



TOWN OF COLONIE

347 OLD NISKAYUNA ROAD

LATHAM, N.Y. 12110



Town of Colonie Conservation Advisory Council Meeting Minutes October 6, 2012

Present: Counsel Jack Spath, Chair Diane Davies, George Palmer, Ellen Rosano, Bob Ulrich, Sudhir Kulkarni, Paul Rosano, Laura Weed, Don Allard, and guest Mike Lyons. The meeting began at 7 pm.

The minutes of the Sept. 6th meeting were moved for acceptance by Ellen, seconded by Bob and accepted by the committee.

Mike Lyons, from the Town Planning & Economic Development Department, came to the meeting to explain the planning process and answer committee members' questions. He addressed the following issues.

Redevelopment

The first item that Mr. Lyons discussed was the redevelopment process. He explained that sites that have had abandoned or run-down buildings within a year are eligible for re-development. For example, the old welding shop on Rt. 9 at Bayberry Square is being re-developed by descendants of the welder.

Redevelopment projects do not require review by the planning board. They undergo an administrative review that with respect to zoning, fire safety, and related issues. The green space requirement is still 35%, or whatever it was before the redevelopment. The lowest amount of green space allowed is 15%, and if it is below 35% the developer must pay a one time incentive to the town, on a sliding scale. The incentive is \$10 per sq ft. between 30% and 35% green space and \$22 per sq ft for amounts below 30%. In an overlay district an additional 40% is constrained land: it may be used, but not built upon or paved.

Porous Pavement

This product reduces storm water run-off from property, but does not rate as green space. It also cannot be sanded or salted. Antoinette Estates at the corner of New Karner Rd and Consaul Rd. has porous pavement, and Sand Creek Rd. may be re-paved with it.

The Planning Process

1. A developer begins the planning process by having a DCC meeting with the Town *Development Coordinating Committee*, which consists of TD Engineers, NYSDOT, the departments of sewers and storm water, fire services, and the town attorneys. The *Development Coordinating Committee* meets on the second and fourth Wednesday of the month, and will advise the applicant with respect to site review and SEQR issues.

2. The developer presents a **Sketch Plan** for review at the Planning Board. At this time the Planning Board will review the water and sewer plans and make suggestions or suggest changes in the plan.

3. The developer submits a formal **Application**. The application contains 25 sets of plans, which are sent to town agencies, TDEs the Albany County Planning Board, CDTA, NYSDEC, etc.

a) The planning board may accept the application, at a **concept review** hearing, or reject it or send it back with suggestions for revisions. The developer can re-submit if the concept plan is suggested for revision, or rejected.

b) **Final review**: At this point the developer has to pay for building, sewer and water permits, each of which is an extra cost.

Any changes to an existing building, either exterior or interior, require review. Change in use, say from a retail store to a restaurant, also requires review of new floor plans, parking arrangements, etc.

Town Development Engineers

Town Development Engineers are not full time employees of the town. They are paid by the developers through escrow accounts of \$2500 set up at the first step of the planning process.

Abandoned and Poorly Maintained Properties

The town attorney's office gives tickets and fines for abandoned or dangerous property. Absentee landlords and foreclosed properties are the most common offenders. The town holds the owners to the New York State property maintenance code, and will even demolish the buildings and charge the owners for failing to maintain dangerous or eyesore buildings. Usually, neighbors have to complain for the town to know that buildings are deteriorating below the level of the code.

Mike Lyons' Office does supervise whether properties maintain their required green space over a period of time, at least at larger sites like Colonie Center. This fall CDTA will contribute money for the town to do maintenance of a weedy area in front of Northway Mall.

SEQR: Environmental Assessment Reviews

There is no state oversight of SEQR. There are three types of SEQR assessments:

1. Type 1 (Long Form) Required for Commercial properties of 10 acres or more or 100,000 square feet or more
2. Type 2 (Short Form) Change of tenant or use, new building under 4,000 sq. ft.
3. Unlisted: everything between type 1 and type 2. These projects are short form exempt, such as resurfacing an existing parking lot, or highway.

Site Reviews: Mike Lyons also walked the committee through two site reviews, giving us advice on planning map reading.

Lia Jeep Chrysler

- Phase 1 of the expansion of the Lia facility on Central Ave is under way. Additional parking, clearing and grading are being done in a wetland area adjoining the cemetery.
- The Army Corp of Engineers is permitting and approving the project.
- The project is grandfathered in at 33% green space. We recommended replacing some of the trees that are being removed along the cemetery line.

Latham Mall Shoppes at the Circle

- There is only 21% green space on the site, which is grandfathered in, and the developers plan to reduce it to 19%.
- Everyone is happy to see development taking place on the site, but we will suggest adding a bit of green space by reducing a few parking spaces.

Announcements

- Since Mike Lyons visited and we spent most of the meeting learning about the planning process, Don Allard's planning board report will wait until next time.
- The native plantings and NYS invasive plants lists are on the website.
- Laura has put up bulletin boards on hydraulic fracturing and will switch them in early November.
- Ellen will do bulletin boards in December and January.
- George will do bulletin boards in February and March.
- Sudhir is attending the planning board meetings for October.

The meeting was adjourned at 8:30; moved by Sudhir and seconded by Ellen.

The August, September and October Planning board reports will be in the next set of minutes.

Minutes respectfully submitted by Laura Weed