



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Steven Heider

Tuesday, November 18, 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 Planning Department Director Andris Blumbergs (PEDD), Senior Planner Jacob Landis (PEDD), Planner Lauren Dryburgh (PEDD), TDE John Frazer (B&L) and TDE Joe Grasso (CHA).

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	Present	
Ricahrd Barlette	Board Member	Present	
Joanne Maloy	Board Member	Present	
Matthew Millea	Counsel	Late	6:10 PM

2. Public Hearing

3. Report of the Planning Department

Planning Director Andris Blumbergs shared information on a recently circulating email scam targeting Planning Board applicants, and noted that the Town of Colonie Planning Department will never ask for money to be sent via wire transfer.

Chairman Steven Heider announced that item E on the agenda, 385 Watervliet Shaker Rd. Sisters of St. Joseph Condo/Apartments, was removed from this meeting's agenda.

a. 2772 & 2792 Curry Road - Lisha Solar and Lisha 2 Solar

2772 & 2792 Curry Road - Lisha Solar and Lisha 2 Solar: Draft Environmental Impact Statement (DEIS) public comment update from the Department.

Helen Romano spoke about the DEIS, noting she felt that the DEIS is too generic and doesn't specifically answer questions when compared with other DEISs.

a. Motion To: Close public hearing and keep open written public comment period

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

4. Regular Business

a. **345-347 New Karner Road – Land Rover-Genesis Auto Dealerships**

345-347 New Karner Road - Land Rover-Genesis Auto Dealerships. Applicant: McGovern Automotive Group. Represented by Environmental Design Partnership, LLP. Sketch review for the proposed construction of a 18,300 square-foot Genesis Auto Dealership and a two-story 27,200 square-foot Land Rover Auto Dealership. The parcels are to be consolidated as part of the proposal. The site is zoned Industrial (IND). TDE: Barton & Loguidice. (PL-25-00165).

Brian Osterhout of Environmental Design Partnership, LLP and Victor Caponera presented on behalf of the applicant. Mr. Caponera noted the green space of the proposal was increased from 15% to 20%.

TDE John Frazer questioned why the applicant was looking to acquire the Broadview and New Comer Funeral Home properties. Mr. Caponera stated that they may not acquire the New Comer property, but they will be able to use the Broadview property in conjunction with the proposed development. Mr. Frazer asked if the applicant had been in contact with the Village of Colonie. Mr. Caponera stated that they had. Mr. Frazer requested this correspondence be provided to the Board. Mr. Frazer also inquired about the delivery of vehicles to the site. Mr. Caponera stated he is aware that delivery of vehicles cannot take place on New Karner Rd. and that the plan is to have the vehicles delivered offsite and then brought individually by employees to the dealership. Chairman Heider requested that truck turning movements be shown on the site plan.

Director Blumbergs provided comments. He noted that the applicant cannot go below the existing 15% green space on this site. Director Blumbergs also stated that there is now a full 24 foot wide access between the New Comer Funeral Home property and the proposed dealerships side. Director Blumbergs noted that there is an area of the site that is currently being used for parking by the property owner, but is not part of the parcel. Director Blumbergs asked for this to be clarified, via proof of a ownership or lease agreement. Mr. Caponera stated that this can be provided in the next submission. Director Blumbergs also inquired if the applicant had any security concerns about the Kohl's parking lot, and suggested working out a direct connection between the main lot and the accessory lot. Mr. Caponera indicated this may be possible now that they own additional property. Lastly, Director Blumbergs stated a parking waiver would be necessary.

The Board commented on the project.

Board Member Michael Malone asked if the applicant intended to use the green space in front of the building for advertising, Mr. Caponera stated they do not. Mr. Malone also inquired about the informal paths that exist between the Kohl's parking lot and the site, and whether employees would be using these to go back and forth. Mr. Caponera stated that they would not. Lastly, Mr. Malone asked if there would be parking allowed in the green space at the front of the site. Mr.

Caponera noted that this is in the New Karner Rd. right of way and will not be used for vehicle parking or display.

Board member Paul Leo asked if the billboards in the area are on the site. Mr. Caponera noted the billboards are not on the site.

Board member Henry Rosenzweig noted that New Comer Funeral Home can be busy during services and stated the importance of being a good neighbor during those service times to maintain parking and safe access.

Chairman Steven Heider asked to see renderings of the proposed buildings. Chairman Heider also noted that the Kohl's parking lot has been a site of theft in the past and noted that security will be important on the site. Mr. Osterhout noted that several hundred of the cars will be parked behind Macy's at Colonie Center, so not all cars will be parked in the Kohl's lot.

i. Sketch plan review; no action taken.

b. 969 Watervliet Shaker Road – Afrim's Complex Addition

969 Watervliet Shaker Road - Afrim's Complex Addition. Applicant: Afrim's Sports Inc., represented by Verity Engineering. Concept plan review for the proposed construction of an 8,800 square-foot steel-framed building and 1,730 square-foot connector building to provide access to existing clubhouse. The new structure will house an indoor athletic field and court. The site is zoned Commercial Office (CO). TDE: Barton & Loguidice. (PL-24-00179).

Paul V. Sciocchetti of Sciocchetti Taber, PLLC and Aaron Vera of Verity Engineering presented on behalf of the applicant. The applicant provided a parking study to the Board. Mr. Sciocchetti discussed proposed changes to scheduling at the site to reduce the number of teams playing at the same time, thereby reducing the amount of cars at the site at any given time. The applicant also proposes using portions of the grass area along the driveway into the site as overflow parking as necessary, creating a total of 525 spaces if needed. Based on the parking study, the peak parking need under the previous schedule was 524 spaces. The applicant stated managing overflow parking along the driveway will mitigate haphazard parking along the road that has occurred in the past. Lastly, the overflow parking area will not be counted towards the site's overall green space.

TDE John Frazer provided his comments. Mr. Frazer asked if the applicant had considered using a more robust material than grass for the overflow parking area. Mr. Vera stated that based on their observations at a tournament in April, the grass held up and a more robust material is not needed. Mr. Frazer inquired about lighting on the site. Mr. Vera noted that the quarter mile access drive is already lit, and the proposed parking will be around the existing light poles. Mr. Frazer also inquired about the parking agreement with the adjacent BOCES site. Mr. Sciocchetti stated that the parking agreement is still in place. However, applicant Afrim Nezaj noted that the changes in scheduling have reduced the required amount of parking by 60-80 spots which helps to alleviate the need for additional parking at BOCES.

Director Blumbergs stated that the applicant is in front of the Board requesting concept acceptance. Director Blumbergs noted that there may still be parking concerns to be worked out during tournaments. However, during day-to-day operations parking has been improved with this proposal.

The Board commented on the project.

Chairman Heider asked for clarification on whether the proposed covered field would be used in the winter, as currently the uncovered field is not used during winter time. Mr. Sciocchetti stated that the covered field would be used in the winter. Chairman Heider also commented on the stacked overflow parking shown on the plan. Director Blumbergs noted that there will be space for a drive lane in between the cars on the grass.

Board member Henry Rosenzweig expressed concerns about third-party vendors using the site and not being aware of the scheduling and how that may create parking issues. Applicant Afrim Nezaj gave more detail on the scheduling changes that he feels have reduced parking needs at the site. Mr. Nezaj also stated that third-party vendors must follow their rules to not cause parking issues.

Board member Michael Malone expressed that he would like to see the proposed overflow parking be paved and striped. Mr. Nezaj stated this could be considered as an option in the future if needed.

Board member Kevin Bronner agreed that the parking is necessary but expressed concerns that a future owner of the property may not be as concerned about maintaining the parking in the future.

Board member Richard Barlette expressed concerns about the overflow parking area being grass and becoming muddy in bad weather. Mr. Barlette cited safety concerns and agreed that he would like to see it paved.

A motion was made.

i. Motion To: Accept the Concept Plan

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joanne Maloy, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Heider, Rosenzweig, Leo, Maloy, Bronner, Barlette, Maloy

c. 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. Project update 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 & Loguidice. (PL-25-00096).

Nicholas Costa of Advance Engineering and Surveying, PLLC presented on behalf of the applicant. Mr. Costa noted that the project is in front of the Board for concept update. Changes have been made to the aesthetics of the proposed apartment building and additional landscaping has been added to the buffer area along Mill Rd. Lastly, Mr. Costa shared some examples of development in the area, including another site with a gas station in front and apartments in the back.

TDE John Frazer provided his comments.

Director Blumbergs stated the Planning Board will not grant final approval for this project until a subdivision application has been submitted to and approved by the Planning Department.

The Board commented on the project.

Chairman Heider noted that for mixed-use development with a gas station and apartments, the Board previously required that the gas station and apartment building fit the character of the neighborhood. Chairman Heider stated that he and the current Board did not approve the Boght Rd. Rt. 9 mixed-use project cited as an example of similar development, and that the current Board does not want to see gas station in front, residential in rear development. The Chairman stated he does not feel that Mr. Costa's comparisons to nearby developments are fair comparisons to make due to their unique differences from the current proposal. Chairman Heider also stated that he still feels the gas station is too large, and would like to see the apartment building reduced to two stories. Chairman Heider noted that the QuickChek convenience store is almost 2500 sq. ft. larger than a typical Stewart's convenience store.

Board member Joanne Maloy stated that she likes the updated rendering of the building and landscaping, but would like to see the number of gas pumps reduced from 16 to 12.

Board member Richard Barlette stated that the concerns of neighbors should be taken into account. Mr. Barlette also requested that a fire hydrant be added to the plan as the existing one off of Mill Rd. is more than 500 feet away.

Board member Kevin Bronner stated that he likes the aesthetics of the building as well as the updated landscaping that blocks the apartments from the QuickChek. Mr. Bronner also stated he would like to see the QuickChek share the same aesthetics as the apartments. Lastly, Mr. Bronner asked about access for residents, especially children, to the sidewalk. Mr. Costa stated a sidewalk has been added for the residents.

Board member Michael Malone, Jr. agreed with Chairman Heider that the Boght Rd. gas station/apartments mixed-use was not good development. Mr. Malone asked the applicant to compromise and reduce the apartment building to at least a three-story building.

Board member Leo asked about parking requirements, Mr. Costa stated a waiver will be required. Mr. Leo also stated that he would prefer to see a two or three-story building, especially as there are not very many amenities provided for the size of the building.

Board member Henry Rosenzweig agreed that the Boght Rd. gas station/apartments mixed-use is not favorable development, and that it has led to increased congestion issues in the surrounding area. Mr. Rosenzweig requested the applicant ensure that this project does not create similar issues.

Richard Dietlein of 56 Cascade Ter. stated that he does not feel another convenience store in the area is necessary, and that anyone coming along Troy Schenectady Rd. would have to pull on to Mill Rd. to access the site.

Pamela Zepf of 8 Fiddlers Ln. expressed concerns about the safety of the children who might live in the apartment building as she feels there are few amenities for children and adults alike.

Applicant Tom Burke spoke, stating that he disagrees with the Board's concerns about the project, particularly that the proposed uses on the site are not compatible or appropriate for this site.

i. Project update; no action taken.

d. 1867-1869 Central Ave, Saber Apartments

1867-1869 Central Ave. Saber Apartments. Applicant: Saber Seraj. Represented by Hershberg & Hershberg. Consideration of final conditional approval, waivers, and SEQRA determination for the construction of two, two-story, eight-unit apartments totaling 13,824 square-feet. The site is zoned Commercial Office Residential (COR). TDE: Barton & Loguidice (PL-22-00011).

Daniel Hershberg of Hershberg & Hershberg presented on behalf of the applicant.

TDE John Frazer provided his comments.

The Board commented on the project.

Board member Richard Barlette expressed concerns about the landscaping buffer providing enough screening for neighbors and asked if the residents on Consaul Rd. had been consulted about the project. Mr. Hershberg stated that he did not feel there would be very much impact for the neighbors on Consaul Rd., and that the proposed screening would be adequate. Chairman Heider stated he spoke with a neighbor on Consaul Rd. who was in favor of the project.

A motion was made.

i. Motion To: Approve a Negative Declaration Under SEQRA

COMMENTS - Current Meeting:

WHEREAS, Saber Seraj ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the apartment buildings at 1867-1869 Central Avenue (Project"). The proposal is for the construction of two, eight-unit apartment buildings totaling 13,824 square-feet; 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 Short Environmental Assessment Form (SEAF) submitted by the Applicant, and completed Parts II and III of the SEAF 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 [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

ii. Motion To: Approve Land Use Law Waiver Findings

COMMENTS - Current Meeting:

WHEREAS, Saber Seraj ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the apartment buildings at 1867-1869 Central Avenue ("Project"). The proposal is for the construction of two, eight-unit apartment buildings totaling 13,824 square-feet; and

WHEREAS, the Applicant is requesting a waiver from the Town of Colonie Land Use Law, Article IX - Design Standards - Chapter 190-40, Commercial Office Residential (COR) zone, related to the following: parking within the front yard; 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: (a) prohibition of parking within 10 feet of the side or rear lot line, (b) and a reduction in the required amount of parking spaces;

WHEREAS, the Planning Board may waive these standards to the extent it deems necessary in order to secure a 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 Planning Board shall issue a written finding stating the extent of and justification for the waiver;

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 Planning Board may waive the standards for the total number of required parking spaces to the extent the Applicant can demonstrate that the regulation is unnecessarily stringent for reasons such as: unique use times, shared or dual use, availability of regular public transit service within a distance of 500 feet and/or participation in a transportation management association or adoption of a traffic and parking management plan for one or more uses, including methods to increase the use of public transit, car pool, van pool or non-auto modes of travel. 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 parcel within the Commercial Office Residential zoning district that allows for mixed-use development, and the Project as proposed by the Applicant represents a desirable change at the site; and

WHEREAS, the proposed site layout is designed to provide parking in the front yard as is common of retail stores and commercial plazas within the Town; 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 hereby issues a waiver from the prohibition of parking in the front yard; and be it further

RESOLVED, that the Planning Board finds the Applicant has established that the parking regulation is unnecessarily stringent in consideration of, among other things, shared uses and the availability of regular public transit service in close proximity to the site, 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 parking requirements, allowing for parking within 10 feet of the rear or side lot lines; and be it further

RESOLVED, that the Planning Board hereby issues a waiver from the Town parking requirements, allowing a reduction in the minimum number of parking spaces from 113 parking spaces to 91 parking spaces; 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 [UNANIMOUS]
MOVER: Paul A. Leo, Board Member
SECONDER: Henry J. Rosenzweig, Board Member
AYES: Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

iii. Motion To: Conditionally Approve the Final Plan

COMMENTS - Current Meeting:

WHEREAS, Saber Seraj ("Applicant") has submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the apartment buildings at 1867-1869 Central Avenue ("Project"). The proposal is for the construction of two, eight-unit apartment buildings totaling 13,824 square-feet; 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 November 18, 2025, determining there will be no significant adverse environmental impacts; and

WHEREAS, a referral was sent to the Albany County Planning Board ("ACPB") on December 12, 2022 in accordance with N.Y. General Municipal Law §239; a review by the ACPB dated January 19, 2023 was received and such recommendations have been duly implemented; and

WHEREAS, the Project has been previously before the Planning Board on June 7, 2022, January 23, 2024, and January 7, 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 November 18, 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 herein set forth.

NOW, THEREFORE, BE IT RESOLVED, the Town of Colonie Planning Board hereby approves the proposed site plan for two, eight-unit apartment buildings on a mixed-use parcel at 1867-1869 Central Avenue, subject to the following condition:

a. Address all outstanding Town Departments and Town Designated Engineer comments prior to the issuance of a Building Permit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Michael J Malone, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

e. 385 Watervliet Shaker Road. Sisters of St. Joseph Condo/Apartments

385 Watervliet Shaker Road. Sisters of St. Joseph Condo/Apartments. Applicant: Society of the Sisters of St. Joseph. Represented by Hershberg & Hershberg. Project review of a proposed Planned Development District including the development of 50 single family homes and 188 units across two three-story apartment buildings and 44 townhomes. The site is zoned Single Family Residential (SFR). TDE: CHA (PL-24-00302).

This item was removed from the agenda.

f. 85 Coliseum Dr. - Coliseum Drive Office Building

85 Coliseum Dr. - Coliseum Drive Office Building. Applicant: Starlite Associates LLC. Represented by Hershberg & Hershberg. Consideration of final conditional approval, waivers, and SEQRA determination for the construction of a four-story, 136,400 square-foot office building along with a four-level parking garage. The site is zoned Commercial Office Residential (COR). TDE: CHA. (PL-23-00138).

Daniel Hershberg of Hershberg & Hershberg presented on behalf of the applicant.

TDE Joe Grasso provided his comments.

Director Blumbergs inquired about DOT approvals for the off-site road improvements and noted that this will need to be completed prior to the issuance of a Certificate of Occupancy for the building.

The Board commented on the project.

Planning Board Counsel Matthew Millea spoke about the two entities referred to in the resolution language for this project and explained that they are joint entities.

A motion was made.

i. Motion To: Approve a Negative Declaration Under SEQRA

COMMENTS - Current Meeting:

WHEREAS, Starlite Associates LLC and, by agreement, 85 Coliseum Drive, LLC (individually and together, the "Applicant") have submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the office building and parking garage at 85 Coliseum Drive ("Project"). The proposal is for the construction of a four-story, 136,400 square-foot office building with a four-level parking garage; and

WHEREAS, the Project had been previously evaluated for environmental impacts as part of an overall build-out plan for the development of the Ayco office building project at 100 Coliseum Drive, which was also developed by Starlite Associates, LLC. The Ayco proposal was evaluated on a total of 300,000 square-feet of development, comprised of 150,000 square-feet for Phase 1, and an additional 150,000 square-feet for Phase 2; and

WHEREAS, the Planning Board issued a negative declaration for the full build-out at the Planning Board meeting dated July 10, 2018; and

WHEREAS, the Applicant has since provided an updated traffic study that confirms the capital improvements included in the Boght Road-Columbia Street GEIS Transportation Update will be required to appropriately mitigate traffic impacts from the proposed development; 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 Short Environmental Assessment Form (SEAF) submitted by the Applicant, and completed Parts II and III of the SEAF 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 Applicant is required to pay transportation and non-transportation mitigation costs based on the improvements identified in the Boght Area Final Generic Environmental Impact Statement and Statement of Findings; 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 [UNANIMOUS]
MOVER:	Ricahrd Barlette, Board Member
SECONDER:	Joanne Maloy, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

ii. Motion To: Approve Land Use Law Waiver Findings

COMMENTS - Current Meeting:

WHEREAS, Starlite Associates LLC and, by agreement, 85 Coliseum Drive, LLC (individually and together, the "Applicant") have submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the office building and parking garage at 85 Coliseum Drive ("Project"). The proposal is for the construction of a four-story, 136,400 square-foot office building with a four-level parking garage; and

WHEREAS, the Applicant is requesting a waiver from the Town of Colonie Land Use Law, Article IX - Design Standards - Chapter 190-40, Commercial Office Residential (COR) zone, related to the following: (1) parking within the front yard, and (2) maximum setback of 20 feet; 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: a reduction in the required amount of parking spaces; and

WHEREAS, the Planning Board may waive these standards to the extent it deems necessary in order to secure a 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 Planning Board shall issue a written finding stating the extent of and justification for the waiver; and WHEREAS, the Planning Board may waive the standards for the total number of required parking spaces to the extent the Applicant can demonstrate that the regulation is unnecessarily stringent for reasons such as: unique use times, shared or dual use, availability of regular public transit service within a distance of 500 feet and/or participation in a transportation management association or adoption of a traffic and parking management plan for one or more uses, including methods to increase the use of public transit, car pool, van pool or non-auto modes of travel. 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 parcel within the Commercial Office Residential zoning district that allows for large commercial development, and the Project as proposed by the Applicant represents a desirable change at the site; and

WHEREAS, the proposed site layout is designed to provide parking in the front yard as is common of office buildings within the Town; 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 hereby issues a waiver from the prohibition of parking in the front yard; and be it further

RESOLVED, that the Planning Board hereby issues a waiver from the maximum building setback of 20 feet from a minor road; and be it further

RESOLVED, that the Planning Board finds the Applicant has established that the parking regulation is unnecessarily stringent in consideration of, among other things, the availability of regular public transit service in close proximity to the site, 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 parking requirements, allowing a reduction in the minimum number of parking spaces from 606 parking spaces to 600 parking spaces; 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 [UNANIMOUS]
MOVER:	Paul A. Leo, Board Member
SECONDER:	Ricahrd Barlette, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

iii. Motion To: Conditionally Approve the Final Plan

COMMENTS - Current Meeting:

WHEREAS, Starlite Associates, LLC and, by agreement, 85 Coliseum Drive, LLC (individually and together, the "Applicant") have submitted to the Town of Colonie Planning Board ("Planning Board") an application for Site Plan Approval regarding the office building and parking garage at 85 Coliseum Drive ("Project"). The proposal is for the construction of a four-story, 136,400 square-foot office building with a four-level parking garage; and

WHEREAS, subsequent to the submission of the application to the Board, Starlite Associates, LLC was required by its lender to create a single-purpose entity as the sole owner of the real property located at 85 Coliseum Drive. In conformance therewith, Starlite Associates, LLC necessarily conveyed said real property to 85 Coliseum Drive, LLC, a newly created single-purpose entity, of which Starlite Associates, LLC is the sole member, by deed dated August 21, 2025; and

WHEREAS, for the purposes of any and all Planning Board-issued approvals and obligations relating to the Project, Starlite Associates, LLC and 85 Coliseum Drive, LLC shall be jointly and severally considered the Applicant, with all attendant rights and obligations therein; 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 November 18, 2025, determining there will be no significant adverse environmental impacts; and

WHEREAS, a referral was sent to the Albany County Planning Board ("ACPB") on February 25, 2025 in accordance with N.Y. General Municipal Law §239; a review by the ACPB dated March 20, 2025 was received and such recommendations have been duly implemented; and

WHEREAS, the Project has been previously before the Planning Board on December 19, 2023, August 6, 2024, and April 8, 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 November 18, 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 herein set forth.

NOW, THEREFORE, BE IT RESOLVED, the Town of Colonie Planning Board hereby approves the proposed site plan for the office building and parking garage at 85 Coliseum Drive, 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. Off-site improvements are to be completed prior to the issuance of a Certificate of Occupancy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Heider, Rosenzweig, Leo, Malone, Bronner, Barlette, Maloy

5. Adjournment

With no further business before the Board, the meeting was adjourned at 7:54pm.