

**Village of Colonie
PLANNING COMMISSION
ALBANY COUNTY
NEW YORK**

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**MINUTES
TUESDAY, JUNE 18, 2019
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, June 18, 2019.

ROLL CALL: Chairman Chris Dennis

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

Village Attorney: Victor Caponera

Village Engineer: R.J. Laberge

Code Enforcement: Mike Cerone

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 June 4, 2019. Commissioner Hart made a motion to approve the meeting minutes as amended. Commissioner Tommaney seconded the motion.

APPLICANT:

**1520 CENTRAL AVE STE. 120
MATHEW NATIONAL AGENCY
(CHANGE OF OCCUPANCY)**

Mr. Suresh Patel, owner of 1520 Central Ave came before the Commission to seek approval for a new tenant. Mr. Patel apologized that his tenant could not be at tonight's meeting, she had a scheduling conflict. Mr. Patel explained that the applicant is Ms. Linda Riley-Dunois who is doing business as Mathew National Agency and she will be working with two other employees in the 350 sq. ft. office space placing nurses in temporary placements in hospitals. Mr. Patel explained that Ms. Dunois job is to primarily contact hospitals and place nurses.

Chairman Dennis asked where this tenant's space is located in the building. Mr. Patel stated that the space is located near the center of the building on the backside and is approximately a 15 x 15

room and 225 square feet. A discussion was held regarding some confusion over the actual size of the proposed tenant space. Commissioner Martin asked if this is a new business for Ms. Dunois. Mr. Patel stated yes this is a new business, however Ms. Dunois did previously work in the healthcare industry. Commissioner Hart asked if this is a referral company. Mr. Patel stated yes. Commissioner Martin asked if the nurses are considered Ms. Dubois' employees. Mr. Patel stated no. Commissioner Martin also asked how Ms. Dubois selected the nurses for assignment. Mr. Patel stated Ms. Dubois had a data base of nurses from her years of working in the medical field. Commissioner Tommaney asked how Ms. Dunois gets paid. Mr. Patel stated that she gets paid through commission.

Commissioner Chudzinski made a motion to approve Linda Riley-Dunois DBA Mathew National Agency at 1520 Central Ave suite 120 for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1761 CENTRAL AVE
GEICO**

(CHANGE OF OWNERSHIP/CHANGE OF OCCUPANCY)

Mr. Rick Schrade came before the Commission to seek approval for a change of occupancy at 1761 Central Ave, currently Pioneer Bank. Mr. Schrade stated that he has a Geico Insurance business currently in the Village Square Plaza at 1770 Central Ave and is looking to purchase the building and move into 1761 Central Ave. Commissioner Martin asked how many employees he has. Mr. Schrade stated he has about 13-14 employees. Commissioner Martin asked if all of these employees sit at a desk all day. Mr. Schrade stated that yes some sit at a desk, some will be in the field and some calling in on the phone.

Commissioner Martin asked how long Mr. Schrade has been in business. Mr. Schrade stated he has been in business for about 5 ½ years and is looking to expand into a larger space. Chairman Dennis stated that there are 24 parking spaces available on site and Village code requires 20. Chairman Dennis asked how likely it is for all 13 employees to have customers at their desk during the workday. Mr. Schrade stated that is very unlikely and on average there are only 1-2 customers in the building at a time; most of the business is handled over the phone.

Commissioner Judge asked if the business will have any more wrapped business vehicles. Mr. Schrade stated that they have 2 right now and may be adding a third. Chairman Dennis stated that this site is in good shape and does not need any improvements at this time. Commissioner Martin asked what the business will do with the refuse. Mr. Schrade stated that he will not have a dumpster and will have the small roll away bins from County Waste.

Commissioner Judge made a motion to approve Geico for the change in ownership and change of occupancy at 1761 Central Ave. Commissioner Tommaney seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:**1770 CENTRAL AVE
ROSETTI DEVELOPMENT/PIONEER BANK
(CHANGE OF OCCUPANCY)**

Mr. Adam Leonardo from Rosetti Development and Mr. Nick Costa from Advance Engineer came before the Commission to seek final approval on the proposed Pioneer Bank at 1770 Central Ave. Mr. Costa stated that the proposed building is a one story 2,000 sq. ft. building at the center of the Village Square Plaza and will be occupied by Pioneer Bank. Mr. Costa stated that the building will have one main door access as well as 2 lane drive-thru, one for the teller window and one for an ATM. Mr. Costa stated that the elevation plans have been provided to the Commission and there is no change to the exterior from previous meetings. Mr. Costa explained that the building is mainly glass and metal panels. Mr. Costa stated that he has addressed all comments by the Commission and Engineer Laberge.

Commissioner Martin stated that there were questions from the Zoning Board of Appeals regarding a second door and asked for clarification. Attorney Caponera stated that the ZBA met June 5th and removed the condition that strongly suggested a second means of egress from the building. Attorney Caponera stated that the Planning Commission is now in legal authority to act on the application. Commissioner Hart asked what type of glass will be used on the building and explained that there have been safety issues from large glass panels on buildings facing Central Ave. Mr. Leonardo stated that they are proposing the same glass specifications on this building as the ones currently on their new building on Albany Shaker Road and as far as he understand the glass is non-reflective. Commissioner Hart asked if the windows are tinted as shown in the rendering. Mr. Leonardo stated no, that is just for the rendering. Attorney Caponera stated that he has observed the Albany Shaker Road building and it appears to be non-reflective.

Chairman Dennis stated that the Colonie Fire Company is in the audience and would like to speak about the general site at 1770 Central Ave. Colonie Fire Company Chief Jeff Kayser stated that he has some serious concerns over the absorption of the fire lane in front of the main Village Square Plaza building at 1770 Central Ave. Chief Kayser submitted into record the letter in which he read from with the inclusion of pictures. [See attachments]

Commissioner Judge asked if all 350 feet of the fire lane is needed. Chief Kayser stated that the length of the fire lane depends on the location of the fire. Commissioner Judge asked if he would be open to a reduced fire lane. Chief Kayser stated that it would be an improvement of the existing condition.

Chairman Dennis thanked Chief Kayser for his comments and stated that the meeting will resume discussions regarding the isolated building, the proposed Pioneer Bank. Chairman Dennis stated that the site plan for 1770 has been approved previously and the Planning Commission is taking action on the freestanding structure. Chairman Dennis stated that fire lanes in the Village need to be presented to and be approved by the Mayor and the Board of Trustees therefore action on any fire lanes cannot be taken by the Planning Commission. A meeting is suggested between the chief,

property owners, Planning Commission, and the Board of Trustees in the near future to discuss this issue further.

Commissioner Hart made a motion to approve Pioneer Bank at 1770 Central Ave with the condition that glass is non-reflective. Commissioner Tommaney seconded the motion.

VOTE: Commissioner Hart – Yes
 Chairman Dennis – Yes
 Commissioner Martin – Yes
 Commissioner Judge – Yes
 Commissioner Tommaney – Yes
 Commissioner Chudzinski – No

Application is approved as presented.

APPLICANT:

**350 NEW KARNER ROAD
CAPITAL VOLVO OF ALBANY
(SKETCH PLAN REVIEW)**

Attorney Caponera stated that he must recuse himself from this application as his client is the owner of Capital Luxury Cars, the proposed owner of this site.

Mr. Bill Maftrici and Mr. Dan Hershberg, Engineers from Hershberg and Hershberg came before the Commission to present a sketch plan for a new proposed Volvo dealership at 350 New Karner Road. Mr. Hershberg stated that the proposed building is 17,000 square feet with a mezzanine and driveway. The proposed building is located next to the Village pump station and will share a driveway through the existing municipal easement. The vehicle storage will be behind the wetlands as shown on the provided site plan. Mr. Hershberg stated that the proposed car display will be along New Karner Road. Mr. Hershberg added that there is no proposed landscaping plan at this time. The storm water report shows that the blacktop in the front of the building can be porous but in the back most likely not. There is a basin near the wetland area. Mr. Hershberg presented the Commission with the proposed building elevations that shows Volvo's three signature vehicles in the display windows.

Chairman Dennis asked if this use is allowed in the zoning district. Engineer Laberge stated that this use is allowed within the Commercial A zone. Mr. Hershberg stated that this site is located directly behind the CarMax dealership and adjacent to the new Casale-Rent-All store. Attorney Caponera asked the applicant to clear up some confusion about the existing Capital Volvo dealership and the proposed project. Mr. Hershberg stated that there is an existing Capital Volvo dealership that also sells Jeep and other brand of vehicles, located across the street on New Karner Road adjacent to the entrance to Kohl's Plaza. Volvo will be removing themselves from that location and relocate across the street to 350, it is unknown at this time what will become of the existing Volvo site which is located in the Town of Colonie.

Mr. Hershberg stated that there are wetlands located in the center of the site. Mr. Hershberg stated that he is unsure if there is a drainage swale. Engineer Laberge stated that there is a County

drainage ditch. Mr. Hershberg explained that all wetlands are now regulated by the Army Corps of Engineers however, the regulations regarding stand alone wetlands may change in the future. Chairman Dennis asked about the driveway into the pump station. Mr. Hershberg stated that the driveway is the same one leading into the Village's pump station and the driveway will be widened to 14 or 15 feet. Chairman Dennis asked what the red square indicated on the site plan. Mr. Mafrici stated that that shows overlapping easements. Mr. Hershberg stated that the easements are to the Price Chopper Plaza and CarMax for ingress and egress and the other is a water main easement.

Mr. Hershberg added that the drainage is also overlapping. Engineer Laberge suggested that the applicant speak to Albany County. Commissioner Hart stated that drainage issues recently came up with the Fermac Street project, just across the street from 350 New Karner Road. Commissioner Hart asked if the drainage from the Fermac property will flow into the drainage of 350 New Karner Road. Engineer Laberge stated that yes it will. Mr. Hershberg stated that the infiltration practice should satisfy the Albany County Planning Board once they review the project. Commissioner Hart asked that the percentage of green space is in the front of the site. Mr. Mafrici stated that there is 10% of the required 20% of green space as required in Village Code. Mr. Hershberg explained that there is a small amount of frontage and green space but the car pads will have landscaping around them to increase the amount of green space. Commissioner Hart asked how the front displays will be lit. Mr. Hershberg stated that there will be floor lights. Commissioner Judge asked if the car pads will be raised. Mr. Hershberg stated that the car pads will only be elevated 6 to 8 inches from grade level and added that they will not be the tipped car pads that are seen at other dealerships. They will not obstruct the view to traffic on the roadway.

Commissioner Hart asked if there fire hydrants located on the property. Mr. Hershberg stated that a hydrant exits on the southwest corner near the Village easement. Mr. Hershberg added that the hydrant is owned by the Town of Colonie but there is also a hydrant on the CarMax property. Chairman Dennis asked if those lines are dead-ended. Engineer Laberge stated that he can look into it and that the lines would need to be interconnected. Chairman Dennis stated that a formal application will need to be shared with the Town of Colonie and the Albany County Planning Board for review.

Commissioner Hart asked if there are any outdoor speakers. Mr. Hershberg stated no. Commissioner Hart asked if there is a proposed lighting plan. Mr. Hershberg stated that there is no proposed plan at this time, one will be submitted at a later date. Commissioner Judge asked if the applicant is aware of the Village Code requirement that all service bay doors be shut during service. Mr. Mafrici stated that the applicant is aware of that requirement and the Volvo also requires the bay doors to be shut so debris and other factors do not harm the vehicles. He added that the bays will be air-conditioned.

Chairman Dennis asked that a landscaping plan be provided as well as a green space analysis. Mr. Hershberg acknowledged this requirement. Engineer Laberge asked if the building can be shifted in any way to flip the parking and allow for more green space. Mr. Hershberg stated that this building is a prototype for other Volvo dealerships. Commissioner Hart asked if the green space can go right up to the wetlands. Mr. Mafrici stated that greenspace can go right up to the wetland area. Mr. Mafrici stated that if the parking requirement cannot be met then they can apply to the

ZBA for a variance. Commissioner Hart asked if there is any current mitigation of the wetlands. Mr. Hershberg stated no.

Commissioner Judge asked for a demonstration of car carrier and truck turn radiuses. Mr. Hershberg demonstrated the truck route on the site plan and added that the street will be 30 feet wide and cars will be able to drive by the trucks, no exits will be blocked. All deliveries will be on site and will not be on New Karner Road.

The applicant will return to the Planning Commission with a full site plan application.

DISCUSSION:

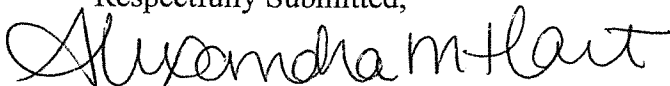
1. Chairman Dennis explained a potential project at the current Smith's Liquor store site. Mr. Patel is looking to downsize the liquor store and have a 1,000 sq. ft. tenant space as well as apartment spaces in the upstairs. There are potential for 3 apartment units, keeping the site under the 5 units per acre per the Village code requirement. The footprint of the building will remain the same. Engineer Laberge will contact Mr. Patel with the Commission's comments.
2. Chief Kayser had some added comments to the site at 1770 regarding the fire lane. The Commission stated that the issue must now be resolved with the Mayor and the Board of Trustees and a meeting will be set up in the near future to discuss potential solutions.

Commissioner Tommaney stated that tonight will be his last meeting as he will be moving out of the Village. He thanked the Village and the Commission for allowing him to be on the Commission for over 15 years. He stated that he enjoyed being on the Commission and will miss seeing everyone. The Commission thanked Commissioner Tommaney for his service and wished him luck in future endeavors.

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

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

Respectfully Submitted,



Alexandra M. Hart
Planning Coordinator
Village of Colonie



COLONIE FIRE COMPANY, INC.
1631 CENTRAL AVENUE
VILLAGE OF COLONIE
COLONIE, N.Y. 12205
STATION (518) 869-9306 • FAX (518) 869-9987

June 18, 2019

Village of Colonie Planning Commission Members and Chairman Dennis,

This letter is to document my sincere concern regarding the recent abolition of the fire lane located in front of the Village Plaza located at 1770 Central Avenue, Village of Colonie, NY.

The building at 1770 Central Avenue aka "Village Plaza" has had 775' of clearly posted fire lane since 1988. This fire lane was implemented by the Village of Colonie Board of Trustees and later adopted into Town Law by the Colonie Town Board. This law is still in effect today so naturally I am curious as to how a local government body can just arbitrarily decide to ignore such law that is so conspicuously posted.

The aforementioned building has a footprint of 74,912 square feet and portioned into approximately 19 businesses. The fire lane that was put into effect there in 1988 was done so for sound reason with regards to public safety and the life hazard presented, should a fire take place within the confines of that structure.

I learned of this recent fire lane situation completely by accident on the morning of May 30, 2019 while traveling through the parking lot there. I am extremely distressed that the Planning Commission would approve of the abolishment of any fire lane without any input from the administration of the local fire department.

This letter should serve to officially record my opposition of this measure and to explain to you the reasons for my concern, as follows:

- Without the predesigned fire lane, there is not enough space for fire apparatus to fight a fire. I have included photos of numerous strip-mall fires to illustrate his point and please take note of how much hose is utilized and the area that it takes to accommodate this amount of hose. (see attached photos)
- Attack of a fire at this building must be from the front of the building to allow for emergency egress of firefighters should conditions deteriorate within the fire building and rapid evacuation is called for. Entry through the rear doors would be into backroom areas cluttered with stock or portioned walls and work areas – extremely hazardous for firefighter entry and travel during fire conditions. In addition, entry through the rear would entail defeating fortified steel doors which is a time-consuming endeavor. (See attached photos) Subsequently, entry through the front will be much quicker and the

rapid introduction of water into a fire building is imperative to successful fire extinguishment and the prevention of fire spread.

- A standard rule in firefighting is to allow for a collapse zone around any building involved in fire, in the event the fire progresses to the point of the structural integrity of the building getting compromised and triggering wall(s) collapse. The standard formula to determine the collapse area is 1.5 times the height of the building. The rear area of this building does not allow for sufficient room for safe firefighting operations and fire apparatus placement. (see attached photo)
- During a firefighting operation at this building, the fire hydrants that serve this property are located along Central Avenue, which provide timely and sufficient water supply to the front of this building. Water supply to the rear of this building is compromised due to extremely long stretches of hose from the existing fire hydrants along Central Avenue which will cause significant friction loss and greatly reduce the amount of water available to the rear of this building. It should be noted that in order for the fire department to supply water to the buildings sprinkler system, a pumper must be connected to the sprinkler connection located along the rear-side of the building. In this instance, a water supply hose must be stretched from the hydrant located at the side lawn of McDonalds at the corner of Central Avenue and Karner Road, to the rear of the building, several hundred feet away. It is noteworthy that a stretch of hose of this length will result in a great deal of friction loss that will GREATLY DIMINISH WATER PRESSURE AVAILABLE TO THE SPRINKLER SYSTEM OR ANY OTHER FIREFIGHTING APPLIANCE IN THE REAR OF THE BUILDING. This factor is another important reason not to attack a fire in this building from the rear.
- With the current parking configuration since the abolishment of the fire lane, there WILL NOT BE SUFFICIENT ROOM to maneuver the heavy 2 ½ inch handlines that will be utilized to fight a fire in a building of this size. It should also be noted that with cars parked in this current configuration at the front curb line, there is absolutely no doubt that parked cars will have to remain in-place for the duration of a fire. Additionally, many of these cars will be damaged by hose movement as well as the products of combustion that will escape the building or any possible portions of the facia and overhangs that come normally fall down during a structure fire. Let there be no doubt that this will take place and monetary renumerations will be a factor to be dealt with after the fire.
- During a fire condition within this building, you can reasonably expect that there will be a MINIMUM of three pumper s and two aerial ladder trucks strategically situated along the front of this building. The current configuration of the parking along the front curb line of this building will greatly hamper the placement of fire apparatus. It should be noted that in addition to the normal width of a fire truck, there will be hose lines that are attached to the side of the pumper trucks that stretch out a minimum of ten feet off their sides. Additionally, one must consider that to operate an aerial ladder truck there

are four outrigger legs that extend out from the sides of the tuck approximately 4 feet on each side, making those vehicles an additional 8 feet wider than normal. Subsequently, a great deal of room is necessary to operate and aerial ladder truck and this current parking configuration will impede these efforts. (see attached photos)

- Abolishing this fire lane could quite possibly cause a further risk to life by increasing the amount of time it will take to advance a charged hose line past parked cars and into this building to effect search, rescue and extinguishment of fire.
- In addition to the aforementioned fire department concerns, one must consider that in the event of an EMS call within the confines of this building, one can reasonably expect 2 or 3 EMS vehicles depending on staffing levels and the type of call, as well as police vehicles that will accompany the EMS response. All of these emergency vehicles will be parked as close to the emergency as possible and any cars that are parked at the curb line at that location will again be blocked for the duration of the emergency.

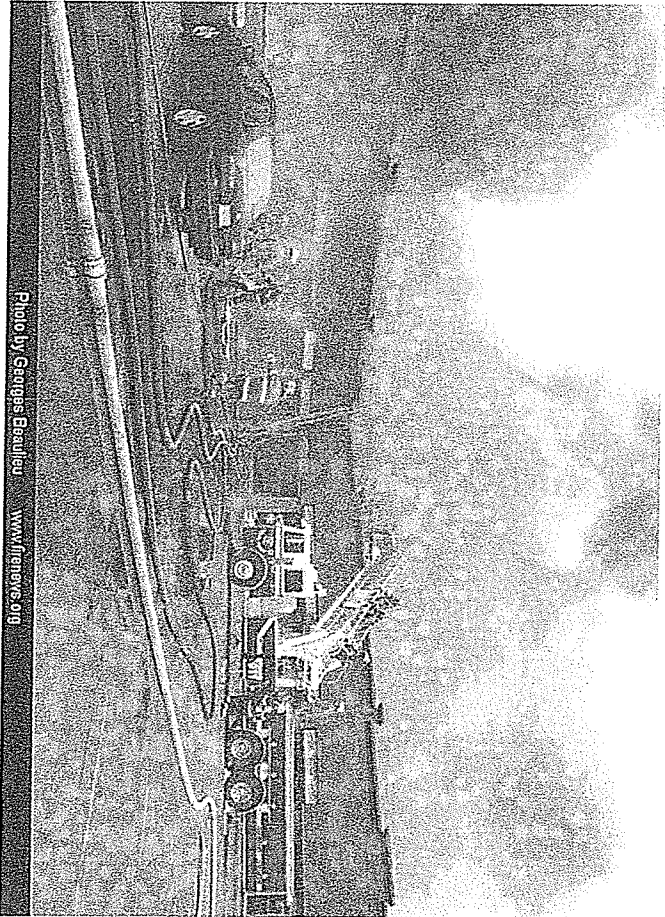
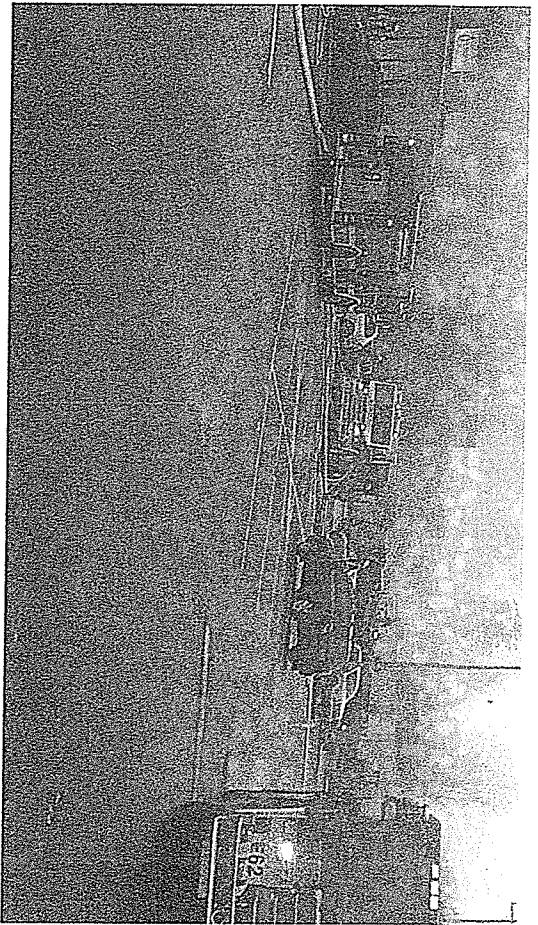
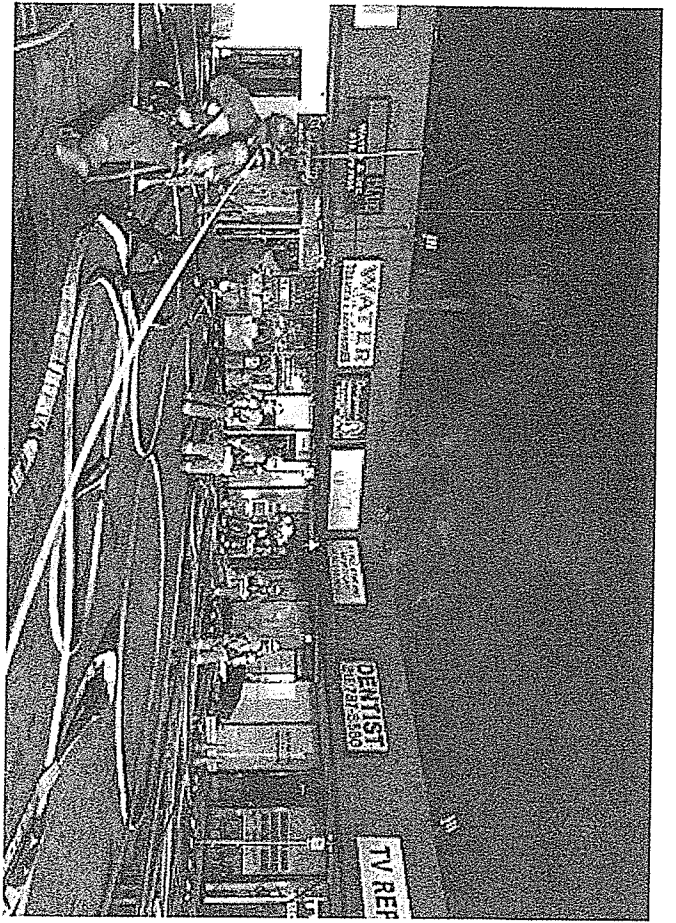
In summary, there are numerous reasons that abolishing the 31-year-old fire lane at 1770 Central Avenue is a terrible idea that will most assuredly have an adverse effect on any fire conditions that must be addressed within this building. It is my sincere hope that the Planning Commission will re-consider your actions and take appropriate corrective measures to ensure that the consideration of public safety does not fall at the altar of commerce or convenience.

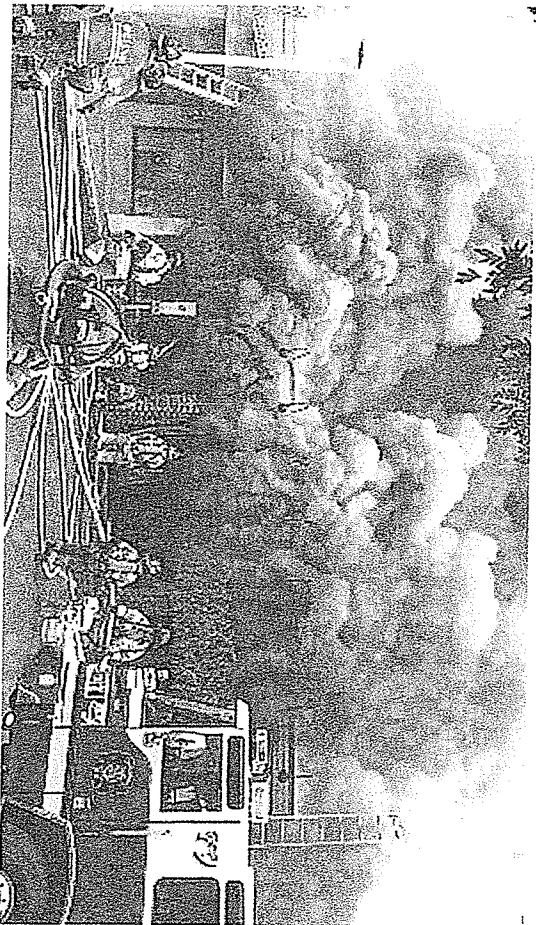
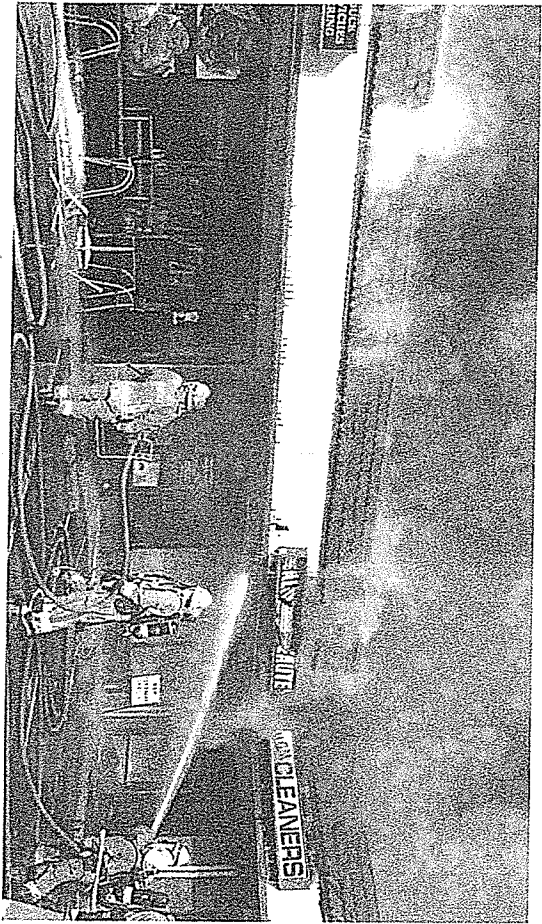
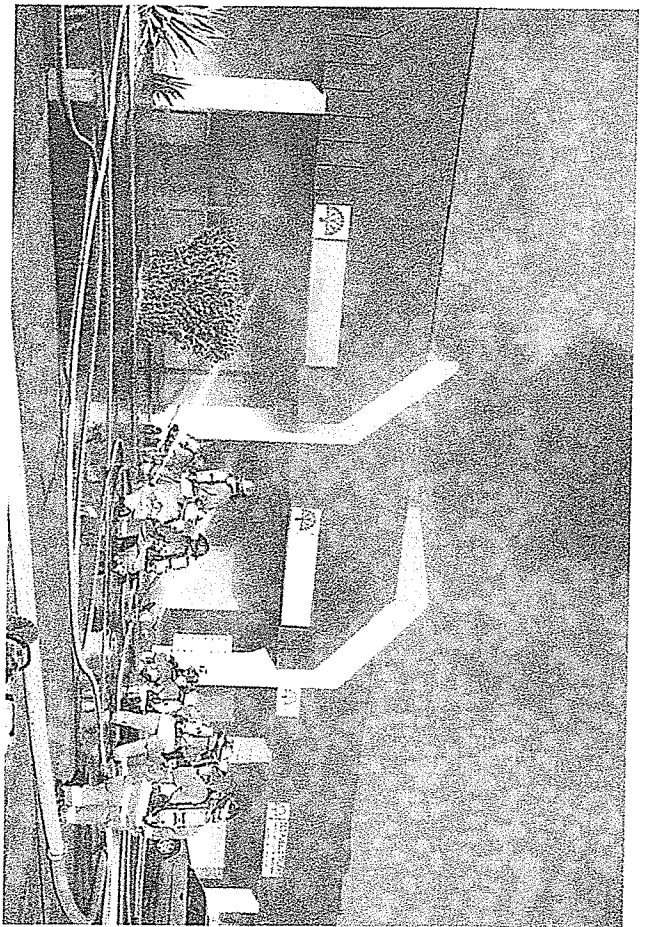
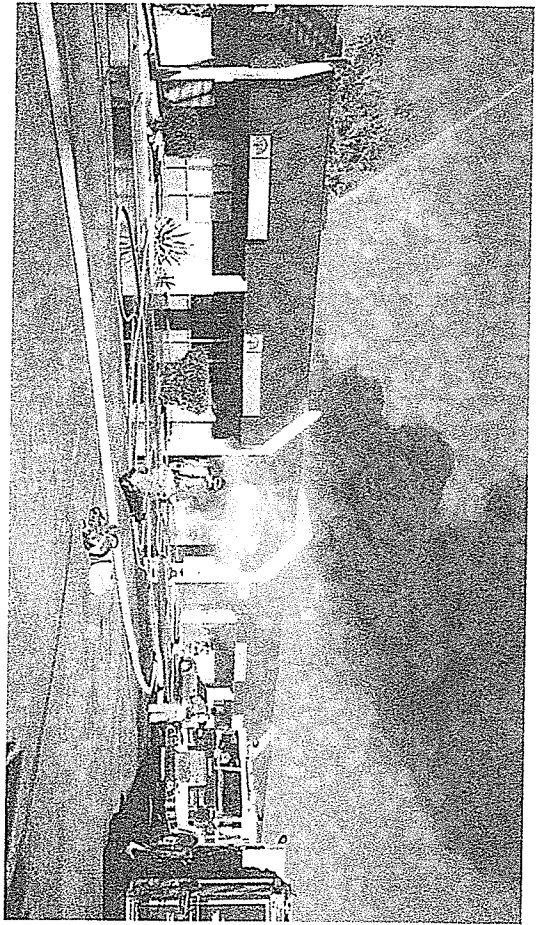
Most sincerely,

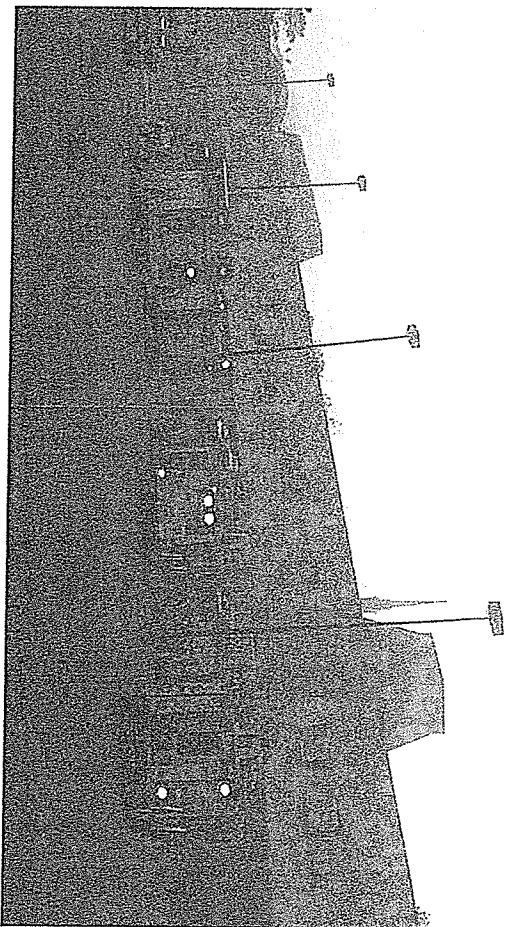
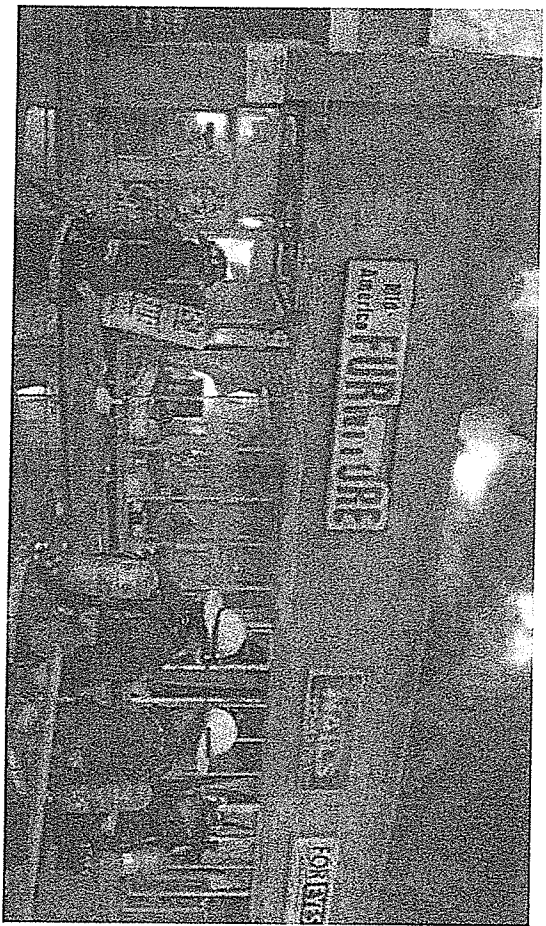
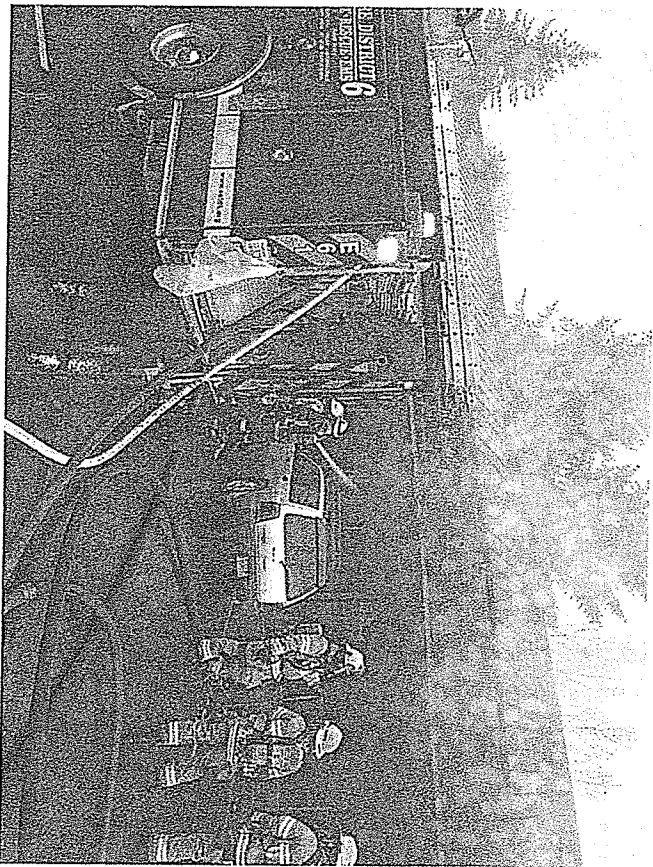
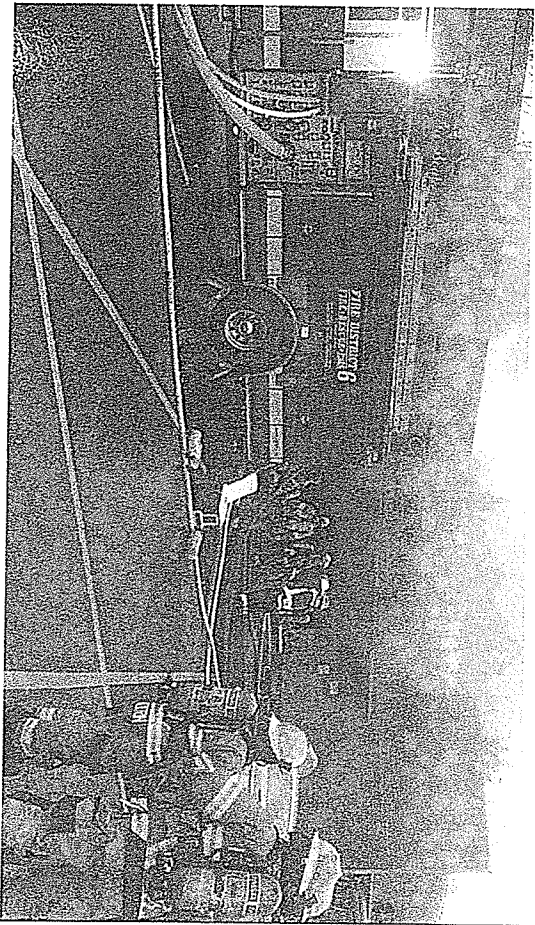


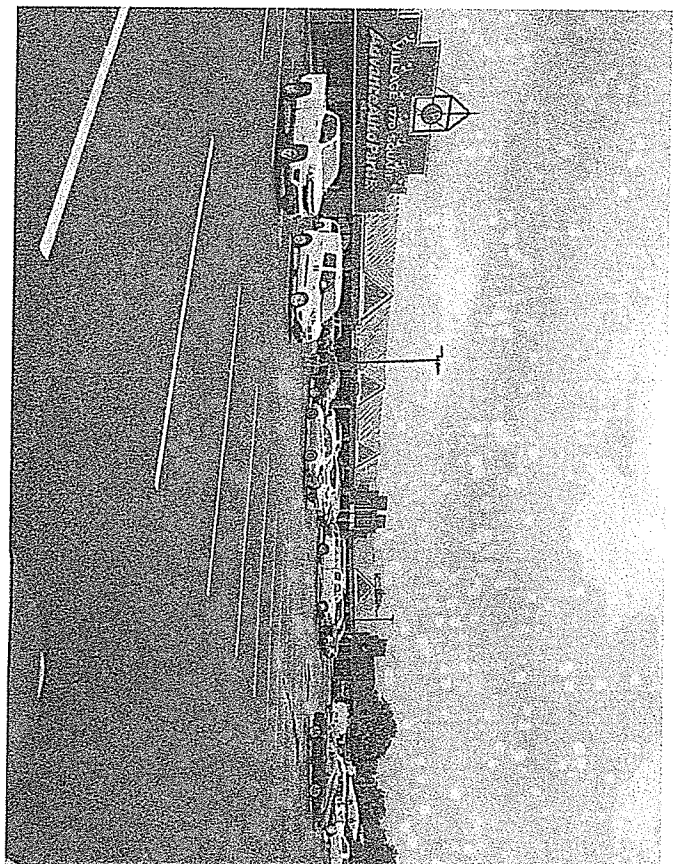
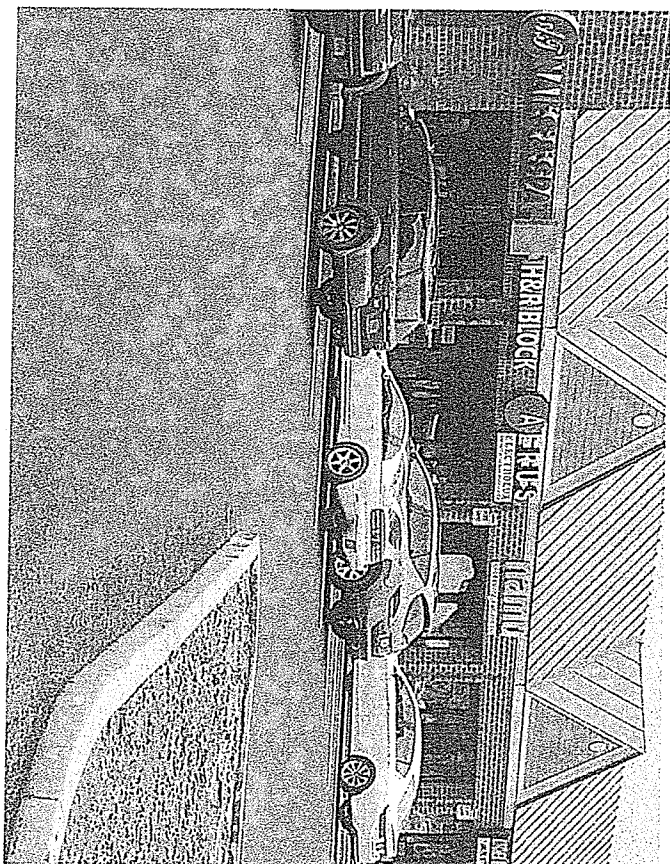
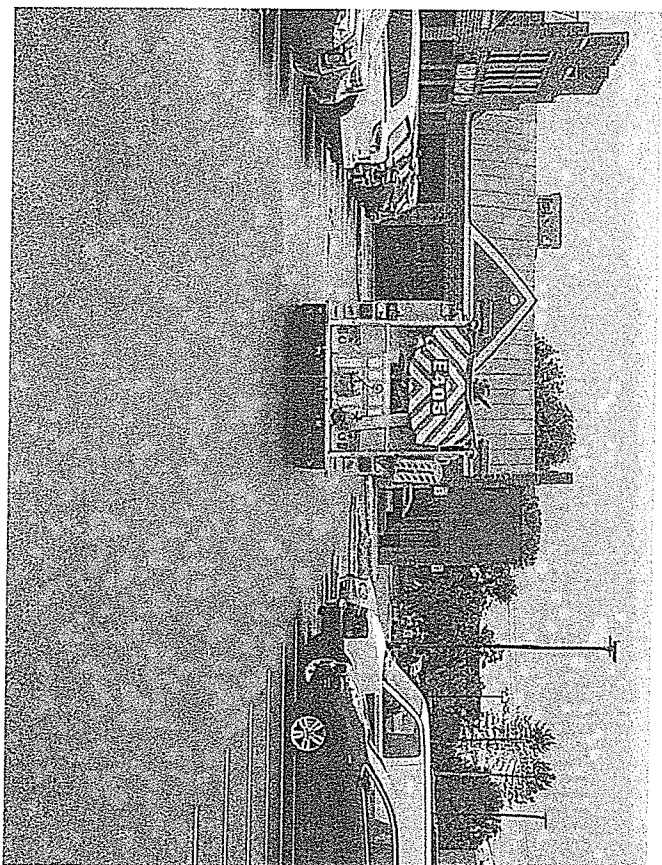
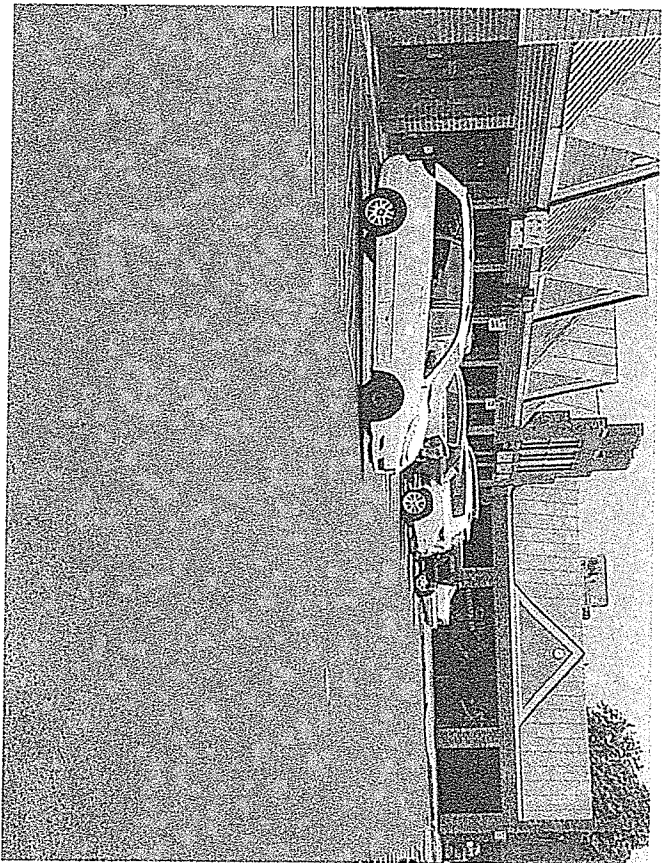
Jeffrey J. Kayser
Chief
Colonie Fire Company

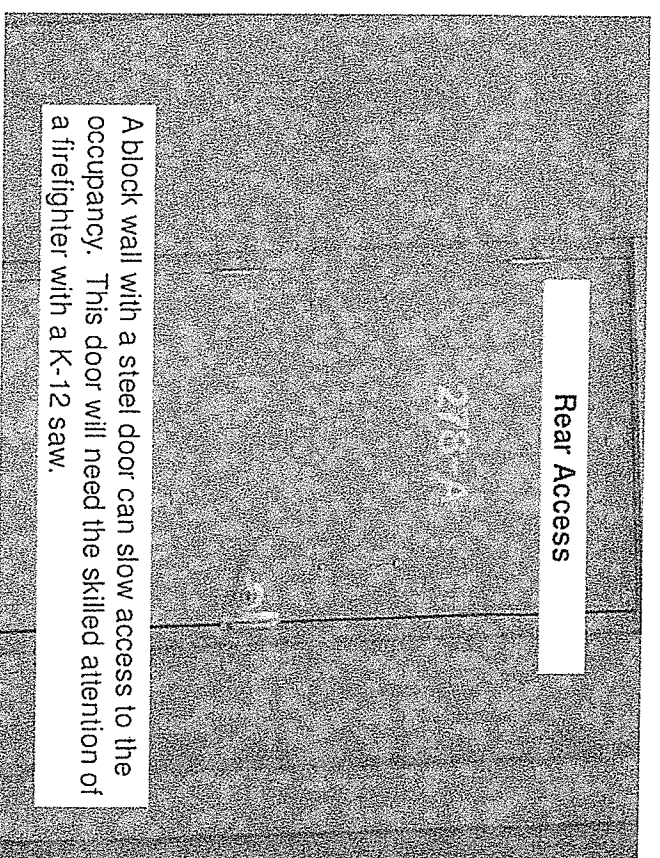
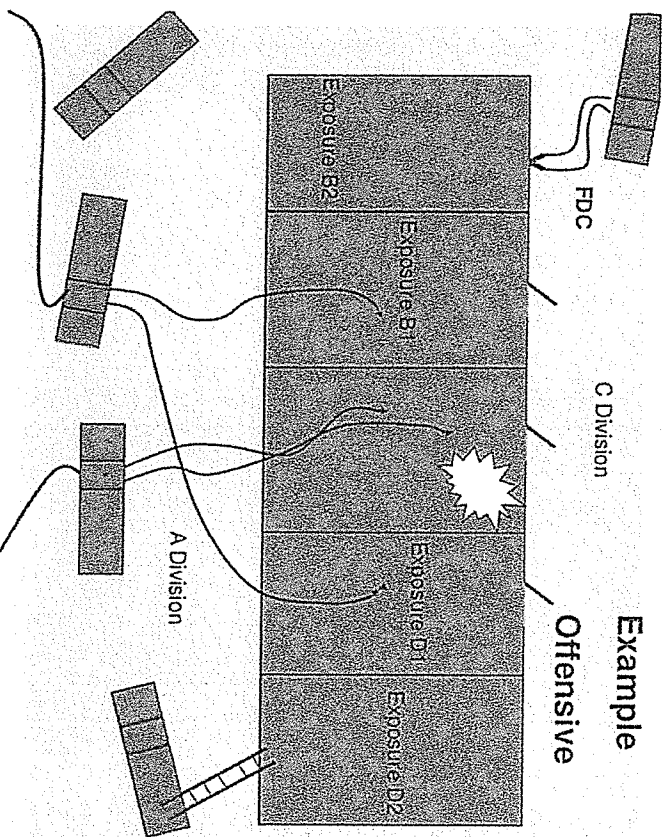
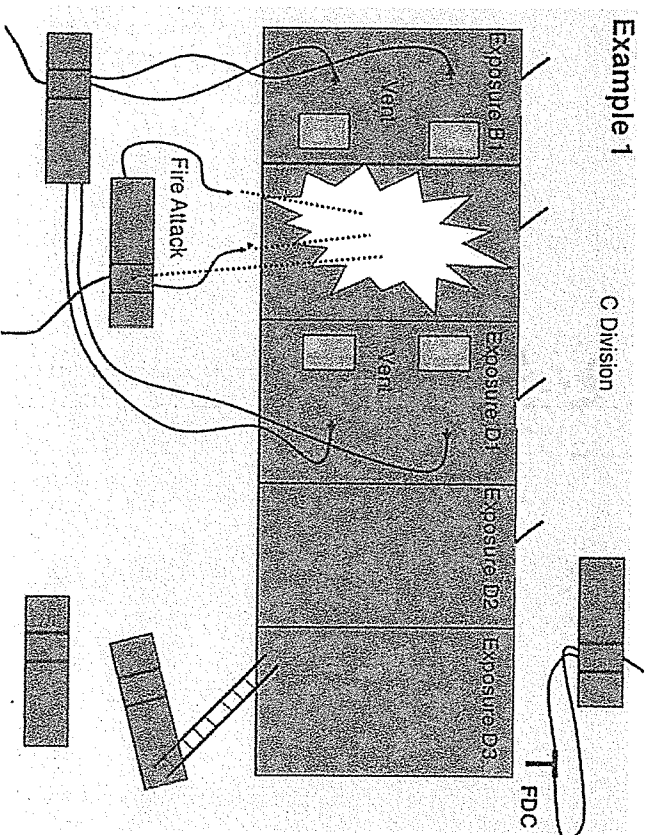
Cc: Mayor Leak
Board of Trustees
Code Enforcement
Colonie Fire Company



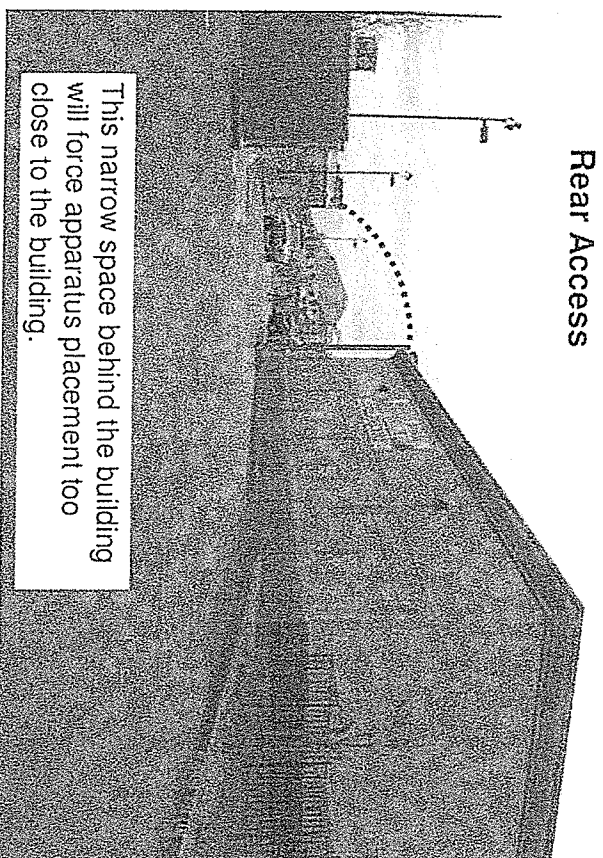








A block wall with a steel door can slow access to the occupancy. This door will need the skilled attention of a firefighter with a K-12 saw.



This narrow space behind the building will force apparatus placement too close to the building.

