Planning Board

Regular Meeting

~ Minutes ~

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

Sean M. Maguire
(518) 783-2741

Tuesday, December 6, 2022 **6:00 PM** **Town Hall**

1. Call to Order

The meeting was called to order at 6:00 p.m. by Acting Chair Craig Shamlian. The roll was called.

Also present: Senior Planner Monique Wahba, Stormwater Coordinator Zach Harrison, TDE Joe Grasso (CHA), and TDE Brad Grant (Barton & Loguidice).

Attendee Name	Title	Status	Arrived
Frederick Ashworth	Board Member	Present	
Steven Heider	Chairman	Absent	
Louis Mion	Board Member	Present	
Craig Shamlian	Board Member	Present	
Michael J Malone	Board Member	Absent	
Kevin M. Bronner	Board Member	Present	
Megan Baker	Board Member	Present	
Sean M. Maguire	Director, Planning and Economic Development	Absent	
E. Guy Roemer	Town Attorney	Present	

2. Report of the Planning and Economic Development Director

There was no report. The Planning Board will discuss the 2023 calendar at the next meeting.

3. Public Hearing

a. NOTICE IS HEREBY GIVEN THAT PURSUANT TO Section 276 of Town Law, the Town Planning Board of the Town of Colonie, Albany County, New York will meet and conduct a Public Hearing at Town Hall Main Hearing Room, 534 New Loudon Road, Latham, in said Town of Colonie, County of Albany, New York on the 6th day of December, 2022 at 6:00 P.M. for the purpose of hearing all persons upon the approval, modification or disapproval of a certain request for an open development area (ODA) in the Town of Colonie, County of Albany known as Zweigenthal ODA, consisting of 0.325 acres of land.

COMMENTS - Current Meeting:

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

Planning Board discussed the addressing of the property.

RESULT:	**CLOSED [UNANIMOUS]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

4. Regular Business

a. 93 Fisler Ave. Zweigenthal Open Development Area (ODA).

Applicant: Mark Zweigenthal, represented by Advance Engineering & Surveying, PLLC. Final plan review for the establishment of an open development area to provide access to a future residence. The site is zoned SFR, Single-Family Residential. TDE: None/Administrative. (No PL #).

1. Motion To: Approve recommend approval of an Open Development Area.

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 ? 280-1(4)

Lands of Zweigenthal

93 Fisler Avenue

WHEREAS, Mark and Jessie Zweigenthal (hereinafter referred to as the ?applicant?) made application to the Colonie Town Board for creation of an Open Development Area for 93 Fisler Avenue (to be known as 82 Cordell Road) for a single-family home that will be provided access via an ingress/egress easement across Oliver Avenue, a paper street, to Cordell Road, an improved town road; 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 requires approval of an Open Development Area; and

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

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 93 Fisler Avenue (to be known as 82 Cordell Road) across an ingress/egress easement; and

BE IT RESOLVED THAT, the Planning Board recommends approval of the Open Development Area for 93 Fisler Avenue (to be known as 82 Cordell Road).

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:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

b. 1425 Central Avenue. Floor and Décor.

Applicant: Floor and D?cor Outlets of America, represented by Stonefield Engineering & Design. Sketch plan review for the demolition of a former garden center and replacement with parking, curbing and landscaping. Proposed building additions for a main entrance vestibule, enclosed external staircase and loading bays for a total increased footprint of 3,488 square feet. The site is zoned HCOR, Highway Commercial Office Residential. TDE: CHA (PL-22-00037)

Howard Geneslaw, Givens PC and Matt Chekhov, Stonefield Engineering represented the project on behalf of the applicant. Joe Grasso presented the TDE?s initial comments including need for landscaping, screening around the dumpsters, elevations, avoiding potential conflicts with vehicles and pedestrians, waiver for parking in the front yard, overall reduction in parking, and an unlisted action for SEQRA.

Planning Board discussed installation of EV spaces and overall reduction of parking at this end of the mall in favor of more green space.

No action was taken.

c. 4093 Albany St. National Grid.

Applicant: National Grid, representing themselves. Final plan review for the upgrade and replacement of several elements of the existing substation. The site is zoned SFR, Single Family Residential. TDE: CHA (PL-21-00019)

Genevieve Trigg, Barclay Damon Law Firm and Jessica Leese, Internal Permitting Counsel represented the project on behalf of the applicant. Joe Grasso presented the TDE?s comments regarding the aesthetics of the building and lot.

Planning Board discussed vinyl coating on the fencing and screening from adjacent property.

1. Motion To: Approve a Negative Declaration for an Unlisted Action

COMMENTS - Current Meeting:

RESOLUTION OF THE TOWN OF COLONIE PLANNING BOARD ISSUING A NEGATIVE DECLARATION

National Grid Control Building - 4093 Albany Street

WHEREAS, National Grid (the ?Applicant?) has submitted to the Town of Colonie Planning Board (the ?Board?) National Grid Control Building (the ?Project?) located at 4093 Albany Street, Colonie, New York; and

WHEREAS, the Project is a Unlisted action under SEQR and coordinated review is optional; 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 significant number of documents related to this project that are enumerated in the draft Negative Declaration and maintained in Town files; and be it

RESOLVED that the Town of Colonie Planning Board hereby accepts lead agency status; and be it

RESOLVED that based on a thorough review of the Project by the Planning Board that there will be no significant adverse environmental impacts and no EIS will be required; and be it further

RESOLVED that the attached draft Negative Declaration be adopted in accordance with SEQR Part 617.12.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

2. Motion To: Approve a final site plan with conditions.

COMMENTS - Current Meeting:

Conditions include:

a. Approval with a vinyl-coated fence unless the applicant can demonstrate to the TDE?s satisfaction that it is not feasible,

b. National Grid agrees to provide screening from the adjacent neighbor if desired in the future.

c. This is a conditional approval based on meeting any outstanding Town department comments.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

d. 12 Airline Dr. CBA Sports Dome.

Applicant: La Salle Albany Inc., represented by Greenman-Pedersen, Inc. Concept review for the construction of a 214 foot x 310 foot sports dome and entry building. The site is zoned OR, Office Residential and LC, Land Conservation. TDE: Barton and Loguidice. (PL-22-00026)

Craig Tripp, Greenman-Pedersen represented the project on behalf of the applicant. Brad Grant presented the TDE?s comments regarding porous pavement and the desirability of planting evergreens in the rear of the project.

1. Motion To: Accept the concept plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Louis Mion, Board Member
SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

e. 31 Wade Rd. Imperial Pools Warehouse.

Applicant: JK 31 Wade Rd., LLC, represented by Advance Engineering & Surveying PLLC. Concept review for construction of a one-story 60,000 square foot warehouse. The site is zoned COR, Commercial Office Residential. TDE: Barton and Loguidice. (PL-21-00017)

Nick Costa, Advance Engineering and Surveying, PLLC represented the project on behalf of the applicant. Brad Grant presented the TDE?s comments regarding stormwater drainage, future wetland delineation and building elevations.

Planning Board interested in improved building elevations, access and screening.

1. Motion To: Accept the concept plan.

COMMENTS - Current Meeting:

31 Wade Rd. Imperial Pools Warehouse. Applicant: JK 31 Wade Rd., LLC, represented by Advance Engineering & Surveying PLLC. Concept review for construction of a one-story 60,000 square foot warehouse. The site is zoned COR, Commercial Office Residential. TDE: Barton and Loguidice. (PL-21-00017)

Nick Costa, Advance Engineering and Surveying, PLLC represented the project on behalf of the applicant. Brad Grant presented the TDE?s comments regarding stormwater drainage, future wetland delineation and building elevations.

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SECONDER:	Frederick Ashworth, Board Member
AYES:	Ashworth, Mion, Shamlian, Bronner, Baker
ABSENT:	Steven Heider, Michael J Malone

5. Adjournment

With no further business before the Board, the meeting stood adjourned at 7:48 p.m.