



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, June 21, 2022

6:00 PM

Town Hall

1. Call to Order

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

Also present: Planner Andy Acker (PEDD), TDE Bradley Grant (B&L), and TDE Joe Grasso (CHA).

Attendee Name	Title	Status	Arrived
Frederick Ashworth	Board Member	Present	
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	Present	
Megan Baker	Board Member	Present	
Jill A. Conway	Counsel	Present	
Sean M. Maguire	Director, Planning and Economic Development	Present	

2. Report of the Planning and Economic Development Director

PEDD Director Sean Maguire asked the Board to call a public hearing for the proposed Vly Subdivision at 331 Vly Road.

1. Motion To: Call a public hearing for 331 Vly Road on June 7, 2022.

COMMENTS - Current Meeting:

NOTICE IS HEREBY GIVEN THAT PURSUANT TO Section 276 of Town Law, the Town Planning Board of the Town of Colonie, Albany County, New York will meet and conduct a Public Hearing at Town Hall Main Hearing Room, 534 New Loudon Road, Latham, in said Town of Colonie, County of Albany, New York on the 12th day of July, 2022 at 6:00 P.M. for the purpose of hearing all persons upon the approval, modification or disapproval of a certain residential subdivision plat in the Town of Colonie, County of Albany known as Vly Subdivision, consisting of 4.973 acres of land located at address to be divided into two (2) residential buildings lots.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Heider, Mion, Shamlan, Malone, Bronner, Baker

3. Public Hearing

a. *35 Colonial Green, Open Development Area.*

Applicant: Bill and Kristin Hoblock. Open development area request to allow access to the parcel through the adjacent 33 Colonial Green. Site is zoned SFR, Single-Family Residential. No TDE. (No PL #).

The public hearing was opened by the Chair at 6:00 p.m. Bill Hoblock presented the project. The Board discussed the project.

- i. **NOTICE IS HEREBY GIVEN THAT the Town Planning Board of the Town of Colonie, Albany County, New York will meet and conduct a Public Hearing at the Town Hall Main Hearing Room, 534 New Loudon Road, Latham, in said Town of Colonie, County of Albany, New York on the 21st day of June, 2022 at 6:00 P.M. for the purpose of reviewing and making a recommendation to the Town Board on a request for an Open Development Area (ODA) designation to allow 35 Colonial Green legal access to a public street through an existing easement with an adjacent parcel in the Town of Colonie, County of Albany.**

COMMENTS - Current Meeting:

There were no comments received from the public. The hearing was closed at 6:08 p.m.

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Heider, Mion, Shamlan, Malone, Bronner, Baker

- ii. **Motion To:** Recommend the ODA to the Town Board.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Heider, Mion, Shamlan, Malone, Bronner, Baker

b. *4152 Albany Street, Keystone Conservation Subdivision.*

The public hearing was opened by the Chair at 6:10 p.m. Public comment was received from the following individuals. Tom Deschamps, 4150 Albany Street (Colonie) raised concerns about prior dumping that was allegedly done on the site and traffic along Albany Street. Kenneth Mackey, 4154 Albany Street (Colonie) raised concerns about the possible location of an old cemetery and hunting on proposed conservation lands. Brian Mooney, 4186 Albany Street (Colonie) raised concerns with the survey prepared and a potential discrepancy with tax maps.

Lynn Jackson, 223 South Swan Street (Albany) inquired about the disposition of the conserved lands in relationship to the Albany Pine Bush Preserve Commission.

The Board discussed the project including the environmental assessment (staff reported that the NYSDEC EAF mapper reports recorded spill data on the form, but spills unreported), the width of the lots (the smaller lots are allowed in the conservation subdivision), the conservation and management of the lands (PEDD expects that the lands would be managed by the Albany Pine Bush Preserve Commission through a license agreement with the Town), and questions about the potential for historic areas and environmental contamination on the site. The Board also asked PEDD staff to follow-up with the Town's Department of Public Works regarding paving on Albany Street.

The Board moved to adjourn the public hearing for the purpose of obtaining more information.

- i. **NOTICE IS HEREBY GIVEN THAT the Town Planning Board of the Town of Colonie, Albany County, New York will meet and conduct a Public Hearing at the Town Hall Main Hearing Room, 534 New Loudon Road, Latham, in said Town of Colonie, County of Albany, New York on the 21st day of June, 2022 at 6:00 P.M. for the purpose of hearing all persons upon the approval, modification or disapproval of a certain residential conservation subdivision plat in the Town of Colonie, County of Albany known as Keystone Conservation Subdivision, consisting of 109.84 acres of land located at 4152 Albany Street to be divided into eight (8) residential buildings lots.**

HISTORY:

06/21/22

Planning Board

ADJOURNED

Next: 07/26/22

The Board adjourned the hearing for the purposes of obtaining additional information including from the Town Historian and investigation of reported barrels.

COMMENTS - Current Meeting:

The Board adjourned the hearing for the purposes of obtaining additional information including from the Town Historian and investigation of reported barrels.

RESULT:	ADJOURNED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Heider, Mion, Shamlan, Malone, Bronner, Baker

4. Regular Business

a. **4 & 6 Autopark Dr. (Wellness Way). 4 & 6 Autopark Dr. Site Plan Amendment.**

Applicant: Columbia Development, represented by Hershberg & Hershberg. Site plan amendment, proposing merger of two lots, demolition of a building and construction of a 50,000 square foot medical office building. This site is zoned HCOR, Highway Commercial Office Residential. TDE Barton & Loguidice (PL-22-00023).

Bill Mafri from Hershberg & Hershberg presented the project on behalf of the applicant. Bradley Grant from Barton & Loguidice provided the TDE comments. The Board discussed the project including the

originally proposed emergency egress from the original site plan that no longer appears on the amendment. Rich Rosen from Columbia Development also appeared and answered questions. He indicated that the gate would be relocated to the eastern end of the site that connects to 950 Loudon Road and does not plan to send any traffic directly to Route 9; all traffic to travel to Wellness Way fka Autopark Drive.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Heider, Mion, Shamlan, Malone, Bronner, Baker

b. 1129 Loudon Rd. Sharifipour Mixed Use 1.

Applicant: Freddy Sharifipour, represented by ABD Engineers. Sketch Plan Update for a two story, 4-unit townhouse apartment building totaling 3,840 square feet with a one-story 990 square foot office building. Site is zoned COR, Commercial Office Residential. TDE: CHA. (PL-22-00014). See related item 4c below - the cases were presented and discussed together.

c. 1133 Loudon Rd. Sharifipour Mixed Use 2.

Applicant: Freddy Sharifipour, represented by ABD Engineers. Sketch Plan Update for a two story, 5-unit townhouse apartment building totaling 4,800 square feet, with a two-story 3,772 square foot office building. Site is zoned COR, Commercial Office Residential. TDE: CHA. (PL-22-00015).

Joe Bianchini from ABD Engineers presented the project. The Zoning Board of Appeals granted an area variance for the density on the site. Utilities serve the site from Route 9. Water serves the site. A septic system would be used due to the distance to the nearest sanitary sewer connection. Joe Grasso from CHA provided the TDE's comments. The Board discussed the project including if there is an opportunity to swap lands with the middle parcel under separate ownership, the demand for septic based on types of use including the differences in demand between the residential and office uses, the density of development on the site, a suggestion of a mixed use with commercial on the first floor and residential on the second floor, the lack of site amenities for residents, the potential addition of school bus stops along this segment of Route 9 with higher speed limits, and a general disinterest in developing residential property along this segment of Route 9 due to higher speed limits.

No action was taken.

Motion To: Appoint Craig Shamlan as Temporary Chair.

COMMENTS - Current Meeting:

Megan Baker and Steve Heider recused themselves on 645 Boght Road, Wethereby Extension Subdivision due to business relationships with the applicant, Bob Marini. A motion was made to appoint a temporary chair.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlan, Malone, Bronner
RECUSED:	Steven Heider, Megan Baker

d. 645 Boght Rd. Wetherby Ext. Subdivision.

Applicant: Marini Land II, Inc., represented by Advance Engineering & Surveying, PLLC. Sketch plan for 13-lot residential subdivision and development of a new street to be dedicated to the Town. Site is zoned SFR, Single-Family Residential. TDE: Barton & Loguidice. (PL-22-00022).

Planning Board members Steve Heider and Megan Baker departed the meeting after recusing themselves from the project.

Nick Costa from Advance Engineering presented the project. Brad Grant from B&L provided the TDE comments. The Board discussed the project including a large landlocked portion which Mr. Costa noted was resolved in an updated drawing by extending lot lines to the limits of the existing lot, questions if the wetlands will start to encroach. Director Sean Maguire provided PEDD comments including a prior condition the Planning Board placed on the Ridgeview Subdivision regarding the Board's intent to not extend Wetherby Court beyond the Ridgeview Subdivision. The Board continued to discuss the project including questions about access to the proposed stormwater management area which has a driveway/road for town access. Attorney Paul Goldman who represents the applicant spoke about research that he did in the PEDD office on adjacent subdivisions and the proposed connection via Wetherby Court. Chris Guzda, who provided a letter to the Planning Board with concerns about the project, was invited to provide comments for two minutes. The Board discussed having the PEDD prepare a detailed history of the development of the adjacent subdivisions including planned roadways and connections. Michael Reo, current owner of the property, presented his concerns about being able to develop the property after paying taxes on the vacant lands for a number of years.

No action was taken.

5. Adjournment

With no further business before the Board, the meeting stood adjourned at 8:10 p.m.