



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

VILLAGE HALL
2 THUNDER ROAD
COLONIE, NY 12205
(518) 869-7562
FAX (518) 464-0389
email:
ahart@colonievillage.org

**MINUTES
TUESDAY, JULY 7, 2020
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, July 7, 2020.

ROLL CALL: Chairman Chris Dennis

Commissioners: John Martin
 Peter Chudzinski
 Kenny Hart
 Dan Judge
 Jim Splonskowski
 Mark Keegan (Absent)

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. The Commission reviewed the minutes from the June 16, 2020 regular meeting. Commissioner Hart made a motion to approve the regular meeting minutes as amended. Commissioner Martin seconded the motion.

VOTE: Unanimous to approve the June 16, 2020 minutes as amended.

APPLICANT:

**1701 CENTRAL AVE
SMITH'S LIQUOR STORE
(SITE PLAN AMENDMENT)**

Mr. Suresh Patel, owner of Smith's Liquor, was present before the Commission to provide a revised site plan for this proposed site amendment project at 1701 Central Ave. Mr. Patel stated that the submitted site plan complied with the Engineer Laberge's e-mail dated 5/28/20 suggested changes. The changes are reflected on the provided, stamped, site plan. Chairman Dennis stated that Mr. Patel did what was asked since the last time he appeared in front of the Commission.

Chairman Dennis stated that the proposed handrails shown on the elevation are not identified on the site plan. Mr. Patel stated that the ramp is necessary since the curb is 8 inches high and NYS code also required a hand rail for the handicap ramp. Chairman Dennis stated that he believed that

a 7 inch curb step down did not require a railing and the railing should only be on the ramp portion of the walkway. Therefore the site plan should remove the railing in front of the building in the walkway other than where the ramp is located .. Commissioner Splonskowski asked if the railing should go in front of the doors in case someone falls off the curb. Chairman Dennis stated that the railings only need to be on the left side of the building where the curb is pitched and does not need to go in front of the doors as that area is not pitched .This will allow access for a sidewalk in front of vehicles.

Mr. Patel stated that he originally came in front of the Commission for the apartments and parking, however for now he is looking for the site amendment for the front of the building. Chairman Dennis stated that colors of the building have not been supplied. Mr. Patel stated that the doors shown on the elevations have already been installed. Chairman Dennis stated that if there is no objection from the Commission to the colors there now, the colors can remain, however if the colors were to change on the building in the future, then Mr. Patel would have to return for approval. Mr. Patel agreed.

Commissioner Martin made a motion to approve the site plan amendment for 1701 Central Ave with the conditions that the current building façade colors remain as is and any changes would require Commission approval, the railing must be removed in front of the building in the area other than the ramp, and the railing must be shown on the site plan. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application.

APPLICANT:

**1653-1671 CENTRAL AVE
GOLDSTEIN REALTY LLC
(SUBDIVISION & SITE PLAN)**

Mr. Bill Mafrici from Hershberg & Hershberg, Alan Goldstein, owner, Anthony Maney, attorney, Matt Tyler from SRA and Brent Kosac from BBL Construction were present in front of the Commission to seek a decision on the previously held subdivision public hearing. Attorney Caponera stated that a public hearing was held and closed on May 19, 2020 and by law, the Commission has 62 days to decide on the proposed subdivision. Attorney Caponera advised that the Commission can act on the subdivision as the public hearing has closed and there is no further public comment allowed .. Mr. Mafrici stated that they are also in front of the Commission for the building and site plan modifications. Commissioner Martin asked if there are any documents provided on the boundaries on the subdivision. Attorney Caponera stated that it is not necessary to see the metes and bounds at this time and that will be provided when the deed is filed.

Chairman Dennis stated that SEQR is ready for signature and needs a motion to approve. Chairman Dennis explained that the vote must be made before a subdivision vote and any approval applies to the subdivision and two site plans. Commissioner Martin read aloud the Environmental Assessment Form (EAF) impact statement: The project consists of three parts; subdivision approval, 1653 Site Plan approval and 1671 site plan approval. The 1653 site plan is a redevelopment of the former Colonie Community Center which is currently being used to store vehicle inventory for the Goldstein Auto Group. The proposed storage building meets all Village

zoning requirements. Due to the nature of the facility, traffic generation to and from the site will be less than experienced by the community center. The project will include stormwater management and treatment that is not currently present on site thereby significantly reducing runoff.

The 1671 site plan is the construction of a parking lot for vehicle inventory of the Goldstein Auto Group. The proposed improvements are compliant with the Villages zoning requirements. No structures are proposed. Use of permeable pavement will minimize site runoff except for extremely heavy rainfalls. There is no traffic generation associated with this project except for vehicle deliveries which are by vehicle transport tractor trailers.

Commissioner Martin made a motion to approve the EAF. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the EAF as provided.

Chairman Dennis asked Mr. Mafrici to give an overview of the entire proposed project from the beginning for the audience members. Mr. Mafrici stated that the applicant is proposing a 3-story 107,000 square foot climate controlled storage unit building on the site where the existing Colonie Community Center currently sits. Mr. Mafrici stated that the layout of the building and vehicle access has changed several times including emergency vehicle access. Mr. Mafrici explained that there is a two way entrance and exit on the left (westerly) side of the building and an emergency access road on the easterly side of the building with a right only exit that was put in after some discussion with the Colonie Fire Department. Mr. Mafrici indicated on the site plan where a row of parking along the east side of the building would be considered banked parking. The banked parking means that should the use of this site change, the site will be usable, and the parking spaces could be utilized. However, for this proposed project, the spaces will not be utilized and will allow for increased green space and the one way exit emergency access.

Mr. Mafrici stated that the building placement started with a setback on the east side of 40 feet. There are height restrictions and two different revisions for the building placement. Mr. Mafrici stated that this current revision shows the building 55 ft back from Central Ave with increased green space and side yard setback increasing from 24 feet to 34 feet. From Locust Park property line, the building will be 59 feet to the building and 40 feet from the property line to the pavement. The side line on the west side of the building is 21 feet.

Chairman Dennis stated after discussion with the fire department the road on the east side of the building pavement was 10 feet off of the property and the access aisle for emergency services is 26 feet wide with a 5 foot strip for the trucks exit pads and plantings. Chairman Dennis stated that there is 36 feet of pavement and pavers for the ladder trucks. The pavers are permeable for the outriggers on the fire truck. Chairman Dennis stated that the Commission members have made several visits to the site and were not happy with the 10 foot buffer so the Commission asked for berms or larger plantings in addition to moving the building further west away from the Locust Park neighbors.

Chairman Dennis stated that the proposed landscaping plan shows that new trees will be planted well above the usual minimum height. Mr. Mafrici stated that the standard planted trees are planted

at about 6-8 feet high, however the applicant is proposing that the trees along Locust Park are planted at 10-14 feet high which will increase the quality along the eastern side. Mr. Mafrici added that shifting the building to the west will also allow the trees to grow properly. Attorney Caponera indicated on the site plan the clusters of trees, two different kinds, for the audience members. Mr. Mafrici stated that on page C7 of the site plan set, there will be 10 -14 clusters of white fur or Norway spruces. Mr. Mafrici stated that the site was surveyed and that the trees along the Locust Park property line do not belong to the applicant and those trees will remain in place. Mr. Mafrici stated that 6 foot vinyl fencing will be added from the yards of 4 Locust Park to 14 Locust. The fence will match the existing fence recently at 14 Locust Park.

Chairman Dennis stated that he, Commissioner Martin and Engineer Laberge met with the applicant regarding the landscaping plan. Chairman Dennis stated that those changes are reflected in the provided plan tonight. Chairman Dennis summarized the changes made which included berms in front of the building to try and scale down the size of the building, flowers and shrubs to give more height, color, and structure to the other landscaping.

Chairman Dennis noted that the handicap parking space was relocated at the request of the Commission. Chairman Dennis asked why the parking space was relocated to the rear of the building not the side where the main entrance is. Mr. Mafrici stated that the space was moved to the rear since the west side of the building is more of a drive thru aisle than a parking area but there is an entrance door in the rear of the building.

Mr. Goldstein stated that they re-designed the entire east wall to include windows which makes the building more aesthetically pleasing to the neighbors. Mr. Tyler provided a color rendering of the building to the Commission and explained that front face of the building, facing Central Ave will have a glass corner by the main entrance. There is a stone element that will have the sign, and windows on a gray façade with a blue panel. Mr. Tyler also showed the Commission a rendering of the building that also shows the proposing landscaping in the front. Mr. Tyler described the rest of the building elevations that will also have the same color scheme of dark gray and blue paneling. Chairman Dennis asked what the height of the middle section of the school is compared to the proposed building. Mr. Tyler stated that the existing building is 35 feet high and the proposed will be very similar with a height between 34-36 feet.

Commissioner Hart asked if the glass will be non-reflective. Mr. Tyler stated that the glass will be clear, and non-mirrored. Commissioner Hart explained that the Commission does not want glazed glass that will blind drivers when the sun is setting. Mr. Tyler stated that the building will have the least amount of glare possible. Commissioner Hart asked that the glass specs be submitted to the Commission. Commissioner Hart asked if the glass will be the same around the entire building. Mr. Tyler stated yes.

Commissioner Hart asked if the vegetation on the Locust Park side, as shown on the rendering, reflects what is there now. Mr. Mafrici stated that only vegetation over 8 feet is represented on the provided rendering. Commissioner Martin asked where the HVAC system will be located. Mr. Mafrici state that is will be roof mounted; the system is 5 feet high and will set atop a 1 foot curb making the system 6 feet high. Mr. Mafrici stated that the system is located 75 feet from the building edge making it nearly impossible to see from standing height at ground level.

Commissioner Martin asked if there will be a demolition protection plan provided for the building as there were no notes provided on the site plan demolition sheet. Mr. Mafrici stated that he can add notes to the demo plan that will include standing notes of hours and fencing guidelines. Commissioner Martin asked about the lighting on the rear of the property. Mr. Mafrici stated that the lights will be on a dimmer and can be adjusted depending on resident feedback. There will be 2 poles and will be reduced by 50% or .5 foot candles for security reasons. The front of the building will not be lit as the interior lighting will come through the windows and provide enough lighting. Chairman Dennis asked if there will be lighting on the exit doors. Mr. Mafrici stated that prior to site plan approval, a cut sheet with the down lighting will be provided to the Village.

Chairman Dennis asked the audience if they would like to provide any comment on the proposed project. Mr. Shawn Sharer, resident at 14 Locust Park had the following questions and concerns:

1. Major concern is the lighting. Lighting from the South Colonie Bus Garage glare into his windows especially during the winter months and does not want this to get worse with the storage building
2. Noise concerns with cars being delivered late and night and early in the morning
 - a. Chairman Dennis stated that the delivery times will be a condition of approval and deliveries made outside of the approval will be in violation
3. The proposed building hinders backyard ambiance, especially later in the day when the sun could be blocked by the building
4. Concerns about have a 24/7 storage facility with security cameras.
 - a. Mr. Maney stated that the proposed storage unit will not be a 24/2 operation. It will be open from 7am – 10 pm and will be closed from 10 pm – 7 am. During business hours the office will be manned and supervised and during closed hours the site will be monitored by security cameras.

Mr. Goldstein stated that the Collision Center lights can be turned down and the proposed lot in the rear will not be receiving car deliveries right now and the proposed lot will be for overflow cars. Mr. Goldstein explained that the proposed building height is similar to the existing school building which does not block out any light from the sun.

Ms. Lynne Lyons resident of 4 Locust Park shared her concerns.

1. Ms. Lyons explained that her mother has lived in this house for over 50 years and believes the proposed building is too tall. A two story building would be enough
2. The site will be busy, lighting and noise will be a distraction
3. The Commission allegedly closed the subdivision public hearing on what she believed to be incorrect information
4. The proposed building will block the sun – the sun barely has clearance over the existing school building

Chairman Dennis stated that the height of the proposed building will be within 1 foot of the existing building. Contrary to belief, the current school building is 2 stories tall since the first floor really steps up and there are high ceilings. The height of the middle part of the building is 35 feet. Mr. Maney stated that Mr. Goldstein spoke with several potential tenants for this site and consciously picked a low volume business in consideration of the neighbors. Mr. Goldstein stated that he did not want to generate any traffic on Locust Park

Ms. Lyons explained that her property is lower in the back and her house sits on a hill. The house actually faces Central Ave since it was one of the first houses on the street. Ms. Lyons indicated on the site plan where her trees and vegetation are and added that most of the trees in her yard that block out the building are diseased and need to be cut down. Chairman Dennis stated that there are several caliper trees on her property that are 8in, 24 in and 36 in tall. Ms. Lyons stated that the 3 story building is unprecedented in the Village. Ms. Lyons stated that the garbage pick-up at the school was around 4:30 am and is still the pick-up time for Kim's Grocery and Habana Cigar Shop. Chairman Dennis explained that those are all independently contracted garbage removal for those businesses and is a code enforcement issue.

Mr. Sharer asked if there will be cameras pointing in his backyard, he added that they have a pool. Mr. Maney stated that the security is not finalized but whatever cameras that are installed will be only be directed on the property. Ms. Lyons asked how much of the property will be parking lot and stated that it seems like a lot of pavement. Chairman Dennis stated that the existing site has 9.8% green space and the proposed project has 27.% greenspace which is a substantial improvement. Chairman Dennis explained that there will be 40 feet of green space along the Locust Park property line.

Ms. Lyons asked how flammable, perishable, or other dangerous substances will be controlled in the storage units. Mr. Maney stated that each lease will have a contract that states that they cannot hold any flammable, perishable or otherwise dangerous materials. Mr. Maney added that the owner reserves the right to check the storage unit if there is valid reason to believe the contract has been violated. Ms. Lyons stated that she does not feel her written comments were considered during this process and that in addition there is a lot of wildlife in the neighborhood that is also not being considered.

Chairman Dennis asked if there were any further comments from the public, and he would entertain a proposal on the subdivision as presented.

Commissioner Martin made a motion to approve the subdivision at 1671 Central Ave. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the subdivision as presented.

Chairman Dennis stated that the applicant needs to reappear for the two separate site plans. Chairman Dennis stated that the applicant needs to add the following to the site plan:

1. Hours of operation
2. Location of dumpsters or garbage disposal plan
3. Lighting schedule
4. Demolition plan

DISCUSSION:

The Commission received an update for the trash compactors located behind the building at 1770 Central Ave.

Code Enforcement Officer Cerone stated that he received a building permit application for charging stations at 1770 Central Ave. He informed the Commission that he will be kicking the application to the Commission for a site plan amendment.

Mr. Cerone presented the Commission with a proposed floor plan for an “employee lounge” at Econo Lodge. Mr. Cerone stated that this will also have to be directed to the Planning Commission as the use of the business now changes. The proposed lounge is connected to two adjoining rooms.

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

VOTE: Unanimous to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie