

1 PLANNING BOARD COUNTY OF ALBANY
 2 TOWN OF COLONIE
 3 *****
 4 PHILLIPS MEDICAL SYSTEMS
 5 PHASE II
 6 450 OLD NISKAYUNA ROAD
 7 *****
 8 THE STENOGRAPHIC MINUTES of the above entitled matter
 9 by NANCY L. STRANG, a Shorthand Reporter commencing on
 10 April 28, 2020 at 6:19 p.m. held via Zoom Video
 11 Conference

8 BOARD MEMBERS:
 9 CRAIG SHAMLIAN, ACTING CHAIRMAN
 10 SUSAN MILSTEIN
 11 CHIP ASHWORTH
 12 LOU MION
 13 PAUL ROSANO

13 ALSO PRESENT:
 14 Sean M. Maguire, AICP CEcD, Director, Planning and
 15 Economic Development
 16 Kathleen Marinelli, Esq., Counsel to the Planning
 17 Board
 18 Zachery Harrison, Planning and Economic Development
 19 Department
 20 Joseph Grasso, RLA, CHA
 21 Nicholas Costa, PE, Advance Engineering and Surveying
 22 Dan Lawson, Retail Program Manager of Design and
 23 Construction, Philips Medical Systems
 24 John Reilly

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1 CHAIRMAN STUTO: We have one more item on the
2 agenda for concept. It's 450 Old Niskayuna Road,
3 Phillips Medical Systems, Phase II. My daytime job is
4 with the Albany County Airport Authority. They're going
5 to have some interaction on this, so I am recusing
6 myself from consideration from the Planning Board
7 perspective.

8 Craig, if you don't mind, can you just walk
9 it through? I'm going to drop out of the meeting.

10 MR. HEIDER: As I am also, Peter, going to
11 recuse myself.

12 CHAIRMAN STUTO: Okay, we still have five Board
13 Members there. Have a good night everyone.

14 (Mr. Stuto and Mr. Heider left the meeting.)

15 ACTING CHAIRMAN SHAMLIAN: Sean, is there
16 anything that you want to speak to before we turn it
17 over to the applicant?

18 MR. MAGUIRE: We can have the applicant goes
19 through this. Let me pull it up for him.

20 ACTING CHAIRMAN SHAMLIAN: Thanks, Sean.

21 MR. COSTA: Sean, I think with me is John
22 Riley, the architect. I believe he was supposed to sign
23 on. Is he here, Sean?

24 MR. MAGUIRE: Yes, I see his name in here.

25 MR. COSTA: Also, Dan Lawson from Phillips.

1 MR. MAGUIRE: He is here, as well.

2 MR. COSTA: This should be familiar to the
3 Board because we were in front of the Board early last
4 year back in September to get final site plan approval
5 for the 36,000 square feet that are under construction,
6 which on this aerial view that you're looking at is the
7 portion that is sandwiched between the new 37,000 square
8 feet and the main large building that is at the back of
9 the rendering.

10 So, this is Phase II that Phillips is looking
11 to construct at 450 Old Niskayuna Road.

12 Dan Lawson from Phillips, if he can hear me,
13 I would like to have him introduce him and have him
14 speak on behalf of Phillips.

15 Dan, can you hear me?

16 MR. LAWSON: Thank you. My name is Dan Lawson
17 and I am the Retail Program Manager for Design and
18 Construction of Phillips. I cover anywhere from the East
19 Coast to the Mississippi River for design construction
20 projects. We are excited that we continue to grow in
21 Latham. This additional footprint will fill out our
22 buildable size at this lot and add quite a bit more
23 capacity to our manufacturing process here.

24 This factory is the only place in the world
25 that we make magnets for MRIs. We have a new magnet to

1 market that is one-of-a-kind in the marketplace and
2 does not off-cast helium, so it has been well received
3 in the market.

4 In addition to Phase I and now this Phase II
5 we'll continue our growth and provide a global
6 product. So, we're very excited about the continued
7 growth.

8 The other part of the project that won't
9 necessarily show up at this point during these plans
10 that we wanted to highlight - - we are also working
11 with National Grid on substantial power upgrades to
12 the building and bringing direct service to the site
13 which will help alleviate not only constraints that we
14 have today, but also some constraints and that part of
15 the grid. We're trying to both connect the completion
16 of Phase II and the upgrade of that service.

17 On Phase I - just a quick update - we are in
18 good shape to open in the middle of May. We've had
19 some discussion with the Building Department on
20 occupancy. Overall, we just want to say thank you to
21 these guys for being creative and keeping things going
22 right now and being able to help us through this
23 downtime for you guys, but essential for us as a
24 healthcare provider and a medical device company.
25 We're very excited to grow.

1 I will let Nick go to the technical portions
2 of it. Again, no architectural awards being won on
3 this project. Another blue box kind of off the blue
4 box, but we will continue the quality of site care and
5 landscaping and also growing in Latham and continuing
6 to hire. We are very excited, again and thank you for
7 your time tonight.

8 Nick, I will let you go through the civil
9 portion.

10 MR. COSTA: Thank you, Dan.

11 We are here to present the concept plan that
12 we have prepared for the Phase II portion of the
13 building addition. That is shown on this rendering
14 that was done.

15 ACTING CHAIRMAN SHAMLIAN: Did we just lose
16 Nick?

17 MR. HARRISON: I think that we did.

18 MR. LAWSON: Is John Reilly still on?

19 MR. REILLY: Yes, I'm here, Dan.

20 MR. LAWSON: Do you want to walk through the
21 front end until Nick comes back?

22 MR. REILLY: Sure.

23 Basically as Nick said, we've got 37,000
24 square feet of blue shell for manufacturing that we
25 are putting up. On the view you're looking at here we

1 are not adding any parking. What we are doing is
2 building on our last addition, which was similar in
3 size. Frankly, it's smaller. It's 36,000 square feet.
4 We are handling delivery and shipping basically from
5 the existing entrances on the rear.

6 The access road on the left is being
7 reconfigured, but if you're familiar with the air
8 cargo facility, that's the access to it. We are adding
9 a second gate in that area bringing it around to feed
10 this area and in doing so we are also relocating a
11 waterline from Latham. That's what Peter alluded to in
12 terms of our involvement with the Airport Authority in
13 the sense that we have to extend the existing easement
14 that we have there to add the second gate.

15 We also have to get an easement for the
16 airport to extend our waterline to some of their
17 properties, as well. We have had conversations with
18 them and they appear to be in favor of working with us
19 and hopefully we will be moving that along quickly.

20 On the next slide here on the site plan,
21 we're adding parking to the front of the building. As
22 Dan said, we're pretty much maxing-out the site
23 itself. While it appears that there is a lot of green
24 area - and there is. I think were at 40% or 42% green
25 here. It's mostly wetland area, so what we are doing

1 is expanding the existing parking. In the center here
2 - the new parking is right here (Indicating). That's
3 basically all that will be added, as well as some
4 parking near the front entrance. It's expanding all
5 together by about 100 spots. They need that in terms
6 of the manufacturing jobs that are being brought in
7 and some engineering jobs, as well. We do meet all the
8 requirements, but we are pretty much maxing-out the
9 site in terms of parking, as well.

10 Storm drainage is being held all through the
11 existing system into a series of lagoons. I believe
12 there are five of them right now that handled the
13 existing stormwater. We are reconfiguring some of it,
14 but we are staying out of the wetlands area all
15 together.

16 That pretty much does it other than in the
17 rear here which would be the south side. We are also
18 adding a small building about 5,000 square feet. It is
19 slightly smaller. That's what's called a magnet
20 storage building. It's just part of the process where
21 magnets are taken in and then are charged. This is a
22 non-occupied building. It is one where they bring 40
23 or so compressors and magnets and we keep them cool
24 over an extended period of time until they're ready to
25 be shipped out.

1 That's all on the parking area there. We are
2 taking away a little bit of parking to accommodate
3 that, but we're adding quite a bit more to other
4 areas.

5 Are there any questions?

6 MR. MION: You mumbled a little bit on the
7 parking. Do you absolutely need all the parking?

8 MR. REILLY: Yes, we do. Actually to meet the
9 Zoning Code, we need it. The projection of the number of
10 employees that are going to be in on anyone given shift,
11 plus some shift change-over which is always an issue, we
12 absolutely need it. I was surprised, myself.

13 ACTING CHAIRMAN SHAMLIAN: Sean, can you
14 highlight exactly where the new parking area is on the
15 map that you've got up right now?

16 MR. REILLY: There's also a little bit, Sean,
17 right in front of the office building itself. We are
18 extending it around the circle.

19 MR. COSTA: Sorry, somehow I got muted. I have
20 no idea how that happened, but it did happen and I just
21 realized it. Sorry guys.

22 ACTING CHAIRMAN SHAMLIAN: So, John and Nick,
23 do you have anything else add, or should we turn this
24 over to our TDE?

25 MR. COSTA: Craig, the only thing -- I don't

1 know if this came through when I thought I was speaking
2 to you but I wasn't. I mentioned that at the rear of the
3 site we have had discussions with the Airport Authority
4 and they have been very gracious and understanding and
5 are on Board to help Phillips achieve their goal of this
6 addition.

7 ACTING CHAIRMAN SHAMLIAN: Yes, I think that
8 John covered that.

9 MR. COSTA: Thank you, John.

10 ACTING CHAIRMAN SHAMLIAN: This project has
11 been reviewed by our Town Designated Engineer. In this
12 case, it is Joe Grasso from CHA.

13 Joe, can you let us know all your comments?

14 MR. GRASSO: Sure thing, Craig.

15 We did issue a concept site plan review
16 letter dated April 22 which should be in all the
17 Planning Board Members' packets. I will go through
18 some of the more major comments.

19 Because this project site has just gone
20 through the Phase I addition which didn't shake out
21 any significant issues from a site Planning
22 perspective, nor does this proposed project as well -
23 - the first comment is really just regarding how the
24 application is presented. We prefer that it would not
25 be referred to as Phase II just to avoid confusion,

1 but show the Phase I as constructed or under
2 construction and then just show this as a new
3 stand-alone project. These comments can be addressed
4 as the plans get progressed, assuming it progresses to
5 a preliminary and final site plan design level.

6 The second comment is regarding the
7 improvements to lands that are controlled by the
8 Albany County Airport Authority. Obviously approval
9 from them is going to be required for the work on
10 their property, as well as the changes to the
11 waterline easement. I did call to John LeClair who is
12 the Airport Engineer.

13 Nick, you mentioned that you have been in
14 touch with him.

15 He did have some comments that he just wants
16 to make sure get addressed.

17 The most significant comment that I heard
18 from him was that he would like a line of sight
19 analysis from the tower which is to the south west of
20 here, looking through the addition towards the corner
21 of the air cargo building. He really wants to be able
22 to see the whole plane which is always parked - I
23 think it's like a 787 which is always parked on the
24 airport side of the air cargo building. He said worse
25 case would be to look at the corner of the air cargo

1 building. So, if you could provide a cross-section for
2 that - - he said he could get you an elevation of the
3 tower to run that line of sight diagram. When you
4 submit to him, we would like it to get copied on it so
5 we could follow along with those issues.

6 The other thing is just in terms of the
7 gates, he would like some clarity regarding the gates
8 that you're looking to do. One is going to be
9 relocated and then you're going to be adding a second
10 one. The way that it is shown on your site plan, it's
11 a little bit unclear that the controlled access part
12 of the airport is actually to the left and right where
13 the arrow is. It's not clear the way it is shown on
14 the plan. That fence line up there actually comes
15 across the road and then runs along their property
16 line. Your two curb-cuts are basically in the
17 unrestricted part of the airport property, which I
18 think requires clarification. It makes more sense
19 regarding the configuration of the curb-cuts that all
20 of the traffic in the emergency access that would be
21 coming to your site or to those rear loading docks
22 would be coming from the unrestricted portion of the
23 airport property.

24 Some other things - just a little base
25 mapping when you get into the more detailed plans, if

1 you could show the underlying improvements that are
2 going to be impacted by your proposed work so we can
3 evaluate that to make sure that the correct scope of
4 improvements are done.

5 From a stormwater perspective, Nick was the
6 engineer for Phase I which obviously required DEC
7 stormwater compliance. Nick is an expert at the
8 regulations. I am confident that he will apply the
9 same standards to the new work. This is a tough site
10 from a stormwater management perspective. There are
11 some unique arrangements on-site, but Nick is
12 well-versed in them and I'm sure he can make a fully
13 compliant design for these other improvements.

14 Our, number five was regarding the new
15 parking area. We would look for more regress parking
16 data on the final site plans, the amount that's going
17 to be impacted by the new work, the number of the
18 spaces to be constructed, parking totals, the required
19 numbers of accessible spaces based on that total and
20 obviously your proposed number of accessible spaces.

21 So, 2% of the spaces are required to be
22 handicapped accessible, so we think that it may be 12
23 based on the 553 total parking count. We notice that
24 the narrative had only indicated nine spaces. So, we
25 would like verification there.

1 Comment number seven was just about more
2 rigorous state statistics being provided regarding all
3 the buildings. We don't see any issues with zoning
4 compliance, but we would just like it accurately
5 reflected as part of the site plan so that if future
6 changes are made and parking counts need to be
7 clarified or confirmed, we've got that data to go by.

8 The cold storage building - it's kind of a
9 unique location because it's out in an area that is
10 currently parking. So, you've got some dead-end
11 parking proposed in the pavement right up to it. So,
12 we would look for some clarification around the cold
13 storage building - some better articulation of the
14 site plan of movements regarding access. There's also
15 those five features to the side of the cold storage. I
16 couldn't tell exactly what those are or how they
17 dovetail into the site plan. If we could get some more
18 detail in articulation as to what's going on - -

19 Nick, do you want to speak to what those
20 boxes are there?

21 MR. COSTA: I think they are storage bins.
22 They're going to remain. I think two or three already
23 exist, Joe. We will get some additional information with
24 regards to those and how often do they move or if there
25 there permanently.

1 MR. GRASSO: Exactly. Those are the kinds of
2 questions - - and how is access going to be maintained?
3 Are we going to be losing more parking than what we
4 show? Those are things that we would just look for
5 additional detail.

6 There are some overhead doors on the cold
7 magnet storage building that we want to make sure that
8 you've got clear access to those.

9 Pedestrian connections to all your parking
10 areas - they are not shown at the concept level, but
11 as we get into final plans, we would look to make sure
12 that you've got good accessible routes.

13 Because of the work near the airport
14 property, we've got the standard FAA notification. The
15 site is little bit unique because it's got the
16 aeronautical impact notification required for the
17 building improvements, but also the temporary
18 construction - the Crane work that's going to take
19 place. There is navigation easement on the property so
20 you'll have to check your clearances for that, as
21 well. John LeClair from the airport can help with any
22 of that that you might need.

23 The project site is in the airport area GEIS
24 study area so mitigation impacts with the finding
25 statement is required. I know that see DEC did a

1 estimate of the transportation mediation fees. I think
2 it was about \$46,000 which will mitigate additional
3 traffic from the project site. We don't expect, based
4 on where the site is located and the strength of the
5 local roadway network - we are not expecting any
6 localized impacts from this relatively minor
7 expansion.

8 From a SEQRA standpoint, it is an unlisted
9 action. They have provided a short EAF and we've got
10 some minor technical items that we would like
11 clarified on that short EAF. We would expect that the
12 Planning Board would be lead agent and they would make
13 a SEQRA determination when the project came back for
14 preliminary and final site plan review.

15 Nothing major and no showstoppers that we see
16 right now, just a lot of cleanup and good job on the
17 site planning so far.

18 That's where we stand.

19 ACTING CHAIRMAN SHAMLIAN: Thank you, Joe.

20 Before we turn it over to the Board, just a
21 final check for the record - - Sean, are there any
22 members of the public looking to speak on this
23 project?

24 MR. MAGUIRE: No, nobody from the public
25 registered.

1 ACTING CHAIRMAN SHAMLIAN: Okay, thank you.

2 Chief?

3 MR. MION: He's out.

4 ACTING CHAIRMAN SHAMLIAN: Oh, that's right.

5 I'm sorry.

6 Susan?

7 MS. MILSTEIN: I have no comments at this time.

8 ACTING CHAIRMAN SHAMLIAN: Lou?

9 MR. MION: Great job, guys. I have no comments
10 at this time.

11 MR. COSTA: Thank you.

12 ACTING CHAIRMAN SHAMLIAN: Chip?

13 MR. ASHWORTH: It sounds like Joe covered
14 almost everything I had a question about.

15 ACTING CHAIRMAN SHAMLIAN: Paul?

16 MR. ROSANO: Just one piece.

17 Sean, could you zero in on the southwest side
18 of the main building for me? Is there any note in the
19 file about fire access? I know it's too late now but
20 usually with a commercial building, they look for 360
21 degrees. I know they talked about sprinkling. Was
22 there ever any talk about that when this project was
23 moving on because you've got a whole area - - that's
24 pretty wide and pretty tall. It looks like if there
25 was anything going on in that corner of the building

1 or the back of the building, you'd have a pretty tough
2 time dragging a line there. Is there any note in the
3 file about any of that?

4 MR. GRASSO: Hey Paul, this is Joe Grasso. I
5 can speak to that.

6 It was a discussion at the DCC meeting. Fire
7 Services felt comfortable with the level of access
8 provided on the plan. Obviously that rear access
9 through the airport is really important to the whole
10 backside of the building. I think they feel like with
11 strong access - paved access to the three sides of the
12 various buildings is adequate. They do typically look
13 for that fourth side to have a flat strip of ground
14 there along that side of the building which I think
15 Nick has already built into the plan.

16 Nick, anything more to add from those
17 conversations during the DCC?

18 MR. COSTA: No, I was looking. There is a water
19 main in the water main loops right around the building.
20 I was just looking on the plan to see if there was a
21 hydrant back there. I don't see one. I think you're
22 right, though. I think the area is flat around that
23 side. I think as long as it was accessible from these
24 three sides - - Joe Bisognano didn't have any comments
25 on that.

1 MR. ROSANO: Nick, on the site plan, can you
2 show me the closest fire hydrant to that area of the
3 building?

4 MR. COSTA: Yes, the closest one - - on, if you
5 don't mind going over to the - - there's one over here
6 where the loading docks are. If you go straight out from
7 the loading docks up to the left-hand corner, it's right
8 at the top. That's a hydrant. That dark spot. There's a
9 benchmark right there and then there's a hydrant. I
10 thought there was another hydrant near the proposed
11 magnet storage building. It's right in the middle of
12 this part paved area there's a hydrant that is shown
13 (Indicating). It's at the very end of the lot - lower
14 line. There's an easement and there's a waterline and
15 there's a hydrant symbol right above that.

16 MR. HARRISON: Sean, follow along the water
17 line.

18 MR. COSTA: Right above that. I believe that's
19 an existing hydrant.

20 MR. ROSANO: Okay, thank you, Nick. It is just
21 hard when you're doing this from a computer. I'm good.
22 Thank you.

23 MR. COSTA: You're welcome.

24 ACTING CHAIRMAN SHAMLIAN: I don't have
25 anything to add either other than I think it's a great

1 project. We are excited to see expansion. Well done.

2 With that, this is a for concept review
3 tonight. Would anybody like to make a motion?

4 MR. MION: I will make a motion with all of
5 Joe's comments - Joe Grasso's comments.

6 MS. MILSTEIN: I will second it.

7 ACTING CHAIRMAN SHAMLIAN: All those in favor?

8 (Ayes were recited.)

9 Any nays?

10 (There was no response.)

11 The ayes have it.

12 MR. COSTA: Thank you.

13 ACTING CHAIRMAN SHAMLIAN: I just lost video so
14 the project is approved for concept and thank you very
15 much.

16 (Whereas the above entitled matter was
17 concluded at 6:58 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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