



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

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**MINUTES  
TUESDAY, OCTOBER 1, 2019  
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, October 1, 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 meeting minutes from September 3, 2019. Commissioner Martin made a motion to approve the meeting minutes as amended. Commissioner Chudzinski seconded the motion.

**APPLICANT: 557A SAND CREEK ROAD  
VISION PLANNING CONSULTANTS  
(SPECIAL PERMIT)**

The applicant was not present. Engineer Laberge stated that the applicant is under contract to purchase the property and proposes to build a duplex. Engineer Laberge stated that this lot reports to have 99.9 feet of frontage but that includes driveways on 559 and 557 Sand Creek. The actual frontage inside the street line is only 50 feet. According to Village Code a two-family home cannot be constructed on a lot less than 125 ft. wide. Engineer Laberge read aloud his review letter dated September 24, 2019 which outlined three variances that will need to be obtained before the Commission can act on this application:

1. Minimum lot frontage
2. Minimum lot width
3. Side yard setback

Engineer Laberge recommended that the Commission deny this application and refer it to the Zoning Board of Appeals.

Commission Martin made a motion to deny this application based on the 3 required variance. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to deny the application

**APPLICANT:**

**350 NEW KARNER ROAD  
CAPITAL VOLVO OF ALBANY  
(SITE PLAN APPLICATION)**

Attorney Caponera recused himself from this application.

Mr. Bill Mafrici from Hershberg and Hershberg and Mr. Eric Kahn from Capital Volvo came before the Commission to present updates to the proposed car dealership and showroom at 350 New Karner Road. Mr. Mafrici stated that they have been granted a variance through the Zoning Board of Appeals for the green space requirement. Mr. Mafrici stated that the site plan and layout is identical to the original proposal and more details have been added to the site plan. Mr. Mafrici stated that he has received Engineer Laberge's review letter of September 27, 2019 and there will be no issue adjusting the site plan to conform to the comments.

Mr. Mafrici stated that the proposed building is in close proximity to the Village's sewer and access easement to the Village pump station. Mr. Mafrici stated that the proximity of 6 feet off the sewer line can be potentially problematic in the future so there are two options: relocate the building closer to CarMax and lose parking or lowering the building foundation down to or slightly below the sewer line elevation.

Mr. Mafrici presented the architectural plan for the proposed building prototype. The front elevation will be white glass panels and will be back lit for luminescence, the gray shaded area will be composite metal and the service area will be glass panels. Commissioner Hart asked if the glass on the front elevation will be reflective. Mr. Mafrici stated that they will have a smoked finish however, he could not confirm if they were reflective. Mr. Mafrici added that he will confirm that detail.

Chairman Dennis asked if the applicant could submit a small sample of the building façade materials to show the Commission, Mr. Mafrici stated yes. Chairman Dennis asked what the lumens or foot candles are for the lighting panels on the façade. Mr. Mafrici stated that he can look into that information and get back to the Commission. Chairman Dennis stated that he reviewed the proposed landscaping and noticed that there would be minimal landscaping through the winter months. Chairman Dennis asked the application to relook at the landscaping to have greenery year-round.

Commissioner Chudzinski asked where the fire hydrant is located. Mr. Mafrici indicated on the site plan that the hydrant is 60 feet off of the property line and 130 feet from the front corner of the building. Chairman Dennis asked what easements surrounded the property. Mr. Mafrici stated

that there is an easement on both sides; one to the Village for sewer and one to Albany County drainage.

Commissioner Judge asked if there will be any electric car charging stations on site. Mr. Kahn stated that yes there will be a couple stations and he will have them indicated on the site plan. Commissioner Judge asked the applicant to show the truck turning route. Mr. Mafriaci indicated on the site plan where the delivery route was and added that a truck turn template will be provided to the Commission at a later date.

Commissioner Hart asked what the rear parking lot will be used for as it sits behind the wetlands. Mr. Mafriaci stated that the parking could not be put on the wetlands so that lot will be used for inventory and employee parking. Engineer Laberge stated that vehicles cannot be stored on porous pavement. Mr. Mafriaci acknowledged Engineer Laberge and stated that this site is considered a hot spot and they cannot park any of the used inventory on the hotspot pad.

Commissioner Martin asked if there are any NYS laws requiring this site to have handicap parking for employees. Mr. Mafriaci stated that he was not aware. Mr. Kahn stated that he is going through this at another site and there is no law requiring designated handicap spaces for employees, they park in the handicap spaces out front. Mr. Mafriaci stated that a parking analysis will be submitted for the next submission.

**APPLICANT:**

**16 WALKER WAY  
THE AMERICAN RED CROSS  
(SITE PLAN/CHANGE OF OCCUPANCY)**

Mr. Joe Clark was present before the Commission to provide an updated site plan for 16 Walker Way for the proposed tenant, The American Red Cross. Commissioner Martin stated that the parking stacks indicated on the site plan are not what was discussed at the last meeting. Commissioner Martin also stated that the site plan is not stamped by the project engineer. Commissioner Martin stated that the Commission had asked that the parking space dimensions be provided, and it appeared they were also omitted.

Mr. Clark stated that there are two tenants shown on the site plan, Junk King and Fitness Initiative, and are proposed tenants but were added to the plan to reserve parking spaces in the total count. Mr. Clark stated the Fitness Initiative applicant would be using parking during the 5 pm to 9pm time slot. Chairman Dennis requested that Mr. Clark create a day and night parking requirement list to determine the actual amount of parking spaces to be used during the day vs. night. Commissioner Hart asked Mr. Clark if one parking space is on the ingress/egress to another lot. Mr. Clark stated that that parking space has been there for 30 years and indicated on the site plan where the ingress/egress points of the property is. Chairman Dennis stated that he would like Mr. Clark to look up the parking and reference where he got the information on a survey map. Chairman Dennis also asked Mr. Clark to have his engineer confirm the existence of the parking space as shown on the site plan as being in the ingress and egress right of way.

Chairman Dennis stated that the Commission may vote on the change of occupancy, however Mr. Clark needs to modify the site plan as discussed and submit the amended site plan with the next application submittal.

Commissioner Martin made a motion to approve the American Red Cross at 16 Walker Way with the condition that a Certificate of Occupancy will not be issued until the site plan is brought up to compliance. Commissioner Chudzinski seconded the motion.

VOTE: Chris Dennis - Yes  
John Martin - Yes  
Ann Krause - Yes  
Peter Chudzinski - Yes  
Kenny Hart - No  
Dan Judge – Yes

Motion passed.

The Commission addressed a number of questions from Code Enforcement officer Mike Cerone regarding code violations and what would be the appropriate action. Chairman Dennis and Attorney Caponera provide guidance for the issues discussed.

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

VOTE: Unanimous to adjourn the meeting at 7:52 p.m.

Respectfully Submitted,



Alexandra M. Hart  
Planning Coordinator  
Village of Colonie