



Planning Board

Regular Meeting

~ Minutes ~

347 Old Niskayuna Road
Latham, NY 12110

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

Sean M. Maguire
(518) 783-2741

Tuesday, January 23, 2024

6:00 PM

Town Hall

1. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Steve Heider. The roll was called. All members were present (one position is vacant).

Also present: Planner Andy Acker (PEDD), Planner Ethan Townsend (PEDD), and TDE Joe Grasso (CHA).

Attendee Name	Title	Status	Arrived
Steven Heider	Chairman	Present	
Michael J Malone	Board Member	Present	
Kevin M. Bronner	Board Member	Present	
Paul A. Leo	Board Member	Present	
Sean M. Maguire	Director	Present	
Matthew Millea	Counsel	Present	
Ricahrd Barlette	Board Member	Present	
Henry J. Rosenzweig	Board Member	Present	

2. Public Hearing

a. 409 Vly Road, Stewart's Shops Rezoning.

Applicant: Stewart's Shops, Inc. Final review on a recommendation to the Town Board to rezone 409 Vly Road from SFR to COR requested by the Applicant. No PL, no TDE assigned.

Chris Potter from Stewart's Shops presented the project including the changes since the first appearance. The plan has been revised. The area of the existing parcel would be split between COR and SFR. PEDD Director Sean Maguire summarized past rezoning requests and that the r

Tracy Egan Lasik, Town resident, commented on her concerns with commercial creep generally in the Town. NAME, ???, commented on past requests for rezoning in this general area. Adam Leonardo, an employee adjacent to the site, believes that the proposal is an improvement. Herb Lasik, Town resident, commented on his concerns with cut-through traffic, alignment with his driveway, and that he has not observed the traffic concerns addressed. Brian Lemansky, Town resident, stated he has questions about commercial creep

- i. **Motion To:** Approve a recommendation to rezone a portion of 409 Vly Road from SFR to COR.

COMMENTS - Current Meeting:

BE IT RESOLVED that the Planning Board recommends to the Town Board that a portion of 409 Vly Road (0.30 ± acres) be rezoned from SFR to COR according to the plans presented by Stewart's Shops Corp.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kevin M. Bronner, Board Member
SECONDER:	Paul A. Leo, Board Member
AYES:	Steven Heider, Michael J Malone, Kevin M. Bronner, Paul A. Leo

3. Report of the Planning and Economic Development Director

4. Regular Business

a. 1024 Watervliet Shaker Road. Stewarts's Shops.

Applicant: Stewart's Shops, Inc. Sketch plan review for a proposed 3,975 square foot, one story (24') mini-mart with a 2,000 square foot, 8 position fueling facility with all lands consolidated into a single parcel through a minor subdivision. TDE: CHA Companies (PL-23-00184).

Chris Potter from Stewart's Shops presented the project.

Joe Grasso from CHA provided the initial TDE comments on the project including the site's proximity to the signal, restricting turns at the Watervliet Shaker Road curb cut, a full access curb cut at Vly Road, impacts to the adjacent property on Vly Road and the existing vegetative buffer there, ongoing improvements by Albany County to the Watervliet Shaker Road corridor, location of the dumpster, and the three waivers required to accommodate the project.

The Chair recognized the public for comment and heard concerns about traffic on Vly Road; and fuel pumps close to a residential area.

The Board discussed the project including adding more detail to the plans and getting feedback from the neighborhood about which option is preferred, a preference to orient the building facing Watervliet Shaker Road and placing the pumps along that frontage, concerns with putting fuel trucks onto Vly Road, concerns with the location being east of the Watervliet Shaker/Vly Road/Consaul Road intersection, a grade change between this site and the residential property at Vly Road.

It was suggested that the project return for a Sketch Plan update before moving ahead to the Zoning Board of Appeals.

i. No action taken.

b. 270 Old Loudon Road. Kim Old Loudon Mixed Use.

Applicant: Eugene Kim, represented by ABD Engineers & Surveyors, LLP. Sketch plan review for proposed mixed use development of two commercial buildings totaling 3,353 sq ft and 1 four-unit

apartment building. Site is zoned Commercial Office Residential Zone (COR). TDE: CHA Companies (PL-23-00147)

Dave Kimmer ABD Engineers & Surveyors, LLP presented the project.

Joe Grasso from CHA provided the initial TDE comments on the project including the layout of the sight and the mix and density of the site.

The Board discussed the project including removing the modular from the plan and expand and renovate the existing building on the site, the layout of the site with the road coming close to the garage is not desirable, a tight layout on the site and challenging access to the site for emergency responders, and a lack of play space should children inhabit the proposed townhomes.

It was suggested that the project return for a Sketch Plan update before moving ahead to the Zoning Board of Appeals.

i. No action taken.

c. 136 Morris Road. Kotecki Warehouse.

Applicant: Chris Kotecki, CK Companies LLC, presented by Nick Costa, P.E., Advance Engineering & Surveying, PLLC. Concept plan review for construction of two (2), one-story warehouse buildings (16,000 square feet and 14,530 square feet respectively) with associated parking, infrastructure and landscaping. There are no jurisdictional wetlands on the site and no waivers requested. The site is zoned IND, Industrial and is located within a Conservation Overlay. TDE: CHA Companies. (PL-21-00007)

Nick Costa from Advance Engineering & Surveying, PLLC presented the project.

Joe Grasso from CHA provided the initial TDE comments on the project including revisions to the concept plan since August 2023 that includes a new floor plan and building elevations; revisions to the plan reducing the project from two warehouse buildings to a single warehouse building, additional greenspace which may satisfy the conservation of 40% of the unconstrained lands, focusing landscaping improvements to the front of the site, inconsistent architectural design for the area, feedback from the Albany Pine Bush Preserve Commission, and updating the FEAF.

The Chair recognized the public for comment and heard concerns about the Pine Bush area and a hard look at the area under SEQRA.

The Board discussed the project including the current conditions of the site, asking more information about the greenspace, how the large paved area would be used (per Mr. Costa, it would allow for maneuvering on the site), the historic use of the property for material recovery, and taking a hard look at the impact of the project on the Pine Bush preserve.

The Chair recognized additional members of the public for comment including concerns with the amount of development in the Pine Bush in Colonie, the

i. Motion To: Accept the concept plan.

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

d. 1929 Central Avenue, O'Reilly Addition.

Applicant: O'Reilly Motor Co. represented by Bohler Engineering. Final plan review for the proposed construction of a 13,000-sf addition to existing O'Reilly Auto store. Merger of lands, landscaping, parking and modified stormwater management associated with proposal. The site is zoned COR, Commercial Office Residential. TDE: CHA Companies (PL-23-00007)

Tim Freitag from Bohler Engineering presented the project.

Joe Grasso provided the initial TDE comments on the project including his letter to the Board.

The Board discussed the project including landscaping and fencing.

i. Motion To: Approve a negative declaration under SEQRA.

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

ii. Motion To: Approve land use law waiver findings.

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

iii. Motion To: Approve the final plan.

COMMENTS - Current Meeting:

With conditions.

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

5. Adjournment

With no further business before the Board the meeting stood adjourned.