



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

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**MINUTES  
TUESDAY, JULY 2, 2019  
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, July 2, 2019.

ROLL CALL:           Chairman           Chris Dennis

Commissioners:     John Martin  
                          Ann Krause  
                          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 18, 2019. Commissioner Hart made a motion to approve the meeting minutes as amended. Commissioner Chudzinski seconded the motion.

**APPLICANT:**

**80 WOLF ROAD  
T-MOBILE  
(TELECOMMUNICATION)**

Mr. Matt Kerwin, a representative for T-Mobile, came before the Commission to present an application to modify existing telecommunication utilities for T-Mobile. Mr. Kerwin stated that he spoke to both Attorney Caponera and Mr. Cerone who advised him of the procedure the Village requires on such applications for telecommunication modifications; Mr. Kerwin cited the the Federal Law which applies to such applications. Mr. Kerwin stated that T-Mobile is proposing to replace 3 existing antennas with 3 new ones and the length and height of the antennas are going to increase 2.5 feet. Mr. Kerwin added that there will also be overall upgrades to the existing radio receivers and antennas to accommodate the changes in technology. T-Mobile also proposes to replace 3 radio received and upgrade 3 cables to the antennas. Mr. Kerwin stated that there will be no substantial change to the existing structure.

Chairman Dennis asked where the structure is located on the roof. Mr. Kerwin stated that it is in the middle of the roof and the structure does not exceed the height of the penthouse of the elevator. Commissioner Martin asked for clarification if there will be 3 antennas replaced for a total of 9. Mr. Kerwin stated yes and added there will be new boxes that will be added onto the 3 replacement antennas.

Commissioner Chudzinski stated that he was on the roof of the building recently and noticed that the setback danger zone area demarcations were missing and need to be replaced. Commissioner Chudzinski stated that it is mandated by the FCC that the danger zone must have barriers around it. Mr. Kerwin stated that he will contact T-Mobile about the issue. Chairman Dennis stated that the installation will be inspected by Code Enforcement to ensure the barriers are installed. Engineer Laberge noted that the barriers are not shown on the site plan. Mr. Kerwin stated that he will ensure the safeguards are taken care of before the project is completed.

Engineer Laberge read aloud his comment letter dated July 2, 2019 which stated that the utility structure be the same color as the building and the height of the structure is to be kept below the metal fence. Engineer Laberge added that on the building permit application form, there are several questions left blank, however that will be up to the Building Department to deem complete or incomplete. Engineer Laberge stated that the owner certification and professional sign off needs to be completed prior to permit issuance.

Commissioner Martin made a motion to approve T-Mobile at 80 Wolf Road with the condition that:

- (a) The safety barrier be replaced before issuance of a certificate of occupancy
- (b) The antennas be the same color as the building
- (c) The professional sign off and certification on the site plan application be signed and submitted before the issuance of a building permit

Commissioner Judge seconded the motion.

VOTE: Unanimous to approve the application.

**APPLICANT:**

**18 COMPUTER DRIVE STE. 111  
ECOLONG LLC  
(CHANGE OF OCCUPANCY)**

Engineer Laberge recused himself from the application. Engineer Laberge stated that the applicant is not present at the meeting however he can answer any questions the Commission may have. EcoLong will be using this tenant space as an office for their renewable energy company. The total of employees is 4. Chairman Dennis asked how many parking spaces are on site. Engineer Laberge stated that there are 43 spaces on site with some on street parking.

Commissioner Martin made a motion to approve EcoLong at 18 Computer Drive West suite 111. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:****124 LINCOLN AVE BLDG. 3 SECT. 1  
NVS LANDSCAPING  
(CHANGE OF OCCUPANCY)**

Mrs. Mary Clark, property owner and Mr. Sean Houghtaling, owner of NVS, were present to present a change of occupancy for one of new buildings at 124 Lincoln Ave, building 3, section 1. Mrs. Clark stated that NVS will be the first tenant in the new building and they are moving from 23A Walker Way. Chairman Dennis asked how many vehicles will be on site. Mr. Houghtaling stated that there are 6 trucks that will be on site and there are plows, mowers, trailers and some other equipment that will be stored on site. NVS cuts lawns, designs and installs landscapes, and weeds sites as part as their business operation. Commissioner Martin asked if there will be any fertilizers or chemicals stored on site. Mr. Houghtaling stated no, his company does not use fertilizer or chemicals, nor do they have the proper licenses to do so.

Engineer Laberge asked if this building is ready to be issued a certificate of occupancy. Mr. Cerone stated that the entire building will not be issued a certificate of occupancy, rather each tenant space will be issued the certificate of occupancy. Engineer Laberge stated that there has been no water or sewer testing at this site yet and it will need to be verified with the Department of Public Works once it's done.

Commissioner Hart asked what the number of overhead doors are for this space. Mrs. Clark stated 2. Commissioner Hart stated that one overhead door seems to be located where the emergency access road (EAR) is on the side of the building. Mrs. Clark stated that the EAR is in the rear of the building and will have a gate and will be paved. Engineer Laberge stated that the EAR can be used as long as it is not blocked. Commissioner Hart asked if the site plan has been changed from the originally approved site plan. Chairman Dennis stated that site plan changes occur with all industrial buildings, the plans change according to each specific tenant. The use and layout for each site are adjusted to reflect the tenant changes and needs. Commissioner Martin asked if a new site plan must be submitted each time. Chairman Dennis stated that he would like to see a new site plan to reflect the overhead door. Engineer Laberge asked if 27 feet is wide enough to fit all of his equipment in. Mr. Houghtaling stated that for the pickups he uses 27 feet is wide enough. Chairman Dennis stated that the original site plan shows 2 overhead doors and now the applicant is proposing one with the addition of a side door. Mrs. Clark stated that nothing will be blocked and the tenant space is already constructed.

Chairman Dennis asked where the trailers are stored in the winter. Mr. Houghtaling stated that the trucks will have the plows on them and the trailers will be parked wherever Mrs. Clark dictates. There will be no outside storage. Commissioner Martin asked what the percentage of office and warehouse space is. Engineer Laberge stated that it is located on the site plan and each lot has two different scenarios since the tenants were unknown at the time of site approval. Mrs. Clark stated that there is 400 feet of office and 4600 of warehouse. Chairman Dennis stated that the percentage of office to warehouse space is not set and each tenant will have to meet the requirement of site statistics.

Commissioner Martin asked what the status of the infrastructure of the site is. Mrs. Clark stated that there is no landscaping, paving will be done this week and she will check on the testing of the

hydrants/water and sewer system. Mrs. Clark added that the water and sewer needs to be certified by the Engineer and NYS Department of Health. Commissioner Hart asked how much parking the tenant will require. Mrs. Clark stated that the parking spaces are not designated for each tenant, they will be on a first come first serve basis and if needed there is a designation for overflow parking. Chairman Dennis stated that the parking requirement must be met by each tenant. Mr. Houghtaling stated that he has 6 trucks total, including his personal vehicle and there are 8 employees that will come in each morning pick up a work vehicle and return it at the end of the day. Commissioner Martin asked where the trailers will be stored. Mr. Houghtaling stated that there will be 2 trailers out at a time, and 2 will be parking in parking spaces.

Commissioner Judge stated that the application shows business hours as Monday – Saturday from 6am to 7 pm. Commissioner Judge asked if these hours will remain the same during the winter months when they are plowing. Mr. Houghtaling stated no, they will be working around the clock for snow removal. Commissioner Judge asked Mr. Houghtaling if he was aware of the traffic restrictions on Lincoln Ave. Mr. Houghtaling stated yes he is aware and it is also in his lease agreement.

Commissioner Martin made a motion to approve NVS Landscaping at 124 Lincoln Ave Building 3 Section 1 with the condition that the utilities must be inspected and approved by the Department of Public Works, all site work must be completed by August 15, 2019 and an updated tenant parking and site plan must be submitted for the next submittal. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:**

**124 LINCOLN AVE BLDG 2 SECT. 5  
TSS ASSOCIATES  
(CHANGE OF OCCUPANCY)**

Mr. Rich Sebast, owner of TSS Associates and Mrs. Clark, property owner came before the Commission to seek approval for a change of occupancy. Mr. Sebast stated that his company is a sales agency and represents heating and cooling products; his company is the middleman for the warrantee work from the manufacturers he represents. Mr. Sebast stated that he has employees all over New York, Massachusetts, and Connecticut. Commissioner Martin asked if there will be a showroom. Mr. Sebast stated no. Commissioner Martin asked if there will be office space. Mr. Sebast indicated on the floor plan where his office space will be located and where the warehouse space is. Commissioner Hart asked how big the office space is and if there will be meetings held at this location. Mr. Sebast stated that the office space is about 250 square feet and yes there will be meetings held at this location. Commissioner Martin asked if there will be any retail. Mr. Sebast stated no, his company is just the middleman between the manufacturer and wholesaler for service. Mr. Sebast stated that it is just he and his business partner in the area and they currently work out of their homes.

Commissioner Martin asked if there are any work vehicles. Mr. Sebast stated that they have one display vehicle which is an 18 foot box truck, which is currently in Connecticut and will rotate to different locations. Commissioner Hart asked if this vehicle will be stored onsite. Mr. Sebast stated

that the truck will come and go, so it may be at this location periodically but not permanently, Mr. Sebast explained that the truck is like a showroom so it does not do any good sitting in the parking lot.

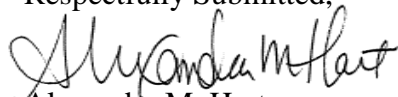
Engineer Laberge indicated that there is no floor plan. Mrs. Clark stated that it is shown on the site plan. Chairman Dennis asked if this building has the same modifications as the other building on site. Mrs. Clark stated that the overhead doors are the same. There was a discussion regarding the size of the proposed office space and placement of walls. It was determined that the applicant will clarify the layout of the floor plan and resubmit to the Commission at a later date. Mr. Sebast stated that this site will be unoccupied 90% of the time and there will not be any outside storage. Chairman Dennis asked how many parking spaces are reserved for this tenant. Mrs. Clark stated that they over estimated with 6 spaces to accommodate days there are meetings. Commissioner Hart noted that question 8 on the application stated that there will be no classes. The applicant amended the application to reflect that there will be meetings held at this location.

The applicant will return at a later date.

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

VOTE: Unanimous to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,



Alexandra M. Hart  
Deputy Clerk  
Village of Colonie