



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

VILLAGE HALL
2 THUNDER ROAD
COLONIE, NY 12205

(518) 869-7562
FAX (518) 464-0389

email:
ahart@colonievillage.org

**MINUTES
TUESDAY, MAY 18, 2021
6:30 P.M.**

The regularly scheduled meeting of the Village of Colonie Planning Commission was held at Village Hall, 2 Thunder Road Albany, NY 12205 on Tuesday, May 18, 2021.

ROLL CALL: Chairman Chris Dennis

Commissioners: John Martin
 Peter Chudzinski
 Kenny Hart
 Dan Judge
 Jim Splonskowski
 Mark Keegan

Village Attorney: Victor Caponera
Village Engineer: R.J. Laberge

Code Enforcement: Steve Meservey

Chairman Dennis opened the meeting at 6:30 p.m. Commissioner Hart led the Pledge of Allegiance, and requested all electronic devices be turned off or muted.

The Commission reviewed the public hearing minutes from May 4, 2021. Commissioner Martin made a motion to approve the minutes, as amended. Commissioner Chudzinski seconded the motion.

VOTE: Unanimous to approve the May 4, 2021 public hearing minutes, as amended.

The Commission reviewed the regular meeting minutes from May 4, 2021. Commissioner Martin made a motion to approve the minutes, as amended. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the May 4, 2021 meeting minutes as amended.

APPLICANT:

**1500 CENTRAL AVENUE
HEAVEN CULTURAL CENTER
(CHANGE OF OCCUPANCY)**

Naja Omasa and Kabanja Omasa presented a change of occupancy for Heaven Cultural Center to be located at 1500 Central Avenue. They would like to operate a small church organization. They stated there are currently 10 members. Naja stated that there would be a combination of in-person meetings along with Facebook/YouTube contacts, with peak time occurring on Sundays.

Chairman Dennis asked for clarification on the entry point into the building. Naja said that the entry would be from the side of the building on Tanglewood Rd. Naja also mentioned that the lease is for one year, if membership grows, they will reassess in a year and relocate to a larger space. Commissioner Hart asked if the property owner was present, to which the applicant stated they were not. Engineer Laberge stated that the applicant would not be able to agree to any changes to the site that the board may suggest.

Commissioner Judge suggested to amend the hours of operation to be less specific. He added that if approved, they would need to stick to those hours, as specified. Commissioner Hart presented the application, and the applicant amended the time schedule to be from 6 am to 10 pm seven days a week. Commissioner Chudzinski stated that question 17 & 18 on the application were not completed. Naja said that both answers are "yes".

Commissioner Martin made a motion to approve Heaven Cultural Center. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as amended above.

APPLICANT:

**1580 CENTRAL AVENUE
PINE GROVE METHODIST CHURCH
(SITE PLAN)**

Chairman Dennis stated that this was a site plan review for revisions made on times of operation, dumpster location, shed locations, setbacks, and the site plan needed a current date and to be initialed by the engineer, to which all items were addressed.

Commissioner Martin made a motion to approve the site plan for the pavilion and the boy scout shed as presented. Commissioner Judge seconded the motion.

VOTE:	Commissioner Martin	Yes
	Commissioner Chudzinski	Yes
	Commissioner Hart	No
	Commissioner Judge	Yes
	Commissioner Splonskowski	Yes
	Commissioner Keegan	Yes
	Chairman Dennis	Yes

Motion passed.

Engineer Laberge gave a brief update on the Fermac Street project. Attorney Caponera reviewed some changes made, the applicant is getting documents ready (deeds/easements) which Engineer Laberge will review. Engineer Laberge noted that the project was approved subject to the review of the Village Engineer and Village Attorney. Attorney Caponera added that all Commission members should hold onto the site plan, and he will get a mylar copy for Coordinator Hart.

APPLICANT:

**1814 CENTRAL AVENUE
FARMER'S INDIA MARKET
(SITE PLAN)**

Applicants, Steve Vukas with Bohler Engineering, Pablo Medeiros from Heidenberg Properties and Paul Goldman, attorney was present to review their proposed site plan. Mr. Vukas presented the site plan to the Commission. He noted that they do want to have the architecture feature on the front and side of the building to match as recommended by the Commission at the last meeting. Commissioner Hart asked if the colors depicted were accurate, to which Mr. Vukas said yes, they are a taupe color.

Engineer Laberge stated that there were several comments made at the last meeting regarding the site plan, and those comments and requests were met on the current site plan. Code Officer Meservey asked for clarification regarding the trees to be planted on the site plan, to which Mr. Vukas said they will be pin oak, with mulch around them with the rest of the area being grass. Commissioner Martin asked if there was a sprinkler system on the property, to which Mr. Medeiros said there is not, but they will have a landscaper for the first season to maintain it. Mr. Medeiros mentioned that they were debating grass or mulch, with some low maintenance shrubs. Commissioner Hart said mulch is preferred. Commissioner Martin noted that the trees will need to be watered daily. Mr. Medeiros said they will install an alligator bag which will need to be filled once a week. Mr. Vukas said that the original 9 ft wide island was extended to 18 ft to make room for the tree.

Commissioner Hart asked how many cart corrals are being places on the site, to which Mr. Vukas said there would be a total of 3. These were shown on the site plan.

Commissioner Chudzinski asked about page 7 of the application regarding questions 8, 11, and 12, also on page 8 questions 17 and 18. Mr. Vukas replied as follows: question 8: there will be no meetings or classes on this site, question 11 there are no plans for any further expansion, question 12 yes there is a requirement for a license from the health department, questions 17 and 18: there will be dumpsters used for garbage disposal and pickup will be between 7am and 7 pm. ,.

The applicant changed the answer of question 17, regarding dumpsters from the previous meeting. Mr. Vukas stated that unsold produce would be placed in the covered dumpster outside. Commissioner Martin stated there is concern with placing produce in dumpster with regards to animals and the smell. Chairman Dennis was under the impression that the produce was going to be recycling in a compactor style dumpster, to which Mr. Vukas said the compactor is for cardboard disposal only. Chairman Dennis stated all other Village grocery stores have an enclosed system so that animal activity and smell don't become an issue. Attorney Caponera suggested that the representative go back to the tenant to find an alternate means of disposal. Mr. Medeiros noted that any placement of a compactor would be behind the building and would not be accessible from the building at that point. A poll of the Commission indicated all felt strongly that they would not agree to an open system style dumpster on site.

Attorney Caponera mentioned that the board could not take final action at this meeting, since it has not been reviewed for referral by the Albany County Planning Commission. Attorney Caponera read the GML section 239-m2 regarding such. Chairman Dennis stated that they will

wait for the referral from the County until action is taken. Engineer Laberge stated that it was submitted last week, and it usually takes 30 days.

Mr. Goldman requested preliminary approval, to which the Commission did not agree. Chairman Dennis stated that the applicants need to identify on the site plan the placement of a compact and any enclosed dumpster. Chairman Dennis noted that the application answer for question 17, should be no, as there will be compactors on site. Commissioner Chudzinski asked for clarification that there was no onsite cooking, the applicant confirmed there would be no cooking on the premises. Commissioner Splonskowski suggested the applicant get these loose ends tied up while waiting for referral from the County. Engineer Laberge stated the next two Village Planning Commission meeting to be held are June 1st and 15th. Engineer Laberge also noted that SEQR has been submitted for the project. Chairman Dennis stated that the applicants could be put on either of those next agendas as long as they have an update on the compactor, referral from the County and he also mentioned at that time they applicant can go over the EAF with Coordinator Hart.

R.J. Laberge gave a brief update on the proposed Stewart's Shop, located on the corner of Lincoln Avenue and Central Avenue. The proposed sidewalk placement would not be ADA compliant since the main access route is Central Avenue. He added the applicant will have to rearrange the grading plan. Chairman Dennis added the applicant will have to make it ADA compliant and resubmit to planning.

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

VOTE: Unanimous to adjourn the meeting at 7:25 p.m.

Respectfully Submitted,

Jamie L. Blot
Village Clerk
Village of Colonie