

up to 10 customers per day. The office will be open Monday – Friday from 9am – 7 pm and Saturday – Sunday from 11am – 5 pm. Attorney Caponera asked if any changes to the site itself will be made. Dr. Nwoye stated no. Engineer Laberge stated that if there are any future issues with the site, then the property owner would be notified.

Commissioner Judge made a motion to approve 99 Dollar Income Tax Services Corp in the basement tenant space at 1500 Central Ave for a change of occupancy as presented. Commissioner Keegan seconded the motion.

VOTE:

Chairman Dennis – Yes
Commissioner Martin – No
Commissioner Hart – No
Commissioner Chudzinski – Yes
Commissioner Judge – Yes
Commissioner Keegan – Yes
Commissioner Splonskowski – No

Motion passes and application is approved.

APPLICANT:

**8 PETRA LANE STE C.
USIC LOCATING SERVICES LLC
(CHANGE OF OCCUPANCY)**

Mr. David Eggert from USIC Locating Services and property owner Guy Blake were present before the Commission to seek approval for a change of occupancy at 8 Petra Lane. Mr. Eggert stated that USIC is a national utility locating company and are currently operating in 46 states. The local location is currently operating in Schenectady and will be re-located to Colonie. Commissioner Hart asked if USIC will occupy the whole building. Mr. Eggert stated they will only be occupying suite C.

Commissioner Martin asked if the 3 offices as shown in exhibit A all have access to the bathroom. Mr. Blake stated yes, they all have bathroom access and that the office outside the bathroom is more like a vestibule or entry room. Commissioner Hart asked if there would be any outside storage or hazardous material. Mr. Eggert stated no outside storage or hazardous material. Chairman Dennis stated according to the provided narrative, the applicant proposes 10 employees, and 4-5 vehicles and 1-2 people on site daily. Mr. Eggert explained that there will be a total of 38 employees, and all have take-home vehicles. Employees have stocked equipment bags in their vehicles and only return to the office to get supplies every few weeks. Mr. Eggert stated that occasionally they hold training classes for new hires.

Commissioner Martin made a motion to approve USIC Locating Services LLC at 8 Petra Lane suite C for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1760 CENTRAL AVE
T-MOBILE NORTHEAST, LLC
(TELECOMMUNICATION UPGRADES)**

Mr. Jeff Skulnic, representing NB+C on behalf of T-Mobile was present to propose telecommunication upgrade to an existing tower and antennas at 1760 Central Ave. Mr. Skulnic stated that the application proposes to replace 6 existing antennas and add 3 for a total of 9 antennas. 6 radios will be swapped out and upgraded, with no structures. Mr. Skulnic stated that the screens will be painted to match the existing wall sign as is the existing screens are. Mr. Skulnic explained that there is an amended agreement between the tower owner and property owner since 1998 to allow for upgrades for increased speed and capacity.

Chairman Dennis asked if there will be any increase in height. Mr. Skulnic stated that the tower and antennas will remain the same height. There will be a cabinet on the ground that will be replaced in like size and location. Engineer Laberge stated that he did not see the screen panel color in the provided application. Mr. Skulnic stated it is located on the last three pages. The stealth screen is a thin piece of polycarbonate. Engineer Laberge stated that the information should be mentioned in the application materials. Engineer Laberge stated that he could not find any information on the original approval from 1998, however the Village Code may have not included telecommunications back then. Engineer Laberge asked if there was a certification that this telecommunication site does not interfere with any other towers. Mr. Skulnic stated that they follow the FCC guidelines and are certified.

Commissioner Martin made a motion to approve the telecommunication upgrades for T-Mobile at 1760 Central Ave with the condition that prior to a building permit the application must provide the color and material for the stealth screening. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as conditioned.

APPLICATION:

**1440 CENTRAL AVE
EMPIRE WINE & LIQUOR
(CHANGE OF OCCUPANCY/EXPANSION)**

Mr. Brad Junco, owner of Empire Wine & Liquor was present to propose a change of occupancy and expansion of the existing business. Mr. Junco stated that he is proposing to expand his existing business into the tenant suite next store, which was vacated by Dress Barn in December 2019. The existing business is a total of 5150 square feet and the former Dress Barn space is 8900 square feet which would bring the total approximate square footage to 14,000. Chairman Dennis stated that according to the provided tenant parking requirement, there is adequate parking. Chairman Dennis noted that this plaza is also within the Town of Colonie who has different zoning laws but concluded that amount of available parking in the plaza is sufficient. The Village only required 49 parking spaces for the proposed use and expansion.

Mr. Junco stated that plans to take this expansion into two steps. The first step is to use only 400 square feet of the former Dress Barn space to use as retail and the rest for storage. After the holidays he plans to resubmit for approval new site and floor plans to utilize the entire space as

retail. Commissioner Judge asked if the State Liquor Authority has accepted these changes. Mr. Junco stated yes, he has been approved by the SLA for the expansion.

Commissioner Martin made a motion to approve Empire Wine & Liquor at 1440 Central Ave Ste. C for change of occupancy/expansion as submitted. Commissioner Hart seconded the motion.
VOTE: Unanimous to approve application as submitted.

APPLICANT:

**350 NEW KARNER RD
CAPITAL VOLVO
(SITE PLAN AMENDMENT)**

Attorney Caponera recused himself from this application.

Mr. Bill Mafrici and Mr. Dan Hershberg from Hershberg and Hershberg were present to propose a site plan amendment to the previously approved Capital Volvo at 350 New Karner Road. Mr. Hershberg stated that this project was originally approved in January 2020 with a recent site amendment in April 2020. Upon the start of the construction, it was found that the subsurface was much poorer than thought. Mr. Hershberg explained that a wall was going to be built into the ground surrounding the sewer line so the construction would not undermine the sewer infrastructure. However, the soil conditions were worse than core drillings represented and in order to hold the slope up safely, the site would require permeable sheeting which is very costly. Mr. Hershberg stated that with discussions with Engineer Laberge and the Village it was agreed that the building would move 15 feet towards Central Ave.

Mr. Mafrici stated that with moving the building, a line of parking was lost. Banked parking was added to the sider of the site which will be used for vehicle storage and maintain the parking requirements. Mr. Mafrici stated that the Village agreed to an easement allowing use of the driveway leading to the Village pump station. Chairman Dennis asked if there is an additional row of parking on the Village sewer easement. Engineer Laberge stated that he met with the Mayor, Board of Trustees and DPW amd all were in agreement with the proposed parking in the egress and ingress. Mr. Mafrici stated that the amount of pavement on site is not increasing with the new parking configuration and the number of parking spots increased from 266 to 273.

Mr. Mafrici stated that Engineer Laberge's comment letter dated October 19, 2020 was received and reviewed. Engineer Laberge noted in this letter that an easement must be produced and filed before issuance of a certificate of occupancy. Engineer Laberge stated that the proposed site plan was reviewed by Colonie Fire Company Chief Kayser who had no comments.

Commissioner Martin made a motion to approve the amended site plan for Capital Volvo at 350 New Karner Road with the condition that all comments outlined in Engineer Laberge's October 19, 2020 letter are met and a full set of project plans are submitted for stamping. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the amended site plan as submitted.

APPLICANT:

**1647 CENTRAL AVE
ARIA KABAB ALBANY INC.
(CHANGE OF OCCUPANCY)**

The Planning Commission entertained a review of a late submitted site plan for the proposed change of occupancy at 1647 Central Ave. The restaurant owner, Mr. Ahmed Nabi was present to update the Commission on the requested changes. Mr. Nabi stated that he updated the site plan to his restaurant's name and removed the alcohol calculations.

Commissioner Hart stated that the revision date on the provided site plan was not updated and it appears that the items amended were whited out. Commissioner Martin stated that the markings were still visible on the site plan as it appears to be copied instead of re-done by a professional. Chairman Dennis stated that the information requested was done, however the presentation of the site plan was messy and needed to be more professional. Engineer Laberge suggested that the applicant or his design professional contact ABD Engineering who did the base mapping for the Mia Lucci's site plan and request a PDF to update and stamp. Chairman Dennis stated that the parking statistics also needed to be updated.

Mr. Nabi understood the Commissions comments and will return with a new site plan.

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

VOTE: Unanimous to adjourn the meeting at 8:16 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie