



Planning Board

Regular Meeting

~ Minutes ~

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

Sean M. Maguire
(518) 783-2741

Tuesday, June 1, 2021

6:00 PM

Town Hall

1. Call to Order

The meeting was called to order at 6:00 p.m. by Chairman Stuto. The roll was called.

Also present: Monique Wahba, Senior Planner; Michael Tengeler, Planner.

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

2. Report of the Planning and Economic Development Director.

3. Regular Business

a. 736 Loudon Road. Mini Mart Redevelopment.

Applicant: Q. Ghondal, presented by ABD Engineers and Surveyors. Incentive zoning request for a previously redeveloped mini-mart. The site is zoned COR, Commercial Office Residential. No TDE or PL #.

Planner Mike Tengeler and Director Sean Maguire introduced the project. Luigi Paleschi with ABD Enginners and Surveyors presented the project. The Board discussed the project. Chairman Stuto noted that the project is recommended as an unlisted action with a negative declaration.

1. **Motion To:** Approve a land use law waiver for greenspace with a one-time payment.

COMMENTS - Current Meeting:

WHEREAS, Q. Gondal Enterprises, LLC (the "applicant"), has proposed an Incentive Zoning Request at 736 Loudon Road, Town of Colonie, Albany County, New York. The project involves the collection of funds associated with the previously approved Site Plan of record; and

WHEREAS, the applicant is requesting one waiver from the Town of Colonie Land Use law, Article VI - 190-27 D, Incentive Zoning; and

WHEREAS, the Town of Colonie Planning Board (the "Board") may waive these standards to the extent it deems necessary in order to secure a reasonable development of the site; and

WHEREAS, the applicant received a previous approval for the site (17-270) to allow for the redevelopment of the parcel from a gas station to a mini-mart with eight (8) gas pumps; and

WHEREAS, the depletion of greenspace resulted in a final site statistic of 16.7% below the 35% standard, resulting in an Incentive Zoning Payment of \$44,689.00; and

WHEREAS, the applicant has constructed the site in accordance with site plan approval but now negating the NYSDOT Highway Maintenance Permit,

NOW, THEREFORE BE IT

RESOLVED, that the Board hereby finds that the extent of the requested waiver is not considered substantial; and be it further

RESOLVED, the Board finds that by granting the waiver will still result in a reasonable and safe development of the site that will not hinder any town infrastructure, school districts, natural resources or scenic view-scapes; and be it further

RESOLVED, that the Board previously held that Incentive Zoning would not need not apply as long as the applicant was under permit to maintain the area within the NYSDOT ROW; and be it further

RESOLVED, that the Board hereby issues the waiver granting an Incentive Zoning request equating to a one-time payment of \$44,689.00 as required in Article IV - 190-27 D, in regards to Incentive Zoning Units; and be it further

RESOLVED, that these Waiver Findings be kept in the project file in the office of the Planning and Economic Development Department.

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

b. 11 Elks Lane. Colonie Senior Services PDD Amendment.

Applicant: Colonie Senior Services, Inc., presented by Hershberg & Hershberg. Sketch plan review of the proposed demolition of the Elks Club and construction of a 125,629 +/- square foot, three-story building accommodating 99 units of affordable senior housing. Parking in 36 garages and 81 parking spaces with 62 banked parking spaces. Walking trail to adjacent senior development (17 Elks Lane) with shared programming. The site is zoned PDD, Planned Development District. TDE: CHA Companies. (PL-21-00010).

Planning Board Member Louis Mion recused himself from the project and exited the meeting. Senior Planner Monique Wahba introduced the project. Daniel Hershberg of Herberg & Hershberg presented the project. Colonie Senior Service Centers Executive Director Diane Conroy-LaCivita summarized the organization's work for the Board. Ms. Wahba provided the Town-Designated Engineer's comments. The Board discussed the project including affordability, building size and location, and public benefit. Mr. Hershberg noted the applicant's objection to turning the road from a public road to a private road. He indicated that the applicant

would prefer keeping the emergency access unpaved and gated and a public benefit has not yet been discussed. The Board continued to discuss the project including dumpster locations away from neighboring residents, provisions for EV charging, construction of sidewalks, parking requirements for the pavilion, construction of a berm to Abedar Lane, average age of residents, view of the project from neighboring homes

No action was taken.

4. Adjournment