

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 BRITISH AMERICAN OFFICE/HOTEL  
798 ALBANY SHAKER ROAD  
5 AMENDMENT TO APPROVAL

6 \*\*\*\*\*

7 THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing on  
January 21, 2020 at 7:00 p.m. at Memorial Town Hall,  
Loudon Road, Newtonville, New York

8 BOARD MEMBERS:  
9 PETER STUTO, CHAIRMAN  
10 CRAIG SHAMLIAN  
11 STEVEN HEIDER  
12 BRIAN AUSTIN  
13 SUSAN MILSTEIN  
14 CHIP ASHWORTH

15 ALSO PRESENT:

16 Kathleen Marinelli, Esq., Counsel to the Planning  
17 Board  
18 John Cunningham, Commissioner, DPW  
19 Anthony Stellato, PE, CHA  
20 Charles Voss, PE, Barton and Loguidice

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1                   CHAIRMAN STUTO: If you were here last time -  
2                   Joe LaCivita is moving on to a City Manager position  
3                   with the City of Watervliet. We have Jack Cunningham  
4                   filling in overseeing that department. He is the  
5                   Commissioner of Public Works. They are in the process of  
6                   interviewing and filling Joe LaCivita's position.

7                   Thank you for doing double work, Jack. We  
8                   appreciate it.

9                   Zach was introduced. He is in the Planning  
10                  Department as well. He is helping us stay organized  
11                  with our new audio/video system. That's where we are  
12                  with all of that.

13                 We have three projects on the agenda. We will  
14                 call those up.

15                 The first one is British American  
16                 Office/Hotel, 798 Albany Shaker Road. The application  
17                 is for an amendment to approval to 48,500 square feet  
18                 from 39,000 square feet.

19                 We will ask the applicant to get started.

20                 MR. STELLATO: Hello, everybody. I'm Tony  
21                 Stellato from CHA engineers and I'm here on behalf of  
22                 British American Development for a site plan amendment  
23                 for British American Plaza.

24                 This is actually not the project that is here  
25                 tonight. This is just a refresher. The slide on the

1 screen shows the concept plan as it was approved back  
2 when the Town approved concept plans in 2007. This  
3 plan is the basis of the SEQRA neg dec that this  
4 project has. It was for just under 300,000 square  
5 feet; 294,000 square feet of office building; four  
6 buildings varied in height from two to four stories.  
7 So, I just put that up there just to refer for us the  
8 basis of the SEQRA neg dec for the project.

9 In 2018 we received site plan approval for  
10 what we call Phase I and that is in the lower  
11 right-hand corner of the Hilton Tru Hotel, which is  
12 actually constructed and just about complete. I think  
13 that they are applying for a CO pretty soon.

14 In the upper left-hand corner is the office  
15 building that was approved. It was a 39,000 square  
16 foot three-story office building.

17 We're here tonight just to talk about that  
18 office building. The tenant for that building,  
19 Northwestern Mutual, has requested additional floor  
20 area. They are looking to expand. We are going to  
21 propose to accommodate their needs by adding a story  
22 to the building.

23 So, you can see the plan. This is current  
24 amended site plan (Indicating). It shows the office  
25 building site expanded slightly to the west to

1 incorporate some more parking for another 9,500 square  
2 foot of office space.

3 The building footprint stays the same. As I  
4 said, we have accomplished the additional square  
5 footage by adding a story by actually tucking a story  
6 in underneath the building. It's really a walk-out  
7 basement story addition.

8 CHAIRMAN STUTO: Has the height of the building  
9 changed?

10 MR. STELLATO: The height of the building does  
11 change because it goes from a three-story on the south  
12 side to a four-story. So, the roof elevation does go up.

13 At the rear of the building facing the golf  
14 course, the height is the same.

15 I just put this slide in to show you the  
16 boundary of Lot 2 which is the boundary of site where  
17 the office building is on. It's 4.1 acres.

18 I thought that I would speak to this slide.  
19 It's a little easier to see. It's in color. You can  
20 see the existing Hilton Garden Inn to the right hand  
21 upper part of the slide. Just below that is the Hilton  
22 Tru which has just been constructed so the office  
23 building is on the left side of the page.

24 Really, the most significant part of the site  
25 plan that changed is the parking that's added to the

1 left - the western part of the office building.

2 We did make a couple of other changes. One  
3 notable thing that we did was we moved the dumpster  
4 from the side of the building that faced the  
5 cul-de-sac there. That's a road that's going to be  
6 dedicated to the Town. As the building part of the  
7 foundation started to be excavated, it became clear to  
8 us that we put the dumpster in the wrong spot. So, we  
9 moved it to the other side of the building into the  
10 embankment so that you won't see it from the Town  
11 road.

12 The other change besides the parking is an  
13 expansion of the stormwater management area which you  
14 can see there. Toward the bottom of the page we show  
15 an additional stormwater pond beneath the building.  
16 So, the stormwater system has been redesigned for the  
17 office to accommodate the additional, but also we  
18 encountered some better soils in this new location.  
19 So, we have actually redesigned the entire stormwater  
20 system for the office site to be better aligned with  
21 the state's green infrastructure practices. So, I  
22 think that we have a better design and a better  
23 functioning stormwater management system now with this  
24 proposed expansion.

25 This is just a zoomed-out view of the same

1 slide. It just gives you a sense of the amount of  
2 vegetation that surrounds the site. Really, it's  
3 tucked in there. It's hard to see unless you drive in  
4 there.

5 I have some building elevations here  
6 (Indicating). At the end of the elevations, there is a  
7 perspective. Maybe we can flip through the elevations  
8 quickly unless someone wants to stop.

9 This is one of the end walls and the canopy.

10 If we can pause on the next slide, this is  
11 the north wall and you can see how the elevation of  
12 the ground comes up on that north wall facing the golf  
13 course (Indicating). Two-thirds of that north wall is  
14 three-stories and then we transition down to that  
15 basement -- four-story and we have done that to  
16 provide fire access to the back of the building at  
17 three-stories. We reviewed this with Fire Services and  
18 Joe Bisognano is happy with this plan.

19 This is just a view of the end wall  
20 (Indicating).

21 We will just end on the last slide which is  
22 the perspective view of the building which will show  
23 you what the building will look like from the parking  
24 lot. You can see that it's four-stories on the parking  
25 lot side. You can see on the left side how it

1 transitions back to three-stories. It's essentially  
2 the same building that was approved at three-stories.  
3 Like I said, we have tucked an additional story really  
4 between the first and second floor. In doing that, we  
5 are only utilizing part of that added story because  
6 part of that is buried in the back part of that hill.  
7 So, we get 48,00 square feet of office space, gross,  
8 with this office plan. So, that's it.

9 I will answer any questions that the Board  
10 has.

11 CHAIRMAN STUTO: Is that basically the same  
12 elevation that we voted on - architecturally?

13 MR. STELLATO: Architecturally it's not  
14 identical. They changed the color. The architectural  
15 elements are very similar. The punched-out window design  
16 was what was worked out with the Shaker Heritage folks.  
17 The cornis along the top of the building looks a little  
18 bit different, but it's essentially the same shape  
19 building insofar as the color choices.

20 CHAIRMAN STUTO: Are you done with your  
21 presentation?

22 MR. STELLATO: Yes, sir.

23 CHAIRMAN STUTO: This is in the process of  
24 being reviewed by our Town Designated Engineer, Barton  
25 and Loguidice.

1                   Chuck Voss from Barton, can you give us your  
2                   comments?

3                   MR. VOSS:   Certainly, Peter.

4                   The Board should have in their packets our  
5                   letter dated January 13th. We were asked to review  
6                   this by the Planning office. We had done the original  
7                   site plan review for British American Plaza, Phase I,  
8                   a few years ago. So, It makes sense to keep it with us  
9                   to take a look at this.

10                  We were provided with a revised site plan,  
11                  certainly a cover letter that came with the  
12                  application package, trip generation assessment data  
13                  and a full SWPPP was provided as well which we  
14                  reviewed. Essentially, we had gone through and done a  
15                  quick assessment on the impacts that were being  
16                  proposed.

17                  The addition of the proposed half-story at  
18                  the basement level, in our opinion, did not represent  
19                  a significant increase in the structure's overall  
20                  height. They are still in compliance with FAA  
21                  regulations for that area. It did not exceed zoning  
22                  for height. With no increase in the footprint in the  
23                  building, we felt that the impacts were minimal in  
24                  terms of the actual physical complexion of the  
25                  project.



1                   We also looked at the trip generation  
2                   assessment provided by CHA and found that really  
3                   there's just a minimal increase in the a.m./p.m. peak  
4                   rates for anticipated traffic coming and going to the  
5                   site. We found that the methodology was correct and  
6                   accurate for their trip assessment. So, again, we felt  
7                   there was not a significant impact to traffic, based  
8                   on this new layout.

9                   As is noted in the presentation by Tony,  
10                  there was a modification to the parking lots -  
11                  expansion of the parking lots to allow for the  
12                  additional required parking necessary to accommodate  
13                  the extra level. Certainly the site has the room and  
14                  the capacity for that parking lot so we weren't  
15                  necessarily concerned with that. We were very pleased  
16                  to see that they had decided through their SWPPP and  
17                  their stormwater design to prepare kind of a new  
18                  stormwater management system for the entire office  
19                  building site. Given the fact they are more favorable  
20                  soils off to the south and west side of the site where  
21                  Tony was mentioning before, it certainly made sense to  
22                  expand upon their prior system in that area and  
23                  redefine and reshape it. Based on the calculations and  
24                  the information provided in that SWPPP, we feel that  
25                  the new system actually is a better system than what

1 was prior approved by the Board. Essentially, we felt  
2 that the project as proposed didn't really pose a  
3 significant increase in impacts or site development.

4 CHAIRMAN STUTO: Other members of the public  
5 looking to speak on this?

6 (There was no response.)

7 Okay, we will take comments from the Board.

8 Chief, do you have anything?

9 MR. HEIDER: No.

10 CHAIRMAN STUTO: Craig?

11 MR. SHAMLIAN: I do have a couple of questions.  
12 Is Northwestern going to be the sole tenant?

13 MR. STELLATO: They're going to be the main and  
14 I think there is a small space in that basement that is  
15 not taken by them and may go to somebody else, or it may  
16 eventually used by them. The answer is yes, but maybe  
17 not.

18 MR. SHAMLIAN: One of the reasons I am asking  
19 is because when Northwestern was before us on a  
20 different site, I believe the building was around the  
21 same size that they were talking about. I seem to recall  
22 that they didn't need anywhere near the amount of  
23 parking. The site that they were looking at could not  
24 accommodate 200 plus parking spaces. The question I am  
25 wondering is are there a number of parking spots here

1           that we can bank?

2                       MR. STELLATO:  Yes.  I think there are.  We have  
3           provided a number of parking spaces - those required by  
4           code plus 15.  The plus 15 is just because when we put  
5           the parking lot in there, those 15 spaces made sense to  
6           build because we had to build the access asile.

7                       CHAIRMAN STUTO:  I'm just going to amplify what  
8           Craig said, remembering the arguments.  They were making  
9           the argument on the other site - I guess that probably  
10          wasn't new.

11                      The people who work there are out visiting  
12          clients a large part of the day and that's the nature  
13          of the business and they're making a pretty strong  
14          argument that they don't need the parking.  We favor  
15          banked parking, generally, when we can do it.

16                      MR. STELLATO:  We had these conversations with  
17          British American and they favor banked parking and they  
18          feel the parking is more than they need.  That's a  
19          conversation that I think they are more than willing to  
20          have with the Town.  I think right off the back, if you  
21          look at the parking lot I know it's a little small to  
22          see - - this row of parking is 18 spaces.  So, if we  
23          eliminate that row of parking, we are at the Town Code  
24          requirement.  I think we can probably work with you to  
25          bank some more.  I think the developer/owner here is an

1 agreement -

2 CHAIRMAN STUTO: Well, can we get more  
3 specific?

4 MR. SHAMLIAN: I would almost question, based  
5 on them being before us previously, whether we can bank  
6 54 spots over in that area. The only reason I'm not  
7 saying more than that is that I know you need that fire  
8 access.

9 MR. STELLATO: We do need the fire access road,  
10 yes. If we banked two rows, it would be 36. You are  
11 saying bank everything except for the road?

12 MR. SHAMLIAN: Everything but the road and the  
13 row of parking in between the road and the building.

14 MR. STELLATO: You know, I think it will work.

15 CHAIRMAN STUTO: Here is the suggestion. If the  
16 Board is in agreement, we could vote to approve it that  
17 way and work with the Town Designated Engineer to reline  
18 everything up. If your client disagrees, you can come  
19 back.

20 MR. STELLATO: And I think we can work that out  
21 down the road, as they get closer to wanting to occupy  
22 the site. I think their plan is to come back and say  
23 hey, we need another 10 or we need another 15. I think  
24 that is a great plan.

25 CHAIRMAN STUTO: Anything else?

1 MR. SHAMLIAN: I did not have anything else.

2 CHAIRMAN STUTO: Lou?

3 MR. MION: When we approve it, do we consider  
4 what kind of pavement you're going to put down - whether  
5 it could be porous pavement?

6 MR. STELLATO: Porous pavement is not suitable  
7 for this site just because of the soils and the  
8 groundwater. We are getting infiltration, but were doing  
9 it in the basin - the stormwater basin the we have  
10 designed. We agree, we love porous pavement, but it just  
11 won't work at the site.

12 MR. MION: I couldn't remember whether we  
13 approved it that way, or not.

14 CHAIRMAN STUTO: Chip?

15 MR. ASHWORTH: I am all set.

16 CHAIRMAN STUTO: There's an application before  
17 us to change this project in accordance with the plan  
18 that is in our package, including the elevation. It will  
19 go from 39,000 square feet to 48,500. It will be subject  
20 to the conditions from all the Town departments and the  
21 Town Designated Engineer, and in addition to bank those  
22 three rows of parking on the left-hand side, on the west  
23 side of the building that we're talking about to  
24 maintain the row of parking along the building and also  
25 keep a drive space through there sufficient for

1 emergency vehicles and other vehicles. That will be  
2 worked out with the Town Designated Engineer. If that  
3 needs to be changed, you'll have to come back. Do we  
4 have a motion?

5 MR. MION: I'll make a motion.

6 CHAIRMAN STUTO: Second?

7 MR. ASHWORTH: Second.

8 CHAIRMAN STUTO: Any 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 (Where is the above entitled proceeding was  
17 concluded at 7:14 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  
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