

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

3 *****

4 STARBUCKS
15 WOLF ROAD
5 ALSO KNOWN AS 131 COLONIE CENTER
SKETCH PLAN

6 *****

7 THE STENOGRAPHIC MINUTES of the above entitled matter
8 by NANCY L. STRANG, a Shorthand Reporter commencing
on December 4, 2018 at 7:00 p.m. at The Public
Operations Center, 347 Old Niskayuna Road, Latham,
New York

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10 BOARD MEMBERS:
PETER STUTO, CHAIRMAN
11 KATHLEEN DALTON
LOU MION
12 STEVEN HEIDER
SUSAN MILSTEIN
13 BRIAN AUSTIN

14 ALSO PRESENT:

15 Joseph LaCivita, Director, Planning and Economic
Development Department
16 Nicholas Costa, PE, Advance Engineering
and Surveying
17 Joseph Romano, CHA
Robert Gailor
18 Rebecca Goldberg

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1 CHAIRMAN STUTO: Hello everyone and welcome to
2 the Town of Colonie Planning Board. We have several
3 items on the agenda, as usual.

4 Before I call up the items on the agenda, I'd
5 like to say - Kathy, I would like to say a couple of
6 words about you, if you don't mind.

7 Kathy Dalton has been on this Board for I
8 don't how many years. I think it's as long as I've
9 been here. It is seven years. She is moving on to
10 bigger and better things in life, I think and maybe
11 warmer climates.

12 MS. DALTON: Grandchildren.

13 CHAIRMAN STUTO: Okay, not bigger but better.
14 We would like to thank you for your time. We appreciate
15 all your service and we wish you the best in the future.

16 MS. DALTON: It has been my pleasure and my
17 honor and I love doing this.

18 CHAIRMAN STUTO: Before we call the items, Joe,
19 do you want to make some announcements?

20 MS. LACIVITA: The only thing that I have,
21 Peter, is December 13 - we have our Comprehensive Plan
22 meeting here at 6:00 in this room.

23 CHAIRMAN STUTO: First item on the agenda is
24 Starbucks, 15 Wolf Road, also known as 131 Colonie
25 Center, sketch plan, proposal for one-story 2025

1 square-foot building with drive-thru.

2 MR. COSTA: Good evening. My name is Nick
3 Costa. I am with Advance Engineering. We are here on
4 behalf of the owners to present the proposed Starbucks
5 that has been planned for the site.

6 With me tonight is also Rob Gaylor, Russ and
7 Rebecca. They are going to be helping me with the
8 presentation and maybe helping me to answer some of
9 the questions.

10 Everybody is familiar with the Colonie Center
11 site. Wolf Road is up on the top on the west side of
12 the mall. Central Avenue is along the east/west route.
13 Sand Creek is right here (Indicating). The mall is
14 outlined in the red.

15 This is the portion of the mall that is owned
16 by the applicant. It is almost about 50 acres. They
17 have frontage along Colonie Center and they also have
18 frontage along Sand Creek.

19 I know that this is hard to see, but I just
20 want to let you know the basically everything that is
21 in red is owned by the applicant. There's the Colonie
22 Towers here (Indicating).

23 CHAIRMAN STUTO: I need a get new glasses or
24 eye surgery. I can't see anything.

25 MR. COSTA: I will bring it up.

1 CHAIRMAN STUTO: Okay, got it.

2 MR. COSTA: We will focus on more as to where
3 the proposed development is supposed to go which is
4 right in this area (Indicating). This is being
5 subdivided from the almost 50-acre parcel. It is about a
6 one-acre parcel that is going to be subdivided and it's
7 going to be its own parcel. It will be occupied by
8 Starbucks. Right now, there's a big parking lot here
9 (Indicating). Actually this is a tighter area around the
10 circulation road. This has been identified as an area
11 that would be a good place to have a Starbucks.

12 CHAIRMAN STUTO: Can you trace the new lot
13 again?

14 MR. COSTA: Sure. It is in red.

15 I don't think you have this plan, but the
16 site plan shows that.

17 The Starbucks is being developed right in
18 here. There will be 41 parking spaces as shown on the
19 sketch plan. These parking spaces in the front are
20 going to be dedicated to Starbucks and then there's a
21 drive-thru that will run around the side of the
22 building. There is a larger drawing of that that shows
23 a little more detail than what is being proposed.

24 We were in front of the DCC several months
25 ago. I think it was back in September.

1 MR. LACIVITA: August 22.

2 MR. COSTA: We received some comments from each
3 department with regard to the proposed development. We
4 have tried to address some of those, but we were coming
5 in front of the Board to get your input before we make
6 changes to the drawing and make the concept submittal.
7 It does take away some parking spaces. The reduction of
8 parking spaces is being offset by making a certain
9 portion - there is a certain number of the existing
10 parking spaces 8 1/2 feet wide.

11 There was a parking study that was done by
12 Rebecca and she's going to be getting into it a little
13 bit more detail discussion of that and how that works,
14 as well as how the overall center does not lose the
15 parking spaces in the ratio that they are supposed to
16 have.

17 So, if there are any questions, I would be
18 happy to answer them.

19 CHAIRMAN STUTO: Joe, do you have any comments?

20 MR. ROMANO: Yes,

21 CHAIRMAN STUTO: This is being reviewed by CHA
22 on behalf of the Planning Board. Our Town Designated
23 Engineer is Joe Romano.

24 I know you haven't done a thorough review but
25 could you give us your comments so far?

1 MR. ROMANO: Sure. So, we took a look at the
2 sketch plan and generally the site plan layout looks
3 logical and we support this type of redevelopment. It
4 was mentioned that a detailed parking study was
5 prepared. We do have that. Based on that, it appears
6 that a waiver for parking may be required and that's
7 something that we can work through as the project moves
8 through concept.

9 CHAIRMAN STUTO: What kind of waiver? Not
10 enough spaces?

11 MR. ROMANO: Right.

12 CHAIRMAN STUTO: Are you going to have shared
13 parking to the north of that lot line?

14 MR. COSTA: We have enough spaces -

15 CHAIRMAN STUTO: Because you reduce the size.
16 Why are you saying they need a waiver?

17 MR. COSTA: For the reduction of the size of
18 the parking space from 8 1/2 feet -

19 MR. ROMANO: I thought the study showed that
20 there was 70 spaces less than what would be required by
21 the Code.

22 MS. GOLDBERG: Good evening. I am Rebecca
23 Goldberg, PE. I am one of the transportation engineers
24 who worked on the parking study. So, the site plan for
25 the Starbucks - there are actually two waivers that

1 would be needed. One is for the stall with 8 1/2 as
2 opposed to 9 foot spaces which is very standard. It does
3 not hinder maneuverability, especially when you have a
4 very long term - - it's not a short turnover.
5 Technically, you are typically there for an hour or
6 more.

7 The other waiver is for parking spaces. The
8 Town Code requires a certain number and there will be
9 fewer spaces than Town Code requires. Based on
10 numerous parking counts, there's more than enough
11 parking mall-wide and especially in this area of the
12 mall that's used for this waiver.

13 CHAIRMAN STUTO: Are they going to have a legal
14 right to use the parking outside of the lot line?

15 MR. GAILOR: Yes, our entire site is shared
16 parking and it is viewed as one site and all parking is
17 open for everybody to park.

18 MS. GOLDBERG: And it functions as one site.

19 CHAIRMAN STUTO: What document governs that?

20 MR. GAILOR: Our agreements between Macy's,
21 Saratage and the KRE Colonie Owner, LLC.

22 CHAIRMAN STUTO: And that is not going to
23 change.

24 MR. GAILOR: That is not going to change.

25 CHAIRMAN STUTO: Would you verify that?

1 MR. ROMANO: Yes.

2 MR. GAILOR: We do, from time to time,
3 renegotiate and make amendments to that document where
4 we can go out and get approvals to do certain projects
5 and things of that nature. The sharing of the parking
6 will not change.

7 CHAIRMAN STUTO: Let me just ask a follow-up
8 question. So, how many parking spaces - there are two
9 waivers; the size of the lots are 8 1/2 rather than 9
10 and there aren't enough parking spaces on that lot,
11 correct?

12 MS. GOLDBERG: As per the Town Code, yes.

13 CHAIRMAN STUTO: How many spaces are you short?

14 MS. GOLDBERG: 45.

15 CHAIRMAN STUTO: On that lot for that use?

16 MS. GOLDBERG: No, mall-wide. The use itself
17 will have enough parking.

18 CHAIRMAN STUTO: Because the building and the
19 landscaping deprive you of 45 spaces?

20 MS. GOLDBERG: Right.

21 CHAIRMAN STUTO: Mall-wide, they are not short?

22 MS. GOLDBERG: By Town Code, I believe there is
23 already a waiver that was previously granted.

24 MR. ROMANO: There is a 39 space waiver.

25 CHAIRMAN STUTO: There is a 39 space waiver in

1 existence?

2 MR. ROMANO: That's what the report references.

3 CHAIRMAN STUTO: So, you are going to 45, is
4 that what you are saying?

5 MS. GOLDBERG: It is 45 additional.

6 CHAIRMAN STUTO: That's because of your
7 building footprint, green space and so forth.

8 MS. GOLDBERG: And the reconfiguration of the
9 parking needed.

10 CHAIRMAN STUTO: Thank you, I just want to
11 clarify that.

12 MS. LACIVITA: Did you actually look at the
13 parking that was added back in when BJ's was done?

14 MR. GAILOR: There were 32 spots that were
15 added in in our in our recent count. They account for
16 the footprint of what we are using to doing with
17 Starbucks. At the end of the day, we are looking at 232
18 spaces striped with an 8 1/2 foot line. All of those 8
19 1/2 foot wide spaces are contained within this parking
20 area right here. There are 27 here (Indicating). So, the
21 remainder of the parking lot will stay at the 9-foot
22 wide basic stall.

23 CHAIRMAN STUTO: I have more questions, but go
24 ahead Kathy.

25 MS. DALTON: What you just said is the

1 expectation is that people will stay in our or more.

2 MS. GOLDBERG: That's typically what you see
3 any regional mall.

4 MS. DALTON: At a mall, I get that. What is the
5 typical stay at a Starbucks? That doesn't seem right.

6 MS. GOLDBERG: The Starbucks obviously has a
7 much longer duration.

8 MS. DALTON: That's my first concern is that
9 you are using the standard that isn't applicable to this
10 particular usage. Also, you said that you only need two,
11 but on the document that we have from Planning and
12 Economic Development - it says that you would need a
13 waiver for parking in the front yard, parking lot
14 pavement within 15 feet of Central Avenue, parking lot
15 pavement within 10 feet of the side rear property and
16 the landscaped islands for more than 20 parking spaces.
17 Are those others no longer applicable?

18 MS. GOLDBERG: No, those are site plan related.
19 I was just talking about the parking and the
20 functionality of that.

21 MS. DALTON: But those are all related to
22 parking.

23 MS. GOLDBERG: Right, but not necessarily the
24 demand and how you accommodate people on the property.

25 MS. DALTON: Sure it does because if we don't

1 grant the waivers for the setbacks, then you're going to
2 have even fewer parking spaces.

3 MS. GOLDBERG: Yes.

4 MS. DALTON: So, they are applicable.

5 MS. GOLDBERG: We are not disagreeing, we are
6 just talking about two different types of waivers.

7 MS. DALTON: I don't think so. I think that I
8 have made my point.

9 MR. MION: I don't remember when, but I know
10 the mall came in to shrink the parking spaces down from
11 9 to 8 1/2 a while back. We had problems with that.
12 Based on what I am seeing on the road today, I would
13 like to see spaces that are 10 feet wide. I don't think
14 the 8 1/2 feet is going to be appropriate for what we
15 have as far as vehicles are concerned today. I think we
16 should stay at least to 9, myself.

17 If we did that, what would you waiver be for
18 that many less parking spots?

19 MS. GOLDBERG: I think the last time that we
20 ran that number, it would probably increase the number
21 of spaces in the waiver by, I would say, roughly 30 to
22 50. That could be supported. There are thousands of
23 empty spaces when we have done our counts and even
24 accounting for the holiday season and a fully occupied
25 lot, Starbucks, BJ's and extra cushion of spaces, plus

1 room for snow storage, plus room for the cars that are
2 stored at the southeast corner of the lot, the number of
3 spaces for the waiver can be supported either way. We
4 were just trying to minimize the waiver and get as close
5 to the Town Code requirement as possible.

6 MR. MION: I honestly think that 8 1/2 is just
7 too narrow. That is my personal opinion.

8 CHAIRMAN STUTO: I want to make a point. I am
9 open-minded to the number of spaces and I would like to
10 see the study and hear what our Engineer has to say
11 about that.

12 Sears is empty now. I would like to know once
13 it fills backup, what the impact is going to be.
14 Eventually, it is going to fill back up. I am open
15 minded. I'm not crazy about 8 1/2 feet, although I
16 will listen to what our Engineer has to say about
17 that. I have been in smaller spaces and I don't think
18 it fits two SUVs next to each other, or pickup trucks,
19 which seem to be popular vehicle.

20 MR. GAILOR: Just to put a number of parking
21 spaces that would be part of a waiver, whether they go
22 to 8 1/2 or keep it at 9 - if it stays under 100, let's
23 say, just for the sake of a number, the numbers that
24 they are talking about and total number of spaces within
25 the mall is like 5,300. It is a really small percentage.

1 CHAIRMAN STUTO: Understood, but it puts
2 pressure on other portions of the mall too, once it
3 fills up.

4 I have said enough for now.

5 MR. GAILOR: Our market study does take into
6 account a wholly occupied building, including that Sears
7 and that square footage and also the holiday season.

8 CHAIRMAN STUTO: As of right now we do not have
9 a copy of the study.

10 I don't know if you do; do you?

11 MR. ROMANO: No.

12 CHAIRMAN STUTO: We are going to be looking at
13 those issues closely.

14 MS. MILSTEIN: I don't see a part of the mall,
15 per se. I see it as something that happens to be on the
16 mall property and having parking spaces that it wouldn't
17 normally have. People do not like to walk. I really
18 think that the parking needs to be around the entire
19 building and not including the mall as a whole. That is
20 my comment.

21 MR. HEIDER: I'm vehemently against the 8.5. If
22 you look at Europe with all those foreign cars, they can
23 do it. Ford and Chevy - they are doing away with the
24 sedans and just going to pick up trucks and SUVs. You
25 can't fit them in an 8.5 foot parking space. The thing

1 that I am concerned with is where they load all the snow
2 for that entire mall. Is there something in your
3 agreement where they cannot do that on those parking
4 spots? All the entrances are from the parking lot.
5 You've got people going all over the place. You don't
6 have an entrance from the mall road.

7 MR. GAILOR: That's correct and we will not be
8 adding one. You would have to go up around the islands
9 and then down in.

10 MR. HEIDER: That snow removal - that pile used
11 to be there the better part of June.

12 The other thing is there is a tremendous
13 amount of pedestrian travel here with the bus stop out
14 in front. I see no cuts at all in that landscaped area
15 that will get a pedestrian from Central Avenue. I may
16 be missing it. If you can show to me, please do. I am
17 not seeing it.

18 MR. COSTA: Going back to the snow - that was a
19 comment that was made during the DCC comments and like I
20 mentioned before, we have tried and attempted to respond
21 to those. We do have a snow removal plan.

22 MR. HEIDER: I don't care about your snow
23 removal plan. I care about the malls. Don't get me
24 wrong, this area has always been the orphan of Colonie
25 Center. There has never been cars parked there. There

1 has never been any traffic there. When Sears was in its
2 heyday, the only people that parked there were
3 recreational vehicles for the shows. I am worried a
4 little bit more for Starbucks. They can surround you
5 with 30 foot high piles of snow, unless you have an
6 agreement that they cannot do that. That blocks
7 emergency equipment from getting to you.

8 MR. GAILOR: What we have done is typically in
9 the past as we did move all that snow out there to clear
10 the front and the back for parking in the narrow lots.
11 If this plan does get approved, we will no longer be
12 moving all that snow up to the lot. That snow will stay
13 in the residual lots that was born in and piled
14 appropriately and in the appropriate places for the
15 runoff to go into the storm water collection in the
16 appropriate areas. We will no longer be taking those
17 piles and moving them down there.

18 We have a drawing that we show where every
19 one of those piles will be and we have already started
20 that this year. So, you do not see all that snow from
21 the last storm stacked up down there. You will see it
22 strategically staged in the parking areas where was
23 plowed.

24 MR. COSTA: Getting back to your question with
25 regards to the walk: That was also a question at the

1 DCC. We show some of it right here (Indicating). The bus
2 stop is here where there is a sidewalk that comes
3 across.

4 MR. HEIDER: Take five minutes to go there
5 someday. That's all I want to say. They don't walk up
6 that sidewalk. They walk across the parking lot. They
7 walk across the landscaped islands. I'm just not sure
8 that is a safe thing to do. Further, to put an
9 attraction there to go to that is not given a sidewalk -
10 I'm just concerned that unless you have some kind of
11 sidewalk for that middle, that they are just going to be
12 climbing on the landscaping and across the middle of the
13 road.

14 MR. ROMANO: On the east side of the access
15 drive.

16 MR. HEIDER: I'm not against the project. I'm
17 not against the number of parking spots. I just think
18 that pedestrian safety down there - - you're not used to
19 seeing pedestrians in that part of the mall. I think you
20 have major bus stops there and that may disperse some
21 activity there.

22 MR. COSTA: Like I said, we had that comment
23 and there is already a sidewalk right up to here
24 (Indicating) that is existing. That's why we continue it
25 down and over.

1 CHAIRMAN STUTO: Is that something that you
2 added since the plan that we have in front of us?

3 MR. COSTA: Yes.

4 MR. HEIDER: That is not on our plan.

5 MR. COSTA: You're absolutely right. That was a
6 sketch plan that was presented to the DCC. Some of those
7 comments, like I said, we tried to address. That was one
8 of them. There is an existing sidewalk right up to here
9 to the crosswalk.

10 CHAIRMAN STUTO: We will let our Engineer
11 continue his comments.

12 MR. ROMANO: The Board will recall when the
13 Staybridge Suites was developed that it triggered the
14 incentive zoning in terms of the green space on the
15 site. As is before, we want to see a plan of the entire
16 parcel and where it stands in terms of green space.

17 CHAIRMAN STUTO: Are you taking away green
18 space?

19 MR. COSTA: No, we are actually increasing the
20 green space. None of the green space exists today.

21 MR. ROMANO: The project is located within the
22 airport area GIS. We recommend the Town Attorney's
23 office make a determination on the need for an amendment
24 to an open development area because this parcel will
25 have access through another parcel.

1 CHAIRMAN STUTO: It doesn't have frontage on a
2 Town road.

3 MR. ROMANO: Well, the access doesn't. It has
4 frontage, but not through the drive. Typically, the Town
5 requires an ODA in this scenario.

6 There are a couple of other items which I
7 think the Board has already discussed in terms of the
8 concept submission. We want to see an overall mall
9 property - just like what you have here. Obviously, it
10 wasn't in the packets now. That is so we can determine
11 how the subdivision impacts the overall property.

12 Signage to direct customers to the Starbucks.
13 There is not necessarily a direct route from the
14 access drive. And we are supportive of that because I
15 don't think a direct access drive from Central Avenue
16 would work.

17 We talked about the pedestrian route from
18 Central Avenue.

19 One thing for the Planning Board to note is
20 that the plan that we had doesn't have a bypass lane
21 for the drive-thru. I know a lot of the drive-thrus do
22 have bypass lanes. That is not shown.

23 CHAIRMAN STUTO: You don't want to get trapped
24 in there, right?

25 MR. ROMANO: I think we had talked about - -

1 there were improvements that were suggested in this
2 parking study that need to be incorporated into the
3 concept plan.

4 CHAIRMAN STUTO: Nick, let me ask you this: Do
5 you own the property north of that borderline right
6 there?

7 MR. COSTA: Yes.

8 CHAIRMAN STUTO: You may have to take up a
9 little more of that to make this work better. That would
10 take pressure off of all of these issues.

11 Am I correct about that, Joe? If they move
12 that further north, it would take pressure off of
13 parking - the parking lot sizes, the pass-by lane that
14 you're talking about and so forth. I would just
15 mention it.

16 MR. ROMANO: Yes.

17 As part of the concept, again, there are
18 recommendations made as part of the parking study.
19 When that gets resolved in terms of whether there are
20 additional spaces or smaller spaces or relocated
21 spaces, that those become part of this solution.

22 That was it.

23 CHAIRMAN STUTO: Anybody else?

24 (There was no response.)

25 Okay, hopefully you have heard us. It's a

1 good project but we do have some concerns.

2 MR. COSTA: Thank you.

3 (Whereas the above entitled proceeding was
4 concluded at 7:32 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
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