



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, September 7, 2021

6:00 PM

Town Hall

1. Call to Order

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

Also present: Zach Harrison, PEDD; Michael Tengeler, PEDD; Joseph Grasso, CHA Companies (TDE).

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 Shamlan	Board Member	Absent	
Sean M. Maguire	Director, Planning and Economic Development	Present	
Kathleen Marinelli	Counsel	Present	

2. Report of the Planning and Economic Development Director

Director Sean Maguire reviewed the meeting's COVID-19 protocols including masks required for all in attendance at public meetings.

a. Complete Streets

On Tuesday, October 12th from 6:00 p.m. until 8:00 p.m. the Planning and Economic Development Department will host a presentation on the topic of Complete Streets with the Capital District Transportation Committee. The meeting will be held in Town Hall and we plan to broadcast the program online.

3. Regular Business

a. 1169 Central Ave. Paintworx.

Applicant: Paintworx Collision Center, presented by Bohler Engineering. Waiver requests associated with the construction of a two-story 4,100 + square foot addition to an auto detail shop on a 0.4-acre parcel. The site is zoned NCOR, Neighborhood Commercial Office Residential. Redevelopment, No TDE assigned. (No PL #)

Planner Michael Tengeler introduced the project. Bohler Engineering presented the project for the applicant. Mr. Tengeler reviewed the waivers requested from the Planning Board. The Board discussed the project.

1. Motion To: Approve land use law waiver findings.

COMMENTS - Current Meeting:

WHEREAS, Paintworx Collision Center ("Applicant") has proposed the construction of a 4,1000 +/- square foot addition to the existing footprint area of a former two-family building for an automotive detailing use at 1169 Central Avenue, Town of Colonie, Albany County, New York; and

WHEREAS, the applicant is requesting three waivers of design standards from the Colonie Town Code, Article IX, SS 190-42 Neighborhood Commercial Office Residential, in specific regards to the maximum building setback, new parking within a front yard, front yard pavement setback, and one waiver of minimum greenspace requirements from Article VI, ? 190-27 Incentive Zoning; and

WHEREAS, the Town of Colonie Planning Board ("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 has removed a pre-existing, nonconforming structure and proposed to construct an auto detailing business, a use allowed in an Neighborhood Commercial Office Residential ("NCOR") zoning district; and

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby finds that the extend of the requested waivers are not considered substantial, and be it further

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

RESOLVED, that the Board hereby issues the following:

1. A waiver from the maximum setback requirement of 25 feet to 38.3 feet;
2. A wavier from parking within the front-yard to allow for two parking spaces and one accessible aisle; and
3. A waiver from the maximum pavement setback requirement of 15 feet to 7 feet;
4. Approval of an incentive zoning request for a reduction in greenspace from a minimum of 35% to 27.4% resulting in a one-time payment of \$14,591.

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

b. 600 Troy Schenectady Rd. Speedway.

Applicant: Speedway, LLC, represented by Bohler Engineering. Sketch plan review of a site plan proposal regarding construction of a 2,900 square foot minimart with fuel island. The site is zoned HCOR, Highway Commercial Office Residential. TDE: CHA Companies. (PL-21-00009)

Planner Michael Tengeler introduced the project. Bohler Engineering presented the project for the applicant including the layout of the site and the need for variances from the Zoning Board of Appeals. Joseph Grasso of CHA Companies provided the Town-Designated Engineer's comments including the change from a comparatively low-intensity to a high-intensity use, significant concerns about the site plan layout related to the use as a high-intensity mini-mart, full-access curb cut onto Troy Schenectady Road and the ability to restrict turning movements to right-out only, the lack of loading/unloading areas, a large and long fueling canopy including the restriction of fuel canopies in the front yard in the design standards, and the height of the retaining wall and the position of the building at the base of that wall. The Board discussed the project including restricting turning at the site to right in/right out, the size and number of fueling positions (14 total), building design and elevation, traffic lining up at Utica Avenue to access the traffic light, condition of canopies at other Speedway locations, and the design of the building.

No action was taken.

c. 579 Troy Schenectady Rd. Chick-fil-A.

Applicant: Chick-fil-A, represented by Bohler Engineering. Sketch plan review of a site plan proposal that demolishes the existing building and constructs a 5,000 square foot fast food restaurant with outdoor seating and drive-through. The site is zoned HCOR, Highway Commercial Office Residential. TDE: CHA Companies. (PL-21-00014)

Planner Zachary Harrison introduced the project including the site layout, initial comments from the Planning and Economic Development Department, and the potential variances and waivers required. Tim Freitag from Bohler Engineering presented the project for the applicant including the site configuration, the statistic that drive-thru business accounts for 60% to 70% of the business, hiring 120 to 140 employees, days and hours of operations, 60 to 80 construction jobs over a 24-week construction period, variances for canopies within required setbacks, updates to the site plan that increases total greenspace on the site to approximately 37% and a larger vegetation buffer between the drive-thru and Troy Schenectady Road, building elevations. Joseph Grasso of CHA Companies provided the Town-Designated Engineer's comments including overriding concerns regarding traffic at the site especially at Erin Street, and studying traffic at three intersections (Troy Schenectady Road, Erin Street, and internal Latham Farms road). The Board discussed the project including commissioning a traffic study by the Town of the area, movements needed to navigate to the site and potential difficulty including left turns from Troy Schenectady Road (two left turn lanes), striped areas which the applicant indicated is to accommodate delivery truck movements, and areas for snow storage.

No action was taken.

d. 14 & 16 Vermont View Dr. 15-Unit, Multi-Family Building.

Applicant: Robert Abbatiello, represented by ABD Engineers, LLP. Concept review of a site plan with lot line adjustment to construct a 15-unit, 2-story multifamily building; a single-family home will remain. The site is zoned MFR, Multi-Family Residential. TDE: CHA Companies. (PL-20-00013)

Planner Zachary Harrison introduced the project including the site layout, initial comments from the Planning and Economic Development Department, and the potential variances and waivers required. Luigi Palleschi from ABD Engineers presented the project for the applicant including the total site plan, changes and modifications to the existing driveway and new curb cuts, parking locations and areas, extension of a town sewer main, and changes after the Zoning Board of Appeals denied an appeal. Joseph Grasso of CHA Companies provided the Town-Designated Engineer's comments including the location of the project in the Boght Road GEIS area, the number of units is consistent with Town Code, need for additional landscaping to screen the site, design standards in the MFR zone, lighting on the site and height restrictions and other comments provided in his letter. The Board discussed the project including the number of parking spaces in excess of what is required, details of the landscaping,

1. Motion To: Accept the concept plan.

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

4. Adjournment

With no further business before the Board, the meeting stood adjourned at 7:36 p.m.