



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, April 18, 2023

6:00 PM

Town Hall

1. Call to Order

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

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

Attendee Name	Title	Status	Arrived
Steven Heider	Chairman	Present	
Louis Mion	Board Member	Present	
Craig Shamlian	Board Member	Present	
Michael J Malone	Board Member	Present	
Kevin M. Bronner	Board Member	Absent	
Megan Baker	Board Member	Absent	
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

Sean Maguire noted that this weekend, April 22, is the Town's first Repair Cafe at the Town Library. Sustainability Week will start on May 8 through May 13 concluding with the Town's annual Conservation Day and seedling distribution.

3. Regular Business

a. 1425 Central Avenue. Floor & Décor.

Applicant Floor: & Décor represented by Stonefield Engineering. Final site plan, waiver and SEQRA 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 Glenslaw representing Floor & Decor introduced the project and highlighted some of the changes made since the last meeting. He noted that the applicant is willing to extend its paint color along the unimproved 1425 Central Avenue facade if the property owner allows. He introduced the project engineer who reviewed the updated plan.

Joe Grasso from CHA provided the TDE's comments that were provided in a letter and reviewed the steps the Planning Board will need to take tonight to approve the project.

The Board discussed the project including landscaping and increasing the number of trees on the site, the location of HVAC units, the inconsistency between the rendering and the landscaping/site plan, and reducing the parking on the old Sear's site (Seritage). Chair Heider also indicated that he wants any change in tenant on the Seritage site to come back before the Planning Board to address the parking on the site.

i. Motion To: Approve a Negative Declaration.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Craig Shamlian, Board Member
AYES:	Heider, Mion, Shamlian, Malone, Leo
ABSENT:	Kevin M. Bronner, Megan Baker

ii. Motion To: Approve land use law finding regarding waivers.

COMMENTS - Current Meeting:

Parking in the front yard and total number of parking spaces required.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Heider, Mion, Shamlian, Malone, Leo
ABSENT:	Kevin M. Bronner, Megan Baker

iii. Motion To: Approve the final site plan with conditions.

COMMENTS - Current Meeting:

Conditions include the addition of 10 street trees and 20 shrubs as reviewed and approved by the Planning and Economic Development Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Craig Shamlian, Board Member
AYES:	Heider, Mion, Shamlian, Malone, Leo
ABSENT:	Kevin M. Bronner, Megan Baker

b. 2772 & 2792 Curry Road, Lisha Solar 1 & Lisha Solar 2.

Applicant: Eden Renewables, represented by Environmental Design Partnership, LLP. SEQRA Lead Agency review for proposed solar farm. The site is zoned SFR, Single Family Residential. TDE: CHA Companies. (PL-22-00002 & PL-22-00003)

Board Member Craig Shamlian recused himself from the project. PEDD Director Sean Maguire updated the Board on the project which was initially presented to the Board as a sketch plan but because zoning does not allow the use, the applicant had to make an appeal to the Zoning Board of Appeals. During the review by the ZBA, this project was determined to be a Type I action and required coordination. During coordination, the Planning Board indicated its desire to serve as

lead agency and the ZBA did not object. The Planning and Economic Development Department and the Town Designated Engineer have met with the applicant and reviewed materials submitted. He indicated that he believed that this was the right time to present an update to the Board to ask any questions before a draft recommendation is made.

Joe Grasso from CHA provided the Town-Designated Engineer's comments about the SEQRA process and the project.

Hyde Clark from Young/Sommer representing the applicant presented an overview of the project. Mr. Grasso responded noting that the Town is applying a systematic approach. He reviewed draft Environmental Assessment Forms (EAF) Part 2 and Part 3 that were prepared in response to the EAF Part 1 submitted by the applicant. He also reviewed notes included in a draft resolution the Board could consider in making a positive declaration and required the preparation of an environmental impact statement. Mr. Roemer indicated that the Board is required to take a hard look at the potential for environmental impacts at the site.

Giovanni Maruca from Eden Renewables responded to the comments by CHA.

The Board discussed the project including the concern that the project will have a potential adverse impact, the response of the Pine Bush Commissoin being non-specific, concerns with wildlife at the site, the unique nature of the site in the Pine Bush, and completing an exhaustive review.

Chair Heider offered the public an opportunity to speak. Lynne Jackson of Albany from Save the Pine Bush provided comments noting that the site is recommended for full protection. Mark Kazmerczak of Curry Road, Colonie thanked the Board for covering the topics he was concerned with. Deb Kazmerczak of Curry Road, Colonie agreed with the development of an environmental impact statement. Arianna Alwine of Guilderland spoke about waterways and the impact of the project on this area.

i. No action taken.

4. Adjournment

With no further business before the Board, the meeting stood adjourned.