also has a
6 contract with Grassland to buy a portion of the land on the
7 west side of the creek.

8 So, with these three parcels being combined, it is
9 a total of 2.4 acres. They are all zoned COR. What we are
10 proposing to do is combine the three parcels to encompass 2.4
11 acres. We would extend the driveway from the existing parking
12 lot on 922 out through 928 and have an additional curb cut on
13 Troy Schenectady Road. With purchasing Apex and the portion,
14 that is about four-tenths of an acre from Grassland. We are
15 also proposing a mixed use development to add an eight-unit
16 apartment building. The eight-unit apartment building is two
17 stories in height and the additional parking adds roughly 24
18 spaces to the property. So, when you combine the two parking
19 lots, we are up to 72 total parking spaces on the site.

20 As I mentioned before, due to the success of 922,
21 parking is very important and having an apartment building
22 on-site actually uses the parking spaces at different times
23 than the commercial retail space. So, it is advantageous to
24 have this mixed use development here. We will obviously work
25 with DOT on curb cuts. We went through DCC and as part of

1 those comments we have gone through those comments and we
2 will talk a little bit about the comments that were brought
3 up.

4 What we are proposing is setting the building back
5 for two reasons. One is for Peter Harris Plaza.

6 Randy has been in contact with the owner of Peter
7 Harris Plaza and by setting the building a little further
8 back, it allows better visibility from Route 7 to Peter
9 Harris Plaza. When we combine this site, it is important to
10 know that the main building for the site is going to be 922.

11 A lot of the comments that were brought up at DCC
12 where we want the front of the building facing the road.
13 Well, 922 has their front door facing the road. It is along
14 the right-of-way or close to the right-of-way. It is closer
15 to the road than what we are proposing here. Then, being an
16 apartment building, you obviously want to set that back
17 further from Route 7 so that you get more privacy for the
18 residents there.

19 We talked through utilities. There is water on the
20 other side of Troy Schenectady Road that we will connect a
21 new water lateral to.

22 There is a force main on this property for 922. It
23 is a grinder pump system and force main that ties in across
24 the Shaker Creek. Then, when that force main was put in,
25 there was actually a second force main lateral that was put

1 in for future expansion to allow some type of development for
2 this Apex building. So, sewer and water are covered.

3 We are proposing a storm water management area
4 behind the eight-unit apartment building. Obviously, we will
5 meet the storm water manual, DEC and the Town Code.

6 There are wetlands on the south portion of the
7 site that we are going to request from the Army Corps about
8 one-tenth of an acre of disturbance.

9 We are relocating the dumpster, so that we can
10 gain another space on site as that is important.

11 The wetlands in the back will remain undisturbed
12 providing a buffer. The Shaker Creek has a 100-foot stream
13 buffer and all of our disturbance will be outside of that so
14 we don't have to go to SEAMAB.

15 So, just highlighting some of the things that were
16 brought up at DCC which I think is important tonight is:
17 Being that 922 is the prominent building when we combine the
18 site, we can certainly extend and add that continuous
19 frontage with obviously the existing building that is there
20 as well as adding some type of natural fencing or stone along
21 the front façade so that you have that continuous look. I
22 know that's important to this Board and we would be agreeable
23 to that.

24 We are asking for a waiver on parking islands.
25 Islands are always tough when you have to maintain them in

1 the wintertime. Being that we have 65.3% green space on the
2 site, we would hope that the Board would waive what would be
3 required here which would be two or three islands on the site
4 - having the rest as a natural wetland area and green space
5 on site.

6 The other item was the number of parking spaces,
7 which I touched on. Yes, if you were to look at the mixed-use
8 requirement, it only requires about 57 parking spaces and we
9 are providing 72 parking spaces. Again, due to the success
10 here, the parking demand is in high demand and this flows
11 with having a mixed use.

12 I think Randy could touch on this, if the Board
13 needs further verification. This is an international school
14 that he is running. You have people coming internationally.
15 So, having something there on-site would also benefit this
16 project.

17 That's pretty much it. I will turn it over to the
18 Board at this point for any further questions or comments.

19 CHAIRMAN STUTO: Okay, similar to the last
20 project, we have a Town Designated Engineer, CHA, Joe Grasso.
21 Again, I know you haven't done a complete review, but could
22 you give us your comments so far?

23 MR. GRASSO: Sure. Luigi, just to clarify - so,
24 the new building is strictly apartments?

25 MR. PALLESHI: Yes.

1 MR. GRASSO: So, there are eight apartments in
2 that one building. Then, the other building is commercial.
3 So, this is one of the things where the zoning allows
4 mixed-use or it allows strictly commercial. So, by looking at
5 both parcels together, because they are buying additional
6 acreage and adding it, it allows you to introduce - - it
7 isn't strictly a residential use because you are looking at
8 it as one lot that allows both the commercial component and a
9 residential component. If it was just the apartment building,
10 it would not be allowed per zone. So, we are clear on that.

11 The Board has expressed some concerns about these
12 apartment buildings going in on long commercial corridors
13 along Route 7. We have seen it done and I think tastefully
14 and successfully and I think we have examples where it
15 doesn't work so well. I think that is something that the
16 Board should take a look at - the use of the apartments in
17 this location and how it fits into the adjacent sites and
18 whether or not there is a need for a bus stop to be out front
19 on Route 7, which is a concern as well as a need for any
20 other amenities that you may want to see with the residential
21 use regarding the idea that they live there.

22 The plan doesn't do a good job of access
23 management along Route 7. Obviously, we're concerned about
24 curb cuts. We have two curb cuts for not a lot of density. We
25 can take a look at that. You've got the advantage of a

1 two-way left turn lane out in front. I think it's along the
2 whole frontage. I will have to verify that. At least you have
3 the advantage of that.

4 As we take a look at the curb cut arrangement, I
5 think getting some DOT input on that issue would be
6 important. The plan doesn't show the topography. We know that
7 there are some steep grades on the site and you are proposing
8 a retaining wall right off the edge of the parking lot, right
9 off the edge of the building and right up against the
10 wetlands. I am concerned that the level of wetland impacts
11 that you are proposing isn't realistic based on your
12 proximity to the wetlands. Obviously, you could try to design
13 it and try to construct it that way, but I think when you
14 look at the long-term incremental impacts, your impacts to
15 the wetlands are going to be greater. It's just something we
16 have to work through with the plan.

17 The general lack of respect for the topography on
18 the site is a concern. This is a tough site. I think Randy -
19 it was tough to shoehorn that other building in the parking.
20 I thought you did a good job with it. I'm not sure if this
21 plan carries forth the sense of sight planning that was done
22 originally. I think that is something that we have to take a
23 look at. You are taking almost half an acre from grassland's
24 site and it looks like it is a big site. We've got to look at
25 what the impacts are and we would figure it as a site plan

1 amendment for that site to make sure that when you lose half
2 an acre from that site, that were not violating the green
3 space or density requirements.

4 MR. PALLESHI: He's got plenty of room.

5 MR. GRASSO: That something that just has to be
6 documented to the process.

7 We support the shared parking arrangement and
8 offsetting peaks. That is something that we do support and
9 can reduce the amount of parking that you overall have to
10 provide on the site. So, I think that's good. Obviously, we
11 will need to drill into the details there.

12 There are a couple things with the design
13 standards. The front façade is in facing Route 7. We've got
14 the parking in the front yard and that something that is
15 discouraged. There are some waiver items that you touched on
16 that we need to work through as the plan goes to the process.
17 There are some challenges with the site and there's going to
18 be some difficult obstacles to work through as we go through
19 the site plan review.

20 CHAIRMAN STUTO: Chief, any comments?

21 MR. PALLESHI: If I could just add - - just so
22 that the Board can hear. We already looked at the grading
23 issues through here. We did some extensive topography. I've
24 got a 5% grade along this entire stretch of parking lot which
25 isn't steep at all. If you think about handicap

1 accessibility, you can go up to a 5% accessible route without
2 a handrail. So, that's how I design that stretch of parking
3 lot and that's why I have the retaining wall where it is
4 because I am trying to minimize the amount of wetland
5 disturbance. So, with those two in mind - - yes, it is sketch
6 and that's why I didn't show the topography in the grading. I
7 definitely looked at that before I brought this to DCC before
8 this Board. When you look at the entire property and you're
9 right to the density calculations, yes, we are allowed 11
10 units but 11 units isn't realistic on here so when I stepped
11 back and looked at the grading, that's when I felt
12 comfortable with what we were proposing. There was some
13 thought that went into this - more than what some of the
14 sites out there at this level are. I just want to have you
15 understand.

16 MR. HEIDER: I have a couple things. Your current
17 building there is a very nice looking building. I would hope
18 that you use a similar design standard for the apartments.

19 I know across the street they did apartments in
20 the old barn across the street. You would never know they
21 were apartments over there. I know the area has this type of
22 development. I understand that.

23 I would much rather see you lose the four parking
24 spaces directly in front of the building and just make that
25 green. I think it would complement it and have a nice

1 transition between Route 7 and the building. Keep the three
2 on the other side behind the other building, but then the
3 four right in front of the apartment building - I would like
4 to see them gone.

5 You don't show that the walkway is going to
6 continue down. I am assuming that you will - to meet the
7 Peter Harris walkway. I am assuming that will come down to
8 your driveway, right? They will come into the apartments
9 themselves?

10 MR. PALLESHI: Yes.

11 MR. HEIDER: You have connectivity there?

12 MR. PALLESHI: Correct.

13 MR. HEIDER: I think that takes care of the bus
14 stop question you might have. I think there is a bus stop up
15 by Peter Harris.

16 MR. GRASSO: My question was: The school-aged
17 children and the apartments - - is a bus going to have to
18 stop on Route 7? It's just something that we try to look at
19 from a planning perspective and discourage it if there are
20 other opportunities to address it.

21 MR. HEIDER: Other than that, the back faces woods
22 and no one is ever going to see it.

23 MR. SHAMLIAN: As Joe pointed out, I'm not a fan
24 of these apartments. Particularly in this case, there is
25 literally zero space for someone to do anything as a resident

1 outside. You've got the storm water management area and
2 you've got wetlands. Then, you've got a retail establishment
3 on the west. There is nothing anywhere near here. I'm not a
4 fan. I don't really think it fits in between two commercial
5 applications on a very tight piece of property. I agree that
6 the building is great. It looks wonderful. I feel like
7 everybody worked really hard to shoehorn that in on a very
8 difficult piece of property. Now, we're trying to do the same
9 thing next to it and it doesn't need to happen.

10 MS. MILSTEIN: My big issue is really having an
11 apartment building like that just in the middle of
12 commercial.

13 CHAIRMAN STUTO: I agree with Craig's comments
14 myself. We have seen this more recently where somebody did a
15 merger and they had a commercial office building. A lot of
16 people in this room know what I'm talking about. It was in a
17 mixed use district. They bought the acreage next to it and
18 now they want to put all residential on there. It doesn't
19 always work. Maybe if the property had been one property in
20 the beginning, it could've been planned a little bit better
21 and maybe it would have worked. I'm not in favor of the
22 one-off apartment buildings, either. There is one across the
23 street that looks attractive, but it happens to be in a
24 grassy, wooded setting and it looks good from the outside.

25 There is going to have to be a lot of convincing

1 here to convince me that this is going to be what we want in
2 this Town. It was a challenging site when we did the initial
3 building to the east - the existing building. We knew there
4 was going to be parking challenges and it turns out that
5 there are.

6 I can understand why you want to put the
7 apartments there. It is decent income. I don't know if I can
8 support it. Two curb cuts there on that small of a parcel and
9 that's another fairly significant negative to me to the way
10 this thing is configured. That's how I feel about it.

11 MR. AUSTIN: It would be great to have all three
12 parcels - - when we first begin this whole thing because then
13 we wouldn't have to shoehorn the existing building in and try
14 to work all this other stuff in as well.

15 My concern is with the apartments. If I came home
16 and the Aesthetic Institute is booming and all my parking
17 spots are taken - so all the parking is taken. I think one of
18 the biggest concerns I heard was the need for parking. That
19 is great. Your business is booming. That is superb. If the
20 parking spots are all full, where are the apartment people
21 parking? Maybe it's different hours, but you never know when
22 you're going to come home.

23 MR. MION: What are the hours of the school?

24 MR. AUSTIN: I have seen it open at night
25 sometimes.

1 MR. BRENNER: I am Randy Brenner.

2 So, the typical hours for the school are from 9:30
3 to 4:30. That is when the majority of the students are there.
4 The evening hours - we run one night class which will have
5 anywhere from 8 to 12 students. Cyro is open, but that's in
6 and out - the cars are in and out of the building itself.
7 Really, if you went by there right now the parking lot is
8 pretty much empty.

9 MR. AUSTIN: What would it be potentially at
10 nighttime?

11 MR. BRENNER: At night - it just isn't there. If
12 we have a problem filling classes, it's the nighttime
13 classes. What really has stemmed all this is we have an
14 international certification program. We've got people coming
15 in from around the world and around the country now for
16 either what could be as long as a six-month program. So, they
17 are also looking for places to stay. I'm not trying to fill
18 that apartment building up with students. Maybe one unit or
19 two units might go to those students that are coming in and
20 traveling. Right now we are pulling students in from
21 Massachusetts, New Jersey, Vermont on a daily basis and they
22 are coming into the area and staying at some of the local
23 hotels and motels for like Monday/Tuesday or some are
24 actually doing it for the three months stay. The longer
25 stents are even worse than that.

1 The great points that Luigi talked about - I
2 understand what you're talking about that there are some real
3 challenges that we have faced with 922 and especially pulling
4 in on the one entrance that we have there.

5 On the Apex parcel it's much more stable a lot
6 than the lower portion. It seems like a lot, but we really
7 did take that into consideration.

8 MR. AUSTIN: I'm wondering if there's a different
9 way of using it. Instead of apartment buildings - - I don't
10 know.

11 MR. BRENNER: Give me an idea.

12 MR. MION: I guess my question would be: If you
13 don't rented to students, who are you going to rent it to?

14 MR. BREENER: We are looking for young
15 professionals, similar to what John is doing across the
16 street.

17 MR. MION: What happens if a young professional
18 comes in and has kids? What kind of amenities would you have?
19 They have an apartment building and what do you do with the
20 kids? If we weren't looking at the storm water management,
21 that would probably be a great pool. I don't think that's
22 what we want to use that for. Most everything else has been
23 addressed and responded to. I guess one of the things that
24 you have to look at is what about kids and what kind of
25 amenities you would have to have. You should have something

1 there.

2 MS. DALTON: Most everything I would have said has
3 been said.

4 I do want to point out one thing going back to
5 what Peter said about another applicant who has done
6 something similar. What would you be permitted to build on
7 this if you didn't merge it with the other property? From my
8 perspective, that's a loophole in the law that if people
9 merge their properties all the sudden you can count the
10 entire area as counting toward whatever it is that you're
11 trying to build. If somebody else were on that property, they
12 wouldn't be able allowed to put something similar. I kind of
13 feel like it should be held to the same standard. I think
14 that if you need more parking, make it a parking lot.

15 I am also not in favor of two curb cuts. I think
16 this is a better curb cut. Close off the other one and use
17 this one, but not if there is a residential area because
18 again, you don't want everybody driving through that.

19 With regard to what you are saying about what else
20 you could do: If you really do have a need for spaces for
21 international or out-of-town students, if you did an addition
22 off the back of your building because you now have a little
23 bit more room, you could do an addition there that is a
24 residential addition and still meet the COR standards. It
25 would be solely for the people who were coming - almost like

1 a corporate apartment. You could rotate people in and out.
2 They could sign in and out. They could pay for it. It's like
3 an Air B&B attached your building.

4 You said give me an idea and that's an idea.

5 CHAIRMAN STUTO: Anything else?

6 (There was no response.)

7 Okay, thank you.

8 (Whereas the above entitled proceeding was
9 concluded at 7:37 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: _____

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