

Village of Colonie



PLANNING COMMISSION ALBANY COUNTY NEW YORK

VILLAGE HALL
2 THUNDER ROAD
COLONIE, NY 12205
(518) 869-7562
FAX (518) 464-0389
e-mail:
ahart@colonievillage.org

MINUTES **TUESDAY, FEBRUARY 20, 2018** **6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, February 20, 2018

ROLL CALL: Chairman Chris Dennis

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

Village Attorney: Victor Caponera

Village Engineer: R.J. Laberge (Absent)

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

Chairman Dennis closed the regular meeting. Chairman Dennis opened the Public Hearing for 1530 Central Ave, a home occupancy application.

PUBLIC HEARING:

APPLICANT:

1530 CENTRAL AVE
Dr. Ivan Baraque, M.D.

Coordinator Hart read aloud the public hearing notice that was posted in one area newspaper and posted in 6 public access buildings. The applicant, Dr. Ivan Baraque, M.D was present before the Commission to present his application.

Dr. Baraque stated that he is proposing to have a home medical office in his home located at 1530 Central Ave, Albany, NY 12205. The applicant stated that he currently works with Access Health Systems doing physicals for firefighters and police. Dr. Baraque stated that he will be seeing patients that cannot get to their primary doctor right away or needs a week or two of their already

prescribed prescriptions until the patient can get in to see their primary doctor. Dr. Baraque is a doctor of internal medicine and will be proposing to take blood pressures, check diabetic patients. Dr. Baraque stated that he was tired of being bored at night after his day job and decided he help people out in between their doctor appointments.

Dr. Baraque explained that he has been renting 1530 Central Ave for about a year and a half. He is proposing to open his practice Tuesday thru Friday and sometimes on the weekends from 4 p.m. – 9 p.m. His patients would be walk-ins and he would not be taking appointments.

Chairman Dennis asked Dr. Baraque if he lives at 1530 Central Ave. Dr. Baraque stated that yes, he lives at 1530 Central Ave. It is a 3 bedroom, 2 bathroom house. Dr. Baraque stated that the lives upstairs where there is 3 bedrooms and a bathroom. The downstairs will be his practice with an exam room, bathroom and kitchen. The first floor exam room is 11 x 15. Dr. Baraque explained that he will be writing scripts to patients who cannot get to their general practitioner to refill their needed prescriptions. Chairman Dennis stated that the applicant has an extensive medical background and asked the applicant to clarify what he will be doing medical wise. Dr. Baraque stated that he will be giving primary care to walk in patients who cannot get to their doctor to refill their prescriptions or cannot get into Urgent Care. Dr. Baraque clarified that he will not just be writing scripts.

Commissioner Judge stated that he was glad to hear Dr. Baraque state he will be doing more than just writing scripts to patients. Commissioner Hart asked if the applicant will be doing any surgical procedures. Dr. Baraque stated that he will not be performing any intervention medicine and will only be doing internal medicine. Dr. Baraque stated there will be no surgery of any kind.

Commissioner Hart asked if the Doctor plans on seeing patients on days other than Tuesday, Wednesday and Thursday as noted in his application. Dr. Baraque stated that it would depend on the week but would like to have the option to see patients on Fridays as well.

Dr. Baraque amended his application to add hours on Fridays from 4 p.m. – 9 p.m. and it was accepted into the record.

Commissioner Hart asked if there will be any drugs or prescriptions on site. Dr. Baraque stated that no, there will be no drugs or prescription medicine on site, he will only be writing scripts for patients to fill at the pharmacy. Commissioner Hart stated that there is only parking in the front; he asked Dr. Baraque if he has plans to expand the parking. Dr. Baraque stated that no, he has no plans to expand the parking. The existing driveway can hold up to 5 cars without issue. Dr. Baraque stated that drivers can comfortably negotiate turns and can drive on the greenspace as needed. Dr. Baraque added that if his practice become more successful than what the site can accommodate, he will simply move to a different place.

Chairman Dennis asked about the existing signs on the property. Dr. Baraque stated that the signs are what prompted him coming to the Planning Commission for approval. Dr. Baraque stated that he previously had an A-frame sandwich sign out by Central Ave and immediately took it down once Village Code Enforcement Officers told him to. The applicant also stated that he currently has an awning over his front door that had lettering on it that was also removed as per Code

Enforcement. The only sign he has on the building is a plaque that says “Dr. Ivan Baraque M.D.” There are no lights on the sign.

Commissioner Hart asked what the exit in the back of the building was for. Dr. Baraque stated that it is the back door of the house and can be used in case of fire as per building code.

Chairman Dennis asked if the audience has any questions or comments for this application. There were no comments or questions.

Chairman Dennis closed the public hearing at 6:44 p.m.

Chairman Dennis re-opened the regular meeting.

APPLICANT:

**1530 CENTRAL AVE
Dr. Ivan Baraque, M.D.**

Commissioner Martin made a motion to approve the special use permit for a home occupancy application for Dr. Ivan Baraque M.D. at 1530 Central Ave. Commissioner Tommaney seconded the motion.

VOTE: Unanimous to approve the special use permit as presented.

Commissioner Martin made a motion to approve a tenant change at 1530 Central Ave, Dr. Ivan Baraque, M.D. Commissioner Krause seconded the motion.

VOTE: Unanimous to approve the tenant change as presented.

APPLICANT:

**60 WOLF ROAD
CHILI’S RESTAURANT**

Mr. Jim Gillespie from Bohler Engineering was before the Commission to present an exterior façade renovation to 60 Wolf Rd, Chili’s. Mr. Gillespie stated that the company is looking to change their look to be more muted and earthy. The application proposes painting the façade of the building and changing light fixtures, as well as replacing the existing awnings with black awnings. Attorney Caponera asked if there will be any structural changes to the building. Mr. Gillespie stated no, there will be no changes physically to the building, only exterior paint changes.

Mr. Gillespie stated that the signage on the building is also proposed to be changed and permits have been submitted to the building department. Mr. Gillespie stated that he wanted to show the Commission the proposed signs to get a picture of what the building is proposed to look like after renovations. Attorney Caponera stated that he is familiar with the proposed sign changes and that several variance will be needed. Mr. Gillespie stated that Chili’s is also proposing to add LED lights under the roofline that would go all the way around the building. Attorney Caponera stated that the Village’s Sign Review Board has set a precedence that the LED light boarder is considered a sign and have not acted favorably in the past.

Commissioner Hart asked if there will be any changes to the parking lot, dumpster or refrigeration outside. Mr. Gillespie stated no, there will be no changes.

Commissioner Martin made a motion to approve the proposed façade changes at 60 Wolf Rd. The motion is seconded by Commissioner Hart.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1510 CENTRAL AVE
THE EDGE SKATE SHARPENING AND PROFILING**

Mr. Suresh Patel, building owner of 1510 Central Ave and Mr. Anargyros K Dikas, owner of The Edge came before the Commission to present a tenant change application. Mr. Patel stated that he fully supports this applicant going into his building in suite 101.

Mr. Dikas stated that he proposed to open a skate sharpening and profiling shop. His business will service hockey skates primarily. Commissioner Martin asked what profiling means. Mr. Dikas stated that it is the actual curvature of the blade and the contact the blade has with the ice. Mr. Dikas explains that the technology he plans on having in his store comes from Sweden and is used by 16 NHL teams across the country. Mr. Dikas stated that there is a large youth hockey population in the area but there aren't any skate sharpening or profiling shops in the area. Mr. Dikas explains that skaters and players will travel to Lake Placid or Boston to get their skates serviced, as this business is very specific.

The sharpening and profiling will be done by a machine that is 3 feet high, 18 inches wide and 12 inches deep. Commissioner Martin asked if the machine is laser driven. Mr. Dikas said no, it is a metal wheel at a very high RPM and is programmable. Mr. Dikas explains that each skate has a different hollow and is specific to each skater. With the technology he will have, he can program each skater's specifications into the machine. Commissioner Martin asked how he will dispose of the metal waste. Mr. Dikas stated that it will be disposed of via regular garbage as provided to the building by Mr. Patel. Mr. Dikas explained that the "waste" from the machine is a very fine dust that no longer resembles actual metal. The dust is not harmful.

Commissioner Martin asked if there will be tape or sticks for sale. Mr. Dikas stated that no, this shop will exclusively be for skate sharpening and profiling only. Chairman Dennis asked if figure skates can be serviced at his location too. Mr. Dikas stated yes they can be. Figure Skates require a different program in the machine but he will be able to accommodate both hockey and figure skates. Mr. Dikas stated that he is in contact with several figure skating clubs and associations in the area.

Commissioner Judge asked if the proposed business has a name. Mr. Dikas stated that the business will be called "The Edge: Skate Sharpening and Profiling." Commissioner Judge asked how long it takes to sharpen and profile each skate. Mr. Dikas stated that it takes about 3-4 minutes per skate so customers can be in and out in about 10 minutes. Commissioner Judge asked if people will drop off skates or wait. Mr. Dikas stated that he thinks most customers will come in and drop off the skates, but are more than welcome to come and wait as they are serviced.

Commissioner Martin made a motion to approve The Edge Skate Sharpening and Profiling at 1510 Central Ave, suite 101. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

The Planning Commission reviewed the minutes from the February 6, 2018 meeting. Commissioner Hart made a motion to approve the minutes as amended. Commissioner Tommaney seconded the motion.

VOTE: Unanimous vote to approve the February 6, 2018 meeting minutes as amended.

DISCUSSION:

The Commission discussed Attorney Caponera's February 2, 2018 letter to Andrew Kazanjian of Mia Lucci's Attorney Caponera stated that in his letter he set a deadline for Mr. Kazanjian to remove the blacktop by June 1, 2018. He would like to invite Mr. Kazanjian back to the Planning Commission to have the Commission decide if they agree with Attorney Caponera's June deadline. Chairman Dennis asked if Mr. Kazanjian is in receipt of the letter. Attorney Caponera stated that he did not know. Attorney Caponera stated that he has been in contact with Mr. Kazanjian via phone calls.

Chairman Dennis stated that he is in agreement with Attorney Caponera's letter and stated that if the rest of the Commission agrees, the Commission could send a letter to Mr. Kazanjian stating so. Attorney Caponera stated that he drove up and down Locust Park and counted 33 instances where the pavement has be widened so residents can parallel park on the street. Chairman Dennis stated that he believes the no parking set back from Central Ave is 200 ft. Attorney Caponera looked up the Village of Colonie Code section designating the parking restrictions. Attorney Caponera stated that in Village Code section 225-17 and section 225-52 (xii) parking is prohibited at all times on both side of the street less than 200 ft. from Central Ave. Chairman Dennis stated that the "no parking" sign that was originally on the site at 1647 Central Ave should be installed. Attorney Caponera stated that the Commission can send a letter to Mr. Kazanjian outlining the removal of the blacktop, no parking and replacement of the "no parking" sign in front of 2 Locust Park. Chairman Dennis polled the Commission and they were unanimous to agree with Attorney Caponera's letter. Therefore there was no reason to have the applicant appear in front of the Commission.

Commissioner Hart made a motion to adjourn the meeting. The motion is seconded by Commissioner Martin.

VOTE: Unanimous to adjourn the meeting at 7:45.

Respectfully submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie