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

Sean M. Maguire
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Planning Board

Regular Meeting

~ Minutes ~

Tuesday, September 21, 2021 | **6:00 PM** | **Town Hall**

1. Call to Order

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	Present	
Louis Mion	Board Member	Present	
Craig Shamlian	Board Member	Present	
Sean M. Maguire	Director, Planning and Economic Development	Excused	
Kathleen Marinelli	Counsel	Present	

2. Report of the Planning and Economic Development Director

Senior Planner Monique Wahba provided a report for Director Sean Maguire who was excused from the meeting. She highlighted programming to be held in October and open to the public. Planner Zach Harrison reviewed the Planning Board's COVID-19 procedures.

3. Regular Business

a. *11 Elks Ln. Colonie Senior Services PDD Amendment.*

Applicant: Colonie Senior Services, Inc., presented by Hershberg & Hershberg. Concept plan review and adoption of Planned Development District (PDD) Findings for the proposed demolition of the Elks Club and construction of a 127,500 +/- square foot, three-story building accommodating 99 units of affordable senior apartments (with 162 beds), a senior center, a wellness center, and other common areas. 105 parking spaces with 43 banked. Walking trail connecting adjacent senior development (17 Elks Lane) with pavilion for shared programming. The site is zoned PDD, Planned Development District. TDE: CHA Companies. (PL-21-00010).

Public comments were made. The Board discussed the project including landscaping along the homes on Abedar Lane. A motion was made to accept the concept plan.

1. **Motion To:** Adopt written findings of the Colonie Planning Board

COMMENTS - Current Meeting:

PLANNED DEVELOPMENT DISTRICT COLONIE LAND USE LAW - WRITTEN FINDINGS OF THE COLONIE PLANNING BOARD

Colonie Senior Services

Senior Housing

11 Elks Lane

WHEREAS, Colonie Senior Services Centers Inc (hereinafter referred to as the applicant) made application to the Colonie Town Board for an amendment to PDD LL 11-15 (Town Board Resolution 461 on 9/17/15) for a project that consists of 99 senior apartments (with 162 beds), associated parking, sidewalks and utilities within the limits of the previously approved PDD; and

WHEREAS; the Colonie Town Board (Town Board) referred the project to the Town of Colonie Planning Board (Planning Board) for review and recommendation; and

WHEREAS; pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled Planned Development Districts, the Planning Board shall develop written findings that document the facts and information relied upon to reach its conclusions in rendering a decision on a PDD; and

WHEREAS the PDD is consistent with the purpose and intent of this Chapter including the Design Standards; and

WHEREAS the PDD is compatible with the surrounding neighborhood context and character and is in conformance with the Comprehensive Plan; and

WHEREAS the requirements of SEQRA will be completed by the Town Board prior to making a determination on the PDD, and the PDD has mitigated potential undue adverse environmental impacts as set forth during SEQRA review to the maximum extent practicable; and

WHEREAS the PDD will add to the long-term assets of the community and will not erode the livability or economic viability of the existing neighborhood areas; and

WHEREAS the proposal is conceptually sound in that it meets local and area-wide needs and it conforms to accepted design principals in the proposed functional roadway and pedestrian system, land use configuration, open space system, drainage system and scale of elements, both absolutely and to one another; and

WHEREAS there are adequate community facilities, services and utilities available or proposed to be made available in the construction of the development; and

WHEREAS the traffic will not have an adverse impact on the adjoining transportation system.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board recommends approval of the Planned Development District for the subject property subject to the following minimum public benefits being proposed by the Applicant which will add to the long-term assets of the community:

1. The applicant shall contribute $176,700 as a public benefit for a future use to be determined by the Town Board.

and be it RESOLVED, that pursuant to Chapter 190-13 of the Colonie Land Use Law, entitled

Planned Development Districts, the Planning Board has developed these written findings that document the facts and information relied upon to reach its conclusions in rendering a decision to recommend approval of the proposed PDD.

This resolution shall take effect immediately and shall be transmitted to the Town Supervisor and Members of the Town Board.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul L. Rosano, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Rosano, Stuto, Ashworth, Heider, Milstein, Mion, Shamlian

2. Motion To: Accept the concept plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Paul L. Rosano, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Rosano, Stuto, Ashworth, Heider, Milstein, Mion, Shamlian

b. 1201 Troy Schenectady Rd. NYSIF Office Building at Riverhill Center.

Applicant: First Columbia LLC, represented by Advance Engineering & Surveying. Sketch plan review of a site plan proposal for the demolition of a one-story office building and construction of a 107,000 square foot, four-story office building. The site is zoned COR, Commercial Office Residential. TDE: CHA Companies. (PL-21-00015).

No action was taken.

c. 4 & 6 Autopark Dr. Amedore Medical/Office.

Applicant: Amedore Autopark LLC, presented by Hershberg & Hershberg. Final approval, SEQR determination, and ODA referral to reconfigure lots 4 and 6, where lot 6 would include a 260,000+/- square foot, three-story medical/office building with parking, loading and drop-off areas. The site is zoned HCOR, Highway Commercial Office Residential. TDE: Barton & Loguidice. (PL-20-00011)

The Board discussed the project including the gate between 4 and Autopark Drive and alternatives with signs

1. Motion To: Make a determination of no significant effect on the environment

COMMENTS - Current Meeting:

A negative declaration for 6 Autopark Drive Medical Office Building was approved.

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

2. Motion To: Approve a special rule of the Planning Board (ODA).

COMMENTS - Current Meeting:

SPECIAL RULE OF THE PLANNING BOARD SETTING FORTH FINDINGS, CONCLUSIONS AND RECOMMENDATIONS FOR THE ESTABLISHMENT OF AN OPEN DEVELOPMENT AREA PURSUANT TO NEW YORK STATE TOWN LAW ? 280-a(4)

Amedore Medical/Office

4 Autopark Drive

WHEREAS, Amedore Autopark LLC (hereinafter referred to as the applicant) is the owner of 4 and 6 Autopark Drive and the primary access to the proposed new 4 Autopark Drive will be via 950 Loudon Road with secondary access via 6 Autopark Drive and both through a permanent reciprocal ingress/egress easement; and

WHEREAS the Town of Colonie Planning and Economic Development Department and Building Department have determined that access to the subject property by means other than use of the property?s public road frontage will require approval of an Open Development Area; and

WHEREAS, 280-a(4) of the New York State Town Law provides that the Town Board may establish an Open Development Area within the Town, wherein permits may be issued for the erection of structures to which access may be given by right of way or easement, upon such conditions and subject to such limitations as may be prescribed by special rule of the Planning Board; and

WHEREAS, the applicant made a request for an Open Development Area to the Town of Colonie Town Board; and

WHEREAS, the Town Board passed Resolution No. 121 for 2021 requiring the Planning Board to review and consider an Open Development Area at 4 Autopark Drive.

WHEREAS, the Open Development Area requested by the applicant is intended to allow primary access to the subject property by ingress and egress over the adjacent parcel; and

WHEREAS, the property public road frontage along Autopark Drive will not be utilized for access; and

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Board has determined that it is in the best interest of the public?s health safety and welfare to permit access to the subject property over an ingress/egress; and

BE IT RESOLVED THAT, the Planning Board recommends approval of the Open Development Area for 4 Autopark Drive.

This resolution shall take effect immediately and shall be transmitted to the Colonie Town Board for consideration.

RESULT:	**ADOPTED [5 TO 2]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Rosano, Stuto, Ashworth, Mion, Shamlian
NAYS:	Steven Heider, Susan Milstein

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

COMMENTS - Current Meeting:

RESOLUTION FOR AMEDORE MEDICAL OFFICE BUILDING 6 AUTO PARK DRIVE LAND USE LAW WAIVER FINDINGS

WHEREAS, Amedore Medical Office Building (the "applicant"), has proposed the construction of a new parcel consisting of partial No. 4 and No. 6 Auto Park Drive and proposed to be occupied by a 242,630? sf, three-story medical/office building with adequate parking, loading and drop off areas. The existing warehouse at No. 4 Auto Park Drive will remain and require an Open Development Area (ODA) permit since the revised lot line will make the existing structure have access onto Auto Park Drive by easement only, .on a 20.9 acre site, 6 Auto Park Drive, Town of Colonie, Albany County, New York. The project will involve the construction of a new 3-story, medical office building, landscaping, stormwater management, and on-site parking for 1,276 parking spaces to serve the commercial medical building with direct access onto Auto Park Drive and associated utilities; and

WHEREAS, the applicant is requesting 2 waivers from the Town of Colonie Land Use Law, Article IX -Chapter 190-41, Design Standards, for the Highway Commercial Office Residential (HCOR) zone

related to:

1. (190-47[k] Onsite parking is proposed to be 1,276 parking spaces to serve the commercial medical building. Medical Office uses require a minimum of one (1) space per 175sf of gross floor area, which means that this project would require a minimum of 1,372 spaces. The applicant is seeking a waiver to reduce the required parking by 96 spaces.

2. (190-41[1]-The building exceeds the 20 foot minor road maximum front yard setback from Auto Park Drive. The applicant is seeking a waiver to allow the building to sit farther back from the road.

WHEREAS, the Town of Colonie Planning Board (the "Board") may waive these standards to the extent it deems necessary in order to address the unique nature of an individual site and secure reasonable

development of the site. In such case, the applicant must establish that there are no practical alternatives to the proposed waiver that would conform to the standard, and the Board shall issue a written Finding stating the extent and justification of the waiver; and

WHEREAS, the use of the site is suitable for, and typical of prior approved commercial uses along Auto Park Drive in the Town; and

WHEREAS, the proposed building setback is consistent with the setback of the other pre-existing and/or recently approved professional office and commercial structures located in proximity to the site;

and

WHEREAS, the parking spaces proposed is consistent with other similar pre-existing and/or recently approved commercial uses in proximity to the site and will afford a good internal circulation and

higher level of safety for patrons accessing the site; and

NOW, THEREFORE BE IT

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

RESOLVED, that the Board finds the applicant has established that there are no practical alternatives to the proposed waivers that would conform to the standards and that the waivers are necessary

in order to secure reasonable, orderly and safe development of the project site; and be it further

RESOLVED, that the Board hereby issues a waiver from the maximum front yard setback; and be it further

RESOLVED, that the Board hereby issues a waiver from the prohibition of new parking within the front yard; and be it further

RESOLVED, that these Waiver Findings be a condition of site plan approval of the application and 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, Milstein, Mion, Shamlian

4. Motion To: Grant final approval with conditions.

COMMENTS - Current Meeting:

Final approval is granted subject to obtaining wetland permits, satisfying outstanding town department comments, a full explanation of the connections between the lots, GEIS mitigation, and a consideration if Plaza Drive should be a Town road.

RESULT:	**ADOPTED [4 TO 3]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Paul L. Rosano, Peter Stuto, Frederick Ashworth, Louis Mion
NAYS:	Steven Heider, Susan Milstein, Craig Shamlian

d. 1214 Loudon Rd. Tralongo Office Complex.

Applicant: Tralongo Builders, Inc., represented by Advance Engineering & Surveying, LLP. Final approval for construction of two office buildings: a three-story, 33,084 square foot building with a 11,329 square foot parking garage on the first level, and a one-story, 5,671 square foot building with 106 parking spaces. The site is zoned OR, Office Residential. TDE: Barton & Loguidice. (PL-17-00021)

1. Motion To: Grant amended final approval.

COMMENTS - Current Meeting:

The project final approval is amended to include approval of the elevations, materials, and landscaping and access by removing a gate from Route 9 and installing "Do Not Enter" signs.

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

4. Adjournment