



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

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**MINUTES
TUESDAY, SEPTEMBER 1, 2020
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, September 1, 2020 at the Village Hall, 2 Thunder Road Albany, NY 12205.

- ROLL CALL: Chairman Chris Dennis
- Commissioners: John Martin
Peter Chudzinski
Kenny Hart
Dan Judge
Jim Splonskowski
Mark Keegan, *alternate*
- 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. Chairman Dennis appointed Mr. Keegan as a full voting member for this meeting. The Commission reviewed the regular meeting minutes from August 18, 2020. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the regular meeting minutes as amended.

**APPLICANT: 16 WALKER WAY SECT. 4
MINT MODELS LLC
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, Real Estate Agent, and part property owner Mr. Howard Carr, property manager, along with Michelle Peters, owner of Mint Models was present before the Commission to propose a change of occupancy at 16 Walker Way section 4. Mr. Clark stated that this is the last space available in this building. Mr. Clark stated that Red Cross was approved last year with some site modifications.

Ms. Peters stated that she has owned two high end model cars online businesses for 17 years. Mint Models currently has a headquarters in Latham, and they are looking to move to a larger space on Walker Way. Commissioner Martin asked what the business operation of Mint Models entails. Ms. Peters stated that they process web orders entailing the shipping and receiving of scale model cars. Ms. Peters stated that the largest scale cars at 1/8 and those are usually drop shipped from the manufacturer, 1/12 models are done in house. Commissioner Martin asked what the most popular size is sold on site. Ms. Peters stated 1/18 scale and 1/43 scale for international orders. Chairman Dennis asked how models are ordered. Ms. Peters stated orders are placed either over the phone or online, very few customers order on site. Chairman Dennis asked how deliveries are made. Ms. Peters stated that most deliveries are by FedEx, UPS or USPS and deliveries are made in the morning and pick-ups in the afternoon.

Commissioner Judge asked if there would be weekend hours. Ms. Peters stated there might be during the holiday season. Ms. Peter's amended her application to reflect weekend hours of 10 am – 6pm.

Commissioner Martin made a motion to approve Mint Models at 16 Walker Way section 4. Commissioner Keegan seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**18 PETRA LANE SEC. 3A
FORSYTH WHOLESALE LLC
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, Real Estate Agent and part property owner, Mr. Howard Carr, property manager, along with Aiden Forsyth, owner of Forsyth Wholesale was present before the Commission to present a change of occupancy at 18 Petra Lane section 3A. Chairman Dennis stated that the provided site plan says 16 Jupiter Lane. Mr. Clark explained that the site was originally part of 16 Jupiter Lane before the driveway was relocated to Petra Lane. Chairman Dennis stated that the Commission would require a new site plan with the proper address, site changes to reflect actual conditions, and a new signature by a professional engineer or architect .

Mr. Forsyth stated that he currently operates this business out of 25 Walker Way and is looking to relocate to 18 Petra for more space. Mr. Forsyth stated that his business is a wholesale operation that buys and distributes consumer goods through Amazon.com. Mr. Forsyth stated that they label and ship items to Amazon warehouses. Chairman Dennis asked how many pick-ups and deliveries there will be per day. Mr. Forsyth stated that there are 2-3 trailers that pick up or drop off weekly. The hours of operations are 8 am – 6 pm Monday thru Sunday.

Commissioner Martin made a motion to approve Forsyth Wholesale LLC at 18 Petra Lane section 3A with the condition the site plan is updated to reflect the actual site, with the proper address, and new signature by a professional prior to issuance of a certificate of occupancy. Commissioner Judge seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**18 WALKER WAY SEC. 3
SUNSHIP LLC
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, Real Estate Agent and part property owner, Mr. Howard Carr, property manager, along with Chenhao Sun, owner of Sunship LLC were present before the Commission to present a change of occupancy at 18 Walker Way section 3. Mr. Sun stated that this is an existing business that he currently runs out of his home. He is buys products such as clothing, decorations, shoes, and other goods that get sold on Amazon.com.

Chairman Dennis stated that there are several issues on this site. There are boats and trailers that are not on the blacktop areas on the approved site plan. Mr. Clark stated that the boat belongs to Applied Ecological and the trailer is registered with a license plate. Mr. Clark stated that there was a Bobcat which has been put away. Chairman Dennis stated that he visited the site before the meeting and saw two boats on the greenspace, one pontoon and one smaller boat.

Mr. Carr stated that several of the issues that were brought up at a June 2020 meeting regarding the site with Motivated Auto Detailing have been addressed. Chairman Dennis stated that the issues have not been corrected and there are still boats, trailers, and other site issues that are not in compliance with the original site approval. Chairman Dennis explained that these changes had been identified at the June 2020 meeting. Mr. Clark was told to have the site cleaned up, brought into compliance, and bring in an amended site plan with the next tenant change, which would be this application. Mr. Carr stated that he was not part of the management team in June but was briefed on the situation. Mr. Carr stated that he tried to speak to the tenants to rectify the ongoing issues and requested that the Village write a letter detailing the issues in order to execute the tenant's lease agreement. Attorney Caponera stated that Code Enforcement is the enforcing unit for the Village and Planning Commission so the letter of complaint would need to come from Code Enforcement.

Commissioner Martin stated that there are tankers and trailers on the site with plastic holding tanks, he asked what is in those tanks. Mr. Clark stated that he was told water. Commissioner Martin stated that he would like a marking or indicator on the tanks for identification purposes.

Chairman Dennis asked Mr. Sun to explain his business. Mr. Sun stated that he is a fulfillment service for Amazon.com. He gets the manufacturers information, goods and ships them to the Amazon warehouse. Commissioner Hart asked if he ships or receives hazmat materials. Mr. Sun stated no, and all business is conducted within the warehouse. Attorney Caponera asked how many deliveries are made a day. Mr. Sun stated that he gets 3 deliveries a day from UPS, USPS or FedEx. Mr. Sun explained that he was running this business out of his barn at home but is seeking more space at this 25000 sq. ft. tenant space.

Chairman Dennis stated that he has no objection to the applicant, however the site issues are the main concern. Chairman Dennis explained that this is the last tenant to fill the building and would like to see the site corrected before this tenant is approved. Mr. Cerone stated that he would work with Mr. Clark and Mr. Carr on the code violations on site.

Commissioner Hart made a motion to adjourn this application until the next available scheduled meeting, no later than October 6, 2020 and the property owner must provide an updated site plan with the current conditions, stamped, and signed. Code Enforcement will work with the owner for site violations. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to adjourn this application until the next available scheduled meeting.

DISCUSSION:

The Commission discussed 29-31 Vly Road public hearing. Attorney Caponera stated that he is in contact with the applicant to work out an extension for a decision on the minor subdivision. Attorney Caponera stated that the 62 day shot clock for a decision expires on October 5, 2020 and the next meeting is October 6, 2020. The applicant must ask for an extension or the applicant and the Village need to mutually agree on a special hearing date for the decision. Coordinator Hart explained that the regularly scheduled Planning Commission meeting for September 15, 2020 has been cancelled due to the rescheduled Village elections. There are two following Tuesdays that could be used for a special meeting should the Vly Rd applicant not wish to extend the shot clock.

Commissioner Hart made a motion to schedule a special meeting for Tuesday, September 29, 2020 at 6:30 p.m. in the event the shot clock decision period is not extended by the 29-31 Vly Road applicant. Commissioner Martin seconded the motion.

VOTE: Unanimous to schedule a special meeting on September 29, 2020 if necessary.

Coordinator Hart stated that she will keep the Commission updated on the matter. Should a special meeting be necessary, it would be publicly posted in the newspaper and on the Village website.

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

VOTE: Unanimous to adjourn the meeting at 7:50 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie