Planning Board

Regular Meeting

~ Minutes ~

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

Sean M. Maguire
(518) 783-2741

Tuesday, October 5, 2021 **6:00 PM** **Town Hall**

1. Call to Order

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

Also present: Senior Planner Monique Wahba, PEDD; Planner Michael Tengeler, PEDD; Joe Romano, 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	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 is away at a conference. National Community Planning Month will be observed in the Town of Colonie with a series of events between October 12 and 15, 2021. These events will feature information on Complete Streets, Sustainable Energy, Composting, and Invasive Species. A full calendar is available on the Town's website.

3. Regular Business

a. 979 Troy Schenectady Road. New Country Porche.

Applicant: New Country LLC, represented by Environmental Design Partnership, LLP. A sketch plan review regarding the proposed construction of two (2) full-service/sales facilities to accommodate New Country Lexus (33,671 square feet) and Porsche Albany (27,365 square feet). The site is zoned COR, Commercial Office Residential. TDE: Barton & Loguidice. (PL-21-00012)

Planner Mike Tengeler introduced the project and noted that the applicant was before the Board for an updated sketch plan. Originally, the application was for a Porsche dealership only. Now Lexus is expected to occupy the other building. The applicant's representative presented the project which used to be Coca?s Inn Suites and restaurant. The application is for new Porsche and Lexus dealerships and a three-story parking facility with first story built into the ground.

Barton and Logiduice is the Town Designated Engineer on the project and was unable to attend the meeting. The Board discussed the project including concern about safety of exiting tractor-trailers headed to the Northway; why the curb cut on west is right turn only; why not provide full access; and concern about tractor-trailer interior movement between dealerships.

No action was taken.

b. 82 Dunsbach Ferry Rd. Dunsbach Subdivision.

Applicant: 80 Dunsbach Ferry Rd, LLC, represented by Advance Engineering & Surveying PLLC. Concept plan review for a proposed 11-lot subdivision on 9.65 acres: 10 residential lots served by a cul-de-sac and one conservation lot. The site is zoned SFR, Single-Family Residential. TDE: CHA Companies. (PL-19-00016).

Senior Planner Monique Wahba introduced the project. She described how the applicant had contracted the project to reduce its impacts to the environment, to adjoining residents, and to future development residents. Specifically, she pointed to the reduction in density from 11 to 10 units, moving the development away from existing residences on Dunsbach Ferry Rd, leaving the wetlands virtually untouched, and maintaining an existing berm along the I-87 corridor. Nick Costa of Advance Engineering & Surveying PLLC presented the project for the applicant, reviewing the changes referenced at a more technical level including a discussion of stormwater management. Joe Romano of CHA Companies reviewed the Town Designated Engineer's comments and noted how the project was not located in a Conservation District Overlay and yet was treated as such by the applicant. He recognized that the plan had been through several iterations and the present one best responded to Board and Town/TDE concerns. A neighbor noted that the pond has overflowed in the past. The Planning Board discussed the project and spoke in favor of the application.

1. Motion To: Accept the concept plan.

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

c. 1 Alice Ave. Hoffman Senior Housing PDD.

Applicant: Stewart Hoffman, 1 Alice Ave LLC, represented by ABD Engineers, LLC. Final plan review of an amended site plan for the Planned Development District (PDD) and an Open Development Area (ODA) request. 36.26-acre parcel to be subdivided in two. Phase I on Lot 1 to include: 140 market rate senior apartments, 1.5 parking spaces per unit, pedestrian accommodations and $75,000 contribution for public sidewalks, a scenic outlook, over 80% green space, and buffers along adjacent residential. Per previous approval, Phase II on Lot 2 to be construction of a 90-unit assisted living facility. The site is zoned PDD, Planned Development District. TDE: CHA Companies (No PL #).

Senior Planner Monique Wahba introduced the project. She indicated that the applicant was before the Board to obtain a recommendation to the Town Board for an Open Development Area (ODA) to provide the project legal access to Route 2 and to seek an amendment to the Planned

Development District (PDD). She added that Town staff and the TDE had no objection to the ODA and that the substantive issues with the PDD had been addressed.. The applicant reviewed the project and confirmed that the emergency access gate would be maintained by the owner. Joe Romano of CHA Companues reviewed the Town Designated Engineer's comments and reiterated the applicant?s purpose in coming before the Board and that substantive issues had been addressed.The Planning Board discussed the project and questioned whether having one primary access onto Route 2 with only an emergency access onto Alice Avenue would be sufficient and who would maintain the emergency gate.

1. Motion To: Approve the amended final plan.

COMMENTS - Current Meeting:

Final plan approved conditioned that the applicant provide Electric Vehicle charging stations and conduit for future charging stations.

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 and findings.

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)

Hoffman Senior Housing PDD

1 Alice Ave

WHEREAS, Stewart Hoffman (hereinafter referred to as the applicant) is the owner of 1 Alice Avenue which was approved as a PDD on June 9, 2011 by Town Board Resolution No. 353 for 2011. The primary access to the proposed development will be from Route 2 across an adjacent parcel (Highlands Club LLC) through a permanent reciprocal ingress/egress easement. The project frontage along Alice Avenue will be utilized for emergency access only; 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, the applicant made a request for an Open Development Area to the Town of Colonie Town Board; 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 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 Alice Avenue will be utilized for emergency access only; 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 the Hoffman Senior Housing PDD.

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

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

4. Adjournment

With no further business before the Board, the meeting was adjourned at 6:45 p.m.