



**Village of Colonie  
PLANNING COMMISSION**

ALBANY COUNTY  
NEW YORK

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**PUBLIC HEARING  
MINUTES  
TUESDAY, MAY 4, 2021  
6:30 P.M.**

Chairman Dennis opened the public hearing at 6:30 p.m.

**APPLICANT:**

**1560 CENTRAL AVE  
STEWART'S SHOP CORP  
(SPECIAL PERMIT)**

Coordinator Hart read the public hearing notice aloud as it appeared in the newspaper.

Mr. Tyler Fronte from Stewart's was present before the Commission. Attorney Caponera stated that under the Village Code section 242, any gas stations in the Commercial A zoning district require a public hearing for the adjacent neighbors and citizens to listen and ask questions for the Commission's consideration. Attorney Caponera explained that Stewart's is here tonight to request a special permit for the proposed gas station at 1560 Central Ave.

Mr. Fronte stated that Stewart's has purchased 1560 Central Ave and 1 Lincoln Ave which are currently a Gulf gas station with convenience store and the former Ski Instructors of America. Mr. Fronte explained that Stewart's is proposing a 3,580 sq. ft. store with self service gas pumps. The building will have a new façade with stone and veneer shingles. Parking will be in front of the store and on the Stewart's property along Lincoln Ave. Mr. Fronte stated that Stewart's originally proposed a larger building with more gas pumps, however through discussion with the Commission, they have scaled down and modified to a smaller scale with increased landscaping, buffers, and sidewalk improvements.

Commissioner Martin asked if the existing fuel tanks will be removed. Mr. Fronte stated yes, the tanks will be removed and replaced with double walled fiber glass tanks with a monitoring system. Mr. Fronte stated that any contamination, if found on site, will be remediated by having the soil removed and a traceback will be reported to both Department of Environmental Conservation and the Village of Colonie.

Mr. Herrick, resident on Kenjack Terrace was present in the audience and asked what the reduction of gas pumps was. Mr. Fronte stated that the original proposal had 4 canopies for a total of 8 pumps and the current proposal is 3 canopies with 6 pumps.

Mr. Patrick Sorsby represented the property owner at 1568 Central Ave, a building directly adjacent to the west. Mr. Sorsby stated that his client is interested in the relocation of the fuel storage tanks as they are proposed to be relocated closer to the property line. Mr. Sorsby voiced

concerns over the health, safety, and welfare of the tenants in that building in case of a fire or other incident. Mr. Fronte stated that the new tanks will be a big upgrade from the current tanks and explained the monitoring system in place should a leak occur.

Mr. Sorsby stated that the proposed site plan shows the removal of a shared fence along the west property line. Mr. Sorsby asked if Stewart's proposes to replace the fence. Mr. Fronte stated that the fence along that side of the property is not proposed, however there will be a vinyl fence along the rear property line. Mr. Sorsby detailed ongoing issues with trespassers on the property and explained his concerns over increased foot traffic due to the new site. Mr. Sorsby explained that he looks forward to being neighbors with Stewart's however he does not feel it is fair for the property owner to bear the added expense to deal with the trespassers.

Chairman Dennis stated that the site plan is still in the revision stages and that the Commission members will take Mr. Sorsby comments into consideration.

Commissioner Judge asked Mr. Sorsby what his concerns over the fuel tanks were. Mr. Sorsby explained that it is not potential odors but the proximity of the tanks to his building. Mr. Fronte explained that since Stewart's delivers their own fuel, the deliveries can be controlled with the time of day agreed upon by the Commission. Mr. Fronte stated that the system is double contained, has a monitoring system and an emergency shut off is located on the building and all drivers are trained for emergency situations.

Ms. Jackie Hubbs, resident on Forest Dr. stated that she is concerned with the amount of traffic this new site is going to generate. Ms. Hubbs explained that there isn't much traffic on this site as it operates as a Gulf station, however with a new Stewart's she imagines a lot of business and traffic will be generated on an already busy and congested intersection. Engineer Laberge explained the proposed traffic patterns on the site and explained that the entrances are per NYS Department of Transportation standard guidelines. Engineer Laberge stated that while the proposed entrance along Central Ave and Lincoln doesn't fix the issues raised regarding back-up and traffic, since it is further removed from Central Ave. Chairman Dennis explained that the Commission tries to better the site conditions with each application and believes that this proposed site plan will improve the existing conditions.

Ms. Janice Potter, resident on Forest Drive, voiced her concerns over the existing crosswalk and sidewalk configuration at this intersection. Ms. Potter, a non-driver, walks this intersection daily and explained that especially if you are handicapped, walking across the street and trying to get onto the sidewalk is extremely difficult. Ms. Potter stated that Lincoln Ave is often backed up in the summer time, especially with baseball and other events in Cook Park. Engineer Laberge stated that he understands Ms. Potter's concerns over the crosswalk, however Central Ave is within NYSDOT jurisdiction but added that the applicant will be making sidewalk improvements per NYSDOT's recommendation. Ms. Potter asked if there will be a side walk on the Lincoln Ave side of the property. Mr. Fronte stated no, only along Central Ave. Ms. Potter asked if this will be a 24 hour site. Mr. Fronte stated no, the store will be open daily from 4:30 am to midnight. Ms. Potter asked what the anticipated opening date is. Mr. Fronte explained that it all depends on contamination, if any, and permits, however typically these projects take about 10 – 12 weeks to construct.

Commissioner Hart made a motion to close the public hearing. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to close the public hearing at 6:56 p.m.

Respectfully Submitted,

Alexandra M. Hart  
Planning Coordinator  
Village of Colonie