



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

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**MINUTES  
TUESDAY, AUGUST 20, 2019  
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, August 20, 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 (Absent)

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. Chairman Dennis closed the regular meeting and open the Public Hearing at 6:31 p.m.

**PUBLIC HEARING:**

**14 PETRA LANE  
SMS PETRA LLC  
(NEW WAREHOUSE)**

Coordinator Hart read aloud the public notice for the special permit application for SMS Petra LLC located at 14 Petra Lane. This special permit application is for a new warehouse building and allowable uses within the Commercial D Zone. Chairman Dennis asked the Commission if they have any comment on the application before them. The Commission did not have any comment. Chairman Dennis opened the floor for comment. There were no comments from the floor regarding this application.

Chairman Dennis closed the public hearing at 6:32 p.m. Chairman Dennis re-opened the regular meeting at 6:32 p.m. The Commission reviewed the meeting minutes from August 6, 2019. Commissioner Hart made a motion to approve the meeting minutes as amended. Commissioner Judge seconded the motion.

VOTE: Unanimous to approve the August 6, 2019 meeting minutes as amended.

**APPLICANT:**

**14 PETRA LANE  
CONVERGINT TECHNOLOGIES LLC  
(CHANGE OF TENANT)**

Mr. Jerry Mirochnik, owner of SMS Petra LLC came before the Commission to present a change of tenant for the existing warehouse located at 14 Petra Lane. Mr. Mirochnik stated that he is the owner of SMS Petra LLC as well as the business, SI Tech Corp, which is the current tenant at 14 Petra Lane. SI Tech Corp sold their business to Convergent Technologies last November and starting September 1<sup>st</sup> Convergent Technologies will take over operations. Mr. Mirochnik stated that the lease agreement will be signed over to Convergent.

Chairman Dennis asked if the business operations will remain the same. Mr. Mirochnik stated yes, all employees, business operations and overall day to day operations will remain the same. Commissioner Martin asked if this application is for a change of ownership and a change of occupancy. Attorney Caponera stated that the application is for a change of tenant, there are no changes to the property owner or change of business operations.

Commissioner Martin made a motion to approve the application for 14 Petra Lane, Convergent Technologies LLC. Commissioner Krause seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:**

**1653 CENTRAL AVE  
GOLDSTEIN SELF STORAGE  
(SITE PLAN)**

Mr. Alan Goldstein, Ms. Stephanie Goldstein, Mr. Dan Hershberg and Mr. Bill Mafrici from Hershberg and Hershberg, Mr. Anthony Maney, Attorney and Mr. Brett Kosoc from BBL Construction came before the Commission to present a site plan application for a self-storage building at 1653 Central Ave. Mr. Hershberg stated that they appeared before the Commission several months ago with a sketch plan for a proposed self-storage facility located on the site of the former Town of Colonie Community Center at 1653 Central Ave. Mr. Hershberg stated that the site was previously being considered for rehab of the existing building to create senior housing units, however it was realized that this site was not feasible for that use and the applicant decided on a self-storage facility.

Mr. Hershberg stated that the proposed storage facility will be a 3 story 107,000 square foot building with each floor being approximately 32,000 square feet. Mr. Hershberg stated that there will be a small office in the front of the building and two covered entrances on the west side of the building. The proposed building is 41 feet back from the property line and will include a significant landscaping buffer. Mr. Hershberg indicated on the site plan the proposed driveways, which will include the existing curb cuts and parking in the rear of the parcel to increase vehicle circulation. The total greenspace on the existing site is 24.1 % and the proposed greenspace total is 23.4%.

Mr. Hershberg stated that Engineer Laberge requested that the site statistics should be broken down for each of the Goldstein parcels, however the site is not subdivided. Attorney Caponera asked if

the parcels have been merged. Mr. Hershberg stated yes. Commissioner Martin stated that at a previous meeting it was discussed that the parcels would be subdivided. Mr. Maney stated that yes that was previously discussed however the site has been on the market for 3 years and did not yield a reasonable transaction. Chairman Dennis clarified that the site is one big parcel and therefore separate statistics are not needed.

Mr. Goldstein stated that the entrance into the building will be on the west side of the site, which will be on the opposite side of the adjacent residential parcels. Mr. Goldstein stated that there will be motion lights in the rear of the building as well as the rear parking lot. Commissioner Chudzinski asked if there will be any tractor trailer deliveries. Mr. Goldstein stated that customers will likely have moving vans or box trucks while moving in and out of the storage units, but it will be unlikely that large trucks will be on site. Mr. Hershberg indicated on the site plan the proposed vehicle traffic circulation. Commissioner Chudzinski stated that he is concerned about being able to maneuver fire trucks around the parking lot.

Chairman Dennis asked where the entrances to the building are. Mr. Hershberg stated that there are two full-service entrances on the west side of the building, one located towards the front corner and in the back corner of the building. Both entrances will have a car port overhang to protect customers from the weather elements. Chairman Dennis stated that Engineer Laberge provided a comment letter dated August 19, 2019 and asked if the applicant received the letter. Mr. Hershberg stated yes. Chairman Dennis read through Engineer Laberges comment letter and discussed the following:

- a. Proper approval and permits must be obtained through the Village of Colonie, Village Department of Public Works and Department of Transportation
- b. The site plan layout needs to be verified as one large parcel or subdivided. Green space totals must be updated accordingly. Chairman Dennis asked if there is enough greenspace in the front of the building. Mr. Mafriaci stated there is not the 10% required for the front, however it is a significant increase to the existing conditions.
- c. Engineer Laberge recommended that the curb cut closest to Locust Park be closed. Mr. Hershberg stated that they did not propose to close it because it would cause significant problems to the circulation around the building and site. The bus stop that is in front of the site has been relocated to the bus plus stop at the corner of Locust Park and Central Ave. The Commission suggested that the Locust Park side entrance be reduced to one-way traffic.
- d. The transition connection will be a driveway interconnecting the adjacent Goldstein properties. Ms. Goldstein stated that this will help eliminate moving car inventory on Central Ave. This connection will be for employees only and will not be used as a general cut through. . Commissioner Martin asked it there would be any large car trailers delivering cars to the site. Mr. Goldstein stated there will be no car trailer deliveries on the self - storage portion of this site. Car inventory will be off loaded at the surrounding Goldstein dealerships and driven to the proposed parking lot.
- e. Chairman Dennis stated that there is no lighting plan currently provided for the site. Mr. Hershberg stated that there will be motion activated light in the rear and lights over the entrances to the building. The building will only be open until 9 p.m. so lighting will be focused on where the customers will be.

- f. Elevations must be provided for all sides of the proposed building. Chairman Dennis stated that he would like to make sure the proposed façade does not have any glare and create driving hazards on Central Ave.

Commissioner Martin asked if there will be any car storage inside the building. Ms. Goldstein stated no. Commissioner Martin asked if there will be restrictions on what people can store in the units. Ms. Goldstein stated yes, there will be no chemicals, pets, vehicles etc. allowed to be stored. Mr. Hershberg stated that there are guidelines that will need to be followed for insurance purposes.

Attorney Caponera asked what the size of the proposed building is. Mr. Hershberg stated that it is 107,000 square feet. Mr. Hershberg stated that he will need to get back to the Commission regarding the building height. The setback from the property line will be 41 feet. Attorney Caponera read aloud Village Code section 242-8D(e) regarding height, yard, density and green space requirements. Mr. Mafrici asked if this site would be considered pre-existing non-conforming for the front green space requirement. Attorney Caponera stated there would be no pre-existing non-conforming for this site as a new building is to be erected. Attorney Caponera stated that a variance would need to be obtained through the Village Zoning Board of Appeals if the greenspace requirement cannot be met in the front.

Attorney Caponera asked if the Commission had any comments on the proposed façade of the building. Chairman Dennis stated that he would like to see the materials to be used and recommended that there be no materials that would cause glare and suggested non-reflective glass. Mr. Kosoc stated that he will submit a list of materials and stated that non-reflective glass would be used. Commissioner Hart asked where the rooftop unit will be located. Mr. Kosoc stated that the units will be setback far enough on the roof that they will not be visible. Chairman Dennis stated that he would like to see the locations and setbacks of the surrounding buildings to gain a better understanding of the setbacks and site lines.

Commissioner Martin asked if NYSDOT had any comments on the existing curb cuts. Mr. Hershberg stated that since the curb cuts are not proposed to be changed, NYS DOT can only make recommendations when a work permit is issued. Chairman Dennis asked if parking spaces will be dedicated to other uses. Mr. Mafrici stated that if this parcel was to be subdivided in the future then any future uses would be able to utilize that parking lot in the rear. Chairman Dennis stated that the building needs to be able to stand alone if the use changes. Commissioner Judge stated that that application states that there are 10 parking spaces available to the customers. Attorney Caponera asked that a study be provided to him demonstrating what existing storage facilities allow for available customer parking spaces. Attorney Caponera stated that he would like to make sure the parking is calculated correctly and ensure the applicant does not need a variance. Mr. Maney stated that they had a study done by a professional to validate location and improve site flow so he will send it over to Attorney Caponera for review.

Commissioner Hart asked if the parking lot in the rear will be dedicated to any specific use or have any restrictions. Mr. Goldstein stated that they will be putting up a fence with gates so customers cannot park with the overflow car inventory. Chairman Dennis stated that he would like a plan detailing the placement of the fence and gates. The applicant agreed.

The applicant will return with updates.

**APPLICANT:**

**134 LINCOLN AVE BLDG 3 STE. 303  
CHAMBERS SPORT PERFORMANCE  
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, property owner and Mr. Scott Chambers, business owner came before the Commission to seek approval for a change of occupancy at 134 Lincoln Ave bldg. 3 suite 303. Mr. Chambers stated that he currently owns this business in Schenectady and would like to move it closer to where he grew up in Colonie. Mr. Chambers stated that this facility will be used to train baseball players and provide lessons in hitting, pitching, fielding, agility, one on one and group lessons with the main goal in mind to get these athletes athletic scholarships. Mr. Chambers stated that there will be turf, batting cages, and a pitching mound.

Commissioner Martin asked if there was a detailed floor plan. Mr. Clark stated no, the floor plan provided was accurate since there will be no walls or permanent construction. Mr. Chambers stated that everything in the facility is separated by netting. Mr. Chambers stated that there will be a 75-foot batting cage with a pitching machine in the far-right corner, next to that will be a pitching lane with surrounding netting. There will a matted wall to protect the wall from pitching and agility drills. Mr. Chambers stated that the only thing not indicated on the site plan is a small mezzanine that will be located above his office. The mezzanine will be used as a parent section with a couch and TV. Chairman Dennis stated that Mr. Clark will need to provide details of the mezzanine to Mr. Cerone and the building department for code purposes. Mr. Clark stated that the mezzanine is less than 25% of the warehouse.

Chairman Dennis asked how many people will be in the facility at once. Mr. Chambers stated that it varies but he expects about 20-40 people per month and about 10-12 people per day with no more than 2-6 people at a time. Mr. Chambers explains that most of these hours will be afterschool from about 5-10 p.m. The weekend hours are proposed to be 9 a.m. to 7 p.m. Commissioner Martin asked how many instructors will be there at one time. Mr. Chamber stated that there will be 2 instructors at one time, each teaching something different.

Commissioner Chudzinski asked if there will be teams allowed to train in the facility. Mr. Chambers stated that his facility is not like Frozen Ropes or other similar businesses, he will just be focusing on one on one and small group training. Commissioner Chudzinski asked if there will be any outside exercise. Mr. Chambers stated no. Chairman Dennis asked what the age range for his athletes are. Mr. Chambers stated that his athletes ages range from youth 7-8 years old to college age. Mr. Chambers added that he also has a few professional athletes that he trains.

Commissioner Hart asked if the parking was adequate for this site. Mr. Clark stated that there is 83 spaces available for the two buildings on this site. Mr. Clark stated that the tenant parking requirements were provided in the application and account for this tenant. Chairman Dennis stated that there is a tenant indicated on this parking requirement list that has not been approved. Mr. Clark stated that he was planning ahead. Chairman Dennis asked that future tenants not be calculated in for accuracy purposes. Commissioner Hart asked if the parking lot striping was

complete. Mr. Clark stated yes. Mr. Clark stated that the water, sewer and landscaping were all complete on the site.

Commissioner Martin made a motion to approve Chambers Sport Performance at 134 Lincoln Ave building 3 suite 303. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:** **134 LINCOLN AVE BLDG 3 STE. 301**  
**JCAD CORP**  
**(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, property owner and Mr. Tom Disonell, business owner came before the Commission to seek a change of occupancy at 134 Lincoln Ave building 3 suite 303. Mr. Disonell stated that his business is a subcontractor for FedEx. The vehicles will not be stored on site and will be stored at the FedEx terminals. This site will only be used as headquarters. The headquarters will have office space and will also be used for HR and recruitment. Mr. Disonell stated that the office will be open 9 a.m. – 6 p.m. and there will be about 6-8 employees in the building at a time. All vehicles are serviced at the FedEx terminal sites, and no vehicle maintenance will be performed on site at 134 Lincoln Ave. Chairman Dennis asked if there will be any deliveries. Mr. Disonell stated that there will be boxed and light freight trucks that will be unloaded inside the warehouse.

Chairman Dennis stated that there is an overhead door indicated on the site plan that will eliminate parking spaces. Mr. Clark stated that there is a 14-foot door and 2 parking spaces will be eliminated. Mr. Clark added that there are still 10 parking spaces left over for the remaining tenant. Chairman Dennis stated that the overhead door will eliminate 3 parking spaces and will bring the site total down to 80 parking spaces, not 83. Chairman Dennis requested that the parking requirement form be corrected with any future submittal.

Commissioner Martin made a motion to approve JCAD Corp at 134 Lincoln Ave building 3 suite 301. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:** **134 LINCOLN AVE BUILDING 2 SUITE 205**  
**SPECTRUM RESEARCH CORPORATION**  
**(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, property owner, and Mr. Mike Ampela were present before the Commission to present a change of occupancy at 134 Lincoln Ave building 2 suite 205. Mr. Ampela stated that he is currently operating this business out at 8C Petra Lane and would like to move into a larger space. Mr. Ampela stated that he is in contract with the federal government, mainly the US Army to make generators and advanced power electronics. Mr. Ampela stated that he has been contracted for over 20 years and has make special custom power electronics and prototypes for his customers. Mr. Ampela stated that he is an electrical engineer and he will mostly be designing his projects using computer software. Mr. Ampela stated that he outsources some supplies and his machines emit

either no or very low noise and vibrations. Mr. Ampela will be the only person in the warehouse and stated that he does have a business partner that works mostly offsite.

Commissioner Martin asked if there is enough power in the building for this work. Mr. Ampela stated that the site provides the power he needs and explained that most of the testing he does will be through DC packs and he has hospital grade mufflers. Mr. Ampela added that he will occasionally need to test the generators for 20 hours in the parking lot as he does now over on Petra Lane, but it will not disrupt neighboring tenants.

Commissioner Martin asked if there will be any deliveries made on this site. Mr. Ampela stated he orders parts that will be delivered via UPS or box trucks. The warehouse will have pallet racks for his supplies. Commissioner Martin asked if the walls are fire retardant. Mr. Clark stated yes.

Commissioner Martin made a motion to approve Spectrum Research Corporation at 134 Lincoln Ave building 2 suite 205. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

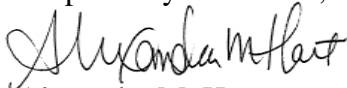
DISCUSSION:

The Commission and Mr. Joe Clark discussed the landscaping on the site of 124-132-134 Lincoln Ave. The Commission stated that all additional site work needs to be completed.

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

VOTE: Unanimous to adjourn the meeting at 8:24 p.m.

Respectfully Submitted,



Alexandra M. Hart  
Planning Coordinator  
Village of Colonie