



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

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**MINUTES
TUESDAY, JULY 21, 2020
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, July 21, 2020.

- ROLL CALL: Chairman Chris Dennis
- Commissioners: John Martin (Absent)
Peter Chudzinski
Kenny Hart
Dan Judge
Jim Splonskowski
Mark Keegan, *alternate*
- Village Attorney: Victor Caponera (Absent)
- 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. The Commission reviewed the minutes from the July 7, 2020 regular meeting. Commissioner Hart made a motion to approve the regular meeting minutes as amended. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to approve the July 7, 2020 minutes as amended.

Chairman Dennis stated that Commissioner Keegan has full voting powers for tonight’s meeting.

APPLICANT:

**31 VLY ROAD
CAPITAL CHURCH INC.
(MINOR SUBDIVISION)**

Mr. Nick Costa from Advance Engineering was present before the Commission to present a minor subdivision of 31 Vly Rd. Mr. Costa stated that the parcel is currently developed by Capital Church is approximately 14 acres. The property owner is proposing to subdivide the parcel into two lots, one containing the existing church and will be about 2.8 acres and the remaining land will be approx. 11.3 acres. Mr. Costa explained that the second lot will have access from Chris Place and Hillside Avenue. Mr. Costa stated that the proposed project area is zoned as residential.

Mr. Costa stated that the topography is as shown on the provided site plan. The building is on a knoll towards Vly Rd and Mac Dr. The rest of the parcel is wooded with a good sized drainage system that is picked up from the surrounding subdivisions. The drainage occurs on the perimeter of Vly Rd.

Chairman Dennis stated that Engineer Laberge wrote a review letter dated June 2, 2020 and Mr. Costa has provided a response. Engineer Laberge stated that this project is set to go to a public hearing and explained that the only modification that was suggested was to reduce the entry pavement on the existing site. Mr. Costa stated that the driveway pavement will be cut down from 54 feet wide to 29 feet. Engineer Laberge asked if the Town of Colonie and Albany County Planning Board have received project details and have responded.

Commissioner Hart made a motion to set a public hearing for 31 Vly Rd, minor subdivision for August 4, 2020 at 6:30 p.m. Commissioner Judge seconded the motion.

VOTE: All in favor to set the public hearing for August 4, 2020 at 6:30 p.m.

APPLICANT:

**12 PETRA LANE STE. 5
VAN RENSSELAER MANAGEMENT INC.
(CHANGE OF OCCUPANCY)**

Mr. Elliot Feinman was present before the Commission to present a change of occupancy at 12 Petra Lane, suite 5. Commissioner Hart asked if the applicant was present. Mr. Feinman stated no.

Mr. Feinman explained that Van Rensselaer Management is headquartered in Rensselaer and is looking to add a satellite office for more storage and office space. Mr. Feinman added that the tenant is taking the space as is.

Mr. Feinman stated that there will be a total of 4 employees that will work out of the office and will each have their own vehicles. Commissioner Hart asked what type of business is Van Rensselaer Management? Mr. Feinman stated that they will store telecommunication equipment and all related equipment. Chairman Dennis asked if there will be any outside storage. Mr. Feinman stated no.

Commissioner Hart made a motion to approve Van Rensselaer Management at 12 Petra Lane suite 5 for a change of occupancy. Commissioner Judge seconded the motion.

VOTE: unanimous to approve the application as presented.

APPLICANT:

**12 PETRA LANE SUITE 2
LEAF FILTER
(CHANGE OF OCCUPANCY)**

Mr. Elliot Feinman was present before the Commission to present a change of occupancy for Leaf Filter at 12 Petra Lane suite 2. Mr. Feinman explained that Leaf Filter is an existing tenant at 14 Jupiter Lane and are looking to expand into an office and warehouse space. Mr. Feinman stated

that the applicant will be moving from 14 Jupiter to 12 Petra Lane. Mr. Feinman stated that the building is now 100% full.

Chairman Dennis reviewed the parking requirement sheet and determined that the site remains in good standing with the 60% warehouse and 40% office space ratio per Village Code. Commissioner Hart asked if there will be outside storage. Mr. Feinman stated no.

Commissioner Judge made a motion to approve Leaf Filter at 12 Petra Lane suite 2. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT: 1510 CENTRAL AVE STE 350,360,375
THE EMPOWERMENT CENTER
(CHANGE OF OCCUPACNY)**

Mr. Brent Teague, realtor and Pastor Lewis from The Empowerment Center were present to propose a change of occupancy at 1510 Central Ave suites 350, 360 and 375. Mr. Teague stated that the applicant is looking to move into the suites and operate as a church. Commissioner Hart asked what tenant was there previously. Mr. Teague stated that those suites have been vacant for a while. Commissioner Hart asked where in the building are these suites located. Mr. Teague stated that they are on the first floor walking in from Central Ave.

Pastor Lewis explained that there will be about 3-5 people in the Center for daily administrative, book keeping, counseling and other routine duties. Pastor Lewis stated that Sunday service will be from 11 am to 1230 pm, however people will be in the building from 930 am to 3 pm to prepare for service. Commissioner Hart noted that there are no hours listed for Saturday and asked if there are any plans to have a Saturday service or other administrative duties. Pastor Lewis stated that there are no plans at this time. Commissioner Hart explained the need to return to the commission for a change in hours of operation is required should that change. Pastor Lewis amended the change of occupancy application to reflect Saturday hours of 9 am to 3 pm and submitted into record.

Chairman Dennis asked how many churches are in 1510 Central Ave. Mr. Teague stated 4 and explained that there are 2 services in the morning and 2 services in the evening on Sundays. Chairman Dennis asked how many vehicles are expected during service times. Pastor Lewis stated that there will be about 20-25 vehicles and that many members take public transportation. Chairman Dennis reviewed the parking requirement and determined that there are enough open parking spaces shown on the site plan. Commissioner Hart asked if there are any plans to join the other congregations for a big event. Pastor Lewis stated no. Commissioner Judge asked if there will be any bands or loud music playing during service that could disrupt the neighbors. Pastor Lewis stated that there is ministry music however their current location is in a residential area and have never had an issue. All music and noise is contained inside. Commissioner Hart asked if there will be any outdoor events or services. Pastor Lewis stated no.

Commissioner Hart made a motion to approve The Empowerment Center located at 1510 Central Ave suites 350, 360, 375. Commissioner Keegan seconded the motion.

VOTE: Unanimous to approve the application.

APPLICANT:

**1693 CENTRAL AVE
LYLE'S HOAGIES
(CHANGE OF OCCUPANCY)**

Mr. Shaun Adriano, project architect , Mr. Rob Snyder and Mr. Brad MacCormack from Lyle's Hoagies were present before the Commission to propose a change of occupancy at 1693 Central Ave, former Toolbox.

Mr. Adriano stated that the site is an existing one story building on the corner of Fuller Terrace and Central Ave. The applicant wishes to add another location to the existing hoagie shops in Schenectady. Mr. Adriano stated that there will be no outside changes, only minimal interior fit up modifications and the tenant will be responsible for clean- up and maintenance of the green space.

Mr. Adriano stated that the hours of operation will be Monday thru Saturday 9am to 8pm. Chairman Dennis asked how many parking spaces are on this site. Mr. Adriano stated that there are 15 regular parking spaces plus 1 handicap, totaling 16 parking spaces. Chairman Dennis stated that based on the provided floor plan showing tables and seating, the site requires 9 total spaces. Engineer Laberge stated that the tables are following covid-19 distancing guidelines and asked if there is a plan to add max seating once the pandemic is over. Engineer Laberge stated that there is 3 employees plus 1 potential employee, plus the max number of seats calculates to 32 required parking spots. Engineer Laberge explained that it is 1 parking space for every 2.5 seats, plus the number of employees.

Chairman Dennis asked what the applicant's plan for a normal operation will be. Mr. MacCormack stated that he will stick to the seating plan as shown and stated that there will be no more than 3 employees working at a time. Mr. Adriano stated that they may down the road add a counter along the front window with 8 stools, however the overall operation will be small compared to comparable sub shops. Chairman Dennis asked if a grease trap is required for this site. Mr. Adriano stated that there will be no cooking or frying on site. Engineer Laberge stated that he will refer this to the Department of Public Works and asked that a menu be provided to them for review. Mr. Adriano agreed and stated that the only cooked item would be soup.

Commissioner Chudzinski made a motion to approve Lyle's Hoagies at 1693 Central Ave for a change of occupancy with the condition that the Village Department of Public Works reviews the grease trap requirement and there be no more than 32 seats. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1653 CENTRAL AVE
GOLDSTEIN REALTY LLC
(SITE PLAN APPROVAL)**

Mr. Bill Mafrici from Hershberg and Hershberg, Mr. Alan Goldstein, Ms. Stephanie Goldstein, Mr. Anthony Maney, Attorney, and Mr. Mike Platt were present before the Commission to present the final site plan revision for 1653 Central Ave.

Mr. Mafrici stated that the handicap parking space was relocated to between the two doors, closer to the office per the Commissions comments. Mr. Mafrici stated that notes have been added to the site plan for hours of operation, demolition, trash removal, lighting, and construction work hours.

Chairman Dennis asked if customers will be able to access the storage units after hours. Mr. Mafrici stated that the building will not be occupied at night and will only be manned Monday – Friday from 930 am – 6pm, Saturday from 830 am – 5pm and Sunday 11 am – 3pm. He added that customers will have access to the building until 10 pm each night before access is turned off until the next morning. Chairman Dennis asked if car delivery times can be provided for the rear lot at 1671 Central Ave. Mr. Goldstein stated that there will be no deliveries to that lot, only to the dealership. Ms. Goldstein stated that cars are typically delivered in the afternoon and will be driven by employees to the overflow lot via collision center driveway, if necessary.

Chairman Dennis asked if specifications for the wall packs have been provided. Mr. Mafrici stated that no it has not been provided. The doors will only have emergency lighting, meaning the lights only come on when the door is opened. Mr. Mafrici stated that there is no proposed lighting at this time for 1671 Central Ave and approval is only being sought for 1653 Central Ave tonight. Mr. Mafrici stated that there will 2 lights under the canopies on the east side. Commissioner Hart asked if there will be any lighting on the egress. Mr. Mafrici stated no, the front of the building will be illuminated by the interior lights but there will be lights on the access doors on the west side of the building. The lights will be dome shaped, 6 inch in diameter and are adjustable.

Chairman Dennis asked where the dumpster will be located. Mr. Mafrici indicated on the site plan that the dumpster will be on the far west side of the site by the collision center driveway. Pick-up will be during the hours of 7 am and 10 pm. Commissioner Splonskowski asked if the dumpster is provided for customers only. Mr. Mafrici stated yes. Chairman Dennis asked if the dumpster will be fenced or otherwise enclosed. Mr. Mafrici stated that it will sit on a concrete pad and in a fenced in enclosure. Chairman Dennis asked if there is a cut sheet on the glass. Mr. Tyler brought a sample of the glass to show the Commission. Mr. Tyler stated that the glass is 15% reflective and will have a film over it bringing the reflectivity down to 11%. Commissioner Hart asked if this is noted on the site plan. Mr. Tyler stated no. Commissioner Hart asked that a cut sheet be provided. Commissioner Hart asked if the sample glass will be on the entire building. Mr. Tyler stated yes.

Mr. Splonskowski asked if the banked parking on the east side of the building is utilized if the green space would be eliminated. Engineer Laberge stated that there would no longer be a 25 foot buffer however for that to happen, the land to the east would have to be converted from residential to Commercial use. Any changes required to implement the banked parking will still have to be approved by the Commission.

Commissioner Judge asked if auctions will be held, like the show “Storage Wars” for units that have not been paid. Mr. Maney stated that should it come to that, the auctions are held online and will not be on the site. Chairman Dennis stated that he would like to see curbing along the west perimeter in effort to not lose the integrity of the greenspace. Mr. Goldstein agreed and stated that it will be like the collision center and showroom. Mr. Goldstein added that it makes it tough for plowing, however the removed snow can be pushed to the rear.

Commissioner Hart asked if there is clear access to the 1671 Central Ave site. Mr. Mafrici stated yes. Mr. Mafrici explained that a fence or gate was previously proposed however was removed per the Commission’s comments. Engineer Laberge stated that he submitted a review letter dated July 1, 2020 that recommends some necessary conditions to approval. These recommended conditions are:

- A. No building permit shall be issued until such time as the required NYSDOT Highway Work Permit is provided to the Village Deputy Clerk and Village Engineer
- B. No building permit shall be issued until such time as coverage is obtained under NYSDEC General Permit GP-0-20-0.
- C. Any modifications to the water and sewer connections required by the Village Department of Public Works shall be incorporated into the work
- D. Applicant shall establish an escrow with the Village to cover the cost of the monthly site inspections pertaining to the storm water management compliance. The applicant shall provide to the Village Engineer the estimated construction time frame for the purpose of estimating the cost. No building permit shall be issued until such time as the required escrow account is funded by the applicant.
- E. No building permit shall be issued until a fully executed Stormwater Control Facility Maintenance Agreement has been filed with the Village and County Clerk.

Commissioner Hart made a motion to approve the site plan at 1653 Central Ave with the conditions A-E as outlined in Engineer Laberge’s letter dated July 1, 2020 and curbing on the west side of the building from Central Ave to the turn - around be provided on the site plan. Commissioner Chudzinski seconded the motion.

Vote: Unanimous to approve the site plan at 1653 Central Ave.

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

VOTE: Unanimous to adjourn the meeting at 8:02 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie