



# Planning Board

## Regular Meeting

~ Minutes ~

347 Old Niskayuna Road  
Latham, NY 12110

<https://www.colonie.org/>

Sean M. Maguire  
(518) 783-2741

Tuesday, March 21, 2023

6:00 PM

Town Hall

### 1. Call to Order

The meeting was called to order by Chair Steven Heider at 6:00 p.m. The roll was called.

Also present: Planner Andy Acker (PEDD), Planner Mike Tengeler (PEDD), and TDE Joe Grasso (CHA).

| Attendee Name    | Title                                       | Status  | Arrived |
|------------------|---------------------------------------------|---------|---------|
| Steven Heider    | Chairman                                    | Present |         |
| Louis Mion       | Board Member                                | Present |         |
| Craig Shamlian   | Board Member                                | Absent  |         |
| Michael J Malone | Board Member                                | Present |         |
| Kevin M. Bronner | Board Member                                | Absent  |         |
| Megan Baker      | Board Member                                | Present |         |
| Paul A. Leo      | Board Member                                | Present |         |
| Sean M. Maguire  | Director, Planning and Economic Development | Present |         |
| E. Guy Roemer    | Town Attorney                               | Present |         |

### 2. Report of the Planning and Economic Development Director

Director Sean Maguire noted that the department and the Town Library will hold its first Repair Cafe on Earth Day, April 22, 2023 at the library.

### 3. Regular Business

#### a. 1425 Central Avenue. Floor & Décor.

Applicant Floor: & Decor represented by Stonefield Engineering. Concept review of new retail use to infill a portion of the former Sears and Garden Center. The site is zoned HCOR, Highway Commercial Office Residential. TDE: CHA Companies (PL-22-00037)

Howard Geneslaw from Gibbons P.C. representing the applicant presented the project on behalf of the applicant. He is joined by Matt Checca from Stonefield Engineering and Julie Starzynski from Floor& Decor.

Joe Grasso from CHA provided the TDE comments including overall process from concept to final, the project's location within the Airport Area GEIS study area, green space, parking, exterior design, lighting, and the need for additional information on proposed utilities.

Mr. Geneslaw reviewed comments about the facade and that a prior rendering illustrated a facade that extended to Whole Foods but that is beyond the scope of their control and the rendering is

revised to only include the applicant's lease area. Changes that reduce parking are limited by terms in Whole Foods lease covenant that does not allow for a reduction to common space for parking. Mr. Checca noted that lighting some lighting is pre-existing and higher than what is allowed and there are no changes to planned to those existing fixtures.

The Board discussed the project including the design of the facade, how deliveries are made (overnight per Applicant), desired improvements to the landscaping plan, and outside appearance.

**1. Motion To:** Accept the concept plan.

|                  |                                  |
|------------------|----------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Louis Mion, Board Member         |
| <b>SECONDER:</b> | Megan Baker, Board Member        |
| <b>AYES:</b>     | Heider, Mion, Malone, Baker, Leo |
| <b>ABSENT:</b>   | Craig Shamlan, Kevin M. Bronner  |

**b. 11 Middlefield Drive. Siena College Expansion.**

Applicant: Siena College, represented by Hershberg & Hershberg. Final review of proposed expansion of the science complex, adding a 47,700 square foot, three-story building. The site is zoned SFR, Single-Family Residential. TDE: CHA Companies (PL-22-00007)

Dan Hershberg from Hershberg & Hershberg presented the project on behalf of the applicant including general site layout, landscape plan including irrigated areas and trees, parking information, and building elevations. He presented the Applicant's position on using the main campus entrance for construction versus using Middlefield Drive via Fiddlers Lane.

Joe Grasso from CHA provided the TDE comments including the latest letter from February 2023. He stated that most comments are minor and technical in nature. He highlighted improvements to campus routes as a result of the project. He discussed the concern about construction traffic access to the site. He reviewed the final plan approval steps including making a SEQRA determination prior to final site plan approval.

The Board discussed the project including the construction access, pre-construction survey of Fiddlers Lane, addition of a note to the final plan regarding construction access, and monitoring the construction traffic. Mike DiLima from Gilbane discussed its logistics plan regarding Fiddlers Lane. The Board continued to discuss the project including construction traffic and the design of Route 9/Loudon Road versus Fiddlers Lane for heavy traffic, the installation of a guide rail around the curve on the inner road, snow being pushed into the low areas from the roads and parking lots, the design of the project, and the updated parking areas. Mark Frost discussed the start of the parking area construction on the day after commencement and completed by Labor Day 2023.

**1. Motion To:** Approve a SEQRA negative declaration

|                  |                                  |
|------------------|----------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Louis Mion, Board Member         |
| <b>SECONDER:</b> | Megan Baker, Board Member        |
| <b>AYES:</b>     | Heider, Mion, Malone, Baker, Leo |
| <b>ABSENT:</b>   | Craig Shamlan, Kevin M. Bronner  |

**2. Motion To:** Approve the final site plan with conditions

COMMENTS - Current Meeting:

Conditions include approval of a mitigation plan by the Town Attorney regarding construction traffic from Route 9 to Fiddlers Lane to Middlefield Drive, including proper signage to direct traffic (no right turn from Middlefield Drive to Fiddlers Lane) a flagger to control traffic, including a pre and post-construction meeting with the Department of Public Works, and said conditions shall be affixed to the final site plan set.

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|------------------|----------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>       |
| <b>MOVER:</b>    | Megan Baker, Board Member        |
| <b>SECONDER:</b> | Paul A. Leo, Board Member        |
| <b>AYES:</b>     | Heider, Mion, Malone, Baker, Leo |
| <b>ABSENT:</b>   | Craig Shamlan, Kevin M. Bronner  |

**4. Adjournment**

With no further business before the Board, the meeting stood adjourned at 6:52 p.m.