



**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, MARCH 5, 2019
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, March 5, 2019.

ROLL CALL: Chairman Chris Dennis

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

Village Attorney: Victor Caponera

Village Engineer: R.J. Laberge

Code Enforcement: Randy Rivera

Chairman Dennis opened the meeting at 6:30 p.m. Commissioner Hart led the Pledge of Allegiance and asked that all electronic devices be silenced. The Commission reviewed the minutes from February 19, 2019. Commissioner Martin made a motion to approve the meeting minutes as amended. Commissioner Krause seconded the motion.

VOTE: Unanimous to approve the minutes from the February 19, 2019 regular meeting minutes as amended.

APPLICANT: **1520 CENTRAL AVE STE B
BUNDLES & WIGS BY TIAIRA
(Change of Occupancy)**

Mr. Brent Teague, agent for 1510 Central Ave LLC and Ms. Tiaira Brandon, owner of Bundles and Wigs were present before the Commission to present a change of occupancy at 1520 Central Ave, Ste. B. Mr. Teague stated that the business will be retail and will be selling wigs, hair extensions, and other hair accessories. Engineer Laberge asked if this business will also offer salon services. Mr. Teague stated that the business is strictly retail.

Commissioner Hart stated that according to the provided floor plan, the proposed space is wide open. Commissioner Hart asked how the applicant will set up her store. Mr. Teague stated that he

was unsure how Ms. Brandon will set up the store and added that there is a small office in the back of the store. Chairman Dennis asked what the hours of operation will be. Ms. Brandon stated that on the application she wrote 10 am – 10 pm, however her hours of operation will mostly be Tuesday – Saturday from 12 p.m. to 7 p.m. Mr. Teague stated that they extended the hours of operation on the application to cover any potential changes in Ms. Brandon’s business hours.

Commissioner Martin asked Ms. Brandon if there will be any chairs and mirrors for her clients to try on the wigs and extensions. Ms. Brandon stated that there will be 5-6 large chairs for the clients to sit in and try on the wigs and extensions, but there will not be any salon features or stations. Ms. Brandon stated that her chairs can be rented out for bridal showers or baby showers. Commissioner Martin asked if she plans to host these parties. Ms. Brandon stated no, her store is retail only, however she does rent the chairs to be used off site for various occasions. Commissioner Martin asked if Ms. Brandon currently has a store or if this will be a new venture. Ms. Brandon stated that she currently has a store in lower Albany and wishes to move closer to her client base.

Commissioner Martin made a motion to approve Bundles & Wigs by Tiaira at 1520 Central Ave suite B. Commissioner Chudzinski seconded the motion.

VOTE: All in favor of the motion.

APPLICATION:

**560 SAND CREEK ROAD
TINY TOWN GROUP DAYCARE
(Site Plan Review)**

Mrs. Kristen Blais, owner of Tiny Town Group Daycare came before the Commission to discuss her current site plan application for 560 Sand Creek Rd, a proposed daycare center. Commissioner Hart stated that he previously recused himself from the application, however at this time there is no conflict of interest and is reinstating himself for this application. Ms. Blais stated that her engineer, Nick Costa from Advance Engineering was unable to make it tonight.

Chairman Dennis asked Engineer Laberge to explain his review letter dated February 21, 2019. Engineer Laberge stated that there are two key things that need to be addressed. Number one being the driveway width and second, a hydrant needs to be added on the property. Engineer Laberge stated that he has spoken to Mr. Costa about the driveway. The proposed driveway as shown on the plan is 24 feet wide. However, when the driveway is combined with the rest of the pavement on the adjacent properties, it becomes over 30 feet wide for a portion of the overall driveway, which is wider than a Village Street. Engineer Laberge stated that there is an ingress and egress easement on the driveway which gives the applicant the right to use the adjacent properties to create the driveway shown on the plan. Engineer Laberge added that he would like to see the exit at Sand Creek Road to be left widened to accommodate right/left turn exit lanes.

Mrs. Blais stated that according to her paperwork, the property only has 16 feet across and additional 8 feet needed for the full driveway are from the adjacent property owners. Mrs. Blais stated that she has tried to negotiate with the property owner for the additional land but is not having any luck. Mrs. Blais stated that her attorney pulled the title report for the area that is shown along a picket fence. The title report reported a legal agreement with the Church and adjacent

property owner, Jack Moser for access. Mrs. Blais stated that Mr. Moser is now longer the owner and Mr. Seznat is the current property owner. Mrs. Blais stated that he would have to agree to share the remaining 8 feet of the easement. Engineer Laberge suggested checking the tax map with Albany County because the site plan provided shows the easement. Engineer Laberge stated that the first 400-500 feet from Sand Creek Road is the issue for the driveway.

Attorney Caponera stated that he would like to see the ingress and egress easements to plot them out on the site plan and suggested that Mr. Costa contact him for a meeting. Engineer Laberge stated that the map presently shows a 10 foot easement all the way down the proposed driveway. Chairman Dennis stated that he would like to see the 24 ft. wide driveway thru the property except at the intersection at Sand Creek Road, where he would like it to be 30 plus feet wide to accommodate exit turning lanes. Commissioner Martin asked how many cars there would be stacked on the driveway at a time. Mrs. Blais stated that she imagines about 4-5 cars at a time for each lane. Chairman Dennis stated that 4-5 cars would put them around the exit at the dentist office. Attorney Caponera asked what the shaded area on the site plan represented. Mrs. Blais stated that there is grass area in the middle of the pavement that would be eliminated and replaced with pavement.

Chairman Dennis made a request for the applicant to clean up the access points to the adjacent property owner sites along the driveway. Chairman Dennis stated that he does not want to see the wide driveway and suggested if the easement is taken care of the adjacent property owners may comply. Mrs. Blais agreed and stated that she was planning on cleaning up the area to make it look much nicer than it is now. Attorney Caponera stated that Mr. Seznat previously bought the property with the intention to seek approval for 2 duplexes and other multi- family housing units on the property of 560 Sand Creek Rd. Chairman Dennis stated the Mr. Seznat originally contacted the Village and was told the proposed project was not an allowable use.

Chairman Dennis asked that the landscaping be expanded on the site plan. Mrs. Blais stated that Mr. Costa suggested the vegetation shown between the proposed outdoor play areas would act as a barrier with adjacent properties. Chairman Dennis stated that the tallest part of the building is the dome and he would like to see the vegetation continue along the current line to shield the building from the adjacent property owners. Chairman Dennis also requested that a few more trees be added to the proposed barrier by the play areas. Chairman Dennis stated that there are a few discrepancies on the submitted application and narrative, i.e. drop off and pick up times. Mrs. Blais stated that she knew that and he has been going back and forth on a set time period. Chairman Dennis suggested the applicant make the narrative and the application consistent.

Engineer Laberge stated that the other concern with this project is the need for a hydrant. Mr. Laberge stated that attached to his 2/21/19 letter was a letter from the Colonie Fire Chief dated 1/8/19 explaining a need for a hydrant on the property. Engineer Laberge stated that there is a private drainage easement on Marini Court for a hydrant and a Village owned water main. Engineer Laberge stated that there are 3 water mains surrounding the property: two on Delafield and one on Sand Creek Road, he added that there is private water and sewer services to the Church. Mrs. Blais stated that she attempted to set up a meeting with the Fire Chief but she has been unable to coordinate a meeting with him. Mrs. Blais stated that there is one hydrant within 500 feet of the property on Marini Court. Commissioner Chudzinski asked if there is access to get to the building

from that hydrant. Mrs. Blais stated that there are fences on the easement and emergency personnel can get through the fence gates. Commissioner Chudzinski explained that after the hose is hooked up to hydrant, the truck drive and lays down hose and parks near the building, therefore the hydrant on Marini Court is not viable if the fire truck cannot get through.

Mrs. Blais asked if the current building caught fire, where the fire department would access a hydrant from. Commissioner Chudzinski stated that they would have to lay hose 1200 feet away, which is where the concern now is coming from. Mrs. Blais stated that she is proposing to put in a sprinkler system and two forms of egress in the building and would that be sufficient instead of the hydrant. Commissioner Chudzinski stated that the Commission is requiring the hydrant and would require the same for any future applications for the property, not just the current proposed project. Mrs. Blais stated that Life Church had a large daycare operation and asked why this wasn't required when they were open. Code Enforcement Officer Rivera stated that the building code is very stringent, especially with infants and toddlers. Mr. Rivera stated that he used to work for the Department of Children and Family Services and is very familiar with their requirements. Mr. Rivera suggested Mrs. Blais set up a meeting with the building department and the fire chief to explain this further as the hydrant is a codes issue. Engineer Laberge stated that the proposed sprinkler system may also require upgrades to the water main to accommodate the water needs.

Commissioner Hart asked if there is anything in the Village Code requiring the need for a hydrant on the property. Engineer Laberge stated no, it is however in the state building code. Commissioner Hart asked if a conditional approval can be granted and the applicant can work with the building department on the location of the hydrant. Commissioner Martin stated that the hydrant and waterlines would need to be on the approved site plan. Engineer Laberge stated that the state standard is a hydrant every 600 feet, which in this case could be half way up the driveway. Mrs. Blais stated that she contacted the Village Water Department and stated that they did not know where the water main is on the property. Engineer Laberge stated that there are water mains on Delafield, Marini Ct and Sand Creek Rd. Engineer Laberge stated that the applicant would install the hydrant and deed it to the Village who would own and maintain it.

Attorney Caponera stated that the applicant does have the right to apply to the building department, get denied and then file an appeals with the Department of State. Mrs. Blais would need to provide a municipal denial letter based on the building code. Attorney Caponera stated that the building department can sit down with the applicant and go over what the requirements are, but he wanted to let the applicant know her right to appeal to the state if needed.

Mrs. Blais stated that there is a Delafield drainage easement to the Village between 60 and 62 Delafield Dr. Attorney Caponera asked how many feet from the property the hydrant is. Mrs. Blais stated about 150 feet. Attorney Caponera stated that the hydrant is about 75% closer than the driveway hydrant. Engineer Laberge suggested Mr. Costa look into it as an option.

Chairman Dennis asked the Commission if they have any other comments or concerns about the site plan. The Commission had no further comments.

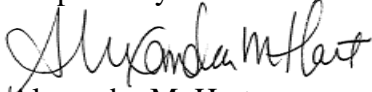
Mrs. Blais will contact the building department and will have Mr. Costa contact Attorney Caponera.

Mrs. Kennedy from Peter Drive was in the audience and wanted to speak about the fire hydrant. Mrs. Kennedy acknowledged that this meeting does not have to allow public comment, however she asks that the Commission work with Mrs. Blais regarding the hydrant and to aid in the safety of the adjacent neighbors. Mrs. Kennedy stated that there are several properties that would be in danger should the building catch fire.

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

VOTE: All in favor to adjourn the meeting at 7:30 p.m.

Respectfully Submitted,



Alexandra M. Hart
Planning Coordinator
Village of Colonie