

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

STARLITE RETAIL

635 COLUMBIA STREET EXTENSION

THE STENOGRAPHIC MINUTES of the above entitled matter by NANCY L. STRANG, a Shorthand Reporter commencing on April 21, 2020 at 6:44 p.m. held via Zoom Video Conference

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
CRAIG SHAMLIAN
STEVEN HEIDER
SUSAN MILSTEIN
CHIP ASHWORTH
LOU MION
PAUL ROSANO

ALSO PRESENT:

Sean M. Maguire, AICP CECD, Director, Planning and Economic Development
Kathleen Marinelli, Esq., Counsel to the Planning Board
Zachery Harrison, Planning and Economic Development Department
Joseph Grasso, RLA, CHA
Daniel Hershberg, PA, Hershberg & Hershberg
Mark Nadolny, PE, Creighton Manning
Paul Felatti, Galesi Group

1 CHAIRMAN STUTO: Next item on the agenda is 635
2 Columbia Street Extension, Starlite Retail. The proposal
3 is for a - this says two-story, but I thought it was
4 three-story. I don't know if that is a typo. This is a
5 39,000 square foot office retail.

6 I think this is the wrong description. Am I
7 right about that?

8 MR. MAGUIRE: It was initially proposed as
9 three buildings, but coming back to concept for one
10 building, three-story, 60,000 square feet.

11 CHAIRMAN STUTO: Do you have anything to say,
12 Sean, before we turn it over to the applicant?

13 MR. MAGUIRE: I know Dan has provided us with a
14 presentation. So, I will turn it over to him. I would
15 just take a second to pull that up for him.

16 I think Dan had to step away. I don't know if
17 there is someone else who is here for the applicant.

18 CHAIRMAN STUTO: I saw Paul Felatti.

19 Paul, do you want to talk about it?

20 We have to get the right picture up. Is that
21 their presentation?

22 MR. MAGUIRE: That is a presentation, yes.

23 CHAIRMAN STUTO: Okay.

24 MR. FELATTI: Am I unmuted?

25 MR. MAGUIRE: Yes.

1 CHAIRMAN STUTO: Yes, we can hear you, Paul.

2 MR. FELATTI: I'm not sure where Dan is. Maybe
3 he's at another meeting. He says he does multiple
4 meetings.

5 CHAIRMAN STUTO: I saw him on the screen. Maybe
6 his muted. Is he muted?

7 MR. MAGUIRE: No, because I can see his chair.
8 I think he stepped away.

9 MR. HARRISON: Dan has himself muted.

10 CHAIRMAN STUTO: Can you call him on his cell
11 phone, Paul?

12 MR. FELATTI: I will. We lost Dan. It was only
13 a matter of time that we were going to lose him.

14 MR. MAGUIRE: Dan is on his way back.

15 CHAIRMAN STUTO: We have to adapt to these new
16 systems, so we are trying to be patient until we all get
17 used to it.

18 MR. HERSHBERG: Okay, I'm here.

19 CHAIRMAN STUTO: Hi, Dan.

20 MR. HERSHBERG: How are you doing? Daniel
21 Hershberg, Hershberg and Hershberg for Starlite
22 Associates, LLC. We went to sketch plan and have some
23 comments since then. We tried to address some of those
24 in the plans that exist now.

25 This is the site plan.

1 One comment was made previously from Joe
2 Grasso - why did we need four drive-through's. We had
3 four drive-throughs if some sort of bank might want
4 them. We have cut it down to three, which is better.

5 There is a comment about a number of parking
6 spaces being on dead-end aisles. We have since
7 eliminated all of those dead-end aisles and now have a
8 circulation pattern that runs pretty well around the
9 site.

10 The parking is slightly less than the
11 required parking. It's 9.1% less. We believe this
12 should be considered shared parking because we have
13 both the retail use and commercial use. Although
14 shared parking is mentioned in the Town Code, it
15 doesn't really give you a percentage. Most
16 municipalities want something between 10% and 25%
17 based upon the shared use. Normally if it is
18 residential shared with commercial, they have allowed
19 25%, but 10% for shared retail and commercial. So, we
20 think that is a waiver that we will hope to have
21 granted. The Planning Board is allowed to grant a
22 waiver up to 50% and we are asking for a waiver of
23 9.1%.

24 The green area actually increases. This area
25 was almost entirely paved and had been a parking lot

1 for the Starlite when it was there. We are actually
2 reducing the amount of asphalt for paving slightly.
3 It's very close.

4 There was some confusion regarding what we'd
5 said before. We had all different layers on the site
6 plan. This is at the back of our property - back where
7 Coliseum Drive makes the bend.

8 This is the limit of the conservation overlay
9 district. It only includes a small portion of our
10 site. In the green shaded areas, there is already a
11 portion of the conservation overlay district deed
12 restricted area. We think that we are okay with the
13 relationship of the conservation overlay district.

14 The wetland issue - the green areas are
15 wetlands that were permitted to fill under our permit.
16 That's the portion we are using of our site. The
17 hatched areas are a wetland buffer from this wetland
18 in the middle. In that area - we are staying out of
19 it. The black area is an area where wetland was
20 actually disturbed to get the roadway across and drive
21 across. We think this makes it a little clearer of
22 what our intentions are. We don't need any changes
23 with DEC. We don't need any changes in our minds with
24 the conservation overlay district.

25 So, we think we need two waivers.

1 The first waiver is a creation of the
2 parking. We have two front yards; one on Columbia
3 Street and one on Coliseum Drive. We don't put any
4 parking on the Columbia Street side of it. On the
5 Coliseum Drive side, we do have frontage on it. We
6 intend to separate that with a four foot decorative
7 fence with landscaping.

8 The other thing is we have that 10 feet off
9 the property line, even though it's 15 feet off the
10 sidewalk. We're putting a new sidewalk in there and it
11 is 15 feet off the sidewalk. We think that should be
12 permissible.

13 The second waiver has to do with the number
14 of required parking spaces and I explained that
15 before.

16 The traffic considerations - Mark Naldony is
17 in the audience and he can speak to this issue right
18 now.

19 MR. NALDONY: Sure, I can go ahead and do that,
20 Dan.

21 I'm not going to read all of these bullets. I
22 guess I'll give you just a brief summary of where we
23 are at with the project.

24 As most of you know, Creighton Manning had
25 done the Boght Road GEIS back in 2009 and identified

1 mitigation improvements necessary for the development
2 of the Boght area. Within that Boght area was the
3 Starlite parcel which was called Parcel 28 at that
4 time because there was no development. We had done an
5 estimate of trips for that parcel in order to
6 determine how that would add to the traffic in the
7 area for the Boght Road GEIS. That was back in 2009
8 and it was approved by the Town.

9 In 2018 the Starlite came forward with a
10 phased development plan. The first two phases included
11 the Ayco site and then they had a sort of generic
12 development plan for Phase III. So, back in 2018 we
13 did a trip generation estimate to determine whether or
14 not we were below the thresholds that were identified
15 in the Boght Road GEIS and we did determined that we
16 were below the GEIS back in 2018 for Phase I, II and
17 III - even though three was a little speculative. We
18 moved forward with those first two phases.

19 The Starlite has now come back with a little
20 bit more of a substantial plan of what they know they
21 want to do and therefore we went back to make sure
22 that again, we were below what was identified in the
23 GEIS to make sure there are not any new improvements
24 in terms of traffic that are required for this site.
25 The Phase III, a couple years ago, was a little bit

1 more geared toward retail. This new Phase III has a
2 little bit more office in it and when we re-did the
3 trip generation assessment, we actually determined
4 that the site would generate less trips than what was
5 approved back in 2018 as part of the original Starlite
6 plan which then indicates that we are below the Boght
7 Road GEIS trips.

8 That validates the traffic study that was
9 done for the GEIS and the improvements and mitigation
10 that were identified for that. We don't think there's
11 any new traffic improvements that would be required
12 for Phase III. The Starlite would just be responsible
13 for contributing to the GIS fees based on the CDTC's
14 formulas.

15 We also took a look at the access into the
16 Phase III site and the right-in/right-out on Columbia
17 Street Extension would have adequate sight distance.
18 So, we didn't feel there was any issues with that
19 access point on Columbia Street.

20 The access on the new connector road is
21 adequate. It was designed when the connector road when
22 in so it was determined to have good sight distance at
23 that time, as well.

24 There's really no other traffic mitigation
25 improvements that we had identified for this Phase III

1 of the site.

2 CHAIRMAN STUTO: Okay.

3 MR. HERSHBERG: Did you want to stop and have
4 Mark comment any further with any traffic questions the
5 Board may have?

6 CHAIRMAN STUTO: Does the Board have any
7 traffic questions?

8 (There was no response.)

9 We will hear from our Town Designated
10 Engineer and see if he has any.

11 MR. HERSHBERG: Okay Sean, could you put the
12 last one up which would be the last slide that I have
13 here? This is a rendered elevation view of the site. The
14 building in the landscaping is rendered pretty much as
15 far as the landscaping on the site.

16 If you have any questions, Dennis Rigosu is
17 on the call, too.

18 That is the end of my presentation.

19 CHAIRMAN STUTO: Okay, thank you.

20 This project is similar to the last one,
21 being reviewed by our Town Designated Engineer, CHA.
22 Joe Grasso is here.

23 Joe, can you give us your comments?

24 MR. GRASSO: Sure, Pete.

25 Because this is a formal concept review, we

1 did issue a letter back in February on the revised
2 plan. It does address a lot of the concerns that were
3 raised initially regarding the various buildings and
4 how much the site plan was broken up into different
5 portions of the site and around the buildings and
6 struggles with circulation patterns. So, it definitely
7 cleans it up. That's primarily because they have
8 consolidated the uses into one building, which we
9 think is a big improvement of the site. Even though
10 this total square footage is a little bit larger and
11 with a larger building comes more parking demands, we
12 have always thought that the mixture of uses on the
13 site would allow shared parking to occur and that is
14 something that we can get into more details as the
15 plan advances.

16 We also like the building location. Although,
17 it is a three-story building so being close to the
18 corner of Coliseum Drive and Columbia Street is
19 something that the Planning Board should consider.

20 In terms of the building location being at
21 the corner, there is no parking in that corner and the
22 building location can help screen views of the parking
23 lot to the rear. I think that's a great feature of the
24 project site.

25 In our letter which isn't based on the plan -

1 - it actually is the plan that we have on the screen
2 now. We had some concerns about the dead-end parking
3 rows in some circulation issues. The plan that Dan had
4 pointed to in his presentation started to address some
5 of those issues, which is good. I think there are
6 still areas that tweaks could be made that would make
7 the lot flow better and provide a stronger pedestrian
8 connection towards the building and just overall help
9 the flow.

10 As we continue to look at the shared parking,
11 it's important for us to understand: Is all the
12 parking that's proposed still required, or could we
13 land-bank additional spaces and take advantage of
14 greater shared parking ratio? That's something we will
15 have to look at because definitely having to provide
16 less parking on the site could definitely result in
17 additional improvements to the layout of the parking
18 lot.

19 The stronger pedestrian connection - that is
20 something that we talked about before. I still think
21 that there is a need to address that so that we don't
22 have so many pedestrian/vehicle conflicts if the
23 parking areas to the north are used on a regular
24 basis.

25 We had previously commented about the need

1 for a sidewalk along Columbia Street. I think that is
2 the long-term plan - continuous sidewalks along
3 Columbia Street.

4 I'm not sure, Dan, if those have made it into
5 the plan.

6 MR. HERSHBERG: We do show a sidewalk along
7 Columbia Street from Coliseum Drive to the Latham Ford
8 site.

9 MR. GRASSO: Okay, great, thank you for
10 accommodating that.

11 Dan already mentioned that they cut the size
12 of the drive-throughs down from four lanes down to
13 three. So, that is a significant improvement.

14 DOT has reviewed the access location on
15 Columbia Street. It is proposed as a
16 right-in/right-out and they didn't have any concerns.
17 We don't have any either. Its location could make it a
18 possible shared driveway with the property to the west
19 at some point in the future. Obviously we would lose
20 some parking of that if a cross-connection to the
21 adjacent property was ever put in place. That is
22 something we could look at - whether or not those
23 parking spaces are needed to be constructed at this
24 time.

25 One thing that we may want to consider would

1 be an ingress/egress easement over that
2 rights-in/rights-out out on Columbia Street just to
3 keep that lot to the west for redevelopment -

4 CHAIRMAN STUTO: What is on that lot now?

5 MR. GRASSO: Dan, do you know who has that lot?

6 MR. HERSHBERG: Latham Ford.

7 CHAIRMAN STUTO: Okay, thank you.

8 MR. GRASSO: In terms of the traffic, we looked
9 at the traffic.

10 Mark did a great job giving us a high level
11 view of it. We are comfortable with the traffic
12 generation. Even with the previous application, we
13 knew that it was coming in less than the previous
14 projections. So, we agreed that the appropriate
15 mitigation for the site is payments of the mitigation
16 fees, which I know CDTC had done an estimate and the
17 total mitigation fees for the development as proposed
18 is about \$300,000 and \$250,000 of which would go
19 towards transportation improvements. So, it is helping
20 to pay for Coliseum Drive, which is obviously the
21 ultimate goal of the mitigation fees - is that they
22 can fund improvements that address cumulative impacts
23 of development. That's a great thing.

24 In terms of access location on Coliseum
25 Drive, that was something that when the Ayco site was

1 planned, we always thought that this could be the
2 logical access point to this Phase III parcel. We
3 appreciate their work on holding to that location and
4 sticking with only one curb-cut on that one location
5 which takes advantage of the two-way left turn lane.

6 In terms of the building, they have done a
7 great job advancing the design of the building and the
8 rendering proves that it's a very attractive building.
9 We like the design of it.

10 One thing for the Board to consider is the
11 scale as it relates to the corner of Coliseum and
12 Columbia Street.

13 Dan, you mentioned during your PowerPoint
14 some conserved lands - that looks like the crossed
15 hatch actually extended up through the site, but I
16 don't think that was the intent because there was
17 never ever intent to conserve any of that drainage
18 corridor. I don't know whether or not that drainage
19 corridor is regulated by SEAMAB and whether or not you
20 would need a SEAMAB approval for the construction of
21 the parking area there. That's something that we would
22 need to take a closer look at.

23 Then, from a SEQRA standpoint, the Town
24 Attorney's office has classified this as an unlisted
25 action, but when the Planning Board conducted SEQRA

1 for the Ayco project, SEQRA was actually done for this
2 project site as well at a consistent level of
3 development. Anything on this plan that would trigger
4 the need for additional SEQRA review - - and if we
5 have the existing SEQRA in place to rely on - - if for
6 some reason the Planning Board felt more comfortable
7 doing its own SEQRA review, we can work with the
8 applicant on a short environmental assessment form and
9 prepare the appropriate SEQRA documents as the site
10 plan review takes place.

11 Dan touched on the waivers that are required.
12 The waiver from the maximum front yard building
13 setback which is a common waiver that the Planning
14 Board grants, basically allows the buildings to be
15 shifted away from the right-of-ways, based on the
16 scale of the project as it relates to the roadways.
17 So, that is a common one and I would think that the
18 Planning Board will support that.

19 The other one is the parking in the front
20 yard, which only really occurs along Coliseum Drive. I
21 think it's a 15 foot typical setback and I think they
22 are proposing 10 which is consistent with what we have
23 done on the Ayco site plan.

24 The last one is the number of parking spaces.
25 Dan talked about that already - that we are looking at

1 a shared parking arrangement and not having to build
2 all the parking that would otherwise be required, if
3 you added up the various land uses within the 60,000
4 square foot building.

5 Pete, that's all we've got.

6 The other items that were identified in the
7 letter were pretty technical things for the consultant
8 to address as the plans advance.

9 MR. HERSHBERG: I didn't list the front waiver
10 from Columbia Street. That's my mistake. There is a
11 30-foot sewer easement and we have the building coming
12 right up to that 30-foot sewer easement. So, we are
13 close as we can be to Columbia Street.

14 MR. GRASSO: Thanks, Dan.

15 CHAIRMAN STUTO: Okay, we will take comments
16 from the Board Members.

17 Paul?

18 MR. ROSANO: Joe and Dan, where would the
19 banked-parking be, if they were going to do banked-
20 parking?

21 MR. HERSHBERG: I think we would take the area
22 all the way down closest to the wetland in the left-hand
23 side of the picture. We would probably take a portion -
24 a the last portion of parking out by Coliseum Drive and
25 maybe a line of parking next to Latham Ford.

1 MR. ROSANO: As far as the short form EAF, we
2 are looking basically at a parking lot. I don't see it
3 being necessary. We've already done a complete review of
4 this property years ago. Why would we be doing an EAF on
5 an area that there's no green space on now? It's
6 basically a parking lot. I probably would not be in
7 favor of going with that.

8 CHAIRMAN STUTO: We will check with the Town
9 Attorney. I tend to agree with you. We will make sure
10 they are okay with it. Paul feels SEQRA is complete. We
11 will check with the Town Attorney.

12 MR. HERSHBERG: We made a statement in our
13 narrative report that we thought the SEQRA was complete.

14 CHAIRMAN STUTO: Paul?

15 MR. ROSANO: Thank you, Pete.

16 CHAIRMAN STUTO: Chip?

17 MR. ASHWORTH: In CHA's previous reports it
18 mentioned crosswalks in the parking lot because of the
19 pedestrians. There will be a lot of congestion in their
20 when the building reaches full occupancy.

21 MR. HERSHBERG: I think Joe mentioned this. We
22 wanted to address pedestrian access and we certainly
23 will address that in the next submission.

24 MR. ASHWORTH: Okay.

25 CHAIRMAN STUTO: Is that it?

1 MR. ASHWORTH: That's fine.

2 CHAIRMAN STUTO: Lou?

3 MR. MION: No, Paul asked the questions I
4 wanted. I'm good.

5 CHAIRMAN STUTO: Okay, thank you.

6 Susan?

7 MS. MILSTEIN: I think it's a beautiful
8 building. My only concern is really the size. Can you
9 hear me?

10 CHAIRMAN STUTO: Yes, but can you repeat that
11 though?

12 MS. MILSTEIN: I love the building. It's
13 beautiful. The size of the concerns me, especially that
14 close to the road, but I think it's a beautiful
15 building. I'm not sure where I stand with that.

16 CHAIRMAN STUTO: Anything else?

17 MS. MILSTEIN: No.

18 CHAIRMAN STUTO: Craig?

19 MR. SHAMLIAN: I agree with Susan. The building
20 is very attractive. I was pretty adamant at sketch plan
21 that in my view, the building should not be up against
22 the road. So, I'm going to continue along that theme.

23 In general, I think that they're trying to do
24 too much on this parcel of land. I understand it's a
25 relatively large piece of land, but a lot of it is not

1 really developable. Every part that is developable,
2 they're trying to do something on. This building is
3 too close to the road. It is massive in size. That
4 will tower over that intersection and be totally
5 inconsistent with everything else that is around them.
6 I understand the Ayco building is a big building, but
7 that is way off in the distance from the center
8 section.

9 It is an attractive building. I just don't
10 think it belongs dead smack at the intersection,
11 especially with three stories. That's a very large
12 building. It's very close to the road.

13 To kind of put it into perspective, we push
14 the Audi building, I think, back further than this
15 building back off the road, when the project was
16 before us. This building is bigger than that and
17 closer to the road.

18 CHAIRMAN STUTO: Thank you. I think we get your
19 point on that. Anything else?

20 MR. SHAMLIAN: No, that's it.

21 CHAIRMAN STUTO: Chief Heider?

22 MR. HEIDER: I agree with Craig. The Board,
23 since I have been on it, has been asking these people to
24 push these buildings back from the road. It has been our
25 history - the Board's history of wanting them to go

1 further back so there is a little bit more landscaping
2 upfront. The building is a beautiful building. Do I
3 think it could be pushed back a little bit? Yes. I think
4 it's going to act possibly as a way to encourage the
5 neighbors to the opposite side to possibly think of
6 re-doing some of their buildings. This corner is going
7 to be a very pretty corner, if it's done right.

8 The only thing traffic wise - I think
9 everybody knows on the Board that my
10 right-in/right-out theory is that it only works until
11 somebody turns left. I think people are going to want
12 to access this building - that right-in/right-out is
13 so far to the west that they're going to say you know
14 what? Do I go all the way to the intersection, wait
15 for the light, take a left and then go to the parking
16 lot, or do I just make this quick left turn in? We
17 seen it all across the Town and I think it will be the
18 same thing that will be seen here. I always voice my
19 concern and I think it is a dangerous piece to have a
20 right-in/right-out. I realize they need that second
21 access, but I think it's a recipe for disaster for
22 people who want to make the left-hand turn. That's it.

23 CHAIRMAN STUTO: I'm going to say that we had a
24 lot of good comments tonight. I agree with Craig, Chief
25 and Susan. We should at least see some alternatives of

1 this building - maybe downsized a little bit. Three
2 stories in that corner is, I think, out of proportion to
3 everything else. I'm not going to belabor it, but maybe
4 there are other alternatives. We will let the applicant
5 address that now, if they want. We should be able to see
6 some alternatives.

7 So, I'll either let the applicant or our TDE
8 address what has been said by the Board Members.

9 MR. FELATTI: I'd like to jump in. Paul Felatti
10 with the Galessi Group.

11 We are a little bit confused here. In one
12 breath you're telling us to push the building to the
13 front of the property. We want to push the building.
14 We want it nicely landscaped and we want the parking
15 in the back. So, I'm a little confused about what the
16 Town is asking. We are spending money doing these
17 drawings and we are going back and forth. I guess it's
18 from the developers or the Town. We need to know what
19 is the consistency that the Town is looking for. Do
20 you want them up at the front of the building - up at
21 the front of the road, or not? Then, you can address
22 the size of the building. It came out as two different
23 tones. We don't like it in the front. Push it back.
24 What are you asking from the developer?

25 CHAIRMAN STUTO: Are you saying tonight you got

1 two different messages tonight?

2 MR. FELATTI: Well, between this and other
3 meetings.

4 CHAIRMAN STUTO: I don't recall that in other
5 meetings. The other plan was three buildings. It's
6 apples and oranges, in my opinion. I don't remember
7 precisely what was said. We looked at three different
8 buildings and the total square footage was smaller. I
9 remember comments that it looked like a 1970's era
10 development and I think you brought on a different team
11 to bring this forward. I don't necessarily agree with
12 what you're saying, with all due respect.

13 MR. HERSHBERG: Mr. Chairman I think the issue
14 here is that the Code talks about putting the building
15 closer to the roadway and we always ask for a waiver. We
16 are not 10 feet back we are 30 feet back. The question
17 is: how much further back -

18 CHAIRMAN STUTO: I don't know what the right
19 answer is. You also have two road frontages, as you
20 said. I'm not sure what the alternatives are.

21 MR. HERSHBERG: We're trying to balance between
22 the Code and asking for a waiver and the practicality of
23 putting it further back. We can take a look at it.

24 CHAIRMAN STUTO: I can get argumentative about
25 how far the building gets pushed back in terms of how

1 many waivers we granted in order - - we disagree with
2 the Town Code. We think it's an error in the Town Code,
3 to be honest with you. But, you also have to frontages
4 here to work with.

5 I don't know if Joe Grasso can help, or any
6 of the other Board Members. I'm not sure what the
7 right answer is, but I think it's going to loom over
8 that corridor.

9 What I asked for was: Are there any
10 alternatives? I'm not saying that I have the solution.

11 I don't know if anybody else wants to speak
12 on it.

13 MR. HERSHBERG: We can take another shot at it.

14 CHAIRMAN STUTO: Joe Grasso, do you have any -

15 MR. GRASSO: To maintain the density that is
16 proposed with a 60,000 square foot building - obviously
17 it's going to require a fair amount of parking. If we
18 push that building back to maintain the density, you
19 would basically take a parking island, put it between
20 the building and Coliseum Drive and Columbia Street and
21 it would be good to know if the Planning Board is not
22 supportive of that, then you're looking at a plan with a
23 decreased density. If you're taking a floor off and
24 going two stories and instead of 60,000 you will
25 probably be down to 50,000 or 45,000 square feet. Would

1 the Planning Board feel comfortable with 160-foot bay of
2 parking that wraps around the building? That would allow
3 that building to slide away from Columbia Street by
4 about 60 feet.

5 CHAIRMAN STUTO: Well, some of the Board
6 Members thought they were doing too much on this lot. I
7 am not sure. They do have another road to have frontage
8 on. I know it is an odd shaped lot.

9 Is there any way to build it alongside of
10 Coliseum Drive? It may be more appropriate there. I
11 don't know. I don't know what the solution is, but I
12 know what the objection is. Just putting a row of
13 parking may not be the solution - and between the
14 building and the Columbia Street Extension.

15 Craig or Chief, do you have any ideas?

16 MR. SHAMLIAN: Again, I think you're trying to
17 do too much on the buildable portion of this property.
18 There's a lot of this property that they can't do
19 anything with - they can't build on it.

20 CHAIRMAN STUTO: Right, which is pushing the
21 building away from the back.

22 MR. SHAMLIAN: They are trying to take
23 advantage of the entire acreage, but on a very small
24 portion of the land. I think it's too much.

25 MR. ROSANO: Peter, let's go back and talk

1 about the location of the building. I think Paul made a
2 very good point. We've been talking about this for
3 years. With the Code calling for us to move the
4 buildings out closer to the road, with parking in the
5 rear - the disaster we have over on Route 9 right now -
6 that's what the Code calls for and we are constantly
7 giving waivers over the years for the location of the
8 building.

9 The point he was making before - we are
10 confusing everybody. Which one is a going to be? Is it
11 going to be the building out near the road with the
12 parking in the back, or is there another alternative?
13 We have to come up with a decision.

14 MR. SHAMLIAN: If I could jump in for second, I
15 think that the Planning Board has been very consistent
16 over the last number of years that we are not in favor
17 of the buildings out by the road and we have no issues
18 with granting waivers and we encourage people to push
19 buildings back further away from the road. I think the
20 Planning Board has been very consistent with that
21 message.

22 MR. ASHWORTH: Peter, maybe it's a matter of
23 scale. We have had smaller buildings that were closer to
24 the road and there was no headaches there and nobody
25 came up with any problems with it. Maybe because, as

1 someone use the word looming - in this case, because of
2 the scale of the building, it needs to be pushed back.

3 CHAIRMAN STUTO: Okay, anybody else want to
4 speak?

5 MS. MILSTEIN: Given the size of this building,
6 it needs to be pushed back. I don't like any of these
7 buildings too close to the road, based on the Code. I
8 have been a proponent for many years - especially with
9 buildings being so close to the road. I think it needs
10 to be pushed back.

11 CHAIRMAN STUTO: Okay, I think we need to see
12 some alternatives. And I think we have the support to
13 vote on this for concept. If somebody wants to make a
14 motion, that's fine. I think it would serve the
15 developer to consider all the comments and at least
16 present some alternatives. Does anybody disagree?

17 (There was no response.)

18 Okay, does the developer want to speak, or
19 no?

20 MR. FELATTI: No, I'm just looking for
21 direction.

22 CHAIRMAN STUTO: We want to see some
23 alternatives. Some people are saying it's too big to be
24 that close to the road. Some people are saying they
25 think maybe you're trying to do a little bit too much.

1 That's the message I'm hearing. Maybe we could see some
2 alternatives and we can get closer to where we can get
3 support for the project. I think the building looks
4 great. I think the architectural elements are fantastic.
5 I think what you have done behind it is fantastic, as
6 well.

7 MR. FELATTI: We will re-present it.

8 CHAIRMAN STUTO: Okay, thank you.

9 Is there any further business before this
10 Board?

11 (There was no response.)

12 (Whereas the above entitled proceeding was
13 concluded at 7:25 p.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

