

Village of Colonie



PLANNING COMMISSION ALBANY COUNTY NEW YORK

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MINUTES **TUESDAY, JANUARY 16, 2018** **6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, January 16, 2018.

ROLL CALL: Chairman Chris Dennis

 Commissioners: John Martin
 Ann Krause (Absent)
 Mike Tommaney
 Peter Chudzinski (Absent)
 Kenny Hart
 Dan Judge (Absent)

 Village Attorney: Victor Caponera

 Village Engineer: R.J. Laberge

Chairman Dennis opened the meeting at 6:30. Commissioner Hart led the Pledge of Allegiance and asked that all phones and pagers be silenced.

The meeting minutes from the December 19, 2017 meeting were discussed. Commissioner Tommaney made a motion to approve the minutes as amended. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the minutes as amended.

APPLICANT:

**MD&B ENTERPRISES
12 PETRA LANE
(Site Plan Amendment)**

Mr. Ben Feinman, representing Vanguard-Fine, came before the Planning Commission to request a site plan amendment to a previously approved site plan. Previously, Mr. Feinman had requested an additional loading dock onto the building, noting that would change the parking. The applicant provided a parking distribution for both 12 and 12A Petra in the application. Chairman Dennis stated the newly submitted plans reflected the required number of spaces, 103. The Commission noted the office to warehouse square footage distribution was close to the required 60% 40% distribution. For the two remaining vacant spaces, when filled, the applicant should make sure to keep within the required distribution.

Commissioner Martin made a motion to approve the site plan amendment for 12A Petra Lane. Commissioner Tommaney seconded the motion.

VOTE: All in favor of the motion.

APPLICANT:

**MIA LUCCI'S
1647 CENTRAL AVENUE**

Mr. Andrew Kazanjian came before the Planning Commission to discuss a recently submitted updated site plan. Chairman Dennis updated the Board that Mr. Kazanjian submitted a site plan on January 9, 2018, however, the site plan did not show the Board's requested information. Chairman Dennis then stated that a new site plan was submitted earlier in the day, and that is what the Commission will currently be reviewing.

Attorney Caponera stated that from the minutes of the August, 8 2015 meeting that the previous owner of the property, Mr. Scott Bendett, stated that if Mr. Kazanjian were to purchase 1647 Central Avenue, he would also need to purchase 2 Locust Park and merge the two properties. Attorney Caponera noted that the two properties are currently merged and asked Mr. Kazanjian when that merger occurred. Mr. Kazanjian stated he did not know. Attorney Caponera asked Mr. Kazanjian if the paving outside 2 Locust Park occurred before or after the purchase of the property. Mr. Kazanjian stated that he did not know. Attorney Caponera stated that the dates when these events occurred is very important for the record.

Mr. Kazanjian stated that the merger of the properties occurred without his knowledge, as he had no intention of merging the properties. Attorney Caponera stated that requirement was listed in the minutes mentioned above before ownership changed. Attorney Caponera stated there was never any requirement from the Planning Commission to tear the building down, but there is a concern about cars parked out front of 2 Locust Park and backing into traffic near the traffic light.

Mr. Kazanjian stated that the paving in front of 2 Locust was done so that it would be easier for the tenants who live there in terms of plowing and drainage. Mr. Kazanjian also noted a number of homes down Locust Park have the same paving set-up in front of their house. Attorney Caponera stated that those homes are residential uses, to which Mr. Kazanjian stated that the house is also a residential use. Attorney Caponera clarified that because the parcels are merged, the restaurant as well as 2 Locust Park are considered one lot within the Commercial zone and will be reviewed as such. Chairman Dennis asked the applicant if the paving was done before or after he owned the property. Mr. Kazanjian stated that he was sure he had the paving work completed before he owned the property, but he would have to check his files to make sure. Attorney Caponera asked if the applicant would be able to produce an invoice from the contractor. Mr. Kazanjian stated yes.

Chairman Dennis recapped for the Commission where this application now stands. The Commission can only review the plans in front of them. However, prior to any further review that date of the paving needed to be established. Should the applicant want to pursue any future project, such as tearing down or moving the house, a whole new application will need to be submitted. Chairman Dennis stated the dates of completed paving as well as when ownership was finalized is very important and the Commission will need counsel to review those items. Engineer Laberge stated a letter reviewing the proposed changes will be sent once the paving date had been established and the Commission had provided the Village Engineer with any specific comments related to the overall site.

Attorney Caponera asked the applicant if he would be able to produce the documents requested by February 6, 2018, the next scheduled meeting. Mr. Kazanjian stated he should be able to.

This application has been tabled until February 6, 2018.

DISCUSSION:

A discussion was held on the application for 124 Lincoln Avenue. Since their last meeting, Engineer Laberge and Chairman Dennis had met with the applicant, Mr. Joe Clark, and have scheduled the applicant to be on the agenda for February 20, 2018. Chairman Dennis requested the Commissioners read the three letters provided by the Village Engineer on this property to bring themselves up to speed on the evolution of the overall site and the request to now subdivide the overall property.

Commissioner Hart made a motion to adjourn the meeting at 7:50PM. Commissioner Tommaney seconded the motion.

VOTE: All in favor of the motion.

Respectfully Submitted,

Julianne Okun
Planning Coordinator