



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, September 26, 2023

6:00 PM

Town Hall

1. Call to Order

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	6:02 PM
Kevin M. Bronner	Board Member	Present	
Megan Baker	Board Member	Present	
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

PEDD Director Sean Maguire provided the Board with an overview of the first agenda item regarding the review of a Draft Environmental Impact Statement Scope and a public hearing to be held next week on the same. The purpose of tonight's meeting is to hear about the draft scope and the process ahead of the Planning Board's action to finalize a scope as the Lead Agency in the State Environmental Quality Review Act review of the Lisha Solar, LLC and Lisha 2 Solar, LLC projects on Curry Road.

4. Regular Business

a. 2772 & 2792 Curry Road, Lisha Solar 1 & Lisha Solar 2.

Applicant: Eden Renewable. Represented by Environmental Design Partnership, LLP. SEQRA Lead Agency discussion of Draft Environmental Impact Statement (DEIS) Scoping Document for proposed solar farm. The site is zoned SFR, Single Family Residential. TDE: CHA Companies. (PL-22-00002 & PL-22-00003)

Board member Craig Shamlian recused himself from this case and departed the meeting room for this item.

E. Hyde Clark from Young/Somer LLC provided opening remarks about the project. Joe Grasso from CHA provided the TDE's comments on the DEIS scoping document including a summary of the overall scoping process and dates in the process. The applicant agreed to an extension to the draft scoping period until November 14, 2023 after the Town provided a request by the NYSDEC to allow

for more time to review the document and provide comments to the Planning Board as the lead agency. The scope once finalized will serve as a guidebook to prepare the DEIS.

The Board discussed the project. Board member Kevin Bronner asked about a PILOT and changes to state law regarding assessment and taxation. Mr. Grasso replied that can be something included in the scope under community character. Board member Megan Baker asked about if equipment on the project will need to be changed out and disposed of, what will things look like? Mr. Grasso stated that the visual impact of the project can be included in the scope. The draft scope starts to address disposal of equipment and recycling. Board chair Steve Heider asked Mr. Maguire if the comments tonight are being included in the record. Mr. Maguire stated that notes are being taken. Mr. Bronner asked about endangered species and the private nature of the site. Mr. Grasso explained that those species are regulated and would remain as such. Mr. Bronner also asked about decommissioning and recycling at the end of the useful life of the panels. Counsel E. Guy Roemer noted that the project will have to post a bond to decommission the project. Mr. Mion asked if the applicant did any outreach to the community. Mr. Clarke said that open houses were held previously. Mr. Mion stated that detail will be needed about how the land can be returned to its current state at decommissioning. Mr. Heider noted that visual impacts should be assessed in all seasons. Mr. Clarke acknowledged the Board's concern with the visual impact and it may need to address it further. Mr. Malone asked about the fence and alternatives. Mr. Leo stated his concerns about the visual. Mr. Heider stated that a representative from the fire department was present to ask about hazardous materials on the site and how emergency workers may respond to an emergency in consideration of the project. He noted that he is interested in what the tax impact would be if this were developed for solar and not as single family residential as allowed. He also asked about asking why has this site been selected in a suburban town and the decisions by other communities to enact moratoriums on similar projects. Mr. Heider stated that the past use of the site for farmland needs to be discussed, and acknowledged that in the past it was used as an airstrip but that was some time ago and not how the community understands the site today. He asked if a full archaeological study had been performed. Mr. Clarke believed so but would check. Mr. Grasso noted the types of archaeological reviews that are done. Mr. Heider asked about the discount available to subscribers but does the whole town benefit. Mr. Grasso noted that he doesn't believe that has yet been addressed. Mr. Clarke stated that it can be detailed how residents can sign up and what the benefit is. Mr. Heider also noted that benefits should be spread out to the entire town and not just the subscribers to the energy produced from the project. He said that the viewshed needs to not only address neighbors but also the traffic passing by the site. Mr. Bronner asked if batteries will be used at the site.

Mr. Grasso restated that the public hearing will be on October 3. The comments received do not have to be incorporated into the final scope but considered by the Board. The goal is to get the Board in a position to adopt a final scope on November 14, 2023. Mr. Heider stated that there should be an analysis of similar sites in suburban communities and within a residential area. Mr. Grasso stated that it will be important to know and understand if additional the need to improve power transmission infrastructure.

1. No action was taken.

b. 302 Troy Schenectady Rd. Woodhaven Mixed Use.

Applicant: Woodhaven Land Partners #2, LLC. Represented by Environmental Design Partnership, LLP. Final Site Plan review of construction of a three-story mixed use 11,200 sq ft building. This site is zoned COR, Commercial Office Residential. TDE: CHA (PL-21-00024)

Board Chair Heider recused himself from this project and departed the meeting.

The applicant's representative introduced the project and a summary of the project's development.

Joe Grasso from CHA provided the TDE's comments. Ulisted action, short EAF

The Board discussed the project. Mr. Mion asked about how many parking spaces are underneath the structure. It was stated that 23 are required. Mr. Grasso noted that a waiver is not required. Mr. Malone asked about signage on the building. It was stated that signage will be per what is allowed. Mr. Shamlian stated his concern about cutting over to Winthrop Avenue

1. Motion To: Appoint Craign Shamlian as Temporary Chair

RESULT:	ADOPTED [6 TO 0]
MOVER:	Louis Mion, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Mion, Shamlian, Malone, Bronner, Baker, Leo
ABSTAIN:	Steven Heider

2. Motion To: Approve a SEQRA resolution accepting Lead Agency status and issuing a Negative Declaration.

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

3. Motion To: Approve a Final Site Plan with conditions

COMMENTS - Current Meeting:

Conditions including increasing the coverage of pines at Winthrop and satisfying all outstanding Town and TDE comments.

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

5. Adjournment