

1 STATE OF NEW YORK COUNTY OF ALBANY
 2 TOWN OF COLONIE
 3 *****
 4 CASALE SELF-STORAGE
 5 340 NEW KARNER ROAD
 6 *****
 7 THE STENOGRAPHIC MINUTES of the above entitled
 8 matter by NANCY L. STRANG, a Shorthand Reporter
 9 commencing on September 8, 2020 at 6:29 p.m. at
 10 Memorial Town Hall 534 New Loudon Road, Latham,
 11 New York.

12
 13 BOARD MEMBERS:
 14 PETER STUTO, CHAIRMAN
 15 CRAIG SHAMLIAN
 16 PAUL ROSANO
 17 SUSAN MILSTEIN
 18 LOUIS MION
 19 FREDERICK ASHWORTH

20
 21 ALSO PRESENT:
 22 KATHLEEN MARINELLI, ESQ. COUNSEL TO THE BOARD
 23 SEAN MAGUIRE, AICP, CEcD, DIRECTOR, DEPARTMENT
 24 OF PLANNING AND ECONOMIC DEVELOPMENT
 25 ZACHERY HARRISON, PLANNING AND ECONOMIC
 DEVELOPMENT

1 LUIGI PALLESHI, PE, ABD ENGINEERS

2 ANTHONY CASALE

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1 CHAIRMAN STUTO: 340 New Karner Road.
2 Casale Self-Storage; concept plan review for
3 the development of a three-story, 92,676
4 square-foot facility.

5 Unless you have something, Sean?

6 MR. MAGUIRE: Not much is change since the
7 last Planning Board meeting. The concerns were
8 the flag lot - to get the required green space
9 for Lot 1, the overall height of the building
10 and the lack of the landscaping on the
11 property.

12 We will hear more from the applicant.

13 CHAIRMAN STUTO: Okay.

14 MR. PALLESHI: Good evening, Luigi
15 Palleshi, ABD Engineers. We are here tonight
16 representing Mr. Tony Casale, who is also here
17 with me tonight. A couple of years ago he was
18 here before the Planning Board for his facility
19 just to the west of this site known as 340 New
20 Karner Road. That facility is built and when he
21 got that approved, there was always an intent
22 to construct on this parcel here (Indicating).

23 We are here before you with two things.
24 A two-lot subdivision to subdivide the
25 existing parcel from what we are proposing

1 being a proposed three-story self-storage
2 facility.

3 The three-story self-storage facility
4 is all enclosed. The architectural
5 elevations and floor plans were submitted as
6 requested from the last Planning Board
7 meeting where we were here before you during
8 sketch.

9 Lot number 1 and Lot number 2 are both
10 zoned industrial. We did not change the
11 configuration of the lots because of the
12 green space requirements that are required
13 by Town Code. The 35% is the minimum green
14 space and that's what we are providing for
15 both of these lots. We are not requesting
16 any variances for any of these lots. That's
17 why we had that situated and I know we
18 discussed it at the last meeting. However,
19 being that that portion of the back will
20 still be owned by the same applicant, it's
21 in the back and nobody is going to know what
22 that strip is and we set it up. So, it still
23 complies with the rear setback of our
24 proposal for the three-story building. Plus,
25 there's nothing we can do on that back side

1 because on the north end of the property are
2 New York State DEC wetlands where they have
3 a 100-foot buffer that we are limited to
4 construct within as well.

5 We are here tonight for concept
6 approval. Lot 1, as proposed, 1.96 acres and
7 a Lot 2, 1.91 acres.

8 We had a discussion about the existing
9 curb cuts and the additional curb cut at the
10 last sketch plan meeting. We have since
11 shared this plan on June 5 with Albany
12 County DPW, James Merkel and he had no
13 issues with the third curb cut on the site.
14 As you see on my proposed concept plan, in
15 an indoor climate controlled self-storage
16 facility you will get occasional
17 tractor-trailers and by having that third
18 curb cut, it provides better circulation
19 with the tractor-trailer movement throughout
20 the site.

21 So, it's important to us that we have
22 the third curb cut and again, we shared this
23 concept plan with Albany County DPW and they
24 have not expressed any concerns with the
25 third curb cut. Obviously, once we move

1 forward with some detail plans, we will get
2 information from the Albany County DPW. I
3 would like to note, as well, that the
4 Highway Safety Committee has reviewed this
5 concept plan and again, they feel as
6 proposed is adequate for the self-storage
7 facility.

8 As far as the landscaping goes, I would
9 say that's my fault. I didn't add the
10 additional landscaping, but we can certainly
11 add that. I hope that doesn't hold up
12 concept approval. As we move forward, I know
13 this Board is very into the landscaping and
14 we will certainly provide additional
15 landscaping - foundation landscaping. We may
16 have to shift the building back a couple of
17 feet to get foundation shrubs or the
18 parking closer to New Karner Road to
19 accommodate some foundation shrubs in front
20 of the building. I don't see that an issue.

21 We've gone through all the DPW
22 comments, department comments, sewer, water,
23 stormwater and none of those are what I call
24 earth shattering.

25 Sanitary sewer is a proposed grinder

1 pump system that will connect into an
2 existing force main system that was actually
3 extended for the first phase of this
4 project. So, I am talking with Pure Waters.
5 They have provided a detail of how we need
6 to connect our grinder pump system to the
7 existing system as part of Phase I. So, I
8 don't see an issue there.

9 Latham Water - we had discussed with
10 them and they are asking us to do some
11 modifications to the hydrants upfront -
12 bringing it up to grade because right now if
13 you look at the site, the site does roll
14 away from New Karner Road. So, we will
15 certainly provide the details and work
16 through the water comments on that.

17 Stormwater - we have discussed that
18 with them. We have provided the stormwater
19 feasibility and the site is very similar to
20 what was done on Phase I where we are
21 relying on infiltration. We will certainly
22 do the test pits, as we move forward with
23 preliminary design. However, if you recall
24 from the first phase, there is an
25 underground storage detention basin under

1 the front of that parking lot. That's what
2 our intent is.

3 There was a comment from, I believe,
4 the Albany Pine Bush Committee where they
5 wanted us to maybe consider porous pavement
6 and that is something that we will look at
7 during preliminary detail plans. We will
8 look at both and see what would make the
9 most sense for this facility.

10 In looking at the building elevations,
11 if you recall at the last Planning Board
12 sketch plan meeting the Board had asked what
13 the overall view would look like along New
14 Karner Road. We have reached out to the
15 adjoiner and the engineer - I believe they
16 received final site plan approval from the
17 Village and that is for the Capital Volvo
18 site. That building is going to be 28 feet
19 in height and two stories high. So, having
20 that perspective of what's going to go in
21 there for Volvo for a two-story building -
22 and then ours which is a three-story
23 building and then the east of that the
24 existing facility that's there. So, the
25 rental is a single-story building that will

1 have undulated perspective as you come up
2 and down New Karner Road. It is an
3 industrial site. The maximum height for
4 industrial is 75 feet and we are only
5 proposing 40 feet. We will keep it to a
6 minimum.

7 The other thing that I recall at our
8 last sketch plan meeting was whether or not
9 we can maybe recess this building so that we
10 could still get the third story, but it
11 wouldn't be 40 feet high. We looked at that
12 and if you recall, the site is actually - it
13 was contaminated and it has been cleaned up.
14 If you have been out to the site, it has
15 been cleaned up and additional fill had to
16 be brought in so that when we dig our
17 footings, we are not into that material that
18 DEC had to close out on that contaminated
19 site. So, if we recess the building, our
20 footings are going to be within that
21 contaminated area and that is frowned upon
22 with DEC. We need to keep this up. We can
23 certainly look at elevations and keep it as
24 low as we can because the site does sit a
25 little bit lower than New Karner Road. We

1 can keep it a little bit lower than New
2 Karner and we will look at that at the final
3 details when we get into our preliminary
4 detail with the grading plan. Although it
5 may appear that, we didn't make many
6 changes.

7 We certainly did a couple of the
8 emergency comments from fire asking us to
9 provide 26 feet along the front of the
10 building. We have updated that. So, we have
11 made improvements and have looked at other
12 options and that's why we're here tonight to
13 discuss them and hope for concept approval,
14 knowing that we will certainly work with the
15 Planning Board as we always do to fine-tune
16 the details as we move forward. There is
17 nothing earth shattering here that we can't
18 work out.

19 I believe that's it for the discussion.

20 Some street trees like we talked about
21 last time - we can certainly add that - not
22 a problem.

23 I guess as far as the last thing in my
24 notes is regarding the building elevation.
25 That is something that the manufacturer had

1 provided to us and we are using that. We
2 will certainly expand on the architectural
3 look of the building after we get concept
4 approval. I wouldn't advise anybody to spend
5 a ton of money on an architectural at a
6 concept level knowing that we are willing to
7 work with the Board to get to that point.

8 With that said, I will turn it over to
9 the Planning Board for any questions.

10 CHAIRMAN STUTO: Similar to our other
11 projects, this is being reviewed by our Town
12 Designated Engineer, CHA in this case. they
13 have this under review. Joe Grasso is here to
14 give his comments.

15 Joe?

16 MR. GRASSO: Sure, Peter. So, there should
17 be a comment letter that we issued on July 29
18 in your packets and I'll just go through the
19 things that we touched on.

20 The first comment really just goes
21 through the various issues that Luigi
22 touched on during his presentation - the
23 things that we had either commented on
24 during sketch plan review, or items that the
25 Planning Board had commented on including

1 the concern over the third curb cut onto New
2 Karner Road. That was something that was
3 discussed long ago when the site was
4 originally developed with the rental
5 facility.

6 The second being the elimination of the
7 flag lot configuration which we had
8 commented on - the lack of the flat area at
9 the rear of the building for fire protection
10 purposes. There is a very shallow area to
11 the rear, but it could be expanded if there
12 was more room on the property to work back
13 there.

14 There were significant concerns at the
15 last meeting over the building height, which
16 was expressed by the Planning Board.

17 The next comment kind of dovetails into
18 that and it was the aesthetics of the
19 building including the garage doors facing
20 New Karner Road. There was concern over
21 using metal panels and the lack of the
22 windows on the west elevation.

23 As Luigi mentioned, there was a
24 recommendation to consider burying one story
25 if they're going to stick with a three-story

1 building to try to lower the building
2 height. Luigi talked about why that is not
3 feasible, given the site constraints of the
4 soils.

5 Lastly the lack of landscaping along
6 the New Karner Road frontage and any
7 foundation plantings. Those things were
8 brought up last time that he has not been
9 able to reflect in the new plan materials.

10 The next comment is regarding the
11 stormwater approach which is intended to be
12 infiltration. That is something where he
13 will have to get into additional testing and
14 design work to prove that infiltration is
15 appropriate, if it is not. He can always go
16 to more conventional retention basin or use
17 an underground system, if it is required.

18 The next comment was regarding the
19 parking. Luigi, I think, the narrative may
20 have reflected the 38 parking spaces?

21 MR. PALLESHI: It did. Actually, it's
22 reflecting both sides together. So, there are
23 14 and 24.

24 MR. GRASSO: Okay, so the only requirement
25 for this site is the 14 that you are proposing.

1 MR. PALLESHI: That's correct.

2 MR. GRASSO: The parcel is located on a
3 state map of archaeologically sensitive areas.
4 SHPO will have to give their review whether or
5 not any additional investigation is required.

6 MR. PALLESHI: Just to interrupt, we do
7 have that letter. When this first phase of it
8 came about, it was done for the whole site. We
9 will provide that information.

10 MR. GRASSO: You did go through the effort
11 of a full EAF, which we appreciate. One of the
12 things that was flagged was the protected
13 butterfly -- it wasn't the Karner Blue, but it
14 was the other one that is known. Do you know if
15 there is any additional information regarding
16 that which came up?

17 MR. PALLESHI: That is state generated. We
18 go on the website and its automatic on a lot of
19 the questions.

20 If you read the Albany Pine Bush
21 letter, they just refer to the down-type LED
22 type lighting which we will propose and the
23 native landscaping.

24 MR. GRASSO: It might be something that we
25 will have to see if DEC has any concerns or

1 recommendation regarding that species. I can
2 imagine there would be a concern.

3 MR. PALLESHI: And those questions, as you
4 know, are adjacent to and there are a lot of
5 DEC wetlands in the back. That could have
6 triggered it.

7 MR. GRASSO: Understood.

8 So, that is where we are at, Peter.

9 CHAIRMAN STUTO: You raised a lot of
10 issues in item number one. Do you agree with
11 his arguments on all of those? We made the
12 recommendations and we felt we were pretty
13 clear about it and it doesn't seem like
14 anything has really changed. I guess I'm going
15 to look to your professional view, as far as
16 that is concerned.

17 MR. GRASSO: Being that it was at sketch
18 the last time, I would have expected that they
19 would be able to address some of the issues.
20 There is a process that has been followed and
21 the issues have been brought up early enough on
22 to be addressed. Basically, it's the same plan
23 that we are looking at that we reviewed at
24 sketch. I went through all of the items and the
25 Board spoke at length about concerns and not

1 just the ones we had raised, but some others as
2 well. They haven't been addressed. For what he
3 is looking to build on the site, he's got
4 reasons why he supports wanting to build what
5 he wants to build.

6 CHAIRMAN STUTO: I guess we will probe
7 further as we ask our questions.

8 MR. GRASSO: That was whether or not they
9 were significant enough to warrant a redesign.
10 We feel that they are, but that's up to the
11 Board really.

12 MR. PALLESHI: I've got a question for the
13 Board, really. Going back to the way the lots
14 are configured, how else do you want me to
15 configure this? Are you telling me I need to go
16 get a variance? Because if that is, one way of
17 providing the green space is having that
18 30-foot strip along the back. What other
19 suggestions would you have that would eliminate
20 that?

21 CHAIRMAN STUTO: We will go through it.

22 MR. GRASSO: I think one item is when the
23 property was first looked at, there was talk
24 about looking at it, knowing that there was
25 going to be another phase. When the first

1 project was proposed, I think it was done in
2 context of understanding that there was going
3 to be additional development on the site.
4 That's when the concerns came up regarding the
5 potential subdivision of it and access
6 management so that we weren't having three curb
7 cuts. I think over time we have lost sight of
8 the planning efforts that went in originally.
9 It's just not reflected in the plan.

10 There was a comment by the Board about
11 possibly looking at sharing the access with
12 the Volvo dealership, but I would submit
13 that's not something that they have been
14 able to coordinate with them as well.

15 MR. PALLESHI: Right.

16 MR. GRASSO: The plan that we have got.

17 MR. PALLESHI: If you look at what we are
18 proposing, on Lot 2 we are providing everything
19 we need to meet that lot requirements green
20 space and everything. Whatever is left over
21 remaining, we are giving it to Lot 1 which is
22 pre-existing. It's not like we're trying to do
23 this for what we are proposing. As far as that
24 third curb cut, I don't see that an issue
25 because Albany County DPW, James Merkel, has

1 reviewed this.

2 MR. GRASSO: Jim Merkel in his comment to
3 the Town did say the Planning Board should
4 consider what's going on in the quarter from an
5 access standpoint. He didn't say you couldn't
6 have three curb cuts along the stretch, but
7 it's something that the Town should consider.

8 CHAIRMAN STUTO: Okay, well that's the
9 whole story.

10 MR. PALLESHI: I will state again. If it's
11 landscaping, we will certainly add the
12 landscaping foundation scrubs like the Board is
13 looking for.

14 CHAIRMAN STUTO: Well, that was a minor
15 thing and you didn't even address that. That
16 colors the whole thing.

17 MR. PALLESHI: I addressed the
18 presentation.

19 CHAIRMAN STUTO: Okay.

20 MR. PALLESHI: But it is easy to add
21 plantings.

22 CHAIRMAN STUTO: Well, it should have been
23 added here. At least it would've shown
24 something.

25 We will go around with the Board

1 because I want to drill down on some of
2 these issues.

3 Lou?

4 MR. MION: Presently, when you go to the
5 east side of the lot, is that as far as you're
6 going, or are you going to go into the tree
7 line? Excuse me, I meant the west side. The
8 back of the lot.

9 MR. PALLESHI: Northwest. We are proposing
10 to go within - the building is going to be 48
11 feet from that back line. So, there will be
12 trees remaining on that back 30-foot strip.

13 MR. MION: So, you still have to fill in -
14 back -- for which you presently have, you're
15 going to fill in.

16 MR. PALLESHI: With grading, yes.

17 MR. MION: The same with over on the north
18 side - right now from what I am seeing of the
19 tree line, the tree line is down a ditch and
20 over a ways.

21 MR. PALLESHI: Right, we need to carry
22 that elevation over and across.

23 MR. MION: Over and across.

24 MR. PALLESHI: That is correct. We
25 proposed a new tree line on there as well as to

1 limit the clearings and the grading.

2 MR. MION: I think the one thing that we
3 did ask was to have some flat ground behind the
4 building for the Fire Department so they could
5 get the vehicles behind there in case there's a
6 fire. That has not been addressed.

7 MR. PALLESHI: We have been down this road
8 with comments from the fire department before.
9 It's not that they need to drive along the back
10 it's that they need to be able to be on foot
11 and put up ladders along the back of that
12 building and have a flatter area. We can
13 discuss this with Joe Bisognano with the
14 grading plan to provide a flatter area along
15 the back. We have 40 feet to do that and we can
16 accommodate a flat area in the back.

17 MR. MION: I think what you want is a flat
18 area that is solid - very solid.

19 MR. PALLESHI: Yes, we will compact it. It
20 will be compatible. We are not looking to get
21 the vehicle all the way around the building.
22 It's not required by the Building Code. That's
23 what we are providing; that 26-foot wide access
24 with the T-turnaround per the Fire Department
25 requirements.

1 MR. GRASSO: You are saying you've got 38
2 feet to work with but you really don't. You
3 really have 18 feet because the other 30 feet
4 is on the adjacent -

5 MR. PALLESHI: Right, can we do an
6 easement on that parcel?

7 MR. GRASSO: Well, if you want to do an
8 easement, you have to present it as part of the
9 plan to the Board.

10 MR. PALLESHI: And we won't know until we
11 get through preliminary final with the grading.
12 Grading is not required at this time. We can
13 provide it.

14 MR. GRASSO: Understanding the limits of
15 the work, you've got a DEC buffer that comes
16 right up to the 30 foot line and I think that's
17 what Lou is asking about - how are you able to
18 address those concerns with the plan?

19 MR. PALLESHI: We have 18 feet. Obviously,
20 we can't grade within the DEC buffer without a
21 permit. If we need to use retaining walls, we
22 will use a retaining wall on the buffer line. I
23 am confident we will provide pedestrian access
24 for the Fire Department's liking. We do it on
25 every site. We have to do it. We work with the

1 Fire Departments.

2 MR. MION: I think these are the things
3 that need to be addressed in your presentation
4 in the packet so we see it before we come and
5 talk to you. We don't see that.

6 When I looked at this plan, nothing
7 changed. You didn't address anything. What I
8 was looking at when I originally came in was
9 a plan that we had already seen back months
10 ago and nothing changed until you verbally
11 said it. I think you've got to address this.

12 The other thing is the size of the
13 building. I'm still not happy with three
14 stories. When I look around the area,
15 you're going to be the only three-story
16 building there and you're going to stick out
17 like a sore thumb. Across the street there
18 is one that's two stories. The Volvo is
19 going to be two stories. Why the third
20 story?

21 I really think you need to look at
22 lowering the building. To fit in with what
23 else is out there, I think that has to
24 happen.

25 I know you addressed that third curb

1 cut, but you're at one of the busiest
2 intersections of the road in through there.
3 I'm just not happy with that third. I'm just
4 not comfortable with it.

5 MR. PALLESHI: Let's not forget that this
6 is a self-storage facility and a self-storage
7 facility has the least amount of traffic. This
8 is zoned industrial. You can have a worse use
9 on an industrial parcel than what the applicant
10 is proposing.

11 MR. MION: And you are supporting my
12 argument. There's not a lot of traffic and
13 there's not a lot of traffic on the other two
14 curb cuts.

15 MR. PALLESHI: The third one is for the
16 circulation of the tractor-trailers. How do we
17 get the tractor trailer in and out? They're
18 going to be backing up when people are there,
19 possibly running them over. This provides the
20 best and safest maneuverability for a tractor
21 trailer.

22 CHAIRMAN STUTO: I'm going to ask Joe
23 Grasso's opinion on that.

24 Is there way to accommodate the tractor
25 trailer with two curb cuts?

1 MR. GRASSO: Again, with the fact that
2 there are already two curb cuts out there, this
3 is why the issue was raised early so that
4 really could have been planned when the whole
5 site -- the existing facility already has two.
6 Really is there way to eliminate that one and
7 just have the two so that you can just go right
8 through from one side to the other so they
9 could still get in and out on two curb cuts?

10 MR. PALLESHI: Then it makes it more
11 difficult for the center who has got a gate to
12 enter the back yard. There's a gate right here
13 which provides better circulation as you
14 comment. You drive straight through so you can
15 get all the way around the existing facility.
16 If you get rid of that curb cut, then the
17 tractor-trailer has to come around and try to
18 make this sweep or that sweep and it just
19 becomes difficult. This is a county highway.
20 It's a county decision.

21 CHAIRMAN STUTO: Is not entirely a county
22 decision.

23 MR. PALLESHI: I respect that, but we
24 shared this with Albany County, Jim Merkel.

25 CHAIRMAN STUTO: You have been over that

1 and Jim said that the county also suggested
2 that the Planning Board should consider the
3 context of how many curb cuts you want in that
4 vicinity. I'm paraphrasing what Joe said that.
5 That's how I took it.

6 MR. GRASSO: Yes, there's a general
7 concern about curb cuts on that corridor. This
8 is the time to try to work with the access
9 management just to try to reduce -

10 CHAIRMAN STUTO: It's not just optimizing
11 the use. We think -- I will speak for myself.
12 We think it's a decent project. We respect the
13 owner, but it's not all about optimizing just
14 for the owner. It is also the greater impact on
15 the Town of Colonie. I think you could do
16 better on curb cuts, for one thing. I don't
17 mean to be argumentative.

18 Chip?

19 MR. ASHWORTH: I see you accommodated the
20 lot one in getting all the way around, but I
21 think you can manage back here to make it so
22 maybe a truck could get through there - why you
23 can't shrink the building a little bit?

24 MR. PALLESHI: We are looking at it from a
25 requirements standpoint. You do not need to get

1 back there with fire access. You need three
2 sides that you can fight the fire with and then
3 pedestrian access where they can lay the hose
4 in the back. We have gone through this on many
5 projects. To say that I didn't provide a letter
6 with the package, I did on June 5. I went
7 through the DCC comments where the Fire
8 Department was there. They would've asked for
9 it at that time. If you read his comments, he
10 wanted 26 foot wide and I've provided that.
11 We've had that on the three sides. I guess I'm
12 a little confused because I feel like I meeting
13 the zoning intent. I'm meeting the Fire and
14 Building Code intent and here we are still
15 seeing major issues for concept approval. Maybe
16 I'm missing something.

17 CHAIRMAN STUTO: Chip, do you have more?

18 MR. ASHWORTH: Yes. I'm totally put-off
19 that they did nothing with the building that we
20 asked for; overuse of metal panels; nothing but
21 garage doors facing New Karner Road; nothing
22 was done. Zip.

23 CHAIRMAN STUTO: Craig?

24 MR. SHAMLIAN: On the concept plan that we
25 have, there is a heavy dashed line. I can't

1 find any description as to what that line
2 actually represents. It's not perfectly
3 rectangular.

4 MR. GRASSO: It's a disturbance limit
5 because of the utility line. There is a utility
6 line proposed.

7 MR. PALLESHI: It's labeled right here,
8 Craig, limits of clearing and grading
9 (Indicating).

10 MR. SHAMLIAN: That is usually the line --
11 why is there a limit of clearing that juts out
12 on an even know how to describe it. You can't
13 really see it. It's this area right here
14 (Indicating).

15 MR. PALLESHI: So, when we had to widen
16 the entrance to 26 feet, there are existing
17 trees that are there now as part of the first
18 approval. We are relocating those further back
19 so that is part of the disturbance.

20 MR. SHAMLIAN: A couple of things. I agree
21 with what's been said. Regardless of how this
22 is zoned - and I want to be very clear in my
23 mind about this. Regardless of how this is
24 zoned, this is not an industrial site. This is
25 on a major corridor in the Town and it needs to

1 not to look like an industrial building. I was
2 very clear, I think, at the sketch plan that I
3 am not in favor of a flag lot. Do we have flag
4 lots in the Town? Yes. They generally have been
5 created more or less by accident and not by
6 purposeful design. You don't need to have a
7 flag lot here.

8 MR. PALLESHI: This is not considered a
9 flag lot.

10 MR. SHAMLIAN: This building can be
11 smaller and you could have plenty of green
12 space in between the two buildings to allocate
13 for both lots. That's the way it should be. You
14 should not have a flag lot. Why are we creating
15 a flag lot? Just because you want to put in
16 almost 31,000 square-foot building on this lot?
17 That's not a good enough reason.

18 CHAIRMAN STUTO: Paul?

19 MR. ROSANO: Okay, I have a couple of
20 things. First I want to make a comment.

21 Since I am new to this Planning Board
22 but not to Planning, my experience has been
23 that phased projects in this Town have been
24 a nightmare forever because we're talking
25 about Phase II of a project -- a lot of

1 which you did in Phase I included Phase II
2 and it goes rolling back and forth.

3 Am I right, Joe?

4 So, I just want to get that out of the
5 way. I'm just not in favor of phased
6 projects anymore. It just seems like it
7 takes up too much of our time. Thank you for
8 recognizing the fact that the landscaping
9 plan is very important to this Board and it
10 really needs to be intense I hope you follow
11 what will not be invasive in this area and
12 what you will plan will not die in a couple
13 of years and actually grow. I want to make
14 sure I am clear on that.

15 And the porous pavement - you only have
16 parking spots here (Indicating). My
17 experience with porous pavement has been -
18 like, Shop Rite has porous and nonporous
19 pavement. That's for snowplowing. I don't
20 know about the porous pavement of 14 parking
21 spots. I don't know why we would even talk
22 about that here.

23 It's a very small area. We've always
24 been told that the drive aisles - because
25 they have to be plowed, they don't usually

1 use porous pavement. I know Shop Rite and
2 the drive aisles in and out are nonporous
3 pavement. We are in favor of porous
4 pavement, but -

5 MR. PALLESHI: There are instances where
6 the whole thing is porous pavement. That's
7 fine. You just can't use sand.

8 MR. ROSANO: Up there - they're
9 restricted. When they snowplow, the snowplow
10 driver goes in and he knows he can't sand or
11 salt anywhere on that lot because it will go
12 into the porous pavement and plug it up and
13 then they have to get it cleaned out. With 14
14 parking spots I just don't know how -

15 MR. PALLESHI: We would do the whole
16 thing.

17 MR. ROSANO: I don't know if it would
18 work. Would you plug it up with sand?

19 MR. PALLESHI: No, it is a separate site.

20 MR. ROSANO: Okay, I just want to be clear
21 about that.

22 MR. PALLESHI: It is up to the owner on
23 the maintenance that they have to back it out
24 once or twice year. It's a maintenance
25 nightmare. I don't like it, to be honest with

1 you in the northeast. We have used it because
2 it does achieve a green infrastructure for DEC
3 and some Planning Boards like it.

4 MR. ROSANO: My point being - where the
5 cars are parked - right in front of the cars is
6 a stormwater management area. It's almost like
7 they are balancing each other out now. You've
8 already got the remedy right there in the
9 front. That's enough. Thank you.

10 CHAIRMAN STUTO: Susan?

11 MS. MILSTEIN: Do you know who would be
12 using the three story building? In other words,
13 is there someone identified who needs all three
14 floors of space? Do you know who is going to be
15 occupying that space?

16 MR. PALLESHI: Yes, the whole facility is
17 indoor climate controlled. So, any customer
18 that may have a unit on the third floor would
19 be utilizing that. They are customers. Anyone
20 of us could rent a first, second or third unit
21 on any floor.

22 MS. MILSTEIN: My question is: Are there
23 identified - for a lack of better words -
24 users or tenants of the space and that's why it
25 needs to be three stories because if there is

1 someone who is identified I want 90,000 square
2 feet of storage.

3 MR. PALLESHI: It is a different user,
4 depending on who might need it. Usually climate
5 control - you get a lot of offices that need to
6 preserve their paperwork in a climate
7 controlled environment. They may take the whole
8 third floor because they have a lot of
9 documents.

10 MS. MILSTEIN: But no one has been
11 identified at this point.

12 MR. PALLESHI: No, not this point.

13 MS. MILSTEIN: That's it.

14 CHAIRMAN STUTO: I agree with a lot of the
15 comments that were made. The fire thing, I
16 don't know the answer to so I'm going to defer
17 to somebody else on that.

18 Craig makes a good point on the
19 landlock. In the beginning I think the
20 Planning Board tried to emphasize things
21 that should have been planned out and now
22 they are coming back not having been
23 complied with - the suggestion is not
24 complied with.

25 You could eliminate the flag lot by

1 making the building smaller as Craig pointed
2 out. I guess the three curb cuts - are not
3 supporting that. I think that's something
4 you're going to have to figure out.

5 I do want to drill it down on the
6 basement. I think I heard you say that it's
7 a cleaned up site. Perhaps there's some kind
8 of report on it. I'm not sure. And DEC would
9 object to putting any pylons or any
10 disturbance -

11 MR. PALLESHI: That is correct. You cannot
12 disturb within that. There is a condition of
13 approval there from DEC

14 CHAIRMAN STUTO: Is there any engineering
15 way around that, Joe?

16 MR. GRASSO: So, just go through the
17 grades. How much fill is there on the site?

18 MR. PALLESHI: I would say roughly six
19 feet.

20 MR. GRASSO: Okay. So, then your footings
21 would go down four so you've only got two
22 feet -

23 MR. SHAMLIAN: Was it capped, or is it all
24 contaminated soil?

25 MR. PALLESHI: I think it was capped.

1 There's only a small section. It was removed
2 and then capped. So, a small section on the
3 northeast corner.

4 MR. CASALE: It's primarily the property
5 behind this. This is 25 years ago. DEC did stop
6 in and say that we we're all set.

7 CHAIRMAN STUTO: Well, maybe you guys can
8 take a look at that.

9 MR. GRASSO: It sounds like if you can't
10 bury a floor, you might have to go to a
11 two-story building.

12 CHAIRMAN STUTO: Or if it's the one spot
13 where you don't have the basement in that area.
14 That's what I'm saying. I don't know what the
15 configuration is.

16 I don't have any further questions.

17 Do you have any comments to wrap it up?

18 MR. GRASSO: No.

19 CHAIRMAN STUTO: I'm not supportive of the
20 project for the reasons that are on the record
21 as currently proposed.

22 Do we have a motion on this?

23 (There was no response.)

24 Do we have a motion for concept
25 acceptance?

1 MR. ROSANO: I will make that motion.

2 CHAIRMAN STUTO: Do we have a second?

3 MR. ASHWORTH: Second.

4 CHAIRMAN STUTO: Any discussion?

5 (There was no response.)

6 All those in favor, say aye.

7 MR. ROSANO: Aye.

8 CHAIRMAN STUTO: All those opposed, say

9 nay.

10 MR. MION: Nay.

11 MR. ASHWORTH: Nay.

12 MS. MILSTEIN: Nay.

13 CHAIRMAN STUTO: Nay.

14 MR. SHAMLIAN: Nay.

15 CHAIRMAN STUTO: The application for

16 concept acceptance is defeated.

17 MR. PALLESHI: Thank you.

18 (Whereas the above entitled proceeding

19 was concluded at 7:09 PM)

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CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter
and Notary Public in and for the State of
New York, hereby CERTIFIES 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.

Date: _____

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