

Village of Colonie



ZONING BOARD OF APPEALS

ALBANY COUNTY
NEW YORK

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

MINUTES WEDNESDAY, AUGUST 7, 2019 7:00 PM

The regularly scheduled meeting of the Village of Colonie Zoning Board of Appeals was held on Wednesday, August 7, 2019 at 7PM. The meeting was called to order by Acting Chairman Prevratil at 7:00 p.m.

ROLL CALL:

Chairman:	Lou Van Buren (Absent)
Members:	Frank Prevratil Trevor Normandin Joshua Rowinski (Absent)
Alternate:	Jim Splonskowski Phil Minissale
Counsel:	Victor Caponera
Liaison:	Trustee Murphy (Absent) Deputy Mayor Sim

Acting Chairman Prevratil called the meeting to order with the Pledge of Allegiance and indicated the exits.

The minutes from the June 5, 2019 meeting were reviewed. Commissioner Minissale made a motion to approve the minutes. Commissioner Splonskowski seconded the motion.

VOTE: All in favor of the motion.

APPLICANT:

**CAPITAL AREA VOLVO OF ALBANY
350 NEW KARNER ROAD
(AREA VARIENCE)**

Attorney Caponera stated for the record that he recuses himself from this application, as he represents the potential buyer of this property.

Business owner Mr. Eric Kahn, along with architects Mr. Bill Mafrcici and Mr. Daniel Hershberg of Hershberg & Hershberg, came before the Zoning Board of Appeals to request an area variance where 20% of the area is devoted to greenspace, however less than 50% of the green space is located in the front yard.

Mr. Hershberg distributed a handout that displayed what the proposed dealership would look like should they comply with the Village of Colonie Code. The building would be set much farther back, and the visibility would be difficult for clients. Mr. Hershberg stated he does not believe this variance would impact the neighborhood, as all the surrounding parcels are in the Commercial A zone. Mr. Hershberg emphasized that visibility of this site is crucial to the business, and that anything else than what is proposed would create difficulty in the parcel's visibility. Mr. Hershberg pointed out that there will be a landscaped area, with a variety of larger and small trees. These trees would not impact visibility.

Mr. Hershberg stated that there is a Village of Colonie easement to the New Karner Road West Pump Station on the west side of the property that will be maintained by the proposed owner of the parcel, including snow removal and maintenance. Mr. Hershberg stated that they will be widening the easement road because they will be parking cars for storage in the back of the parcel. There is also a good amount of wetlands on the property, which is also why they are requesting an area variance as to not disturb the wetlands. Mr. Hershberg acknowledged the site is challenging to bring up to code.

Acting Chairman Prevratil asked the applicant what would happen to the existing Volvo dealership across the street. Mr. Kahn stated they will continue to be a Jaguar and Range Rover dealership, while the Volvo will move across the street.

Commissioner Splonskowski pointed out the concrete display pads in the front of the parcel total about 1,020 square feet and asked the applicant if they could incorporate GrassTex tiles to help obtain the code requirements for the parcel. Mr. Kahn stated that corporate is hoping to have a certain look and that if this is something the Village of Colonie wishes to see, he would need to go to corporate Volvo to obtain approval.

Acting Chairman Prevratil made a motion to grant an area variance of 11,111 square feet in the frontage of the parcel with the easement to the West Pump Station being maintained by the owner, including snow removal. Commissioner Normandin seconded the motion.

VOTE: All in favor of the motion.

Acting Chairman Prevratil made a motion to adjourn the meeting at 7:40PM. Commissioner Normandin seconded the motion.

VOTE: All in favor of the motion.

Respectfully Submitted,

Julianne Okun
Zoning Board of Appeals Coordinator