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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

GIOVANONE OFFICE
37 OLD SPARROWBUSH ROAD
EXTENSION OF FINAL APPROVAL

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter Commencing
on October 3, 2017 at 7:22 p.m. at The Public
Operations Center, 347 Old Niskayuna Road, Latham,
New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
CRAIG SHAMLIAN
STEVEN HEIDER
KATHLEEN DALTON
LOU MION

ALSO PRESENT:

Kathleen Marinelli, Esq. Counsel to the Planning
Board
Joseph LaCivita, Director, PEDD
Mark Mitchell
Javidaf Zali, Esq., Whiteman Osterman & Hanna

1 CHAIRMAN STUTO: Next project is Giovanone
2 Office, 37 Old Sparrowbush Road, extension of final
3 approval.

4 MR. MITCHELL: Peter, who is the recused vote?

5 CHAIRMAN STUTO: Steve Heider. I don't know if
6 you are here in the beginning. He announced it in the
7 beginning of the meeting.

8 MR. MITCHELL: I apologize.

9 MR. ZALI: My name is Javidaf Zalia and I am an
10 attorney at Whiteman Osterman and Hanna here on behalf of
11 Mr. Mike Giovanone for this application for a site plan
12 extension.

13 This original application was approved by the
14 Board back in 2009.

15 What Mr. Giovanone has been trying to do is
16 identify a tenant that would be situated for this
17 structure. As you probably know of the application, it is
18 located over on Sparrowbush Road.

19 This past year Mr. Giovanone has, I believe,
20 entered into two contracts where they both fell apart and
21 he is very aggressively ditching this project to the
22 adjacent land owner - the veterinary clinic and he is
23 hoping to make a deal there. If something doesn't happen
24 in the next 6 to 8 months, he is going to come back before
25 the Board and start pitching it as perhaps a subdivision

1 where he splits it into two properties and sells it to two
2 tenants. The ideal position in this case would be extend
3 the site plan for another year and give him one last
4 opportunity to see if he can sell this over to the
5 veterinary clinic.

6 CHAIRMAN STUTO: Joe, do you have any comments?

7 MR. LACIVITA: I should say that the applicant
8 back on June 19 petition to the Army Corps of Engineers for
9 their wetlands permit. That actually got extended through
10 their review to March 18, 2022. So, the design as we had
11 approved it back then, unless the nationwide permit is
12 modified or reissued or revoked -- they have it until 2022.

13 MR. ZALI: That's correct. We had filed that and
14 the prior SPDES applies as well.

15 MR. LACIVITA: We support it. The potential
16 buyers are in contact with us so we have had conversations.

17 CHAIRMAN STUTO: Are there members of the public
18 looking to speak on this one?

19 (There was no response.)

20 Does the Board have any comments?

21 (There was no response.)

22 Can we have a motion for the extension of final
23 approval on this project?

24 MR. MION: I will make that motion.

25 MR. HEIDER: I'll second.

1 CHAIRMAN STUTO: Any discussion?

2 (There was no response.)

3 All those in favor say aye.

4 (Ayes were recited.)

5 All those opposed say nay.

6 (There were none opposed.)

7 The ayes have it.

8

9 (Whereas the above entitled proceeding was concluded
10 at 7:25 p.m.)

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CERTIFICATION

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.

Dated: _____

NANCY L. STRANG
LEGAL TRANSCRIPTION
2420 TROY SCHENECTADY RD.
NISKAYUNA, NY 12309

