



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, July 11, 2023

6:00 PM

Town Hall

1. Call to Order

The meeting was called to order by Chair Steven Heider at 6:03 p.m. The roll was called.

Also present: Planner Andy Acker (Town of Colonie), TDE Joe Grasso (CHA), and TDE Bradley Grant (B&L)

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	Present	
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. Public Hearing

3. Report of the Planning and Economic Development Director

The July 25, 2023 meeting that was expected to be cancelled will be held as scheduled.

4. Regular Business

a. 415A & 421 Albany Shaker Road, Verizon Wireless Green Meadows Facility.

Applicant: Cellco Partnership d/b/a Verizon Wireless, Presented by Young Sommer LLC. Concept plan for a new 124+ foot monopole tower; 9 Verizon wireless panel antennas mounted at the top of the tower, 1 unmanned 4 ft x 11.5ft equipment platform and a GPS antenna unit. The site is zoned SFR, Single Family Residential. TDE: B&L (PL-23-00012).

Dave Brennan from Young/Somer presented the projec including site and location, and existing and proposed Verizon coverage.

Brad Grant from Barton & Loguidice provided the Town Designated Engineer's comments including alternative locations on the proposed site, the frequency of trips to the site (one to three per year per Mr. Brennan), and questions about site lighting.

The Board discussed the project including options to move the site and compensate for loss of elevation with a higher pole, balloon flights for visual impact, site access via easement from the neighboring site and other easements for utilities, design and camouflage of the tower (steel pole below the tree line, and above the tree line the tower is designed as a stealth tree similar to Elks Lane), and amount of grade change from Green Meadows Lane to the site.

The Chair opened the project to public comment. One question was asked about the power output for the project and the applicant responded that the antennas operate differently from FM radio and at maximum power is within the FCC limits and requirements. The Chair asked about how this project impacts Route 9. The applicant responded that it hopes to bring a new application to the Town soon.

The Chair asked PEDD Director Sean Maguire to explain next steps. Mr. Maguire noted that the Zoning Board of Appeals is the lead agency in the process and that with the Board's questions, the applicant has some work to do before bringing the project back to the Board for any action.

i. No action taken.

b. 189 Sand Creek Road, Sand Creek Road Conservation Subdivision.

Applicant: Cillis Home Builders, represented by Advanced Engineering. Concept plan update for the proposed conservation subdivision for 13 single-family home lots over 8.0 acres with one conservation lot. Site is zoned SFR, Single Family Residential. TDE: B&L (PL-22-00004).

Nick Costa from Advanced Engineering presented the project including an overview of the updated plan with small homes and smaller lots. Changes include planting and berming to provide separation to the homes along Norbrick Drive.

Brad Grant from Barton & Loguidice provided the Town Designated Engineer's comments including changes to the project since sketch plan.

The Board discussed the project including plans to remove the existing house and location of the road in relation to the existing driveway, time to full build out and impact to neighboring homes, height of the proposed berm (applicant's engineer indicates it would be a 1:2 slope which would determine the height), use of arborvitae plantings on the berm, limits of grading and clearing, no sidewalk or street lights down the proposed Baxter Drive, the maintenance of the berm being the Town's responsibility and need for maintenance and replacement, and the movement of the road away from the rear.

The Chair opened the project to public comment. Comments included concerns about water on the property and what happens when the site is developed, concerns with the loss of the wooded space for existing homes along Norbrick Drive, presence of various wildlife species, the presence of a vernal pond on the site, observations about changes to the plan to its current form, privacy for neighbors, the distance from backyards to the proposed street, concerns with traffic safety, the change in property elevation behind 8 Norbrick Drive, and drainage for the site and how it works. Mr. Costa explained that the design of the site would direct drainage on the site to the stormwater system on the site and not to the neighboring properties. Chair Heider asked Mr. Grant to evaluate the presence of a pond behind 12 and 14 Norbrick Drive as reported during the public comment. Mr. Bronner asked how the applicant evaluates the concerns that the pond appears after a large rain event and asked that the concern be evaluated. Public comment

continued with concerns with Willowdale Terrace and the wooded area that currently exists, the visibility from Willowdale Terrace to Norbrick Drive, screening between properties, if an environmental impact statement has been prepared, and the impacts of ground water and a stream along 17 Norbrick Drive.

Mr. Shamlian asked if the Town has other areas similar to this proposal for a bermed and planted area that the Town would be responsible for. Mr. Maguire stated he was not aware of areas like this in town and that areas like this are typically owned and maintained by a homeowner's association and not the Town. Mr. Shamlian also asked about the size of the lots and is it consistent with other conservation subdivision proposals. Mr. Maguire stated he would have to look at other conservation subdivisions to respond to lot size but believed that the lots proposed were consistent with smaller lots in the neighborhood. Public comment continued including a concern that the rear yards of Norbrick Drive may be interpreted to be front yards due to the relationship to the proposed Baxter Drive. Mr. Costa noted that the bermed area would be part of Lot 14 and not the Town's right of way thereby not creating a front yard situation for the rear of Norbrick Drive. Public continued with concerns about the loss of wildlife, the high water table in the area, the lack of space between the proposed homes and ability to add screening, the concern that deer will be attracted to the Green Giant arborvitae plantings, safety concerns where the proposed Baxter Drive will land on Sand Creek Road in relation to the existing intersection at Osborne.

Chair Heider asked Mr. Maguire about next steps. Mr. Maguire stated that if the Board takes no action, then if the applicant is to continue with a revision to the plan based on the comments tonight, we will review those changes and bring it back for another update to the Board.

i. No action taken.

c. 686 Troy Schenectady Rd. Vanara Hotel.

Applicant: Vanara Properties, LLC, represented by Bergmann Associates. Concept plan update of a four-story, 122-room, 12,500 square foot hotel. The site is zoned COR, Commercial Office Residential. TDE: CHA Companies (PL-21-00022).

Victor Caponera from Caponera Law Firm presented the project on behalf of the applicant. Mr. Caponera reviewed the progress on the site plan since it was first presented to the Board. The size of the building has been reduced and the restaurant was eliminated. Parking has also been reduced.

Joe Grasso from CHA provided the TDE's comments including his January 2023 comments on the first concept plan. He noted that there were concerns with access given the divided highway at Troy Schenectady Road in this location. He noted the challenge with leaving the site, traveling west, and the proposed options provided in the traffic study which were not favorable. To address the westbound movement, he recommends a connection to a commercial property at Wade Road and obtain an access easement. He also addressed the westbound traffic that would attempt the access the site which would likely involve using Forts Ferry Road to Wade Road and to Troy Schenectady Road eastbound. He noted that signage would need to be approved by the Town or NYSDOT to provide wayfinding for traffic that does not access the site directly. Mr. Caponera indicated that the applicant attempted to negotiate an easement, the cost was approximately \$300,000 to obtain and still required getting access from National Grid.

The Board discussed the project including concerns with access and the applicant stated that NYSDOT would not allow a break in the divided Troy Schenectady Road, concerns with illegal

turns/u-turns, why NYSDOT would not allow for a break in the median (per the applicant's traffic engineer, it is a safety concern related to queuing between the two intersections at each end of the barrier), potential challenges working with National Grid for an access easement, access to Rensselaer Avenue (per the applicant's traffic engineer, the intersection would fail if additional traffic was added), demand for the product (per the applicant, a 3rd party performed an evaluation for the demand and performance of the property and indicated it performed very well, and the lack of extended stay hotels in this category), and the number of changes made since sketch plan and the additional changes needed to move forward to a final review. Mr. Grasso asked that the next review include a letter from NYSDOT about access and signage. Chair Heider asked that if concept is accepted, the project return

- i. **Motion To:** Accept the concept plan.

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

5. Adjournment

With no further business before the Board, the meeting was adjourned at 8:16 p.m.