



Chairman Dennis stated that the last tenant to apply for this site was asked to submit a stamped site plan. Chairman Dennis asked if the same should be asked for this applicant. Engineer Laberge stated that there is a stamped site plan on file for this site and stipulation can be made on the motion for the previously approved site plan. Engineer Laberge asked if the seats and tables will be changed. Ms. Mallela stated that no, there are no changes to the tables or seating. Engineer Laberge asked if a liquor license has been issued. Ms. Mallela stated that they are in the application process to obtain the license.

Commissioner Krause made a motion to approve Aromas at 1614 Central Ave from the previous approved site plan. Commissioner Judge seconded the motion.

VOTE: Unanimous to approve this application as presented.

**APPLICANT:**

**16 JUPITER LANE  
MRI**

Mr. Elliot Feinman came before the Commission to present a tenant change at 16 Jupiter Lane. Mr. Feinman stated that the proposed tenant is MRI and they are an electronic distribution center. Mr. Feinman stated that there are currently 2 empty tenant spaces in the building. Chairman Dennis asked what the breakdown of the space will be. Mr. Feinman stated that it will be mostly warehouse/showroom with a very small 375 square foot office.

Engineer Laberge asked how many employees are on site. Mr. Feinman stated that there will be 4 employees on site daily and the rest are salesman. There is a total of 40 employees for all locations.

Commissioner Judge made a motion to approve MRI at 16 Jupiter Lane. Commissioner Krause seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:**

**1594 CENTRAL AVE  
GIRGENTI PROPERTIES**

Mr. Nick Costa from Advanced Engineering, Mrs. Meagan Girgenti and Mr. Joe Girgenti, owners of Girgenti Properties were present before the Commission to present a site plan application for 1594 Central Ave. Mr. and Mrs. Girgenti own the property and rent the house. They are looking to park their construction vehicles in the detached garage on the property.

Mr. Costa explained that this site is on the corner of Central Ave and Breeman St. There is an existing house and detached garage. The applicant is looking to add parking spaces and pave on the site to store commercial vehicles and equipment for their construction business. Mr. Costa stated that the house is occupied by tenants and the site is approximately .21 acres in the Commercial A zone. The coverage on the site consists of 21% building, 43% green space and 36% paved area, once the site is improved.

Mr. Girgenti stated that his business is a commercial maintenance company and they do site work for big box stores like Walmart, Rite Aid and McDonalds. Mr. Girgenti stated that he travels all over the country and needs a site to store his trucks. Mr. Girgenti stated that he would like to use

the garage to store his tools. Mr. Girgenti stated that he has no customers that will be coming to this site and all work is done by phone or e-mail.

Commissioner Krause asked what kind of vehicles will be stored on this site. Mr. Girgenti stated that there are 4 vehicles that includes pick- up trucks and 2 trailers. The garage will house common building tools. Mr. Girgenti stated that at least 2 vehicles are take home vehicles for both he and his son.

Engineer Laberge stated that the current tenants under Village Code are required to have 2 parking spaces on the site. Engineer Laberge asked how many housing units are in the building. Mr. Girgenti stated that there is one tenant for this single family home. Attorney Caponera stated that the entire site is in the Commercial A zone and under the Village Code vehicle storage is not allowed. The applicant would need to seek a use variance through the Village's Zoning Board of Appeals. Attorney Caponera stated that the garage falls in the middle of the 25 foot buffer requirement, as shown on the submitted site plan. Attorney Caponera stated that the residential house has to conform with the residential required setbacks, however if the garage is going to be used as commercial, there will be a need for an area variance for the commercial setback requirement.

Engineer Laberge stated that the buffer line goes through garage per the submitted site plan. The large vehicles would need to be screened from the roadway such as a fence or trees and the front yard would need to conform to the setbacks from Breeman Street. Chairman Dennis stated that he would like to see a site plan for advanced landscaping and drainage. Attorney Caponera stated that the Commission, if they choose, can deny this application based on the proposed use and it's representation of the use. Attorney Caponera stated that the applicant needs to obtain use variance and an area variance for the 25 ft. buffer. Mr. Costa asked if anything changes if the applicant lives at 1594 Central Ave or uses the garage as an office. Engineer Laberge stated that the application would be looked at as an operation in a non-habitable structure.

Code Enforcement Officer Randy Rivera stated that the applicant has dragged his feet in getting in front of the Planning Commission and as of today there is a trailer and 3 vehicles parking on the site, which is not permitted. Mr. Rivera stated that he will make sure the vehicles and trailers are removed from the property by the end of the week.

Commissioner Tommaney made a motion to deny the application as presented for Girgenti Properties at 1594 Central Ave. Commissioner Judge seconded the motion.

VOTE: Unanimous to deny the application as presented.

**APPLICANT:**

**10 WOOLARD AVE  
HITCH'S DETAILING**

Mr. John Hitchcock was present in the audience and wanted to speak to the Commission regarding his home occupation application that was discussed at the May 15<sup>th</sup> meeting. Chairman Dennis stated that at the last meeting it was determined that Attorney Caponera would speak to Engineer Laberge regarding this application. Engineer Laberge stated that he did speak with Attorney Caponera and how the site is dissected by two zoning districts. The application will have to be

looked at by a Commercial A standard and must meet all the zoning requirements for home occupation. Engineer Laberge stated that for the home occupancy requirements the applicant cannot meet all of the criteria because all work must be done inside, not as submitted on this site plan. Attorney Caponera stated that the applicant can take all the criteria he cannot meet based on the Village Code for home occupation requirements and go to the Zoning Board of Appeals. Attorney Caponera stated that the applicant would need professional drawings by a NYS licensed engineer and the neighbors will be notified of the application and meeting time. Attorney Caponera asked if the lots are merged. Mr. Hitchcock stated that there is a fence with a gate separating the properties but they are not merged. Attorney Caponera stated that the applicant does not live at 10 Woolard Ave and would need a special use permit.

Commissioner Judge made a motion to deny the home occupation application for Hitch's Detailing at 10 Woolard Ave. Commissioner Tommaney seconded the motion.

VOTE: Unanimous to deny the application as presented.

**DISCUSSION:**

Engineer Laberge asked for any last minute items to discuss for 124 Lincoln Ave. Chairman Dennis asked for the Commissioners to review the site plan and reply with any comments to Engineer Laberge by Tuesday June 12<sup>th</sup>.

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

VOTE: Unanimous to adjourn the meeting at 7:22 p.m.

Respectfully Submitted,

Alexandra M. Hart  
Planning Coordinator  
Village of Colonie