



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

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**MINUTES
TUESDAY, NOVEMBER 17, 2020
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held on Tuesday, November 17, 2020 at the Village Hall, 2 Thunder Road Albany, NY 12205.

ROLL CALL: Chairman Chris Dennis

Commissioners: John Martin
 Peter Chudzinski (Absent)
 Kenny Hart
 Dan Judge
 Jim Splonskowski
 Mark Keegan, *alternate*

Village Attorney: Victor Caponera
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. Chairman Dennis appointed Mr. Keegan as a full voting member for this meeting.

APPLICANT:

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

Mr. Jeff Szkolnik, of NB+C on behalf of T-Mobile Northeast LLC was present before the Commission to present telecommunication modifications at 1760 Central Ave. Mr. Szkolnik stated that this modification project was previously approved at the October 20, 2020 meeting, however the concealment design for the antennas were misidentified. Mr. Szkolnik stated that he apologized for any misrepresentation of the project and was here to rectify the mistake. Mr. Szkolnik stated that the Engineer mislabeled the concealment design as stealth, however the antennas will not be screened but painted to match the existing wall sign.

Chairman Dennis asked what color the antennas and posts will be painted. Mr. Szkolnik stated that the posts and antennas will be painted the same color as the building and sign as described in the provided application materials.

Commissioner Martin made a motion to approve the telecommunication modifications as proposed at 1760 Central Ave. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**12A PETRA LANE
HURRICANE HOME SOLUTIONS
(CHANGE OF OCCUPANCY)**

Mr. Elliot Feinman, property owner, was present before the Commission to present a change of occupancy at 12A Petra Lane. Mr. Feinman stated that Hurricane Home Solutions is taking the tenant space as is with no modifications. Hurricane Home Solutions sells generators and home water systems.

Chairman Dennis asked if there will be any outside storage. Mr. Feinman stated that all storage will be inside. Mr. Feinman explained that all products are shipped directly to the customer. Commissioner Martin asked if there will be any on-premise meetings with customers. Mr. Feinman stated no, only employees will be at this location and meet all clients at their residences. Commissioner Martin asked if the applicant was present. Mr. Feinman stated no.

Chairman Dennis asked how many parking spaces are dedicated to this use. Mr. Feinman stated two for two employees. Commissioner Hart asked what the hours of operation are as it was difficult to decipher on the application. Mr. Feinman stated 8am – 5 pm Monday – Friday. Mr. Feinman corrected the application to reflect the aforementioned hours of operation for the record. Commissioner Martin asked how many employees are proposed at this location. Mr. Feinman stated 5 total employees: two in the building and 3 sales employees on the road.

Commissioner Martin made a motion to approve Hurricane Home Solutions at 12A Petra Lane #4 for a change of occupancy with the condition there is no outside storage and the tenant does not exceed the allotted parking spaces as described in the application. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1892 CENTRAL AVE
COLONIE WINE & LIQUOR
(CHANGE OF OCCUPANCY)**

Mr. Faraz Khan, property owner Mr. Chad May, owner was present before the Commission to present a change of occupancy at 1892 Central Ave. Mr. Khan stated that the tenant space was previously occupied by another wine and liquor store. This tenant space is located between Price Chopper and Big Lots. Commissioner Judge asked if this store was allowed to sell alcohol before 11 am. Mr. May stated that they will follow the NYS Liquor Authority guidelines on legal hours to sell alcohol. Chairman Dennis stated that since this is a same use to same use, he does not see an issue with the tenant. Chairman Dennis requested that Mr. Khan update the tenant parking requirement list to reflect all tenants in the plaza. Mr. Khan agreed. Commissioner Martin asked if the applicant obtained a liquor license. Mr. May stated not yet. Engineer Laberge stated that there are no outstanding issues with site.

Commissioner Martin made a motion to approve Colonie Wine & Liquor, adjacent to Price Chopper and Big Lots at 1892 Central Ave for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**3 NASH PLACE
LINDA NASH & ANTHONY NASH
(SUBDIVISION & LOT LINE ADJUSTMENT)**

Mr. John Bianchine from ABD Engineers and Mr. Anthony Nash, property owner, was present before the Commission to present a subdivision and lot line adjustment for 3 Nash Place. Mr. Bianchine stated that the application proposes to a lot line adjustment for 3 Nash Place and to subdivide the remaining lands from 3 Nash Place into 3A, a 1.24 acre parcel and 3B a 1.56 acre parcel. Mr. Bianchine stated that the proposed lots meet the zoning area requirements but will need a zoning variance for frontage on the newly created 3A parcel. Engineer Laberge stated that the subdivision requires a frontage zoning variance as it fails to meet the minimum 75 ft frontage requirement for a single-family residence; two family residences require 125 feet of frontage. If Lot 3B was to be for a two-family dwelling that would also need a frontage variance. Mr. Nash stated Lot 3B is currently planned for a single family home. Attorney Caponera explained that the applicant will have to be denied based on zoning requirements before proceeding with the proposed subdivision.

Mr. Bianchine stated that the remaining land in the rear will remain landlocked. Commissioner Martin asked if the rear lot is owned by the applicant. Mr. Nash stated yes, the parcel is currently landlocked and subdivided from the other lots.

Commissioner Martin made a motion to deny the subdivision and lot line adjustment at 3 Nash Place due to the requirement of a 20 ft variance for a single-family residence. Commissioner Judge seconded the motion.

VOTE: Unanimous to deny the application as proposed.

APPLICATION:

**1653 CENTRAL AVE
GOLDSTEIN REALTY HOLDING
(EXTERIOR FAÇADE CHANGE)**

Mr. Matt Tyler, architect from SRA and Ms. Stephanie Goldstein, owner, was present before the Commission to present an exterior façade change at 1653 Central Ave. Mr. Tyler stated that this project was previously approved in July 2020 as a storage facility. The storage facility had a 3 color scheme of gray, dark grey and blue. Mr. Tyler explained that the blue color is proposed to be eliminated in order to help with branding of potential companies for the storage facility. Mr. Tyler indicated on the provided rendering that the previously approved blue accents will be removed on all three sides of the building and replaced with dark grey. Ms. Goldstein stated that the proposed signage is red and does not want to have a red, white and blue building. She hopes that this elimination of blue will create a clean and classy presentation.

Commissioner Hart asked if anything else is changing. Mr. Tyler stated no.

Commissioner Martin made a motion to approve the exterior façade changes. Commissioner Hart seconded the motion.

VOTE:

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

Motion passed and application as approved.

APPLICANT:

**1671 CENTRAL AVE
GOLDSTEIN REALTY HOLDING
(SITE PLAN)**

Mr. Dan Hershberg and Mr. Bill Mafriaci of Hershberg and Hershberg, Mr. Allan Goldstein, Ms. Stephanie Goldstein, owners, and Mr. Anthony Maney, attorney, were present in front of the Commission to present a site plan for 1671 Central Ave, which adjoins the Goldstein Collision Center site. Mr. Hershberg stated that this is the rear lot subdivided from the storage facility project at 1653 Central Ave. The project at 1653 Central Ave has since been approved, however the rear lot has not been finalized or approved. Mr. Hershberg stated that several trees had died and will be replanted with similar plantings. Mr. Hershberg stated that the plantings were not watered during the establishment time period and noted that all the other approved plantings have been installed.

Chairman Dennis asked what the height of the lighting fixtures are. Mr. Hershberg stated that they are 18 feet; 2-foot base plus 16-foot pole. Mr. Hershberg stated that the two poles in the rear, closest to the Collision Center and Bus Garage will be on a dimmer/timer and may not be on all the time. Mr. Goldstein stated that he understands the neighbor's concerns and will make sure the light levels reflect that. Mr. Mafriaci stated that the lights will be dimmed after 9 pm, which is the same for the storage facility.

Chairman Dennis asked how tall the new trees will be. Mr. Hershberg stated that they will be 5-6 feet tall on top of a 3-4-foot berm. There are 3-4 large trees. Commissioner Hart asked if there is an access drive connected to the Collision Center with a gate. Mr. Mafriaci stated that there is an access drive connecting to the Collision Center however due to the Commission's and Fire Department's comments, a gate or fence is not installed. Engineer Laberge asked for clarification on the rear lot and if it has been merged with the existing 1671 Central Ave parcel. Mr. Mafriaci stated that there is no need to merge the lots, the parcel was subdivided from 1653 Central and remains part of 1671 Central Ave. Chairman Dennis asked if the site statistics will work 1671 Central Ave. Mr. Hershberg stated that there is 22.9% greenspace on 1671 Central Ave. Commissioner Martin recommended that the standard note on landscaping be updated to reflect removal of the burlap surrounding the tree root ball prior to planting.

Engineer Laberge stated that the SWPPP coverage should be combined with the maintenance agreement at 1653 Central Ave.

Commissioner Martin made a motion to approve the site plan at 1671 Central Ave with the condition that the appropriate stormwater management is setup and the SWPPP is covered under the current stormwater maintenance agreement. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1767 CENTRAL AVE
WEST COAST PARTNERS LLC
(CHANGE OF OWNERSHIP & SITE PLAN)**

Mr. Dan Hershberg and Mr. Bill Mafrici of Hershberg and Hershberg and Mr. Chris Otto of Otto Cadillac were present before the Commission to present a site plan application for 1767 Central Ave. Mr. Hershberg stated that the site plan submitted has been updated with the suggested comments from Engineer Laberge and the Commission. Mr. Hershberg stated that the access drive between 1767 and 1769 is proposed to be 18 feet wide not the required 24 feet and there is a 24-foot driveway off of Poplar Street. Mr. Hershberg stated that the pavement in front of the shed has been removed and replaced with greenspace.

Engineer Laberge reviewed his comment letter dated October 29, 2020. Engineer Laberge stated that the change of ownership application is confusing as to who is the previous owner and who is the proposed buyer. In addition, the narrative should include clarification for the proposed cross use of the parcels. Mr. Otto stated that the new owner will be West Coast Partners LLC. Attorney Caponera asked if Mr. Otto has acquired the property. Mr. Otto stated that the closing will hopefully take place next week. Attorney Caponera asked if the property owner will be the same for the two parcels. Mr. Otto stated no, 1769 Central Ave and 1767 Central Ave will have different owners.

Chairman Dennis stated that he likes that the existing four entrances into the site has been cut down to one and that greenspace will be added along Central Ave. Mr. Hershberg stated that the landscaping will be similar to the landscaping at 1769 Central Ave to compliment both properties. Mr. Hershberg stated that the proposed access drive is proposed at 18 feet wide because it will not be a public access between two properties and will only be to transport cars between the two lots. Engineer Laberge stated that a zoning variance would be required. After a discussion, Mr. Hershberg stated that the applicant will make the 24 foot access drive work.

Chairman Dennis asked if the light pole near the adjacent residence is proposed or existing. Mr. Hershberg stated that it is existing and added that it is not necessary for the site use. Chairman Dennis and the Commission agreed to request the removal of the light pole.

Chairman Dennis discussed the proposed landscaping and noted that the landscaping plan submitted in the packet was not what was provided by the applicant at the meeting. The applicant stated the plan presented at the meeting is intended to replace the plan provided previously.

Commissioner Hart asked if the proposed access drive to 1769 Central Ave affects the greenspace on the site. Mr. Mafrici stated that the greenspace on that site has not been configured yet however there is 50% greenspace on the site as it exists. Commissioner Hart stated that he would like to see a site plan with both 1769 and 1767 Central Ave with site statistics for both.

Chairman Dennis stated that there was not floor plan submitted for the proposed sales office. Mr. Otto stated that there will be offices, conference room and a kitchen. Chairman Dennis asked if the kitchen will be used for residential use. Mr. Otto stated no. Engineer Laberge asked what entrance will be used as the main entrance. Mr. Otto stated that the rear entrance though the kitchen will be the main entrance into the sales building. Engineer Laberge stated that a floor plan must be submitted for the second floor.

The applicant will resubmit the following for further review:

1. Second floor plan
2. Easement identification
3. Landscaping plan
4. Overall site plan of 1769 and 1767 Central Ave, to include the building adjacent on Poplar Street
5. Width of access drive
6. Photometric plan

The applicant will return at a later date.

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

VOTE: Unanimous to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie