

# TOWN OF COLONIE PLANNING BOARD MINUTES

June 23rd , 2009

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**PRESENT:** Chairperson Donovan, Members Nardacci, Holland, O'Rourke, Lane, Sullivan, Counsel Stuto, Director LaCivita

**Also Present:** Sr. Planner Lyons, Joe Grasso, Clough Harbour Associates, James Boglioli Attorney of Benderson Development; Ed Esposito, Esq, Thomas Dellarocco, Peter Giovenco and Frank Dolan of Bergman & Assoc, Victor Caponera, Esq and Bob Sweeney, Esq

**ABSENT:** none

\* Chairperson Donovan called the meeting to order at 6:30 PM at the Public Operations Center.

A presentation by Peter Lattanzio Director of Fire Services was made the Planning Board on what his department has oversight of. A video was shown as to the safety aspects of a building and how a fire is fought from the street level. The board had several questions of Mr. Lattanzio and they were very pleased with the presentation overall.

\* **Public Hearings were scheduled for the following projects:**

**Cornerstone Meadows Phase 1 located at 448 Boght Road** – Motion made by member Lane and 2<sup>nd</sup> by member Holland to schedule a hearing on July 14<sup>th</sup>, 2009 at 7:05 pm

**Archmont Knolls Phase V located at Champagne Court and Fort Vaux Lane** – motion made by member Holland and 2<sup>nd</sup> by member Lane to schedule a hearing on July 28<sup>th</sup>, 2009 at 7:05pm

\* **Towne Place Suites – 676 Troy Schenectady Road – a 55,400 sq ft 4 story hotel with 102 rooms** – It should be noted for the record that the developer of Towne Place Suites has informed the Planning Board that their project has been tabled within the company and at this time their application is on hold

\* **Mohawk Riverfront Estates – 1360 Loudon Road.** The board approved/ adopted the amended findings for the project and forwarded recommendation to the Town Board. There was no discussion only a motion to approve by member O'Rourke and 2<sup>nd</sup> by member Nardacci

\* **Public Hearing for Hodgkinson Residence 1A Sunnyside – special use permit.** Action to review special use permit and action of final site plan

Chairperson Donovan opened the public hearing by identifying the project as a single family dwelling in an NCOR district. No SEQRA was adopted by prior board in 2007 due to a TYPE II action which does not require SEQRA. A special use permit is not needed for the single family request, unless it is an accessory structure. A finding statement is required for this project in granting or denying the permit. We have to make sure that this addresses:

- 1) The Towns planning process within its Comprehensive Plan

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- 2) That the use is consistent with the lands use district
- 3) The use is suitable for the proposed property
- 4) If the parcel is compatible to abutting parcels
- 5) The use will not adversely affect the surrounding lands
- 6) The parcel will have appropriate frontage and accessibility

Mr. Esposito addressed all of the concerns above with the board. He described the new home that was to be constructed if a permit was granted and was prepared to answer any questions from the board.

Members had questions as to the side set back and it was addressed that the set back is 11.7 ft and 25 ft. The front yard setback is 40 ft. Having no further questions the Chairperson opened the floor to the public. Hearing no comments the public hearing was closed. Chairperson Donovan asked for a motion to grant the Special Use Permit which was made by member O'Rourke and 2<sup>nd</sup> by member Holland. The Planning Department and Counsel Stuto will draft findings for adoption.

Action on Final – member O'Rourke made such a motion and 2<sup>nd</sup> by member Holland

\* **Fresh Market – 664 Loudon Road** – Mr. Boglioli described the processes to date and the meeting that was held with DOT. The recommendation by the TDE to maintain the existing grade had been accepted by DOT and Fresh Market will design the plans accordingly. The concern about cutting off this portion of the mall would be minimized with a set of stairs that will be cut in along the portion of the wall to allow for pedestrian movements.

Mr. Grasso from CHA and the TDE for this project stated that all comments had been addressed and the ones that remain are minor. CHA has no concerns if the board was prepared to act. Chairperson Donovan asked if CHA recommends approval – Mr Grasso replied “yes”. A condition of sidewalk connections were discussed by Mr. Boglioli and agreed to such a condition in this area

No comments came for the public and the board thank both the TDE, the department, Benderson Development and the engineers who worked together to make this happen. With that a motion was asked for on the approval. Member Nardacci made such a motion to approve and 2<sup>nd</sup> by member Lane

\* **WalMarts Supercenter – 2,4 and 6 Autopark Drive** - This project is before the board tonight as an update to the planning processes that are currently underway. Chairperson Donovan mentioned that this project was before the board in the early part of 2008. This project is in the GEIS area. The study was adopted in 1989 and has seen some revisions to date.

Mr. Caponera described the parcel as 22.53 acres located within an HCOR district. Formerly this site was an outdoor theatre but has long since been abandoned. The engineers for Wal-Mart's have discussed the plan with John Dzialo to address storm water concerns on the project and are satisfied at this time.

As for access to the site, WalMarts had gone to the DCC and it was suggested that an access road be connected to Century Hill Drive. We know there is a study out there prepared by CME and CHA has reviewed the document with the Board, we have reviewed it ourselves. The

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trip generation numbers appear to be correct and accurate. There are mitigating changes that will need to be approved to move the project forward. A preliminary estimate of cost is somewhere about \$1,027,000 to accomplish the changes. Mr. Caponera and Mr. Giovneco also described the layout of the building along with the elevations and materials to be used.

They indicated that approximately 200 jobs are at WalMarts both full and part-time. They believe an additional 150 may come to the new location with the same part-time and full make up.

Members had questions as to the trip generation proposed by the Bergman study and asked of CHA has had a chance to review. A copy of the study had been given to CHA for review. The question also came regarding the location of the stores where the trip generation came from – this is not representative of this region as to traffic patterns. Members asked that this be quantified, especially given the location in Clifton Park/Halfmoon. There is an excessive amount of traffic generated there.

Chairperson Donovan informed the public that this was informational only and no questions would be taken, in fact no action would be taken tonight on the project. There is a lot of information that needs to come and processes that need to take place. With that see thank the Walmart people for the update.

\* With no other business adjournment was called for at 10:25pm.

JL

G:PB/minutes/2009

\_\_\_\_\_ (Chairperson) \_\_\_\_\_  
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**CERTIFICATION:**

*"The information provided in the minutes above are a highlighted summary of the project that was before the Planning Board this evening. This summary is not intended to be used as final action or within any legal proceeding as a full stenographic record has been taken for the project. Any conditions placed upon this project will be duly noted within the stenographic record that is kept on file in the Planning and Economic Development Office located at 347 Old Niskayuna Road, Latham, NY 12110"*