

that on the application, it is shown as 4 employees per shift. Mr. Phillips stated that 4 employees would be more realistic than 6-8 employees.

Attorney Caponera asked if there will be any meetings held at this location. Mr. Phillips stated that there are staff meetings once a week. Chairman Dennis asked if there was a depressed ramp location for tractor trailer deliveries. Mr. Phillips stated yes. Commissioner Martin asked if there will be any deliveries. Mr. Phillips stated there will be deliveries once a week. Mr. Phillips stated that all product is manufactured elsewhere and dispersed to the different locations. The product gets delivered to the warehouse where it is then moved to the customer for installation. Chairman Dennis asked how much space is warehouse and how much is office. Mr. Phillips stated that 1800 square feet is office and 1600 square feet is warehouse. Commissioner Martin asked if there will be any outside storage or displays. Mr. Phillips stated no but there will be a sign on the building.

Commissioner Hart stated that there are 13 parking spaces not counting the two truck bays according to the submitted site plan. Chairman Dennis stated that according to Village Code, 15 parking spaces are required. Chairman Dennis stated that he does not see an issue with the parking on this site. Commissioner Martin stated that if the Commission counts the truck bays, there will be enough parking on site. Commissioner Judge asked if the Karner Road facility will be closing in place of the Walker Way location. Mr. Phillip stated yes, the Karner Road location will be closing.

Commissioner Martin made a motion to approve Custom Built located at 3 Walker Way. Commissioner Tommaney seconded the motion.

VOTE: Unanimous to approve this application as presented.

APPLICANT

20 WOLF ROAD SPIRIT OF HALLOWEEN

Mr. Mike Dykas from Spirit of Halloween came before the Commission to propose a tenant change application at 20 Wolf Rd. Mr. Dykas stated that he is new to this territory however the Spirit of Halloween has occupied this space for several years. Mr. Dykas stated that the space is currently occupied by Educational Vistas but Spirit of Halloween has a lease starting August 1, 2018. There was some discussion regarding the Educational Vistas current occupancy of the site. However, Mr. Dykas stated that there is a letter from the owner, Mr. Brotter accepting the tenant. Commissioner Hart asked if there will be anything different from the prior years. Mr. Dykas stated everything will be the same, aside from new inventory. The set up will be the same. The Commission discussed the parking estimates on the tenant parking sheet. Mr. Dykas stated that the last two weeks of the season are the busiest and he does not think that parking will be an issue. There are 50 overflow parking spaces that extend into the Men's Warehouse parking area if extra spaces are needed. Commissioner Martin stated that in the 5-6 years this store has been in this location, parking has not been an issue.

Commissioner Martin made a motion to approve Spirit of Halloween located at 20 Wolf Road for the duration of August 1, 2018 – November 16, 2018. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve this application as presented.

APPLICANT:**10 WOOLARD AVE
HITCH'S DETAILING**

Mr. John Hitchcock came before the Commission to propose a home occupation application. Mr. Hitchcock told the Commission that he currently operates his business of auto detailing and paint correction out of his garage of 10 Woolard Ave. Mr. Hitchcock stated that he only does minor paint correction and body work. Commissioner Hart asked if there is a paint booth. Mr. Hitchcock stated no. Commissioner Martin asked if there is a drain in the garage. Mr. Hitchcock stated that no, and he was not allowed to install one when the garage was being built. Commissioner Martin asked where he washes the vehicles. Mr. Hitchcock stated that the vehicles are washed in the driveway. Mr. Hitchcock explained his process of washing the vehicles; he rinses, foams, and then rinses for minimal water runoff. The water is then dumped onto his lawn. Mr. Hitchcock stated that he uses non-toxic soap.

Chairman Dennis asked Attorney Caponera if this is to be considered a home occupation application. Attorney Caponera stated that this residence is in the Residential A Zone under the Village of Colonie Zoning Code. Under the Village Code section 242- 5 H, it is an allowed use for 1-2 family dwellings; there are however, many items for consideration. A special use permit would be required. Attorney Caponera read the requirements for a home occupation under Village Code section 242-5H (Ia-Ip) titled "Home Occupation." Mr. Hitchcock stated that the property is about 300 feet back from Central Ave and the zoning designation line is beyond the driveway are used for this business. Mr. Hitchcock stated that he also owns 8 Woolard Ave. 10 Woolard is a double lot. Code Enforcement Officer Randy Rivera stated that he measured the zoning setback line with DPW Superintendent Les Decker and determined that the house is actually 400 feet back from Central Ave and the garage is in the Commercial A zone, making the majority of this property in the Commercial A zone and a small portion in Residential A. Attorney Caponera stated that the parcel is a pre-existing non-conforming because it is a two family dwelling, but does not have the proper sized lot under the Village Code.

After determining that the parcel is in a split zone and the house and garage, where the work is to be done is in the Commercial A zone, Attorney Caponera stated that a site plan application will have to be done in order to review whether this is an allowed use. Attorney Caponera explained to the Commission that he has actually argued a case very similar to this one, regarding a home occupation application where the parcel in question fell in two zoning districts and the home occupation was within the Commercial A zone. Attorney Caponera will discuss the site plan application with Engineer Laberge.

Chairman Dennis asked where the vehicles are stored before and after they are serviced. Mr. Hitchcock stated that the cars waiting will be stored on the crusher run pad in front of 10 Woolard. Commissioner Martin asked how many customers he expects. Mr. Hitchcock stated that he usually gets about 3-4 customers per week and they are by appointment only. Mr. Hitchcock clarified that this is a side business and something he enjoys doing in his free time. Commissioner Martin asked the applicant if he rents out 10 Woolard Ave. Mr. Hitchcock stated yes and that he and his family live next door at 8 Woolard. Mr. Hitchcock stated that he jockeys cars back and forth from his driveway at 8 Woolard to 10 Woolard. Mr. Hitchcock stated that his renters park on street, as they

always have. Commissioner Martin asked the applicant what happens in the winter time when there is a snow emergency. Mr. Hitchcock stated that the tenants park on the street and that there have never been any issues. Chairman Dennis stated that the Village Code states that two (2) parking spaces are required per living unit. Mr. Hitchcock stated that he has never had any issues. Chairman Dennis asked if the tenants can park on the pad. Mr. Hitchcock stated yes. He also stated that his family at 8 Woolard has a parking pad that they use. The pad fits two cars and there are two cars per unit. Commissioner Martin suggested that with the additional space on the properties, couldn't an additional pad be constructed to eliminate any street parking and facilitate the application? Commissioner Hart asked what the name of this business is. Mr. Hitchcock stated it is called Hitch's Detailing which is a D/B/A that he started last year.

Attorney Caponera suggested that the Commission table this application pending Village Engineer review for code compliance. Chairman Dennis asked if there is a residence in the back. Mr. Hitchcock stated yes there is. Chairman Dennis asked if the 25 foot buffer applies. Attorney Caponera stated that this property meets the buffer requirement on the right side only.

The Commission unanimously agreed to table the application pending Engineer review. Chairman Dennis suggested to the applicant that he consider bringing pictures of the site and bringing engineered site plans to the next meeting. Mr. Hitchcock thanked the Commission.

Commissioner Hart made a motion to adjourn the meeting. Commissioner Krause seconded the motion.

VOTE: Unanimous to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie