



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, January 10, 2023

6:00 PM

Town Hall

1. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Steve Heider. He introduced new Planning Board member Paul Leo and thanked past Planning Board member Chip Ashworth for his years of service to the Town. The roll was called.

Also present: Senior Planner Monique Wahba, Planner Mike Tengeler, TDE Joe Grasso (CHA), and TDE Brad Grant (Barton & Loguidice).

Attendee Name	Title	Status	Arrived
Steven Heider	Chairman	Present	
Louis Mion	Board Member	Present	
Craig Shamlan	Board Member	Present	
Michael J Malone	Board Member	Present	
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, Planning Board Counsel	Present	

2. Report of the Planning and Economic Development Director

Director Sean Maguire informed the Planning Board of two upcoming projects. One is a final site plan amendment for 1214 Loudon Road that will come back for an amendment at an upcoming meeting. The other is an Open Development Area approved in 2017 but not completed at that time for 611 Troy Schenectady Road. That project will come back for the Board to consider a new statement of findings and possible recommendation.

3. Public Hearing

- a. **Hearing all persons upon the approval, modification or disapproval of a recommendation to the Town Board regarding a request to rezone 4232 Albany Street in the Town of Colonie, County of Albany consisting of 11.90 acres from IND to SFR.**

COMMENTS - Current Meeting:

The Board opened the public hearing and received comments from the public regarding the application. Victor Caponera, as the applicant's attorney, presented the request to the Board and the public. A gentleman from Delmar (Town of Bethlehem) spoke about development concerns in the Pine Bush. Lynne Jackson (City of Albany) spoke in her capacity with Save the Pine Bush about development concerns in the Pine Bush. Sylvia Barnard (City of Albany) presented her concerns about development in the Pine Bush and recommended that the Planning Board declare

this to be a Type I action and conduct a full environmental impact statement. Russell Gemba (City of Troy) presented his concerns about development in the Pine Bush and recommended that the Planning Board declare this to be a Type I action and conduct a full environmental impact statement. Susan Perry Pots (1050 Kings Road) is opposed to the rezoning and recommends that the property owners be required to include a deed restriction against complaining about industrial use. Victor Caponera responded to some of the concerns raised during the hearing.

RESULT:	CLOSED [UNANIMOUS]
MOVER:	Louis Mion, Board Member
SECONDER:	Craig Shamlan, Board Member
AYES:	Heider, Mion, Shamlan, Malone, Bronner, Baker, Leo

4. Regular Business

a. 4232 Albany Street. Rezoning.

Applicant: Kim & Dominic DiTonno. Final Plan review of request to rezone from IND, Industrial to SFR, Single-Family Residential. No TDE Assigned.

With the hearing closed, a motion was made.

i. Motion To: Approve written findings of the Planning Board.

COMMENTS - Current Meeting:

WRITTEN FINDINGS OF THE TOWN OF COLONIE PLANNING BOARD

4232 Albany Street, Town of Colonie

WHEREAS Kim and Dominic DiTonno (the "applicant") requested that the Colonie Town Board ("Town Board") rezone 4232 Albany Street from Industrial (IND) to Single Family Residential (SFR) in order to construct two (2) single-family homes on the 11.88-acre site; and

WHEREAS in Resolution No. 98 of 2022, the Town Board required the Planning Board to review and consider the proposed rezoning of a parcel of land located at 4232 Albany Street from Industrial (IND) to Single Family Residential (SFR); and

WHEREAS the Planning and Economic Development Department ("PEDD") has researched the conditions of the site and surrounding neighborhood and has found that the site and nearby areas are residential in nature with a mix of home styles and types; and

WHEREAS the site includes an abandoned single-family home and was previously used for that purpose; and

WHEREAS the site contains natural features that are inconsistent with its future use as a commercial or industrial site as zoned; and

NOW THEREFORE, BE IT RESOLVED that the Planning Board recommends approval of the rezoning at 4232 Albany Street from Industrial (IND) to Single Family Residential (SFR).

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

b. 10 South Family Drive. Islamic Community Center.

Applicant: Islam Shia Ithna-Ashri Jamaat, represented by Advance Engineering & Surveying PLLC. Concept plan review for construction of a 22,500 square foot community building. The site is zoned OR, Office Residential. TDE: Barton & Loguidice (PL-22-00020).

Planner Mike Tengeler introduced the project. Nick Costa from Advance Engineering and Surveying, PLLC presented the project on behalf of the applicant. Brad Grant from Barton & Loguidice provided TDE comments. The Board discussed the project including if there are any arrangements with CBA for overflow parking (the applicant stated that they do provide allow CBA to use the lot for overflow parking), including EV charging stations, the angle of the western entrance to the site, use of the building for Sunday school classes, confirmation that the building will not be used at the same time as services in the mosque, and screening along South Family Drive.

i. Motion To: Accept the concept plan.

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

c. 574 Old Loudon Road. 574 Old Loudon Road PDD.

Applicant: New York Development Group/OLR, LLC, represented by Lansing Engineering, PC. Sketch plan review for construction of a 160-unit multifamily complex on 40.52 acres. The site is zoned SFR, Single-Family Residential. TDE: CHA Companies (PL-22-00042).

Director Sean Maguire introduced the project including recent newspaper reports regarding non-town trails and other comments from the DCC meeting including density and the comprehensive plan. Scott Lansing from Lansing Engineering presented the project on behalf of the applicant. Joe Grasso from CHA provided the TDE comments including a maximum density is 67 lots as currently zoned but highly unlikely that it could be developed to that potential based on the constrained lands and the inconsistency between the project as proposed the the 2019 Comprehensive Plan Update, past expectations for a PDD based on both the Town Code and Planning Board's prior deliberations on other PDD projects, adding a second point of access as recommended by various town departments perhaps with Northern Pass. The Board discussed the project including the proximity of the site to Dutch Meadows (approximately 1/2 mile), concern for single-family homes in the area, if the Northern Pass area was previously zoned single-family residential, why should this site be a PDD and not remain single-family residential, who would maintain the trail to the bike path, provision of a mail house, road configuration, tight fit for the number of units proposed in particular between buildings 8 and 9 to the Northern Pass development,

No action was taken.

5. Adjournment