

1 PLANNING BOARD COUNTY OF ALBANY
2 TOWN OF COLONIE

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4 *****
5 SHAKER DEVELOPMENT PLAZA
6 447 ALBANY-SHAKER ROAD
7 SKETCH PLAN REVIEW
8 *****

9 THE STENOGRAPHIC MINUTES of the above entitled
10 proceeding BY NANCY STRANG-VANDEBOGART, a shorthand
11 reporter, commencing on May 24, 2011 at 7:05 p.m.
12 at the Public Operations Center
13 347 Old Niskayuna Road, Latham, New York 12110

14

15 BOARD MEMBERS:

- 16 PETER STUTO, Chairman
- 17 LOUIS MION
- 18 KATHLEEN DALTON
- 19 PAUL ROSANO
- 20 TOM NARDACCI
- 21 TIMOTHY LANE
- 22 MICHAEL SULLIVAN
- 23 ELENDA VAIDA, Esq., Attorney for the Planning Board

24

25 Also present:

26 Joseph LaCivita, Director, Planning and Economic
27 Development

28 Tom Johnson, PE, Barton and Loguidice

29 Frank Palumbo, PE, CT Male

30 Pasquale Ferracane

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1 CHAIRMAN STUTO: Good evening everybody.
2 Welcome to the Planning Board meeting. The
3 meeting is now called to order. We're going to
4 try to stick to our schedule.

5 First item on the agenda is Shaker
6 Development Plaza. This is a sketch plan
7 review of 447 Albany-Shaker Road.

8 Joe LaCivita, do you have an
9 introduction?

10 MR. LACIVITA: Mr. Ferracane is here this
11 evening along with CT Male to present on
12 447 Albany-Shaker Road, which is a proposal
13 for two 10,000 square foot office buildings
14 and a one-story commercial building and it is
15 off Albany-Shaker Road, just down from Erica's
16 Tailors.

17 MR. PALUMBO: The closest landmark is
18 probably Shaker Drive. That's here
19 (Indicating) and the closest is the cleaning -

20 MR. LACIVITA: Right, Erica's Taylors.

21 So with that, I'll turn it over to Frank.

22 CHAIRMAN STUTO: Please identify yourself
23 for the record.

24 MR. PALUMBO: I'm Frank Palumbo with
25 CT Male Associates. As Joe has said, the

1 sketch plan is for two 10,000 square foot
2 buildings. Both would be one-story buildings.
3 We have a rendering that I'll show you in a
4 second.

5 Our goal this evening is to get your
6 opinion and feedback on a sketch plan
7 approval, but also one of the most important
8 parts of this layout, as you now see, is that
9 we would be seeking a waiver on parking. What
10 we would have a need for under the ratios for
11 general business - we would need 100 parking
12 spaces on-site. What we are showing on the
13 plan is 75 parking spaces. What we look to do
14 is actually build those all in the first phase
15 so that they are situated. As the second
16 building is to indeed to come, it would then
17 require the waiver at that time. We wanted to
18 get the Board's opinion in terms of whether
19 they would look favorably upon that waiver.

20 The site has some hardships that led to
21 this. There was the inability to get more
22 parking on the site. As I mentioned,
23 Shaker Drive is here. There are residences
24 that abut this side of the property
25 (Indicating). What we have is greenspace and a

1 50-foot parking setback, which is what we've
2 gone to, and a 100-foot building setback.
3 That's because we are an adjacent zone. We are
4 in the NCOR zone. With this plan, we have over
5 35 percent greenspace. The building is brought
6 forward. As far as I know we meet all the
7 other NCOR standards.

8 What we would be looking to do is develop
9 the buildings to this side of the
10 property - which we have to because of the
11 setbacks - and try to maintain the stormwater
12 detention in as a small area as possible so
13 that the greenspace -- there are a lot of good
14 size trees on the property right now. Our goal
15 would be to try to preserve as many of those
16 because it is the most immediate buffer that's
17 there.

18 Mr. Ferracane lives here (Indicating). He
19 has gone to, I think, good extents to present
20 what - he's interested in doing a quality
21 project.

22 This is an architectural rendering that
23 we would hope to be able to move forward with
24 the concept plan, as it is now, and market
25 more tenants to bring in. Right now we don't

1 have any set tenants. Our parking ratios were
2 based on the highest for this area. As tenants
3 would be found for the first building, it may
4 be that the ratio and the percentage of the
5 waiver that we would need would actually
6 decrease, but we're at the larger standard in
7 terms of the parking ratios to be required.

8 At this point, there really isn't that
9 much more to say about the property and we're
10 open to any of your questions.

11 CHAIRMAN STUTO: Tom, are you going to
12 make any comments?

13 MR. JOHNSON: No, we have no comments
14 tonight,

15 CHAIRMAN STUTO: Tom?

16 MR. NARDACCI: Given the surrounding
17 neighborhood, and as you get further away from
18 the entrance corner, it's very residential.
19 It's a 1.73 acre site, right?

20 MR. PALUMBO: Yes.

21 MR. NARDACCI: I know that you're coming
22 in asking if we will accept a waiver, but the
23 question that I have is that it seems like a
24 lot of building for that site.

25 MR. PALUMBO: In terms of the waiver and

1 in terms of the percentage of the building, we
2 could decrease and actually have a sketch plan
3 that was not economically favorable to
4 Mr. Ferracane in terms of doing it that way.
5 We can get parking and reduce the building and
6 have the same amount of site use. We think
7 that it's better in terms of the overall
8 development to get the amount of buildings
9 that we could, reduce the parking, and then
10 make the project more economically viable.

11 With respect to the character of the
12 neighborhood: Yes, the next street down is
13 Shaker and there are residents there, but at
14 the same time across the street - there is a
15 Yamaha bike and pizza place. Right next door,
16 as I mentioned, is the cleaners. You always
17 have that transition zone. You will always
18 have a transition zone there. You have already
19 accounted for that in the zoning, which is why
20 we have the 50 foot and 100 foot setback. So,
21 we are trying to maximize the use of the
22 property, but we're doing in within the
23 parameters that have already been set based on
24 those setbacks.

25 MR. NARDACCI: If you had a smaller

1 building, you wouldn't require parking waiver
2 though, right?

3 MR. PALUMBO: Well, it wouldn't require a
4 parking waiver, but it would make it very
5 difficult for Mr. Ferracane to do the project.

6 MR. NARDACCI: The other comment would be
7 this: This is my fourth year on this Board and
8 always when there is a transition especially
9 in a zone like this where you have residential
10 and commercial -- but when new commercial
11 properties come up, you have coordination and
12 communication with the neighbors. That
13 communication with the neighbors is very
14 important. You have at least four abutting
15 neighbors. Fortunately, since we're at sketch
16 plan, there is no notice for this meeting. Do
17 you have a plan or strategy to talk to the
18 neighbors? Is that something that you would
19 do?

20 MR. PALUMBO: Mr. Ferracane has had this
21 property for about 30 years. He is well aware
22 of the neighbors. I think that he probably
23 knows many of them. They have turned over more
24 than his property has turned over.

25 MR. NARDACCI: Have you showed the

1 neighbors this?

2 MR. PALUMBO: I don't know that anything
3 has been done at this point for that purpose.

4 MR. NARDACCI: It's a major concern.
5 There are impacts. What do they perceive as
6 potential impacts?

7 MR. PALUMBO: We don't disregard that.
8 Again, when you have property which is in the
9 zone - we didn't establish the zoning and we
10 didn't establish the setback, but the setbacks
11 are there.

12 We actually had done some sketch plans
13 because up on the front corner where this lot
14 is - this is a larger lot and it faces
15 Albany-Shaker Road. There is certainly
16 somewhat of a character differential between
17 these and these units here (Indicating). We
18 don't have because of that zoning, and we
19 don't have the ability to move parking up
20 closer to this lot and spare some of the
21 impact on the lots here (Indicating). We are
22 the transitional property and we are working
23 within the requirements of the zone. We
24 actually could have put more building on the
25 property if we had gone with a two story but

1 we experimented with those and then the
2 project economics were not as viable.

3 MR. NARDACCI: In terms of architecture
4 and use: What is the plan of use for this? Is
5 it going to be some kind of retail or food?

6 MR. PALUMBO: The goal would be to market
7 them to uses that are allowed within the zone.

8 MR. NARDACCI: So you don't have a
9 perspective tenant.

10 MR. PALUMBO: No, we don't have one yet.
11 Really what Mr. Ferracane in hoping to do is
12 to be able to market it much more aggressively
13 with potential tenants knowing that there is
14 likelihood that the project could be headed
15 for approval.

16 MR. NARDACCI: What tenants are you
17 expecting here, given the zone?

18 MR. PALUMBO: The tenants that will come
19 in and pay rent. We have no drive-thru uses.
20 If we had a restaurant that fit within the
21 airport zone and we could allow a certain
22 amount of that 10,000 square feet, we would
23 adjust the building to that. Would there be a
24 restaurant use that would come in and want
25 10,000 square feet? We don't think so.

1 MR. NARDACCI: There are food uses
2 nearby. That's my question. Is that something
3 that you're actively pursuing? You'd want food
4 or a food establishment?

5 MR. FERRACANE: My name is Pasquale
6 Ferracane and we are currently working with
7 some interested parties. We're not
8 anticipating a food use here.

9 MS. DALTON: So, it's mostly office space
10 that you're planning? You're thinking office
11 space?

12 MR. FERRACANE: Yes.

13 MR. NARDACCI: The only question that I
14 have is: This Board has architectural review.
15 I see that there is a rendering. Is that a
16 good transitional fit to that area?

17 MR. PALUMBO: It's certainly something
18 that can be discussed. Whatever happens with
19 the exterior of the building would not change
20 what we would be asking for in terms of the
21 size of the building. It is a unique situation
22 with that 100-foot building setback. We're
23 pulling the building forward as far as we can.
24 There is an easement of a water line or a
25 sewer line. I'm not sure exactly what it is.

1 We've brought the building forward in
2 accordance with NCOR and that really does lead
3 to this front being a rectangular building.

4 CHAIRMAN STUTO: The setback is something
5 that we'd probably be more inclined to
6 grant - just as a proposition.

7 MR. PALUMBO: We still would not be able
8 to fit parking in front of the building.

9 CHAIRMAN STUTO: Because why?

10 MR. PALUMBO: Because the further that we
11 go back -- and also that is another issue with
12 the zone. It's my understanding that we're not
13 allowed to have the parking in front.

14 CHAIRMAN STUTO: I don't want to say
15 that's something that we routinely waive -

16 MR. PALUMBO: We've never been given an
17 indication that was the direction to go. We
18 went for what we knew was a waiver that is
19 listed. We were not ever told that we could
20 put parking in front of a building in this
21 zone.

22 So, moving this back and taking that
23 parking over to here - it also doesn't change
24 if we were to go for the same amount of square
25 footage. It does not change the need for the

1 waiver of the parking still. If you just look
2 at it this way and we move the building back
3 and have it set back from the road a little
4 bit, it does change the other dynamics that
5 we've been talking about.

6 CHAIRMAN STUTO: You seem to be blaming
7 the fact that you can't put parking up front
8 for some reason. I'm not sure what you're
9 blaming that on.

10 MR. PALUMBO: No, you said that you would
11 allow that to go back. I understand that you
12 could allow the buildings to go back, but we
13 can't put the parking in the front. It leaves
14 us no other place to put parking. So, we would
15 actually have to ask for a larger waiver and
16 at that point I think that we're already at
17 the maximum of what we could ask for.

18 MR. NARDACCI: Having two 10,000 square
19 foot buildings on the site - what size
20 building could you build and not require a
21 parking waiver?

22 MR. PALUMBO: I would have to go back to
23 our earlier sketches. I think that the maximum
24 that is allowed on a one story is a
25 15,000 square foot with the zone.

1 MR. NARDACCI: I can look it up. I think
2 that before you come back here for concept, I
3 would highly recommend that you reach out to
4 all the adjoining neighbors and have a
5 conversation with them and be fully prepared
6 to talk about that. What's the reaction? What
7 were the discussions and impact concerns that
8 they had and how do you mitigate that? I think
9 that would be very helpful for the Board.

10 CHAIRMAN STUTO: Lou?

11 MR. MION: I agree with Tom. I think that
12 you should have some dialogue with the
13 neighbors. We have found that's very helpful.
14 It makes it friendly for everybody.

15 MS. VAIDA: I think that we require that
16 at concept - the neighborhood notification.

17 CHAIRMAN STUTO: There will be notice.

18 MR. NARDACCI: I'm not talking about
19 notice. I'm talking about having discussions
20 with the adjoining property owners. What
21 impact concerns do you have and how can we
22 mitigate them?

23 MR. PALUBMO: Well, we can have that
24 dialogue. They may say well, we think that you
25 have too much building on the property.

1 Mr. Ferracane is one who has to make the
2 property work financially.

3 MS. DALTON: Just to give you an example,
4 we've had other neighbors come in and because
5 of what else was going on in that
6 neighborhood, we do see that parking in that
7 particular lot could be problematic for them.
8 They would have gone for a number of other
9 options including giving up more space rather
10 than to have an additional possible car
11 problem. That's something that you would learn
12 from neighbors in that really going for waiver
13 A would be better than going for waiver B.
14 That's the kind of information that you could
15 get from your neighbors.

16 With regard to following up on a question
17 that Tom asked you: I wondered a little bit
18 more about why it is that a two-story building
19 will not suit your needs in the way that two
20 one-story buildings will. It looks to me that
21 the two one-story buildings pretty much look
22 like they're the same height.

23 MR. PALUMBO: Yes, they are. You do have
24 some increased costs of construction when you
25 go to the two-story building. You lose the

1 square footage. You put those two 10,000
2 square foot blocks on top of each other and
3 you do lose some interior area for the
4 abilities of getting between floors. So, two
5 10,000 square foot spaces do not equate to
6 20,000 square feet in a two story.

7 I believe that there was also some
8 requirement within the NCOR zone that affected
9 the amount of total area that we could get
10 within the second story. Again, we went
11 through a couple of sketch generations, some
12 went through the department to find out where
13 those limitations were. As it continued to pan
14 out, this was just the more practical. The two
15 building option, as we mentioned -- the goal
16 would be to get approval and concept for both.
17 Mr. Ferracane was planning on building the
18 one. If you have a two-story building, you
19 don't have to go through the entire two
20 stories. If the market does not support that
21 second building, then he would not proceed
22 with it. Whereas, if he had to do the two
23 story, you'd have to build it all at once.

24 MS. DALTON: Thank you.

25 CHAIRMAN STUTO: Mike?

1 MR. SULLIVAN: I had a question about the
2 size of the building. I found a memo in our
3 packet stating that you originally applied for
4 a 16,000 square foot building - the big one
5 story. And now you're asking for 20,000 square
6 feet. I'm wondering if you would have two
7 8,000 square foot buildings, if you would then
8 need fewer parking spaces for a waiver.

9 MR. PALUMBO: That plan, I can tell you,
10 ate up as much of the site as this plan is
11 now. By the time that we fit that parking in
12 there, it really did - I think that we had
13 that plan. We can bring it and show it as the
14 alternatives and we could bring along the
15 alternatives that we considered for the
16 buildings at the concept level so you can see
17 what we went through. At the time, there were
18 some other considerations that we had with
19 that 16,000 square foot building, such as the
20 possibility of some different tenants; those
21 who might have a drive-up like a bank. So,
22 there were some other factors that were
23 involved with that. Yes, it would probably
24 decrease the need for the waiver, but at the
25 same time, it makes the project more

1 difficult.

2 MR. SULLIVAN: I agree, but I think that
3 I share the concerns of the other Board
4 Members that we'd be going into a project
5 knowing that in the second phase you'd be
6 asking for the maximum amount of parking
7 waivers. To me, I'm heading down that road and
8 I prefer to see something scaled back such
9 that you would have less need for the waiver.
10 It wouldn't be right to the maximum of
11 50 percent. In looking at it, I understand
12 what you're saying. You're putting in for the
13 maximum amount of parking based on use and a
14 different type of use may require less
15 parking, so you wouldn't have to have a
16 waiver.

17 MR. PALUMBO: We're talking about maxing
18 out the site. Yes, we're maxing out the site
19 from the standpoint of getting on that
20 transitional property. Another property right
21 next door that doesn't have those same
22 setbacks could actually have fit with the same
23 size property.

24 Mr. Ferracane does have the hardship of
25 being on that transitional lot. That's

1 something that he owned the property before
2 that so a change had occurred and he's trying
3 to make the most of his property.

4 MR. SULLIVAN: I understand that and I
5 understand the problem that you have meeting
6 Town requirements. I think that there is room
7 in the middle and I think that it could be set
8 back a bit. That's just my opinion. Thank you.

9 CHAIRMAN STUTO: Tim?

10 MR. LANE: I agree with Mike, entirely.
11 It seems like it's pushing the limit on the
12 lot. There is also the parking waiver and
13 that's a huge parking waiver.

14 In addition, the way that the lot is laid
15 out, it's going to be very difficult to
16 maintain as far as plowing, snow storage,
17 etcetera. Can you explain how that is going to
18 work?

19 MR. PALUMBO: The green area that will be
20 here -

21 MR. LANE: Up against the neighborhood
22 property.

23 MR. PALUMBO: Well, there is 50 feet
24 there. The snow removal for this area isn't
25 going to be piled up against the neighbor's

1 property. It's going to be along the edge here
2 (Indicating). We'll have to do some clearing
3 within that 50 feet, as it is. The goal would
4 be to maintain as much of the natural
5 vegetation along there. If I had a 20-foot
6 strip over here (Indicating), I think that we
7 could handle the snow removal for that side of
8 the parking lot fairly easily. I do not see us
9 pushing over to the back of those properties.

10 MS. DALTON: The other concern that I
11 have is while you have the first building
12 operational, and should you decide to build
13 the second building, you're going to use up a
14 bunch of those parking spaces with building
15 materials and vehicles and construction stuff.

16 MR. PALUMBO: The first building - we can
17 do the first building without any waiver. We
18 could put 50 spaces there. We could have this
19 whole area here (Indicating) as that sort of a
20 laid out area in that construction zone so
21 that when the operational aspects of
22 constructing the second building, it would not
23 interfere with the amount of parking. At that
24 point, the site would be prepared essentially
25 for fitting up for the building.

1 CHAIRMAN STUTO: Paul?

2 MR. ROSANO: I have just one request.
3 When you do reach out to these neighbors, I
4 need to know who owns these homes and if the
5 people that are living in the homes are not
6 homeowners - I want to make sure that the
7 homeowners know about the project, because
8 these could all be rental homes. I don't know
9 who lives in them. We found throughout the
10 Town that we're having problems with
11 neighbors. People that live here may not be
12 the owners. Those are the ones that are paying
13 taxes. So, if you could do diligence and reach
14 out to these people and find out if they're
15 homeowners -- If they're not, find out who
16 they are and reach out to them. If you could
17 do that for me, I would appreciate it.

18 CHAIRMAN STUTO: I want to make sure that
19 I understand this. Can you tell me where the
20 tailor shop is? I don't know if it's shown on
21 there or not. The building isn't reflected on
22 the map, right?

23 MR. PALUBMO: Correct.

24 CHAIRMAN STUTO: Okay, I want to make
25 sure that I understand that.

1 It seems to me that you're trying to do a
2 little too much for this lot. I want to make
3 sure that I understand what would be permitted
4 without any waivers. How many square feet
5 could you do with one-story buildings without
6 any waivers? Do you have that figure?

7 MR. PALUMBO: Not off the top of my head,
8 no. We have sketches that we did through the
9 process.

10 CHAIRMAN STUTO: Do you have an
11 approximate?

12 MR. PALUMBO: I know that we had a
13 16,000 square foot. I don't recall the reasons
14 why we were not able to do that -

15 CHAIRMAN STUTO: That was two story?

16 MR. PALUMBO: That one was a single
17 story. Essentially, it went further back here
18 and there was more parking back in this area
19 (Indicating).

20 CHAIRMAN STUTO: The memo that we have in
21 our file - I think that this is from staff
22 here.

23 "The proposed building's footprint of
24 16,000 square feet exceeds the maximum
25 allowable 15,000 square feet."

1 MR. PALUMBO: That's correct. In order to
2 get a one-story footprint - single
3 building - you can't have more than
4 15,000 square feet. We had shown 16,000
5 because we were working towards what we
6 thought was a maximum of 18,000. Through the
7 discussions, we couldn't fit that with getting
8 the parking in there. We fit the 16,000 and
9 then found out, well, you can't do that. You
10 can only get 15,000 on a single floor. We felt
11 that 15,000 was not enough to make the project
12 viable.

13 CHAIRMAN STUTO: So, the answer to my
14 original question was one story would be
15 without any waivers and would be 15,000 square
16 feet?

17 MR. PALUMBO: I believe that the first
18 plan that we did required no waivers.

19 CHAIRMAN STUTO: Although there was a
20 disagreement with staff, is that what you're
21 saying?

22 MR. PALUMBO: It was an oversight of the
23 maximum allowable for any single
24 building - the 15,000.

25 CHAIRMAN STUTO: You could break up

1 16,000 but you couldn't do it in one building.

2 MR. PALUMBO: I believe that is correct.
3 If we did two 8's, that would hinder our
4 ability to get those parking spaces. If I took
5 off 2,000 here and 2,000 here, it's not going
6 to give me the space I need to put in -

7 CHAIRMAN STUTO: Okay, the answer is in
8 the precise layout.

9 MR. SULLIVAN: You would need fewer
10 parking spaces if you had two 8,000's. Say
11 it's 16,000 total, you would only need 80
12 spaces. You'd require a waiver of five spaces.

13 MR. PALUMBO: Right. What I'm saying is
14 that I have no where else to go with parking.

15 MR. SULLIVAN: I'm not opposed to the
16 waiver. I'm just opposed to going to the
17 absolutely maximum of the waiver and starting
18 out with that.

19 MR. PALUMBO: I understand. When it says
20 up to 50 percent -- we would require 100 if we
21 used the maximum. If the tenants that came in
22 actually were something that required less
23 than that, the waiver reduction would be less.

24 MR. SULLIVAN: Right.

25 CHAIRMAN STUTO: I'm going to ask a

1 couple more questions.

2 Can you pass the architectural around the
3 Board so that they can get a closer look?

4 I think that it's a little too much - the
5 waiver that's being requested, as well. I
6 agree with the general requirements here. It's
7 very difficult without hearing from the
8 neighbors, to give you a strong feeling on
9 that.

10 MR. PALUMBO: In just a hypothetical
11 here, someone was referencing maybe not having
12 stuff behind them - if you brought the
13 building forward and you went for what you're
14 allowed to give as a waiver, if we were to do
15 a building up front here so that it wasn't
16 behind these neighbors, we could be facing
17 having to get a variance. To the neighbors
18 that sounds like, hey, fine. Going through a
19 variance process is - first you have no
20 guarantee on it. That's why I'm questioning
21 what the developer would have to go through in
22 terms of trying to maximize his project and
23 going through an uncertain process in terms of
24 getting a variance. A variance may be
25 something that might be very appealing to the

1 neighbors, but it's a difficult road. All we
2 are asking is during concept that not only
3 would we have those conversations, but some
4 sort of discretion to what the developer is
5 seeking as well.

6 CHAIRMAN STUTO: Well, we definitely have
7 an open mind. We need to hear the feedback.
8 It's kind of hard to figure out what exactly
9 what our reaction would be to what they have
10 to say.

11 The other thing is this: I'm not in favor
12 of maximizing parking. I don't think that
13 anybody is here, if it's not going to be used.
14 If you can convince us that it's not going to
15 be used - we're not in favor of just paving
16 over the whole Town. However, sometimes land
17 banking the parking is a good idea so that you
18 don't have to build it all out. At least it's
19 there if you have a use for it, if you need
20 it.

21 The second part of that is that a lot of
22 times that's dependant upon the type of tenant
23 you have. Some uses require more parking than
24 others.

25 MR. PALUMBO: The land banking connotates

1 that you would never be able to put the
2 building there. What we're saying is if the
3 particular tenants that come in here - if the
4 Code allows for the calculation to be somewhat
5 less than that - based on a per person unit,
6 there are different measures of code.

7 When Mr. Farrakane gets this 10,000 up
8 and tenants in place, we may find that the 50
9 is not the requirement for this. It may only
10 be 40; therefore your ratio would go down in
11 terms of the percentages of the waiver that
12 you're asking for. You would do that before
13 building the second building.

14 I see where you're going in terms of
15 banking it but once you bank it, we're not
16 going to be allowed to put a another building
17 in there.

18 CHAIRMAN STUTO: It depends on the
19 configuration.

20 MR. PALUMBO: Well, you won't have to
21 build as much, but it's not like it will net
22 any more economic revenue from the square
23 footage.

24 CHAIRMAN STUTO: Tom, how does the
25 banking work on that one? I though that you

1 could just save the parking if you need it -

2 MR. LACIVITA: If you remember what we
3 did with Angio Dynamics, we parked it to the
4 capability or to the need of that building. We
5 banked a certain amount. They were going for
6 greenspace and a lead certification. We parked
7 it based on the calculation.

8 What I haven't seen here as of
9 yet - maybe you did this with the people in my
10 office - how you came to the configuration or
11 the number that was needed. Right now it seems
12 like this is a spec building that's being
13 built with the potential for various tenants.
14 Yet, you came up with an idea that would need
15 100 spaces. I don't know what the floor plans
16 are that gave you that number.

17 MR. PALUMBO: We calculated it all on the
18 general office - I think that's the one for
19 200. That's what I'm saying. If different
20 tenants were within this building and this
21 were subdivided within the building, and there
22 were three or four tenants and they each had a
23 different parking requirement, the actual
24 parking might be less - the ratio might be
25 less. We took the more conservative approach

1 to say, and show you what we need and if every
2 one of those met the general office ratio.

3 CHAIRMAN STUTO: We've got to wrap this
4 up.

5 MR. NARDACCI: I have one more follow-up.
6 It's in regards to the architecture. I think
7 just as important as the building layouts and
8 the parking is the architectural. In the Land
9 Use Law, in the NCOR zone, there is a clear
10 design guideline. I know that you're just
11 providing us something generic and this is
12 what it could look like, right?

13 MR. PALUMBO: Right.

14 MR. NARDACCI: I think that there are a
15 few things. First of all, where is the front
16 door facing? Is it on Albany-Shaker? I think
17 that's something that you need to consider.

18 Also, I think that there is a section
19 about neighborhood accountability and in
20 addition to the scale and the colors and the
21 materials that are similar, there is also the
22 fact that it says:

23 "Larger buildings shall be permitted when
24 designed to be perceived as several buildings
25 clustered together."

1 This doesn't do that. That's not what
2 that does. I would ask that before you come
3 back for concept, take a look again at the
4 NCOR design standards and have a design that
5 fits the guidelines that we have. This is the
6 Land Use Law.

7 MR. PALUMBO: And it was my understanding
8 that the architect that put that together had
9 actually talked with the department. One of
10 the things that was an add on, whether or not
11 it works for you or not, the two peaks on the
12 top -

13 MR. NARDACCI: Some things are good, like
14 the brick.

15 MR. PALUMBO: We will be sure that we are
16 meeting the standards.

17 CHAIRMAN STUTO: There is some
18 subjectivity that this Board is very attune to
19 the architectural and the way that it looks.
20 My personal opinion is that the insurance
21 building across the street has a good look to
22 it. The tailor shop - not so good.

23 MR. NARDACCI: The dentist's office is a
24 look that fits in that residential mix.

25 MR. PALUMBO: We'll talk with the

1 architect.

2 CHAIRMAN STUTO: I don't know if we've
3 given you much help, but I think that you get
4 a sense of where we are. Maybe there is not
5 enough specificity for you.

6 Thank you. We have to move on to the next
7 project.

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10 ***(Whereas the proceeding concerning the above***
11 ***entitled matter was adjourned at***
12 ***7:41 p.m.)***

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CERTIFICATION

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

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

17
18
19 ***Dated July 14, 2011***