



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110
<https://www.colonie.org/>

Sean M. Maguire
(518) 783-2741

Tuesday, February 25, 2020

7:00 PM

Town Hall

I. Call To Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Attendee Name	Title	Status	Arrived
Craig Shamlian	Board Member	Present	
Frederick Ashworth	Board Member	Present	
Susan Milstein	Board Member	Present	
Kathleen Marinelli	Counsel	Present	
Louis Mion	Board Member	Present	
Paul L. Rosano	Board Member	Present	
Peter Stuto	Chairman	Present	
Steven Heider	Board Member	Absent	
Sean M. Maguire	Director, Planning and Economic Development	Present	

III. Tasaddaq Mixed Use

363 Troy Schenectady Road. Board Update. Construct 3 new buildings; retail/office (7,500 square feet), 10 apartments (6,650 square feet), and storage/garage (300 square feet). Presented by Advance Engineering. TDE – CHA Companies.

NO ACTION was taken.

IV. Stewart's Shops

2005 Central Avenue. Sketch Plan. Construct a 4,124 square foot shop with 2,000 square foot canopy and 8 fueling stations. Presented by Stewart's Shops. TDE - CHA Companies.

NO ACTION was taken.

V. Loudon Road PDD

606 & 608 Loudon Road. Review and Recommendation for Open Development Area and Planned Development District to Town Board. Request for Rezoning to include 26,000 square feet for retail/restaurant with a Senior Living Component to include 85 apartments & 92 assisted living with overall parking of 414 spaces. Presented by Advanced Engineering. TDE - CHA Companies

1. **Motion To:** Approve a special rule of the Planning Board setting forth findings, conclusions and recommendations for the establishment of an Open Development Area pursuant to New York State Town Law § 280-a(4)

COMMENTS - Current Meeting:

SPECIAL RULE OF THE PLANNING BOARD SETTING FORTH FINDINGS,
CONCLUSIONS AND RECOMMENDATIONS FOR THE ESTABLISHMENT OF AN OPEN
DEVELOPMENT AREA

PURSUANT TO NEW YORK STATE TOWN LAW ? 280-a(4)

The Galleria at Loudonville (Loudon Road PDD)

606 & 608 Loudon Road

WHEREAS, New Loudon Road Realty Company LLC (hereinafter referred to as the applicant) made application to the Colonie Town Board for creation of the Galleria at Loudonville Planned Development District, with said site plan containing two lots, one of which will contain a maximum of 26,000 square foot commercial retail building with frontage along Loudon Road, and the second lot containing a maximum of 85 senior apartments and 92 bed assisted living facility with no frontage along a public right-of-way; and

WHEREAS the Town of Colonie Planning and Economic Development Department and Building Department have determined that access to the subject property by means other than use of the property's public road frontage will require approval of an Open Development Area; and

WHEREAS, the applicant made a request for an Open Development Area to the Town of Colonie Town Board; and

WHEREAS, 280-a(4) of the New York State Town Law provides that the Town Board may establish an Open Development Area within the Town, wherein permits may be issued for the erection of structures to which access may be given by right of way or easement, upon such conditions and subject to such limitations as may be prescribed by special rule of the Planning Board; and

WHEREAS, on November 7, 2019 the Town Board referred the application for the Open Development Area to the Planning Board for review and recommendation via Town Board Resolution No. 474 for 2019; and

WHEREAS, the Open Development Area requested by the applicant is intended to allow primary access to the subject property by ingress and egress over private roads to which both lots will share equal rights of ingress and egress; and

WHEREAS, the subject property has approximately 587 feet of frontage along Loudon Road (New York State Route 9); and

WHEREAS, Loudon Road is a State-owned public road maintained by the NYSDOT.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board has determined that it is in the best interest of the public's health safety and welfare to permit access to the rear lot over an ingress/egress easement; and

BE IT RESOLVED THAT, the Planning Board recommends approval of the Open Development Area for the Galleria at Loudonville Planned development District.

This resolution shall take effect immediately and shall be transmitted to the Colonie Town Board for consideration.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Shamlan, Ashworth, Milstein, Mion, Rosano, Stuto
ABSENT:	Steven Heider

2. Motion To: Approve a proposed Planned Development District

COMMENTS - Current Meeting:

PLANNED DEVELOPMENT DISTRICT

COLONIE LAND USE LAW - WRITTEN FINDINGS

OF THE COLONIE PLANNING BOARD

The Galleria at Loudonville (Loudon Road PDD)

606 & 608 Loudon Road

WHEREAS, New Loudon Road Realty Company LLC (hereinafter referred to as the applicant) made application to the Colonie Town Board for Planned Development District (PDD) approval for a project that consist of a 26,000 SF commercial building (retail/restaurant), 85 independent senior apartments and a 92 bed assisted living facility on a 8.39 acre parcel of land to be subdivided into two lots (hereinafter referred to as the application); and

WHEREAS; the Colonie Town Board (Town Board) referred the project to the Town of Colonie Planning Board (Planning Board) for review and recommendation; and

WHEREAS; pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board shall develop written findings that document the facts and information relied upon to reach its conclusions in rendering a decision on a PDD; and

WHEREAS the PDD is consistent with the purpose and intent of this Chapter including the Design Standards; and

WHEREAS the PDD is compatible with the surrounding neighborhood context and character and is in conformance with the Comprehensive Plan; and

WHEREAS the requirements of SEQRA will be completed by the Town Board prior to making a determination on the PDD, and the PDD has mitigated potential undue adverse environmental impacts as set forth during SEQRA review to the maximum extent practicable; and

WHEREAS the PDD will add to the long-term assets of the community and will not erode the livability or economic viability of the existing neighborhood areas; and

WHEREAS the proposal is conceptually sound in that it meets local and area-wide needs and it conforms to accepted design principals in the proposed functional roadway and pedestrian system, land use configuration, open space system, drainage system and scale of elements, both absolutely and to one another; and

WHEREAS there are adequate community facilities, services and utilities available or proposed to be made available in the construction of the development; and

WHEREAS the traffic will not have an adverse impact on the adjoining transportation system.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board recommends approval of the Planned Development District for the subject property subject to the following minimum public benefits being proposed by the Applicant which will add to the long-term assets of the community:

1. The applicant shall contribute \$500,000 toward the completion of a traffic study of Homestead Drive and the design and installation of pedestrian improvements within the Town of Colonie.
2. The applicant shall fund the completion of a traffic study that evaluates traffic conditions along Homestead Drive and evaluates potential improvements with respect to vehicular sightlines, traffic calming, cut-through traffic, pedestrian safety and access considerations. This study is valued at approximately \$20,000.
3. Following the funding of the traffic study, the design and installation of pedestrian improvements for the remaining funds will be prioritized as follows, with the completion of each segment prioritized for installation before the next until the \$500,000 contribution is exhausted:
 - a. Design and installation of approximately 600 linear feet of sidewalk along the east side of Loudon Road from Homestead Drive heading north and terminating at the existing traffic signal for Newton Plaza, together with crosswalk accommodations. This work is valued at approximately \$200,000.

- b. Design and installation of approximately 1,100 linear feet of sidewalk along the west side of Loudon Road from Glennon Road heading north to the Fresh Market plaza. This work is valued at approximately \$200,000.
- c. Design and installation of approximately \$100,000 worth of sidewalk along Spring Street. Limits to be determined during final site plan review.
4. The value for the traffic study and each sidewalk segment will be verified through engineer's proposals, engineer's estimates and contractor's bids for the work. The design for any sidewalk segments funded as part of the \$500,000 contribution shall be included in the final site plans for the project and constructed simultaneously with development of the project site.
5. Restaurants within the retail building shall be limited to no more than three full service restaurants, with a combined square footage of no greater than 8,000 square feet and 340 seats (240 inside year-round and 100 outdoor seasonal, with up to 10% variation between these indoor/outdoor seating counts). No single restaurant shall have a size greater than 4,500 square feet with 200 seats.
6. Any restaurant shall be restricted from having live music outdoors between the hours of 10:00 PM to 3:00 PM. No live music shall achieve a decibel level greater than 40 decibels (typical suburban nighttime conditions) at the limit of the project site at any time.

and be it RESOLVED, that pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board has developed these written findings that document the facts and information relied upon to reach its conclusions in rendering a decision to recommend approval of the proposed PDD.

This resolution shall take effect immediately and shall be transmitted to the Town Supervisor and Members of the Town Board.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Shamlan, Ashworth, Mion, Rosano, Stuto
NAYS:	Susan Milstein
ABSENT:	Steven Heider

VI. Adjournment

The meeting was adjourned at 10:02 p.m.