

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 GIOVANONE OFFICE
37 OLD SPARROWBUSH ROAD
EXTENSION OF FINAL APPROVAL
5 *****

6 THE STENOGRAPHIC MINUTES of the above entitled
7 matter by NANCY L. STRANG, a Shorthand Reporter,
8 commencing on October 4, 2016 at 7:00 p.m. at The
Public Operations Center, 347 Old Niskayuna Road,
Latham, New York.

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10 BOARD MEMBERS:
11 PETER STUTO, CHAIRMAN
12 LOU MION
13 CRAIG SHAMLIAN
14 TIMOTHY LANE
15 KATHLEEN DALTON

16 ALSO PRESENT:

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18 Kathleen Marinelli, Esq. Counsel to the Planning Board
19 Joseph LaCivita, Planning and Economic Development
20 Department
21 Michael Tengeler, Planning and Economic Development
22 Department
23 Javidaf Zali, Esq., Whiteman Osterman & Hanna
24 Susan Quine Laurilliard
25 Paul Rosano, Town Board

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1 CHAIRMAN STUTO: Welcome everybody to the Town
2 of Colonie Planning Board. We have three items on the
3 agenda.

4 Joe, any housekeeping or administrative items
5 before we start?

6 MR. LACIVITA: Yes, a couple of good things
7 that have happened over the last week or so -- from a
8 Comprehensive Plan update, our next meeting is October
9 19th here at 6:00 p.m. We have a meeting this coming
10 Wednesday with representatives from Barton and
11 Loguidice and myself regarding the public survey and
12 looking to engage the Siena Institute to actually help
13 with the Comprehensive Plan as a public survey to get
14 third party information and digest that and report
15 back to the Comprehensive Plan as to what the public
16 would like to see.

17 Additionally, we dusted off our 2008 pathways
18 plan and also the recently CDTC, Capital District
19 Transportation Committee held a complete streets
20 conference where the Supervisor and a representative
21 from DPW -- and it talks about the policy directive as
22 we can engage development when you have design
23 standards as to some of the streets and pathways that
24 you want to see within development. We're looking to
25 turn that over to the Comprehensive Plan Committee, as

1 well. So, some of our design standards will be
2 changed. Some of our policies may change in the
3 future as development criteria so some of the
4 amenities that we might get in the future may be a
5 little bit better.

6 So, that's some good stuff that we've been
7 working on the last week or so.

8 CHAIRMAN STUTO: Okay, thank you.

9 We'll call up the first item on the agenda.

10 Giovanone Office, 37 Old Sparrowbush Road,
11 Extension of final approval.

12 CHAIRMAN STUTO: Are you from Whiteman
13 Osterman?

14 MR. ZALI: Javidaf Zali of Whiteman Osterman.

15 Good evening Members of the Board. My name is,
16 again, Javidaf Zali. We are here on behalf of Mr.
17 Mike Giovanone requesting an extension to a site plan
18 that was already granted by this Board for the
19 property located at 37 Sparrowbush Road. Our
20 application is in for the extension. I believe that
21 it is complete. All of our permits, at this point,
22 are still up to date. We recently spent some money
23 renewing some of the permits that have already
24 expired. We got everything renewed, before they
25 expired. We had extensions.

1 This is a shovel-ready project that we are
2 looking for a person to build. I know that Mike is
3 here tonight if you have any questions about it. He
4 is working with a few individuals and it looks like
5 some really good potential for getting this building
6 up and getting a tenant in there.

7 CHAIRMAN STUTO: Can you just describe the
8 project very briefly?

9 MR. ZALI: Sure. The project is on 37 Old
10 Sparrowbush Road is going to be commercial space for
11 professional offices. I have a rendering right here.

12 MR. LACIVITA: I think that the Board will
13 remember this. We had a lot of discussions regarding
14 water flow. Barton and Loguidice was our Town
15 Designated Engineer on that. Brad took a lead role on
16 that review. The Board agreed to the project. They
17 liked the design. At this point, Mr. Giovanone has
18 been shopping that parcel for many years for at least
19 since the last approval. Again, he does have all his
20 permits in place. At this point we're looking for an
21 extension for one year in order for him to go forward
22 as well.

23 CHAIRMAN STUTO: Any comments or questions by
24 the Board Members?

25 (There was no response.)

1 Any members of the public have an interest in
2 this?

3 MS. QUINE LAURILLIARD: I'm Susan Quine
4 Laurilliard. I just had a question for the Planning
5 Department.

6 Can you tell me what date the last extension
7 was?

8 MR. TENGELER: I have the letter dated August
9 12, 2015. That went out to Mike Giovanone. The Town
10 of Colonie Planning Board at the regular meeting on
11 August 11, 2015 granted a one-year site plan approval.
12 The approval shall be valid through August 2016. The
13 conditions placed on this project were duly noted
14 within the stenographic record. That is available
15 online.

16 MS. QUINE LAURILLIARD: I couldn't find -- I
17 looked on the minutes to see when that approval was
18 granted. I couldn't find the minutes of that meeting
19 and when that was approved.

20 MR. TENGELER: It looks like the meeting was on
21 August 11, 2015.

22 MS. QUINE LAURILLIARD: I just don't see that.

23 The other question that I had is I know that to
24 grant final approval, it needs to be consistent with
25 current law. Will this have a new stormwater permit?

1 MR. LACIVITA: They actually have a design
2 approved as to the way that the design standards were
3 at that time.

4 MS. QUINE LAURILLIARD: Why is that
5 grandfathered? I don't understand.

6 MR. LACIVITA: I don't believe that it's
7 considered a grandfathering provision.

8 Brad, can you speak a little bit about that and
9 that review?

10 MS. QUINE LAURILLIARD: The stormwater regs
11 have been updated since that time; haven't they?

12 CHAIRMAN STUTO: Not to my knowledge, but I
13 don't know.

14 MR. ROSANO: 2010 is when we updated the
15 stormwater regs.

16 MS. QUINE LAURILLIARD: So, would those
17 stormwater regs for 2010 be applicable to this
18 project?

19 MR. LACIVITA: It's my understanding and Brad
20 can correct me if I'm wrong - that they have applied
21 for the permit under the standards that were existing
22 at that time and certainly from a legal perspective
23 you could answer that as well and if there are any
24 changes to it that provision allows it to go forward
25 as long as that permit was filed and continues to be

1 updated.

2 MS. QUINE LAURILLIARD: Thank you.

3 CHAIRMAN STUTO: Any other questions from the
4 Board?

5 (There was no response.)

6 Okay, we'll take a vote. All those in favor
7 say aye.

8 (Ayes were recited.)

9 All those opposed, say no.

10 (There were none opposed.)

11 The ayes have it.

12 Thank you.

13 MR. ZALI: Thank you.

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15 (Whereas the above entitled proceeding was
16 concluded at 7:07 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and
Notary Public in and for the State of New York, hereby
CERTIFY that the record taken by me at the time and
place noted in the heading hereof is a true and
accurate transcript of same, to the best of my ability
and belief.

NANCY L. STRANG

Dated _____

