

PLANNING BOARD

COUNTY OF ALBANY

TOWN OF COLONIE

1222 TROY SCHENECTADY ROAD
REQUEST TO REZONE

REFERRAL FROM THE TOWN BOARD

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing on
April 21, 2020 at 6:00 p.m. held via Zoom Video
Conference

BOARD MEMBERS:

- PETER STUTO, CHAIRMAN
- CRAIG SHAMLIAN
- STEVEN HEIDER
- SUSAN MILSTEIN
- CHIP ASHWORTH
- LOU MION
- PAUL ROSANO

ALSO PRESENT:

- Kathleen Marinelli, Esq., Counsel to the Planning Board
- Sean M. Maguire, AICP CEcD, Director, Planning and Economic Development
- Zach Harrison, Planning and Economic Development Department

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Town of Colonie
JUN 01 2020
Planning & Economic
Development Department

1 CHAIRMAN STUTO: Welcome to the Town of Colonie
2 Planning Board. We hope everybody is well. Were just
3 working out some technical things with respect to the
4 sound. All the trend lines we hope are in the right
5 direction. We think they are. We are trying to stay
6 prepared to do business when the state is ready, so we
7 are doing this simulcast Planning Board meeting.

8 Sean Maguire, our Director of Planning and
9 Economic Development, do you have any business matters
10 you would like to discuss before we call the agenda?

11 MR. MAGUIRE: Yes, we have one item on the top
12 of the agenda under my report here.

13 The Planning Board, as you know at times is
14 tasked with reviewing different referrals from the
15 Town Board, for example. In this case, the Town Board
16 did refer to us a request to rezone 1222 Troy
17 Schenectady Road. I'm sure you are familiar with it.
18 It is the Martin Harding and Mazzotti property at the
19 edge of Town at Troy Schenectady Road. This property
20 prior to the rezoning of 2007 was known as Business E
21 and according to the rezoning, that was changed to
22 single-family residential. They have gone to the Town
23 Board to request the rezoning to bring that more in
24 line with the property use and the surrounding zoning
25 in that area.

1 Just so you know, to the east in Town we do
2 have the COR zone, commercial/office/residential and
3 to the west going into Niskayuna as a commercial
4 neighborhood zone. The single-family residential zone
5 is located to the rear of the three parcels.

6 CHAIRMAN STUTO: Sean, I don't think you said
7 for the record what they are seeking. Can you just say
8 that, for the record?

9 MR. MAGUIRE: They are seeking a change from
10 single-family residential to COR,
11 commercial/office/residential.

12 I'm going to pull up the exhibit so you are
13 familiar with the area.

14 MJ Engineering prepared their site map here.
15 I'm just going to zoom over here on the side to show
16 you the zoning that were talking about. You can see
17 our location is the edge of Town near Niskayuna.

18 CHAIRMAN STUTO: Are they divided between us
19 and Niskayuna?

20 MR. MAGUIRE: They are. Their site is partly in
21 both Towns; mostly in ours and somewhat in the Niskayuna

22 CHAIRMAN STUTO: And the Niskayuna portion is
23 his commercial - some type of commercial, is that what
24 you're saying?

25 MR. MAGUIRE: They are a commercial. They are

1 NC which is neighborhood commercial in Niskayuna. A
2 small corner of it falls into the
3 residential/professional, but that remains untouched on
4 the site. You can see here the red is the COR zone for
5 the Town. The single-family residential here does come
6 down off of Vly Road and picks up these two sites.

7 Just for your reference, as well, I'm going
8 to bring in the map from 2017 that zoomed into that
9 area. You should see that on your screen now. You will
10 see in the pink area that back prior to the 2007 Land
11 Use Law, that site was zoned Business E. The darker
12 red is Business E1. So, those are the pieces that we
13 have.

14 CHAIRMAN STUTO: And what is your
15 recommendation?

16 MR. MAGUIRE: Our recommendation is a favorable
17 recommendation to approve the rezoning from
18 single-family residential to COR.

19 CHAIRMAN STUTO: Okay, we will take questions.
20 Paul Rosano, any questions or comments?

21 MR. ROSANO: No questions, Peter; I'm good.

22 CHAIRMAN STUTO: Chip?

23 MR. ASHWORTH: None right now.

24 CHAIRMAN STUTO: Lou?

25 MR. MION: I'm good.

1 CHAIRMAN STUTO: Susan?

2 MS. MILSTEIN: I am fine with it.

3 CHAIRMAN STUTO: Craig?

4 MR. SHAMLIAN: It is fine.

5 CHAIRMAN STUTO: Chief?

6 MR. HEIDER: I'm fine with it, Peter.

7 CHAIRMAN STUTO: Do I have a motion to
8 recommend to the Town Board to change this parcel from
9 single-family residential to commercial office
10 residential?

11 MS. MILSTEIN: I'll make the motion.

12 CHAIRMAN STUTO: Okay, Susan made the motion.

13 MR. MION: Second.

14 CHAIRMAN STUTO: Lou, second.

15 Any discussion?

16 (There was no response.)

17 Before we go, is there anyone from the
18 neighborhood, or the public that wanted to speak on
19 this, Sean?

20 MR. MAGUIRE: I believe so. Everybody is
21 unmuted, so if anybody did register late and wants to
22 provide comments on it - - this will be subject to Town
23 Board action which will require the Town to adopt a
24 Local Law as part of that process. There will be a
25 public hearing at the Town Board level.

1 CHAIRMAN STUTO: And since we are only making a
2 recommendation, there's no environmental review that we
3 have to make a decision on, correct?

4 MR. MAGUIRE: That's correct. This is just for
5 a technical review and recommendation only.

6 CHAIRMAN STUTO: So, we have that motion before
7 us. Any discussion?

8 (There was no response.)

9 All this in favor, say aye.

10 (Ayes were recited.)

11 All those opposed, say nay.

12 (There were none opposed.)

13 Sean, we have full membership here, right?

14 All seven members of the Board are here, correct?

15 MR. MAGUIRE: Right, everybody is here.

16 (Where is the above entitled proceeding was
17 concluded at 6:28 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: 5-27-20 

NANCY L. STRANG

LEGAL TRANSCRIPTION

2420 TROY SCHENECTADY RD.

NISKAYUNA, NY 12309

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