



**APPLICATION:**

**16 PETRA LANE  
CALIFORNIA CLOSETS  
(SITE PLAN)**

Mr. Dick Hoffman from Hoffman and Riley was present before the Commission to present a proposed addition on an existing building at 16 Petra Lane. Mr. Hoffman stated that California Closets is looking to expand their production facility for additional storage, staging and fabrication of materials. Mr. Hoffman explained that there are 2 buildings on this site. One is 5,100 sq. ft. which is leased out and the other is California Closets, a two- story building about 5,000 sq. ft. The proposed expansion is about 2,000 sq. f.t. Mr. Hoffman stated that the site statistics are well within the guidelines of the Commercial D zone. The building is 18% of the site with 42% greenspace with over 50% of green space in the front yard. Mr. Hoffman explained the front yard of this site is difficult to define as the site has 3 sides of frontage, 2 on Petra Lane and 1 on Walker Way, near the dead end. The proposed project encroaches in the 40 ft. required setback per Village Code and requires a variance. California Closets will have 15 employees and will have 38 parking spaces.

Engineer Laberge reviewed his comment letter dated October 22, 2020 which stated this application requires an area variance as the proposed building encroaches 20 feet into the required 40 ft. front yard setback. The proposed project also requires an area variance for parking. Engineer Laberge’s letter also noted the need for grading information, building elevations, and floor plans for the proposed addition. Chairman Dennis asked that should this application received the required variance and return to the Planning Commission; he would like to see the multiple tenants listed on the tenant parking requirement.

Commissioner Martin made a motion to deny the proposed site plan for 16 Petra Lane for the required area variances for front yard setback and parking. Commissioner Hart seconded the motion.

VOTE: Unanimous to deny the application as presented.

**APPLICANT:**

**1814 CENTRAL AVE  
UNTAPPED NUTRITION  
(CHANGE OF OCCUPANCY)**

Ms. Stacey O’Neil, owner of Untapped Nutrition was present before the Commission to present a change of occupancy at 1814 Central Ave. Ms. O’Neil stated that she is proposing to open a herbal tea and shake shop in Kohl’s Plaza. Ms. O’Neil stated that there are several shops like this in the Capital Region and she is looking to open one in the Village of Colonie. Commissioner Martin asked if “eat in” would be available. Ms. O’Neil stated that there options to sit at the bar and there are 2 tables with 4 seats at each, however, most customers grab and go. Commissioner Martin asked if there will be any deliveries. Ms. O’Neil stated yes in the future, but not at this time.

Commissioner Hart asked if there will be any ovens or required grease traps. Ms. O’Neil stated no, however she may have a toaster oven for occasional muffins or similar products. Mr. Cerone stated that the toaster oven would be allowable under the building code.

Commissioner Martin made a motion to approve the change of occupancy application for Untapped Nutrition at 1814 Central Ave unit 4. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve as presented.

**APPLICATION:**

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

Mr. Joe Clark, representing the property owner and Mr. Chenhao Sun, owner of Sunship LLC were before the Commission to present a change of occupancy at 12 Walker Way. Mr. Sun stated that he is an e-commerce fulfillment business that is responsible for product storage, tracking and order fulfillment for overseas supplies and manufacturers. Mr. Sun added that he currently operates out of 18 Walker Way, however, has already outgrown the space and needs a larger warehouse. Chairman Dennis asked if he would remain operating at 18 Walker Way. Mr. Sun stated no, he will be moving fully into 12 Walker Way.

Chairman Dennis stated that on a recent site visit noticed that one section of the fence is cracked and needs to be repaired. Mr. Clark agreed.

Commissioner Martin made a motion to approve Sunship LLC at 12 Walker Way section 3 for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICANT:**

**25 WALKER WAY SECT. 1B BACK  
TRIPLE THREAT CHEER & DANCE  
(CHANGE OF OCCUPANCY/EXPANSION)**

Mr. Joe Clark, representing the property owner and Mr. Jahmere Holland, co-owner of Triple Threat were before the Commission to propose a change of occupancy and expansion at their current location of 25 Walker Way. Mr. Holland stated that Triple Threat is a competitive cheerleading and dance studio for kids age 3 to 18. Mr. Holland stated that they are looking to expand into 2,500 sq. ft., nothing of the business operations would change.

Commissioner Martin asked what section of the building Triple Threat would be expanding into. Mr. Clark stated that the rear section where they would like to expand is called 1B – Back. Mr. Clark stated that this section was previously occupied by Forsyth Wholesale before they moved to Petra Lane.

Commissioner Martin made a motion to approve Triple Threat Cheer & Dance at 25 Walker Way to expand into section 1B- Back and occupy sections 1A, 1B and 1B Back. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICATION**

**132 LINCOLN AVE SUITES 403,404,405  
W2LS CORP  
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, representing the property owner and Mr. Tom Disonell owner of W2LS Corp were before the Commission to present a change of occupancy at 132 Lincoln Ave suites 403, 404, 405. Mr. Disonell stated that all area FedEx trucks are owned by his company, which is one of the largest FedEx contractors in the United States. W2LS repairs and paints FedEx delivery trucks and has routes in 3 different states

Mr. Disonell stated that he currently operates at 134 Lincoln Ave and is looking to open a headquarters at 132 Lincoln Ave.

Chairman Dennis asked how many parking spaces are allotted now at 134 Lincoln Ave. Mr. Disonell stated there are 4 vehicles outside and 4 vehicles inside. Mr. Disonell stated that his business has experienced rapid growth and did not expect to have as many vehicles onsite as he does now. He is getting about 12 vehicles delivered a week to be fit up and then they leave the property. Mr. Disonell explained that the vehicles to be rehabbed are outside, moved inside for repairs and then moved off site. Chairman Dennis asked if the applicant can be held to the four vehicles inside and four vehicles outside. Mr. Disonell stated that he needs 12 parking spaces: 5-6 spaces for employees and six spaces for outside vehicle storage. Chairman Dennis stated that he would like to see the site be limited to four spaces for vehicle storage outside.

Commissioner Martin asked if there was a detailed floor plan showing where the lifts were going to go. Mr. Disonell stated that the lifts are portable and can be moved to wherever the vehicles are so there will be no set location. The floor plan indicates where the portable paint booth will be located when needed. Commissioner Martin asked how many vehicles can fit inside at one time. Mr. Disonell stated 8. Commissioner Martin asked where the floor drains lead. Mr. Disonell explained that the floor drains empty into grease traps.

Chairman Dennis asked how ventilation works in the portable paint booths. Mr. Disonell explained that the space can be vented professionally by cutting a hole in the wall and hooking up a hose to vent outside. Attorney Caponera read aloud Village Code section 242-10B(2)(a)[1] titled "Excess smoke, fumes, dust & odor" that states no odor should emanate beyond the lot.

Commissioner Judge asked if this company works on UPS or USPS trucks as well. Mr. Disonell stated he only contract with FedEx.

Commissioner Martin made a motion to approve W2LS at 132 Lincoln Ave suites 403, 404, 405 with the condition the allotted parking spaces, with no more than four trucks parked outside, are not exceeded by the tenant and approval is subject to building certificate of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as conditioned.

**APPLICATION:**

**132 LINCOLN AVE SUITE 402  
JUNK KING  
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, representing the property owner and Mr. James Fay, representative from Junk King were before the Commission to present a change of occupancy at 132 Lincoln Ave section 402. Mr. Fay stated that Junk King is a full service non-hazmat junk removal company with emphasis on donations of useable, recyclable refuse. Mr. Clark stated that Junk King that had been in the industrial park has given up their franchise. The current business will be a franchise of a national corporate owned business. The applicant stated he would be bringing trucks up from North Carolina. Mr. Clark stated that the previous franchise has since been renamed.

Chairman Dennis asked how many vehicles will be onsite. Mr. Fay stated that there will be 4 vehicles onsite and parked outside, weather permitting. The trucks will be dual axel and employees will be parking their private vehicles on site and take the trucks out for jobs. Commissioner Martin asked if the trucks will be left out overnight, full of debris. Mr. Fay stated that usually trucks are emptied at night however they may be parked outside full and will be emptied in the morning before going to any jobs. Mr. Fay explained that the trucks are brought inside to be sorted through, any items to be donated are separated out and brought to Salvation Army or Habitat for Humanity, all other materials are brought to the landfill or transfer stations daily.

Commissioner Martin made a motion to approve Junk King at 132 Lincoln Ave section 402 with the condition that the applicant does not exceed the allotted parking spaces and there is no outside storage. Tenant approval is subject to building certificate of occupancy. Commissioner Hart seconded the motion. VOTE: Unanimous to approve the application as conditioned.

**APPLICANT:**

**132 LINCOLN AVE SUITE 101, 102  
FIDEN'S BREWING COMPANY  
(CHANGE OF OCCUPANCY)**

Mr. Michael Carter, part owner of Fiden's Brewing Co and Mrs. Mary Clark, property owner were present before the Commission to present a change of occupancy at 132 Lincoln Ave suites 101 and 102. Mr. Carter stated that Fiden's has been operating at 10 Walker Way and is looking to expand into 10,000 square feet of new tenant space at 132 Lincoln Ave. Mr. Carter explained that 7,000 square feet is proposed for productions, brewing and packaging for off-premise sales with the remaining 3,000 square feet for a tasting room. An additional 3,000 square feet is proposed for an outdoor seating area. Mr. Carter explained that the cooler is proposed in the middle of the space to join the production and retail sides of the business.

Engineer Laberge stated that the ancillary use of this business requires a use variance through the Zoning Board of Appeals. Engineer Laberge explained that there is no parking requirement specifically outlined in the Commercial D zone, so parking was calculated as described in Commercial A. Parking on this site as proposed requires approximately 190 parking spaces based upon the Commercial A formula. Thus, a parking easement is also required through the Zoning Board of Appeals.

Engineer Laberge stated that the proposed patio area is over the Village water main. Mrs. Clark stated that the patio is not correctly depicted on the site plan. The water main is 25' from the building and the proposed patio extends 20' from the building. Mr. Carter stated that the proposed patio will be gravel and not paved.

Attorney Caponera stated that the patio needs to be defined on the site plan with the dimensions. Attorney Caponera explained that the permitted use verses the accessory use requires a use variance. Attorney Caponera asked how many spaces are available on the site. Mrs. Clark stated that there are 91 parking spaces for 132 Lincoln Ave. Attorney Caponera stated that he would also like to see dimensions of the bar length and how far away the residential houses are from this site in comparison to the proposed outdoor seating area. The length of the bar and usable customer floor space including outside sitting, will dictate the amount of parking required to support the proposed use.

Commissioner Hart asked if there will be any outside storage. Mr. Carter stated that the glycol chiller will be stored outside as it is on 10 Walker Way. Commissioner Hart asked if there will be any outdoor speakers. Mr. Carter stated no.

Commissioner Judge asked if there will be any food cooked on site. Mr. Carter stated that the brewery is classified as a micro-brewery which falls under different SLA rules, which are less strict than regular bars. Mr. Carter explained that this business is mostly a take home model. Patrons who choose to sip samples on premise will get 2 tickets for 10 oz pours and then they will leave with cans or growlers.

Commissioner Martin made a motion to deny Fiden’s Brewing Company at 132 Lincoln Ave suites 101 and 102 for required use and parking variances. Commissioner Judge seconded the motion.

VOTE: Unanimous to deny the application as presented.

**APPLICANT:**

**132 LINCOLN AVE SUITE 103  
MCCASHION BROS HOLDING  
(CHANGE OF OCCUPANCY)**

Mr. JC McCashion, owner and Mrs. Mary Clark, property owner were present before the Commission to present a change of occupancy at 132 Lincoln Ave suite 103. Mr. McCashion stated that he is a masonry business that currently operates out of 124 Lincoln Ave and Albany Street. He is proposing to use 132 Lincoln Ave as a warehouse to store hand tools and equipment in order to keep better track of these items. Chairman Dennis asked if there will be any outside storage. Mr. McCashion stated no, storage will be inside the building. Commissioner Martin asked if there will be storage of building materials. Mr. McCashion stated that weather sensitive materials will be stored at another location.

Chairman Dennis asked how many parking spaces are needed for this operation. Mr. McCashion stated that he requested 3 spaces. There will be one employee at the warehouse and other employees will stop in, check out tools and leave.

Commissioner Martin made a motion to approve the McCashion Bros Holding at 132 Lincoln Ave suite 103 for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**APPLICATION:**

**132 LINCOLN AVE SUITE 104  
NOSO DEVELOPMENT  
(CHANGE OF OCCUPANCY)**

Mr. Joe Clark, owner, was present before the Commission to seek a change of occupancy at 132 Lincoln Ave suite 104. Mr. Clark stated that he will be using the warehouse space to store construction and carpentry tools as well as scaffolding. Mr. Clark stated that he will store the JLG inside the warehouse during the winter season. Mr. Clark explained that he is consolidating his business from the 15,000 sq. ft. space on Walker Way to this 5,000 square foot space. Chairman Dennis asked how many parking spaces will be required. Mr. Clark stated that he is proposing three spaces, one space for an employee and two for equipment. Chairman Dennis asked if there will be a dumpster for trash removal. Mr. Clark stated that he will utilize the dumpsters on 124 Lincoln Ave.

Commissioner Martin asked if the 12 or 13 easements for these properties were received by the Village and Attorney Caponera. Attorney Caponera could not recall receiving said easements and requested copies. Mrs. Clark stated that she will send over copies to Coordinator Hart. Commissioner Splonskowski asked if there will be any office space in the warehouse. Mr. Clark stated no.

Commissioner Martin made a motion to approve NOSO Development at 132 Lincoln Ave suite 104 for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

**DISCUSSION:**

The Commission and Mr. and Mrs. Clark discussed a correspondence letter for 134 Lincoln Ave regarding issues on the site. The Commission told Mrs. Clark that the site at 134 Lincoln Ave does not comply with the approved site plan. Mrs. Clark stated that she will amend the site plan and submit for a site plan amendment application.

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

VOTE: Unanimous to adjourn the meeting at 8:50 p.m.

Respectfully Submitted,

Alexandra M. Hart  
Planning Coordinator  
Village of Colonie