

1 STATE OF NEW YORK COUNTY OF ALBANY  
2 TOWN OF COLONIE  
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4 PHILIPS MEDICAL SYSTEMS PHASE II  
5 450 OLD NISKAYUNA ROAD  
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7 THE STENOGRAPHIC MINUTES of the above entitled  
8 matter by NANCY L. STRANG, a Shorthand Reporter  
9 commencing on September 8, 2020 at 7:10 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           NICHOLAS COSTA, PE, ADVANCE ENGINEERING AND  
2           SURVEYING

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1           CHAIRMAN STUTO: We will get ready for the  
2 next and final item on the agenda.

3           The project is 450 Old Niskayuna Road,  
4 Philips Medical Systems Phase II. The  
5 applicant proposes a building addition  
6 which encompasses approximately 37,667  
7 square feet to the Phase 1 building addition  
8 that is being constructed. The proposed  
9 building would be one-story and match the  
10 height of the existing building.

11           Sean, do you have anything before we  
12 turn it over to the applicant?

13           MR. MAGUIRE: Just so we are right now -  
14 the Town departments have some minor comments  
15 that still need to be addressed, but we don't  
16 think that should hold up the project. They do  
17 need two easements from the Albany County  
18 Airport and the Town of Colonie.

19           I will turn it back over.

20           MR. COSTA: Thanks, Sean.

21           Good evening. This is Phase II of a  
22 building addition of Phillips. Phase I is  
23 under construction and it's pretty well  
24 done, at least on the exterior. There is  
25 still some work going on inside.

1           So, this is an extension of Phase I. It  
2           encompasses about 37,000 - a little bit more  
3           than 37,000 square feet of space. So, the  
4           original manufacturing building is back here  
5           and Phase I was, I believe, approved last  
6           year around the same time. It may have been  
7           August or September and now we are looking  
8           to add this 37,000 square feet.

9           Some of the challenges that we run into  
10          with this addition is that the existing  
11          access road that runs through had to be  
12          relocated which is shown right here  
13          (Indicating). This is the relocation of the  
14          access road. Along with that relocation  
15          there is a water main that runs through here  
16          (Indicating) that has to be relocated to be  
17          further away from the building, obviously,  
18          and closer to be the new access road  
19          alignment. So, in doing that, we get into  
20          this area here which is zoned by the Albany  
21          County Airport Authority (Indicating). The  
22          existing water main comes in from old  
23          Niskayuna Road and loops around the entirety  
24          of the site. It loops through the entirety  
25          of the site. So, we are relocating a small

1 section onto the property of the Albany  
2 County Airport Authority and we are working  
3 with them to obtain an easement. It is in  
4 legal hands right now to relocate that water  
5 main onto their property and modify the  
6 easement so that it does allow that. That's  
7 the easement that Sean mentioned in the  
8 opening remarks.

9 As you may remember, the site has a  
10 couple of detention basins. There's one  
11 right here and another one here. All the  
12 stormwater runs towards the building and  
13 then it gets pumped over to those detention  
14 basins. So, there's a pump system here that  
15 dumps it into this detention basin and then  
16 there's a pump station here that brings it  
17 over to the detention basin (Indicating). In  
18 our first phase we added a couple of large  
19 tanks to help us with the management of that  
20 additional stormwater. That's at this  
21 location for both these pump systems. There  
22 was some additional tanks, I believe, There  
23 were three installed here and two tanks that  
24 were installed on the side. So, any runoff  
25 from Phase I was connected to those tanks.

1 In Phase II the roof runoff - we're actually  
2 utilizing a little different practice and  
3 that we are putting in some planters. So  
4 these rectangular shapes that you see here  
5 are planters which filter the water -- the  
6 roof water runoff that helps satisfy the  
7 water quality requirements of the New York  
8 State DEC stormwater Design Manual. It gets  
9 captured in another system and brings it  
10 over to the tanks which also feed the pump  
11 station. Ultimately that water from the roof  
12 will get to this detention basin  
13 (Indicating) and this detention basin. So,  
14 that's the part of the improvements for the  
15 back area here - the building area. This is  
16 a building for cold storage of the magnets.  
17 It's about 4700 square foot, I believe, that  
18 is being installed right here. This is a new  
19 parking lot and a few parking spaces near  
20 the entrance to the building -- this portion  
21 of the building is the administration  
22 building. So, when you first go to the site,  
23 you are directed to go in here and sign in  
24 and then you can get into the manufacturing  
25 area. So, all the traffic to the site is

1 really truck traffic that bring in materials  
2 or take manufactured products out of the  
3 site. This driveway connects to another  
4 driveway that's owned by the Airport  
5 Authority that connects to Kelly Road up  
6 here and Kelly Road comes out onto Old  
7 Niskayuna. If some of you are not familiar  
8 with that, Kelly Road is really what  
9 provides the access to the rear of the site.  
10 Access to the front of the site is provided  
11 by this driveway which comes in and  
12 circulates to the parking area. Obviously,  
13 the visitors are directed to this area and  
14 the employees utilize this area right here  
15 and then there's another large parking lot  
16 right here. You can just see a little bit of  
17 it. That is employee parking.

18 This is an enlargement of that overall  
19 they were looking at. This is the parking  
20 area (Indicating). This is all green right  
21 now. It's a big knoll. We are going to come  
22 up with a method of managing the stormwater  
23 runoff from the site from the new parking.  
24 So, for water quality purposes, we have  
25 installed the system here that treats the

1 water prior to discharging it into this  
2 existing detention basin. There is an  
3 existing detention basin which is a dry  
4 detention basin because it has an outlet at  
5 the bottom of the basin, which is a 12-inch  
6 pipe that is right here. So, what we did is  
7 because we had to treat this water, but also  
8 detain it, we ended up having to take care  
9 of the entirety of the parking lot that goes  
10 to this detention basin because we changed  
11 this detention basin from a dry detention  
12 basin to what is called a pocket water land.  
13 We are actually modifying this and/or adding  
14 an outlet control structure that holds back  
15 the water and releases it to the existing  
16 ditch at a controlled rate. It does provide  
17 water quality detention for this parking  
18 lot. It has been provided, but it was the  
19 only methods of doing stormwater management  
20 which the water would go in and it would  
21 still go out. The only control is a 12-inch  
22 pipe - which there won't be much detention  
23 that would happen. Instead, with an outlet  
24 controlled structure there are multiple  
25 openings that allow the stormwater to be



1 retained or detained in this pond. At the  
2 end of the day, we are excavating this area  
3 to be below the ditch area so that we add  
4 some water within that wetland. It would  
5 promote growth of plants that would treat  
6 the stormwater, which wetlands are known to  
7 be treating systems for stormwater runoff.  
8 That's the front side of the site.

9 We will work with the departments and  
10 Joe's office during the review process.  
11 There were some good comments and we were  
12 able to address the majority of the  
13 comments.

14 As Sean mentioned, there are a few  
15 outstanding comments and I think they're  
16 really minor. We feel that the project is in  
17 front of you to get final site plan approval  
18 and we think it's ready for that.

19 CHAIRMAN STUTO: Okay, this is also  
20 reviewed by CHA, Joe Grasso.

21 Can you give us your comments?

22 MR. GRASSO: Nick, thank you for saying  
23 that some of our comments are good.

24 MR. COSTA: They're all good, Joe.

25 MR. GRASSO: Thank you.

1           Nick had a resubmission since we had  
2           issued the letter that I think you may have  
3           in your packet. So, we did issue another  
4           letter actually today.

5           There were a couple of minor items that  
6           Sean had mentioned that we addressed in our  
7           letter that are easy for Nick to address.  
8           Nick went through a very lengthy description  
9           of the stormwater management practices and I  
10          give Nick a lot of credit for having  
11          multiple practices. Nick describes something  
12          unique on this site which is that it  
13          basically has multiple stormwater management  
14          practices in different areas of the site.  
15          Normally when we see multiple practices  
16          being used, there's generally a greater  
17          level of quality treatment as well as a  
18          greater chance of success of those various  
19          practices doing what they are intended to  
20          do. Nick went through various scenarios  
21          whether or not you're on the back of the  
22          site or the front of the site in a very  
23          creative way to address the stormwater  
24          management. So, we commend you for that.  
25          They really have done a good job addressing

1 the comments that have been raised by the  
2 various departments as well as our office to  
3 this point. There was nonsignificant  
4 comments when the project was in front of  
5 this Board for concept review. In our letter  
6 there is a draft negative declaration for  
7 SEQRA. It is an unlisted action pursuant to  
8 SEQRA and they have included a short EAF in  
9 their application materials. It is also  
10 within the Airport Area GIS study area, so  
11 mitigation of cumulative impacts will be  
12 addressed by complying with the statement of  
13 findings, a large part of which is a  
14 contribution of mitigation funds to address  
15 traffic and other impacts in the GIS study  
16 area.

17 With that, it is ready for the Board to  
18 consider site plan review.

19 CHAIRMAN STUTO: Susan, do you have any  
20 comments or questions?

21 MS. MILSTEIN: No. Good job.

22 MR. COSTA: Thank you

23 CHAIRMAN STUTO: Paul?

24 MR. ROSANO: Nick, just quickly, snow  
25 removal - how do you accomplish that because I

1 noticed you have a note on your file here that  
2 stormwater management will not be used for snow  
3 storage. So, what practice are you going to use  
4 there?

5 MR. COSTA: Well, if all the spaces are  
6 used and are necessary, they may have to take  
7 some of the snow off site because right now the  
8 entire site is being utilized for either  
9 impervious area building and pavement and/or  
10 stormwater management. So, the stormwater  
11 management areas are all along the perimeters  
12 of the parking lots and access drives. So,  
13 those are not available for stormwater or  
14 personal removal. They may actually have to  
15 truck some of that snow away if it gets to be  
16 to a point where every single spot or area is  
17 utilized. If not, some of the parking lot  
18 that's way out in this area could be utilized  
19 for seasonal storage and snow pile. It is  
20 limited because they do need the parking spaces  
21 and that's why they are building this new  
22 parking area and also the few parking spaces in  
23 the front by the building entrance. It's a good  
24 question and it's going to be a management  
25 challenge for the operations of the facility.

1 MR. ROSANO: Thank you.

2 MR. COSTA: You're welcome.

3 CHAIRMAN STUTO: Craig?

4 MR. SHAMLIAN: I have nothing. I think  
5 it's a great project.

6 MR. COSTA: Thank you.

7 CHAIRMAN STUTO: Chip?

8 MR. ASHWORTH: I think it's a great  
9 project.

10 MR. COSTA: Thank you.

11 CHAIRMAN STUTO: Lou?

12 MR. MION: Good work.

13 MR. COSTA: Thanks, Lou.

14 CHAIRMAN STUTO: Any members of the  
15 public?

16 (There was no response.)

17 Joe, can you walk us through the  
18 environmental review?

19 MR. GRASSO: Sure. The applicant has  
20 provided a short environmental assessment form.  
21 Part I is a description of the environmental  
22 settings, so, Part I is completed by the  
23 applicant's consultant.

24 Part II is the actual impact assessment  
25 where there are a series of 11 questions

1 regarding impacts thresholds of the project  
2 and the appropriate response to all of those  
3 questions is either there would be no impact  
4 or a small impact may occur. So, there is  
5 nothing that triggers the need for a more  
6 exhaustive environmental study or that would  
7 raise the risk that there would be any kind  
8 of significant environmental impact with the  
9 project.

10 Part III is the actual determination of  
11 significance whereas based on the  
12 information and analysis included in all the  
13 supporting documentation that the proposed  
14 action will not result in any significant  
15 adverse environmental impacts.

16 In the letter there is a Draft  
17 Resolution for the Board's consideration.

18 CHAIRMAN STUTO: Can you walk us through  
19 the Resolution?

20 MR. GRASSO: It's a Resolution of the Town  
21 of Colonie Planning Board preparation of a  
22 negative declaration.

23 Whereas the applicant has submitted to  
24 the Town of Colonie Planning Board Philips  
25 Medical Phase II addition project; whereas

1 the project is an unlisted action under  
2 SEQRA and whereas the Planning Board has  
3 reviewed the Part I of the short EAF  
4 submitted by the applicant and completed  
5 Parts II of the EAF in conjunction with the  
6 review of a significant number of documents  
7 related to this project that are enumerated  
8 in the draft negative declaration and  
9 maintained in Town files and be it resolved  
10 or based on a thorough review of the project  
11 by the Planning Board that there will be no  
12 significant adverse environmental impacts  
13 and no EAF will be required and be it  
14 further resolved that the attached negative  
15 declaration be adopted in accordance with  
16 SEQRA.

17 CHAIRMAN STUTO: Any questions on that?

18 (There was no response.)

19 Can I have a motion on that Resolution?

20 MR. MION: I will make a motion.

21 CHAIRMAN STUTO: Second?

22 MR. ASHWORTH: Second.

23 CHAIRMAN STUTO: Any discussion?

24 (There was no response.)

25 All those in favor say aye.

1 (Ayes were recited.)

2 All those opposed, say nay.

3 (there were none opposed.)

4 The ayes have it.

5 On the main question before the Board  
6 which is for final approval subject to all  
7 the conditions of the Planning Board, the  
8 Town Designated Engineer and the Town  
9 Departments, do we have a motion?

10 MR. MION: I will make a motion.

11 CHAIRMAN STUTO: Second?

12 MR. ASHWORTH: Second.

13 CHAIRMAN STUTO: Any discussion?

14 (There was no response.)

15 All those in favor say aye.

16 (Ayes were recited.)

17 All those opposed, say nay.

18 (there were none opposed.)

19 The ayes have it.

20 Thank you.

21 MR. COSTA: Thank you.

22 (Whereas the above entitled proceeding  
23 was concluded at 7:29 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: \_\_\_\_\_

\_\_\_\_\_

Nancy L. Strang  
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