



TOWN OF COLONIE

347 OLD NISKAYUNA ROAD

LATHAM, N.Y. 12110



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

Present: Chair Diane Davies, Counsel Jack Spath, George Palmer, Laura Weed, Sudhir Kulkarni, Bob Ulrich and Ellen Rosano.

The meeting was called to order at 7pm.

Chair Diane announced that Mike Lyons would attend our next meeting to discuss the Planning process with us. She asked to be sent questions for us to ask Mr. Lyons. She will also check to see if the Town has a secretary who has some brochure making talent and is willing to put together our native and invasive species brochure.

Site Review: Bizzy Bees and Spotted Zebra

This project will be a nursery school and a day school for special needs children. It will be located off Everett Rd, in the Norton Building at 2 Cross Keys Drive. The Council members liked the ecologically friendly design of the building and grounds, suggesting only some solar panels and native plantings in the landscape design.

The Planning Board reports had not been presented to the Board in several months, so most of the rest of the meeting was dedicated to July and August reports. The July reports are below, August to follow in the next set of minutes.

July 10, 2012 Planning Board Reports:

- **Stewarts Shop – 29 Wade Road:**

This project is a 3000 sq. ft. convenience store, with a canopy and 16 gas filling spots. The green space is 31%, and is not part of the green space originally allocated to the adjacent Health Care Park. Stewarts will pay the town \$20,000 for the 5% deficit in required green space.

Stewarts requested and received waivers for building setbacks, landscaping and a non-masonry dumpster. The Town also granted an easement for a waterline on the Stewart's property, and agreed to allow some fencing in the Town right of way. Sidewalk placement is still under negotiations.

The Town Highway advisory committee requested a loop road, wants to minimize curb cuts, and require only right in right out turns on Wade Road. An easement for access on a neighbors' property might also be necessary.

Two neighbors expressed concerns about the increased traffic that the Stewarts would cause dangers from potential foot traffic to a recently opened hotel in the area, and overbuilding of the very small site. Stewarts pointed out that they have plants as large on sites as small elsewhere in the town.

Concept Acceptance was granted. A final decision on waivers would be submitted at the next meeting.

- **Capital Bank – 581 Loudon Road:**

This will be a 2,500 sq. ft. Commercial bank building, with two drive-through lanes. Rt. (access will be right in right out, with unlimited access on Homestead Ave). The builder requested a waiver for and additional 35' setback to allow for drive through traffic, and promised to build a decorative fence with stone piers and landscaping, as well as a sidewalk on Rt. 9.

Homestead Ave has serious parking issues, because the medical building on the large berm across the street from the proposed bank does not have enough parking. The bank plans to offer the medical building several more spots in their parking lot.

Neighbors expressed concerns about the sight lines for traffic entering and leaving Homestead, and the Bank developers said they are negotiating with neighbors to remove trees.

The TDE said that no SEQR is required. The Board wants to see a formal written agreement about parking between the bank and the Doctor's office. The TDE also wants to see more work on stormwater design and reduction in the size and number of light poles. Landscaping was recommended to enhance the aesthetic appearance of the site, curb cuts and crosswalks should be extended on Rt. 9.

Neighbors expressed concerns about the already overburdened traffic on Rt. 9, about light pollution from the new bank, and about the noise from garbage pickup at commercial establishments in the area as early as four or five a.m. They also expressed concerns for stormwater management on the property. The developers responded that the lighting on the property will not spill over to the neighbors, the garbage removal will be done by bank staff, and drywells will be located near the wetlands on the property to control runoff. The developer promised to provide evergreen trees for additional year-round buffering from the neighbors.

Concept acceptance was granted.

- **Village at New Loudon – 622 & 624 Loudon Road:**

Condo village, retail and restaurant on the site of the former Hoffman's mini-golf, driving range and Pendleton Shop. Concept acceptance application. The site will be 59, 926 sq. ft. over 36 acres, featuring 71 condo units, 24 apartments, retail and commercial spaces and a restaurant.

The site contains a DEC creek and wetland in the back, which will be protected with a 100' buffer. The property will be 68% green space, some of which will be landscaped and some of which will be left untouched. There will be a common area in the center of the project for recreational and aesthetic opportunities. The project will have a brick and clapboard colonial style to enhance the residential feel of the property. A retention pond that will usually be dry will control storm water management between the site and Hoffman's Playland.

A traffic study was done estimating an increase of 21,000 cars per day. A light will be added on Rt. 9 and coordinated with the one on Maxwell Rd, at 50% completion of the project. DPW, DOT and the TDE want a coordination meeting with the developer over the traffic issues.

Neighbors on Ashley Drive are very concerned about the storm water management issues on the site. They report that they already experience flooding in heavy rain, and fear that the development will make the situation worse. A neighbor on Fireside land reports that additional dirt on the site is already impacting her groundwater. The TDE wants soil tests by the Stormwater Dept., and rainwater harvesting on the site. The developers insist that the retaining pond will improve water flow on the property not make it worse.

Neighbors on Glennon Drive are concerned about the large retaining wall that will be built behind their property to account for the elevation difference between the site and the Glennon Rd. properties, and about the traffic increase that will be produced by the access rd that will connect with Glennon Rd.

A neighbor also expressed concern about what happens if the developer abandons the project. The developer insists that he already has buyers for some of the \$350,000- \$450,000 condos. The development will be phased in over 3-5 years, and will be market-driven.

Neighbors expressed more concerns about garbage disposal, noise and lighting pollution. The developer claimed that all of these will be residential designs and improvements over the current state of the site.

- **Shoppes at Latham Circle – 790 & 800 Loudon Road:**

The existing enclosed mall will be demolished in Dec and January of 2013, to be replaced by an open mall containing grocery stores restaurants and specialty shops. The existing Lowes and JC Penney Store, and part of the parking garage will stay, while the rest is replaced with new construction.

The TDE pointed out that this is a full SEQR type 1 project, requiring full environmental, archeological and endangered species assessment of the site. The Town Traffic Engineer pointed out that the traffic flow at Latham circle is near capacity. The developer claimed that the redevelopment project will generate 254 vehicle trips per hour during the peak hours of 4-6 p.m., which will not make the situation substantially worse.

Most board members were happy to see any redevelopment of the currently dead mall, and the Developer was given permission to proceed with plans, to be presented for Concept Acceptance soon.

July 24, 2012 Planning Board Reports:

- **Dunkin Donuts/Sunoco – 993/995 Troy Schenectady Road:**

This is an amendment to the final approval. It will be presented by the owner/operator.

The amendment is specific to fencing requirement that was indicated on the final set of site plans that were initially approved by the Planning Board when they received final approval. Fred is here to state his case and go for an amendment on that requirement.

The developer wants to replace fencing in the plan with landscaping, because there is not sufficient space for the fence and posts, and he feels that landscaping would be more attractive.

Mr. Cocca, a neighbor, objected that the landscaping was sending water onto his property. The contractor had attempted to correct it with the addition of a culvert, but Mr. Cocca was concerned that the fix may not be permanent. The developer protests that he has done his best to fix the problem, and he did everything that the TDE and the blue prints said to do. Adam Wands and Mr. Tengeler of the Town had been involved in evaluating the formation of ponds on the property, and the developer had fired his landscaper and hired another. Mr. Cocca is not convinced that the problem is solved.

The committee members commented:

Mion and Dalton: the site is too small and the parking is too cramped. It is difficult to maneuver in the space.

Stuto and Lane: point out that the point of the fencing was to combine the parcel with one next to it, and the landscaping will not serve the same purpose. Further discussion resulted in a motion to modify the fencing, provided that the stormwater issues were addressed.

The August planning board meeting reports will be listed in the next set of minutes.

The meeting was moved for adjournment at 8:40 by Sudhir, Bob seconded; adjourned at 8:40pm

Respectfully submitted by Laura Weed