



Planning Board

Regular Meeting

~ Minutes ~

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

Steven Heider

Tuesday, September 9, 2025

6:00 PM

Public Operations Center

1. Call to Order

The meeting was called to order by Chairman Steven Heider at 6:01pm. The roll was called.

Also present were Director Andris Blumbergs (PEDD), Planner Jacob Landis (PEDD), Planner Lauren Dryburgh (PEDD) and TDE John Frazer (B&L).

Attendee Name	Title	Status	Arrived
Steven Heider	Chairman	Present	
Henry J. Rosenzweig	Board Member	Present	
Paul A. Leo	Board Member	Present	
Michael J Malone	Board Member	Present	
Kevin M. Bronner	Board Member	Late	6:12 PM
Ricahrd Barlette	Board Member	Present	
Joanne Maloy	Board Member	Present	
Matthew Millea	Counsel	Present	

2. Public Hearing

There was no public hearing.

3. Report of the Planning Department

2772 & 2792 Curry Road - Lisha Solar and Lisha 2 Solar: Draft Environmental Impact Statement (DEIS) Public Hearing is scheduled for September 23, 2025 at 6:00 pm in the Public Operations Center, 347 Old Niskayuna Road, Latham NY 12110.

The Planning Department is hiring a Senior Planner.

4. Regular Business

a. 244 Wolf Road - Multi-Tenant Commercial Building

244 Wolf Road - Multi-Tenant Commercial Building. Applicant: 244 Wolf Rd LLC. Represented by Lansing Engineering. Final site plan review, SEQRA determination, and consideration of waivers for the construction of a 6,400 square-foot commercial building. The site is zoned Commercial Office Residential (COR). TDE: Barton & Loguidice (PL-22-00001).

Scott Lansing of Lansing Engineering presented on behalf of the applicant.

Planning Director Andris Blumbergs asked how many tenants would be in the building. Mr. Lansing indicated there would be three. Director Blumbergs also stated that the GEIS mitigation fees would be \$471,419.44 for this project.

TDE John Frazer provided his review. Mr. Frazer questioned if the applicant had made contact with DOT regarding permitting, to which the applicant stated they have not. Chairman Steven Heider stated that since the trees in front of the parcel are a part of the landscaping plan, they cannot be taken down. Should they be taken down, the approved landscaping plan will not match the site.

The Board discussed the project.

Board member Henry Rosenzweig inquired about the outcome of the traffic assessment for this project. Director Blumbergs indicated that no left out would be permitted, but left in would be permitted. Chairman Heider asked if there could be high, unmountable curbs used at the access point to limit illegal turning movements. To which Mr. Lansing stated he would inquire with their transportation engineers to explore the feasibility of this. Mr. Heider also inquired about adding additional landscaping at the rear of the site, particularly in order to screen the dumpster.

A motion was made.

i. Motion To: Approve a Negative SEQR Declaration

COMMENTS - Current Meeting:

WHEREAS, 244 Wolf Road LLC ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the multi-tenant commercial building at 244 Wolf Road ("Project"). The proposal is for the construction of a 6,400 square-foot commercial building; and

WHEREAS, the Project has been identified by the Planning Board as an Unlisted Action under SEQR (State Environmental Quality Review Act); and

WHEREAS, the Planning Board has reviewed Part I of the Full Environmental Assessment Form (FEAF) submitted by the Applicant, and completed Parts II and III of the FEAF in conjunction with the review of a number of documents related to this Project that are enumerated in the attached Negative Declaration and maintained in the town files; and

WHEREAS, the Project shall be completed in accordance with the requirements set forth by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that based on a thorough review of the Project by the Planning Board, there will be no significant adverse environmental impacts as a result of the Project and no Environmental Impact Statement will be required; and be it further

RESOLVED that the attached Negative Declaration is hereby adopted, and, in accordance with 6 NYCRR Part 617.12, the same shall be kept on file with the Town of Colonie Planning and Economic Development Department.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Joanne Maloy, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy
NAYS:	Steven Heider

ii. Motion To: Approve Land Use Law Waiver Findings

COMMENTS - Current Meeting:

WHEREAS, 244 Wolf Road LLC ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the multi-tenant commercial building at 244 Wolf Road ("Project"). The proposal is for the construction of a 6,400 square-foot commercial building; and

WHEREAS, the Applicant is requesting a waiver from the Town of Colonie Land Use Law, Article X - General Regulations - Chapter 190-47 - Parking, related to the following: prohibition of parking within 10 feet of the side or rear lot line;

WHEREAS, the Planning Board may waive the side or rear lot line setback requirements as necessary to ensure reasonable development of a site, provided that the stated intent of §190-47 of the Town Code is met. In such cases, the Planning Board shall issue a written finding stating the extent of and justification for the waiver; and

WHEREAS, the project site is an undeveloped commercial parcel within the Commercial Office Residential zoning district, and the Project as proposed by the Applicant represents a desirable change at the site; and

WHEREAS, the proposal is consistent with other commercially developed properties found within the Town which have limited lot dimensions and environmental constraints.

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

RESOLVED, that the Planning Board finds the Applicant has established that the parking regulation is unnecessarily stringent and that waivers are necessary in order for the site to reasonably function in its proposed form; and be it further

RESOLVED, that the Planning Board hereby issues a waiver from the Town's prohibition of parking within 10 feet of the side or rear lot line; and be it further

RESOLVED, that these waiver findings be a condition of site plan approval of the Project and the same shall be kept in the project file in the Office of the Planning and Economic Development Department.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Ricahrd Barlette, Board Member
SECONDER:	Joanne Maloy, Board Member
AYES:	Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy
NAYS:	Steven Heider

iii. Motion To: Approve the Final Site Plan

COMMENTS - Current Meeting:

WHEREAS, 244 Wolf Road LLC ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the multi-tenant commercial building at 244 Wolf Road ("Project"). The proposal is for the construction of a 6,400 square-foot commercial building; and

WHEREAS, the Project has been identified by the Planning Board as an Unlisted Action under SEQR (State Environmental Quality Review Act); and

WHEREAS, pursuant to 6 NYCRR Part 617, the Planning Board issued a SEQR Negative Declaration on September 9, 2025, determining there will be no significant adverse environmental impacts; and

WHEREAS, a referral was sent to the Albany County Planning Board ("ACPB") on January 3, 2024 in accordance with N.Y. General Municipal Law §239; a review by the ACPB dated January 22, 2024 was received and such recommendations have been duly implemented; and

WHEREAS, the Project has been previously before the Planning Board on February 7, 2023, August 22, 2023, February 27, 2024, April 23, 2024, and February 4, 2025. The Project plans have been extensively reviewed by the Town's professional staff and consultants by and through the Development Coordination Committee, Completeness Review, and Preliminary Final Review; and

WHEREAS, the Planning Board has considered and carefully reviewed the applicable requirements of the Colonie Town Code (the "Code") relative to site plan review, the unique needs of the Town due to the topography, the soil types and distribution, and other natural and man-made features upon and surrounding the area of the proposed site plan; and, the Planning Board has also considered the zoning in the area, the Project in light of the Town's Comprehensive Plan and its compliance therewith; and

WHEREAS, on September 9, 2025, the Planning Board duly considered the proposed site plan in accordance with the relevant provisions of §190 of the Code including, but not limited to, concerns addressing site drainage, lighting, nearby residences, landscaping, parking, buffering, screening, driveways, and any potential on and off-site environmental impacts, and upon due consideration thereof and deliberation thereby the Planning Board adopts the resolution(s) herein set forth.

NOW, THEREFORE, BE IT RESOLVED, the Town of Colonie Planning Board hereby approves the proposed site plan for a multi-tenant commercial building at 244 Wolf Road, subject to the following condition:

- a. Address all outstanding Town Departments and Town Designated Engineer comments prior to the issuance of a Building Permit.
- b. The landscaping plan shall be updated to show enhanced landscaping elements, subject to the review of the PEDD and Town Designated Engineer.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Paul A. Leo, Board Member
SECONDER:	Joanne Maloy, Board Member
AYES:	Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy
NAYS:	Steven Heider

b. 947 Troy Schenectady Road & 2 Mill Road. Mini-Mart and Apartment Building

947 Troy Schenectady Road & 2 Mill Road. Mini-Mart and Apartment Building. Applicant: Tri Capital Realty LLC. Represented by Advance Engineering and Surveying, PLLC. Concept Review for the construction of a 6,730 square-foot QuickChek mini-mart, 6,225 square-foot fuel canopy with 16 fueling stations, and a four-story, 33,600 square-foot apartment building. The site is zoned Commercial Office Residential (COR). TDE: Barton and Loguidice. (PL-25-00096).

Nick Costa of Advance Engineering and Surveying, PLLC presented the project on behalf of the applicant.

Planning Director Andris Blumbergs noted that the last time the project was before the Board, the Board had traffic concerns as well as concerns about the residential density on the site. A traffic study has been provided, but the residential building proposed is still the same size. The Board also previously discussed the aesthetics of the site, requesting that it match the farm house style existing down the road. They also requested additional amenities for the apartment residents, and requested additional landscape buffering for the neighboring properties. The Board also commented on the size of the canopy and QuickChek building, and asked the size and scale to be reduced. Director Blumbergs noted that several national chains have previously adjusted their applications to adhere to the requests of the Board.

TDE John Frazer provided his review. He indicated there was a parking deficiency of 7 spaces for the residential component, and 9 for the commercial component combined for a 16 space deficiency. Meaning they will require a parking waiver from the Planning Board. Additionally they will also need to provide justification for the waiver requested for the 25 foot front yard setback. He also discussed the findings from the traffic study.

The Board discussed the project.

Chairman Steven Heider expressed concerns with respect to the proposed density being too high. Mr. Heider also expressed concern over combining residential and gas station uses on the same site, as well as concerns over the landscaping plan. In particular Mr. Heider discussed screening for the neighbors along Mill Rd. The Chairman also requested the applicant increase the amount of landscaping in the area between the QuickChek building and they apartment building. Lastly, Mr. Heider requested the applicant add more landscaping to screen the stormwater mitigation ponds.

Board Member Henry Rosenzweig commented on the aesthetics of the site, particularly the landscaping.

Board Member Mike Malone expressed concerns over the amount of parking on the site.

Board Member Paul Leo agreed with what his fellow members already stated, he expressed particular concern over the amount of residential parking. Mr. Leo also expressed concerns over landscape buffers and the amount amenities provided for residents as well as safety for children who will be living there.

Board Member Kevin Bronner expressed that he does not feel this project fits the character of the neighborhood.

Board Member Richard Barlette also requested more landscaping in the 50 ft. buffer in order to provide additional screening for neighbors.

Board Member Joanne Maloy agreed that there should be increased parking on site, and that the landscaping in the 50 ft. buffer should be increased.

Applicant Jared George of Tri Capital Realty LLC addressed the Board. Mr. George discussed that he has met with the residential neighbors and that they are happy with the landscaping and fencing proposed. Mr. George also discussed the residential building, noting it is modeled after the Northern Pass apartments in Town which are four stories high. Mr. George stated they are now proposing an additional 18 subsurface parking spaces to be added under the residential building. Mr. George also noted that representatives from QuickChek have expressed comfort with 56 parking spaces for the gas station component. Mr. George discussed the amount of parking and development at nearby sites with multi-family housing near commercial development.

Applicant Tom Burke of Tri Capital Realty expressed his disagreement with the concerns that this project does not fit in with the character and development of the surrounding neighborhood.

Chairman Steven Heider requested that the applicant come back before the Board for a project update prior to coming back to seek final project approval.

A motion was made.

i. Motion To: Accept the Concept Plan

RESULT:	ADOPTED [6 TO 1]
MOVER:	Henry J. Rosenzweig, Board Member
SECONDER:	Ricahrd Barlette, Board Member
AYES:	Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy
NAYS:	Steven Heider

5. Adjournment

With no further business before the Board the meeting was adjourned at 7:01pm.