

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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4 \*\*\*\*\*  
5 STARLITE OFFICE PARK  
6 325 AND 629 COLUMBIA STREET  
7 SKETCH PLAN REVIEW  
8 \*\*\*\*\*

9 THE TAPED AND TRANSCRIBED MINUTES of the above  
10 entitled proceeding BY NANCY STRANG-VANDEBOGART  
11 commencing on March 29, 2011 at 7:34 p.m. at the  
12 Public Operations Center 347 Old Niskayuna Road,  
13 Latham, New York 12110

14 BOARD MEMBERS:

- 15 PETER STUTO, Chairman
- 16 LOUIS MION
- 17 PAUL ROSANO
- 18 TOM NARDACCI
- 19 MICHAEL SULLIVAN
- 20 ELENDA VAIDA, Esq., Attorney for the Planning Board

21 Also present:

- 22 Joseph LaCivita, Director, Planning and Economic  
23 Development
- 24 Bill Herbert, Herbert Consulting Group
- 25 Andrew Learn, PE
- 26 Dan Fitzpatrick, Spectra Engineering
- 27 Jaime Easton, PE, WSP Sells

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1           CHAIRMAN STUTO: Joe, would you like to  
2 do an introduction on the Starlite?

3           MR. LACIVITA: Absolutely. I'm not  
4 preaching to the choir here, but two of the  
5 most important components of Supervisor  
6 Mahan's administration was to shorten the time  
7 of development and how it worked in the Town  
8 of Colonie. Also, to look at sites such as  
9 this - the redevelopment that was needed in  
10 areas that were in the downward decline.  
11 Tonight we're here for 625 and 629 Columbia  
12 Street, which is the former Starlite Music  
13 Theater. We have Bill Herbert and Andrew Learn  
14 to discuss the redevelopment of this site,  
15 which is actually 400,000 square feet of  
16 office space with a convenient store, as well,  
17 ducked into six buildings. It will be known as  
18 the Starlite Office Park.

19           I'd like to turn it over to Bill Herbert  
20 of Herbert Consulting.

21           MR. HERBERT: Good evening. Again, my  
22 name is Bill Herbert. I'm with Herbert  
23 Consulting Group, LLC. I'm here for the  
24 applicant of the development of the Starlite  
25 Theater property.

1           We've been looking at the site for  
2           several months now going back considerably to  
3           last summer. Basically, the site, as many  
4           know, is the old Coliseum facility that's been  
5           vacant now for about 15 or 16 years. That  
6           whole property that we're going to be talking  
7           about tonight comprises about 50 to 60 acres  
8           of commercially zoned property. It's located  
9           on Route 9R near Route 9 and it's basically  
10          office development that we're contemplating.

11           We want to present it to you tonight with  
12          our engineers. Dan Fitzpatrick is here and  
13          Andrew Learn is going to do the presentation  
14          so that we have a technical review of where we  
15          are with this. We look forward to getting the  
16          Board's comments so we know where we need to  
17          go with our next steps toward the approval of  
18          this project.

19           Here is Andrew Learn on the technical  
20          review.

21           MR. LEARN: As Bill said, we are  
22          promoting six buildings around the outskirts  
23          of the property. Before I get started I guess  
24          as I said, it's two parcels. One is roughly  
25          55 acres and the other smaller one is three

1           acres. Along with this project you will be  
2           requesting a site plan review as well as a  
3           subdivision. Each of the buildings will be on  
4           their own separate lots.

5                     Existing on the parcel right now - we  
6           know that we have a DEC wetland and there is  
7           probably some ACOE wetlands, as well, in the  
8           center of the property. We do expect to  
9           require a DEC wetland permit for this  
10          development. The utilities for the site - we  
11         expect to serve with central sewer and central  
12         water. Probably, primarily from Old Newton  
13         Road, Columbia Street and possibly a route  
14         connection in the cul-de-sac here  
15         (Indicating).

16                    The project is expected to be phased  
17          where most likely one of the outer buildings  
18          would be started first and then work our way  
19          from there. This is just a very preliminary  
20          plan so we don't have any set plans yet.

21                    CHAIRMAN STUTO: What would be the very  
22          thing that you would most likely do first?

23                    MR. LEARN: Most likely, we would be  
24          building one or building two, on the  
25          outskirts.

1 CHAIRMAN STUTO: Which would be what?

2 MR. LEARN: Commercial.

3 CHAIRMAN STUTO: Office buildings.

4 MR. LEARN: Right.

5 CHAIRMAN STUTO: How large?

6 MR. LEARN: Approximately 80,000.

7 CHAIRMAN STUTO: Thank you. Where would  
8 access be from that? The reason that I'm  
9 asking is because of the right of way in the  
10 middle.

11 MR. LEARN: I can address that.

12 Initially, we expect to propose access  
13 from existing streets; Columbia and Old  
14 Newton. We are providing a right of way to the  
15 center of the property so that a town road  
16 could be constructed as proposed. That is  
17 expected to relieve some of the congestion  
18 that is currently experienced at the  
19 intersection of 9 and 9R. So once that road is  
20 constructed, we do expect to have access to  
21 that and that would be a town road. As a  
22 matter of fact, the way that our layout is  
23 shown right now, this building in the center  
24 requires frontage on this road here  
25 (Indicating).

1 MR. LANE: Building three?

2 MR. LEARN: Yes, building three in the  
3 center.

4 I guess one more thing in terms of  
5 standard engineering design issues is  
6 stormwater - we're proposing stormwater  
7 treatment on-site most likely around the edges  
8 of the wetlands, according to the new New York  
9 State design standards, which would  
10 incorporate some green infrastructure.

11 We're open to comments and we'd like to  
12 come back with something that everyone will be  
13 happy with.

14 CHAIRMAN STUTO: Lou, do you have  
15 anything?

16 MR. MION: I guess the one thing that I  
17 have is that future road. To the best of my  
18 knowledge, it hasn't been approved yet. It's  
19 still up for grabs as to whether we're going  
20 to approve that or not. If it doesn't go  
21 through, how are you going to access it?

22 MR. LEARN: As I said, it's a very  
23 preliminary layout and I think that as I  
24 understand it, if the road is not approved,  
25 this building would have to leave. All the

1 rest of the buildings have the frontage where  
2 they can be accessed from existing roads.

3 MR. MION: So we could put down four  
4 buildings instead of five.

5 MR. LEARN: Five instead of six. There's  
6 building one, two, three in the middle, four  
7 and five.

8 MR. NARDACCI: I just want to make a  
9 quick comment and then get your reaction to  
10 that and then I'm going to ask you a couple of  
11 questions.

12 First, we're in a competition,  
13 regionally. You guys know us better than  
14 others. We're competing with Virginia, Texas  
15 and Silicone Valley. We're trying to attract  
16 companies to this region. I think that also  
17 the Town is in a regional competition. Just  
18 over the past two weeks we've seen hundreds of  
19 thousands of square feet of office space being  
20 proposed and getting approved in Luther Forest  
21 and Stillwater. In this area of town  
22 particularly is a great location to enter that  
23 competition. This is wedged between Malta and  
24 the College of Nanoscience. It's right on the  
25 Northway, so I can see why more office space

1 makes sense.

2 My question is this: Are you thinking of  
3 moving forward with development in building  
4 commercial buildings on spec, or do you have  
5 leads to some of these international players  
6 that are coming into the area? What is the  
7 game plan?

8 MR. LEARN: I'll let Bill answer that.

9 MR. HERBERT: I think that we're looking  
10 at this on a multi-prompt approach. We're very  
11 interested in a similar kind of business as  
12 the global foundries development. Particularly  
13 because of the superior location of the Town  
14 of Colonie with regard to the rest of the  
15 region and the fact that there is projected  
16 growth there that isn't realized yet. We know  
17 that in a matter of just a few years there  
18 will be places sought to house businesses, and  
19 this is a very good location in regard to  
20 Saratoga County and of course billions of  
21 dollars have been invested and will continuing  
22 invested up there. Colonie's location near the  
23 Northway generically speaking is just going to  
24 be a very good office market. In particular,  
25 it will be, we hope, when the economy starts

1 its recovery from what we've gone through in  
2 the last few years. Everyone became stagnated,  
3 but we think that we have a good location to  
4 prepare and get approvals for future  
5 buildings. We're already talking with some  
6 potential tenants. We wouldn't build on spec.

7 MR. NARDACCI: It's probably the worst  
8 time to do that.

9 MR. HERBERT: We have a couple of tenants  
10 that have shown interest that would be a good  
11 first tenant in maybe a multi-tenant building  
12 or their own stand alone building. So there is  
13 a market out there that we are actively  
14 talking with and once we secure that kind of a  
15 deal, we would plan to get the first building  
16 up. You know how things go. When one starts  
17 the other tend to follow over time as the  
18 market realizes a need for the space. We're  
19 just really getting started, but we have our  
20 market targeted.

21 MR. NARDACCI: Just a follow up question  
22 on that. One of my concerns is specifically  
23 related to this potential future road that's  
24 part of the Boght study. In Bethlehem we have  
25 seen a lot of infrastructure be built and a

1 lot of public dollars be put into leading up  
2 to 300 acres of Greenfield at Vista. They just  
3 announced their first development, I think.

4 MR. HERBERT: It's a mixed grouping of  
5 buildings that they're looking for approval on  
6 the site.

7 MR. NARDACCI: I know that it's a  
8 different location. There are different  
9 challenges, but I have a legitimate concern  
10 about public investment in this roadway. We're  
11 talking about it as part of mitigation for the  
12 whole area. I think that we need to be up  
13 front and talk about - what are we talking  
14 about as far as an investment.

15 With your project, do you guys contribute  
16 to that?

17 Joe, is that five million dollars? Is  
18 that what the budget is?

19 MR. GRASSO: For the connector road,  
20 including the intersection, it's bout five  
21 million.

22 MR. NARDACCI: And the Town has to  
23 contribute 1.6 million.

24 MR. GRASSO: That's something that we  
25 have to work through when we complete the GEIS

1 as to whether or not the vehicle that was  
2 here - the contribution - and if there should  
3 be, how much should that be? That's something  
4 that still needs work.

5 MR. NARDACCI: Then there is a project  
6 like this. I would assume that plays a part in  
7 that discussion and the ability to build this  
8 roadway. How does this factor into that?

9 CHAIRMAN STUTO: It plays a huge part of  
10 that. The improvement, which would be the  
11 connector road and if that becomes to be, will  
12 be a major one of capital expenditures under  
13 the GEIS - if and when that comes to be. Plus,  
14 it will be a major contributor of mitigation  
15 fee funds.

16 MR. NARDACCI: I think that's important  
17 to understand a little better - what exactly  
18 we're talking about. What is dollars and what  
19 contribution is that? That's an internal  
20 discussion that I need to have with our  
21 professionals.

22 CHAIRMAN STUTO: And we're going to make a  
23 public presentation of that in the upcoming  
24 meetings, right, Joe?

25 MR. GRASSO: Yes.

1           MR. HERBERT: We're aware of the  
2 mitigation fees. I did the Capital Region  
3 Health Park and that was a significant  
4 development in the airport area GEIS  
5 mitigation zone. Our past experience has seen  
6 this and we are anticipating whatever share we  
7 need to come up with will be part of our  
8 coverage, as well.

9           MR. NARDACCI: The other question that I  
10 have is with regard to density. When we first  
11 were talking about the Boght GEIS area, there  
12 was the initial thought for this parcel. The  
13 development would be - in the old GEIS it's  
14 900,000 square feet and then initially we  
15 talked about 100,000. Then, I think that we  
16 did settle on a 500,000 potential. Now, you're  
17 talking it's 465,000.

18           MR. HERBERT: That's 430 and change.

19           CHAIRMAN STUTO: 432,000.

20           MR. HERBERT: This is based on what we  
21 put on the plans; wetlands, topography,  
22 setbacks, etcetera. Then, I took a shot at  
23 what do we build? How much square footage can  
24 we build without impinging on any of the rules  
25 of play? We happen to come in at that square

1 foot area. It just happens to be near that  
2 500,000 number. We're going to look at it more  
3 closely - the number of square footage may go  
4 down.

5 MR. NARDACCI: I would just start talking  
6 to DEC and start delineating wetlands and  
7 seeing what are the constraints in the site.  
8 Are you going to be able to really put a  
9 footprint down? We spent a lot of time talking  
10 about it. I just want to make sure that we  
11 draw the public attention to that, as well.

12 The only other comment that I would have  
13 would be that it's good to see the aerial and  
14 it's good to see some of the layout. As you  
15 move forward, whatever those next steps are,  
16 some of the architectural is very important.  
17 We have other folks that have built national  
18 if not global headquarters in this vicinity.  
19 They're lead certified buildings and have a  
20 really nice high-end look and design to them.  
21 You know what the surrounding area looks like  
22 with Century Hill across the street. I would  
23 just do your best to bring a real high-end  
24 product. I think that it would help you, too.  
25 Those are the only comments that I had right

1 now.

2 CHAIRMAN STUTO: Thanks, Tom.

3 Mike?

4 MR. SULLIVAN: In our packets we received  
5 comments from New York State DOT concerning  
6 the connector road. Did you receive those?

7 MR. HERBERT: We got the comments from  
8 the DCC.

9 MR. SULLIVAN: These are part of the DOT;  
10 Department of Transportation. Specifically,  
11 they dealt with the connector road and the  
12 alignment of it. They stated that the  
13 alignment of the connector road in your plan  
14 does not match what was proposed in the  
15 traffic study. Moving forward, I'd like to see  
16 you incorporate these comments, specifically  
17 with the treatment of the intersection at the  
18 ends of the connector road and the location of  
19 the connector road.

20 Also, the treatment of Old Loudon Road.  
21 The northern end of it will be relocated and  
22 it will remain one way. I just want to make  
23 sure that all those comments were addressed.

24 There is also mention of possibly putting  
25 a roundabout in at the intersection. I believe

1           that in previous meetings where we were  
2           discussing the traffic study that a roundabout  
3           may not work in that location due to the  
4           proximity with the other intersections. There  
5           may not be enough room to make it work  
6           efficiently.

7           MR. HERBERT: You have Prime Properties  
8           that is right here (Indicating). There is a  
9           little bit of a disconnect if you don't take  
10          into account some sort of entrance through  
11          that property. I think that was the issue that  
12          we came across when we did our plans. Just  
13          using the existing property line limits what  
14          we are going to have to work with.

15          MR. SULLIVAN: There were some other  
16          comments that I had.

17          It seems as though you plan on developing  
18          using existing roads for access. And you would  
19          be able to develop all buildings except  
20          building three. How would you handle the  
21          traffic then? My concern is the amount of  
22          traffic that you will generate will overwhelm  
23          the adjacent intersections and some of them  
24          are already approaching level of service F  
25          during the peak hours. How would you address

1           that?

2                       MR. HERBERT: As part of our approvals,  
3 we're going to have a careful look at our own  
4 traffic generation projections and see what  
5 impact each of our buildings would have in a  
6 local area. There is a stand alone building of  
7 80,000 square feet that wouldn't trigger all  
8 that much, as far as traffic impact. That  
9 particular building alone we would look at as  
10 a Phase I of the overall phasing of this.  
11 We're trying to just dovetail in to what the  
12 Town established as the GEIS concept of a  
13 future road taking into account everybody's  
14 traffic impacts. That's one solution that  
15 might have to happen. We're going to have to  
16 take it as we go and do our own traffic  
17 studies to back up our ability to build.

18                      MR. SULLIVAN: I know that moving forward  
19 you said that you were going to talk with DEC  
20 and see if you have to change your footprints  
21 and see if you have to build up instead of  
22 out. You'll have to avoid more of the wetland  
23 areas. That may affect how many buildings you  
24 have or when you can construct them.

25                      Moving forward, I'd like to see a traffic

1 impact study with a connector road or without  
2 a connector road so we know what effects you  
3 have on traffic with the existing  
4 intersections without that connector road. It  
5 may be just buildings like you currently have,  
6 but all the buildings but building three. I'd  
7 like to see what impact that would have on the  
8 existing network and also with the connector  
9 roads. I'd like to see what the levels of  
10 service would be, including building three and  
11 a full build-out, because then you would have  
12 frontage for building three.

13 I believe that's all I had. I think  
14 you've answered all my questions. Thank you,  
15 very much.

16 CHAIRMAN STUTO: Tim?

17 MR. LANE: I'd like to ask is it really  
18 feasible to even bother building three? Is it  
19 economically feasible to do the connector road  
20 just so that building three can be built?

21 MR. HERBERT: It would be the other way  
22 around that we'd be looking at it. If the  
23 connector road goes in, this works. If it  
24 doesn't, this wouldn't be built.

25 MR. LANE: Okay, simple as that.

1 MR. HERBERT: It would contribute to an  
2 already good office development plan, but none  
3 of them are absolutely essential -

4 MR. LANE: You can do without the  
5 connector road.

6 MR. HERBERT: Right.

7 MR. LANE: Thank you.

8 MR. ROSANO: Would you cover building  
9 four for me and show me how you're going to  
10 get in and out?

11 MR. HERBERT: Building four will be  
12 accessed from two points. It would be this  
13 intersection that we're planning here, as well  
14 as a second means of entry from the side of  
15 prime properties. We'll adjust with any kind  
16 of requirements that we need to allow to have  
17 a public address on Route 9R. That's the trick  
18 to having an in-board lot like that. With that  
19 frontage, we can develop that as an office  
20 property. It's the largest building that we're  
21 showing. It could be a pair of buildings. It  
22 didn't work out that way, but we're starting  
23 with the legal frontage and the two means of  
24 fire access, more than anything else. That's  
25 what we're planning.

1 MR. ROSANO: Thank you.

2 CHAIRMAN STUTO: I have a couple of  
3 questions.

4 If the connector road were already in,  
5 would your configuration be different?

6 MR. HERBERT: I think that the answer is  
7 no because we've taken into account the  
8 concept of the GEIS connector road and what we  
9 tried to do is integrate it into our building  
10 plans for the overall site so that it allowed  
11 for the connector road to function properly  
12 and maximize the development around it.

13 CHAIRMAN STUTO: You mean, not a lot of  
14 curb cuts on the connector road. Is that part  
15 of what you're saying?

16 MR. HERBERT: It's part of it, but really  
17 it's making sure that the alignment works and  
18 getting from point A to point B without any  
19 kind of double S curves and things like, that  
20 in terms of the road design, itself. I know  
21 that DOT is saying that it doesn't match up  
22 with the footprint that was on the GEIS, but  
23 we knew that. What we're trying to do is we  
24 started a dialogue with them and with the Town  
25 Engineers to say this was our rationale and

1           this is where we think the road could work  
2           best. So, hopefully, we'll meet in the middle  
3           somewhere.

4           CHAIRMAN STUTO: Understood. It's very  
5           preliminary.

6           Is the TDE here, Joe?

7           MR. LACIVITA: Yes. Actually Jaime Easton  
8           is here.

9           CHAIRMAN STUTO: Jaime come sit up here.

10          For the public, the Town Designated  
11          Engineer is an engineer hired by the Town, but  
12          paid for by the developer. The alliance  
13          legally and ethically and every other way is  
14          to the Town to give us good advice.

15          Do you have any feedback on any of the  
16          comments? What are you major comments on  
17          what's been discussed already tonight?

18          MR. EASTON: There are DCC comments that  
19          I submitted to Joe. My biggest concern was the  
20          amount of impact to the wetland, the DEC  
21          buffer and that the wetlands aren't  
22          established yet. So, my recommendation would  
23          be the applicant meet with the DEC to discuss  
24          the impacts and see how that would impact the  
25          plan, overall.

1                   Certainly the traffic study - they would  
2                   have to do one and see the warrants of that  
3                   traffic study.

4                   CHAIRMAN STUTO: What do you think about  
5                   the configuration of both the buildings and  
6                   the ingress and egress to all of them, and  
7                   also the connector?

8                   MR. EASTON: We'll talk about the  
9                   locations proposed right now going out to 9R.  
10                  That's basically where they have to come out  
11                  to. You would have to acquire property from  
12                  Prime Companies to align the proposed roadway  
13                  to line up.

14                  CHAIRMAN STUTO: I know that Joe is  
15                  entering into discussions with them so that  
16                  may change in the future.

17                  MR. EASTON: The rest of the alignment  
18                  that they are proposing for that corridor - in  
19                  that proposed right of way - it certainly  
20                  functions within that right of way. I believe  
21                  the two story office building that's out to  
22                  Columbia Street 9R; building two - that  
23                  entrance that they have going right next to  
24                  Latham Ford would be a realistically a right  
25                  in and right out access point.

1           Do you still have the convenience store  
2           located on there?

3           MR. HERBERT: We didn't augment the plan.

4           MR. EASTON: Okay, well then I'm not too  
5           worried about that. We'll address that later  
6           on. Those are my two biggest concerns are the  
7           wetlands, the size of the buildings and the  
8           parking associated with it and the traffic.

9           CHAIRMAN STUTO: As we fine tune it, we  
10          can discuss it more.

11          MR. EASTON: Correct.

12          CHAIRMAN STUTO: Do you represent the  
13          owner or the perspective owner?

14          MR. HERBERT: Yes.

15          CHAIRMAN STUTO: Has the property  
16          transferred hands yet?

17          MR. HERBERT: No. We're doing our due  
18          diligence, really, with the meeting tonight.

19          CHAIRMAN STUTO: I don't have any more  
20          questions. Does anyone else on the Board?

21                 ***(There was no response.)***

22          CHAIRMAN STUTO: We appreciate you coming  
23          in. We think that the sketch plan is  
24          beneficial. It gives us a first look and see  
25          and we appreciate you coming in.

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MR. HERBERT: Thank you.

*(Whereas the proceeding concerning the above  
entitled matter was adjourned at  
7:58 p.m.)*

**CERTIFICATION**

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4                    **I, NANCY STRANG-VANDEBOGART, New York**  
5                    **State Approved Transcriber and Notary Public**  
6                    **in and for the State of New York, hereby**  
7                    **CERTIFY that the record taped and transcribed**  
8                    **by me at the time and place noted in the**  
9                    **heading hereof is a true and accurate**  
10                   **transcript of same, to the best of my ability**  
11                   **and belief.**

12  
13  
14  
15                    -----  
16                    **NANCY STRANG-VANDEBOGART**

17  
18  
19                    **Dated April 18, 2011**