



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

VILLAGE HALL
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COLONIE, NY 12205

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**MINUTES
TUESDAY, JULY 6, 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, July 6, 2021.

ROLL CALL: Chairman Chris Dennis

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

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

 Code Enforcement: Steve Meservey (Absent)

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 regular meeting minutes from June 15, 2021. Commissioner Martin made a motion to approve the minutes, as amended. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the June 15, 2021, meeting minutes as amended.

APPLICANT:

**20 WOLF ROAD
SPIRIT HALLOWEEN
(CHANGE OF OCCUPANCY)**

Ms. Lisa Lyons, representing Spirit Halloween presented a change of occupancy application for 20 Wolf Rd. Ms. Lyons stated that this is the same operation as last year and years prior. This is a temporary tenant that is set to expire in November 2021. Commissioner Hart asked if any changes had been made to the operations or the floor plan from previous years. Ms. Lyons said no.

Commissioner Martin made a motion to approve Spirit Halloween at 20 Wolf Rd for a change of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**1524 CENTRAL AVE
PTM SOLAR
(CHANGE OF OCCUPANCY)**

Mr. Jeremy Allen, representing PTM Solar and Ms. Tiffany Colman, representing the property owner, presented a change of occupancy application for 1524 Central Ave. Chairman Dennis stated that this tenant was previously before the Commission with this application however the application was tabled due to inconsistent information. Mr. Allen stated that PTM Solar is a community solar company that operates via door to door and online marketing. PTM Solar services residential accounts and assists residents receive discounts on their services. Mr. Allen stated that PTM Solar currently operates in Buffalo, Oswego, and Syracuse areas and with the solar farms in the Hudson Valley PTM is looking for more presence in the Capital Region.

Commissioner Hart asked the applicant if they will have Sunday hours. Mr. Allen stated that they will not have Sunday hours. Commissioner Hart asked the applicant to explain the meetings and classes to be held. Mr. Allen stated that there will be morning meetings everyday lasting 30-60 minutes and then the employees go into the field. Chairman Dennis asked how many people will attend the morning meetings. Mr. Allen stated between 5 and 10 people. Commissioner Hart asked if there will be any customers coming to the business. Mr. Allen stated that no customers will be coming to the business.

Attorney Caponera read Village Code Article 2, Section 162: Peddling & Hawking and advised the applicant that door to door solicitation is not allowed within the Village without the proper permits and licenses. Attorney Caponera stated that conducting this business is allowed within the Village, just not door to door solicitation. Mr. Allen stated that he is aware that permits are needed for different municipalities and those would be applied for.

Commissioner Martin made a motion to approve PTM Solar at 1524 Central Ave contingent upon compliance with Article 2 section 162 of the Village Code. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve application as conditioned.

APPLICANT:

**11 WALKER WAY
PRO-EDGE REMODELING INC.
(CHANGE OF OCCUPANCY)**

Mr. Jerry Mirochnik, property owner presented an updated site plan for Pro Edge Remodeling, proposed tenant of 11 Walker Way. Mr. Mirochnik stated that the Commission has received an updated site plan showing the locations of the roll off dumpsters, handicap parking, and site statistics. Chairman Dennis stated that the dumpster uses three parking spaces and the required parking on site is 11 spaces. Chairman Dennis stated that the site will have 12 available spaces after removal of the 3 spaces. Chairman Dennis asked if the dumpsters will be used for construction debris. Mr. Mirochnik stated yes.

Commissioner Martin made a motion to approve Pro Edge Remodeling at 11 Walker Way. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**12A WOLF ROAD
AT&T/NEW CINGULAR WIRELESS
(TELECOMMUNICATIONS)**

Ms. Sara Colman, representing AT&T/New Cingular Wireless presented a telecommunication upgrade at 12 A Wolf Rd. Ms. Colman presented a letter of authorization to the Commission and stated that the proposed project will swap out some equipment and increase the height of the tower.

Engineer Laberge stated that he reviewed the submittal, and this project is an eligible facility. Under the eligible facility regulations, the Village cannot disapprove the application, however there are parameters for approval; an increase in tower height cannot exceed 20 feet, or 10%, whichever is greater. Engineer Laberge stated that the project proposes a tower height increase from 59 ft to 79 ft.

Chairman Dennis asked if this property is leased. Ms. Colman stated yes, the rear parcel is a land lease. All work will be performed within the leased space. Ms. Colman explained that there is already gravel inside the existing fenced area and no greenspace will be disturbed or removed. Chairman Dennis asked if a light needs to be installed on the top of the tower for the airport. Ms. Colman stated a light is not required; however, the airport will need to be notified when the crane installs the tower. Chairman Dennis asked what the color of the tower will be. Ms. Colman stated it will be consistent with the existing tower, which is gray galvanized steel.

Commissioner Martin made a motion to approve New Cingular Wireless at 12A Wolf Rd. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as presented.

APPLICANT:

**4 FRITZ BLVD
FLEETWASH INC.
(CHANGE OF OCCUPANCY)**

Ms. Alexandra Rizzo, Realtor, Mr. Brian Erhardt, representing Fleetwash and Mr. Joe Clark, property owner presented a change of occupancy application for Fleetwash Inc. at 4 Fritz Blvd. Mr. Erhardt stated that this is a mobile power washing facility, and all work is done off site. Fleetwash fills up the water tanks on site and will reclaim the water for discharge into the Village sewer system. Engineer Laberge stated that he spoke with DPW Superintendent Les Decker who stated he had no reservations with the discharge as long as they are filling the truck on site. Mr. Erhardt explained that the truck is filled with water on site and when it returns, it has about 30-35% of what was taken out and there is a discharge system within the facility.

Chairman Dennis asked how many trucks will be on site. Mr. Erhardt stated that there will be 2 trucks on site and will be stored in the building; they are a box truck and a Chevy 3500 truck. Chairman Dennis asked if the hazmat information has been reviewed by the fire department. Engineer Laberge stated no, but the hazmat information would be reviewed by the building department and shared with the fire department.

Commissioner Martin asked the applicant to explain the discharge process. Mr. Erhardt stated that they seal the storm drain with a patented board and clamp it down on the drain. The water is stored in a stainless steel tank for 10-12 hours, filtered and then stored in a plastic poly tank for 24 hours. The water is filtered through a microfilter and discharged into the sanitary sewer system. The system is flushed once or twice a year for solids. Commissioner Martin asked if there will be any changes to the site. Mr. Erhardt stated no, only a water spicket will be installed and a tap into the discharge line. Commissioner Martin noted that the applicant stated that NYS DEC has approved this process. and asked that a copy of the DEC approval be submitted to the Village. The applicant agreed.

Commissioner Hart stated that question #17 of the application stated that a dumpster will be used for garbage removal. Commissioner Hart explained that he visited the site and saw that there are two dumpster pads on site and three dumpsters. Mr. Clark stated that there are three tenants in the entire building and one of the dumpsters was moved by the tenant. Commissioner Hart stated that the parking and dumpster locations are not as shown on the site plan and asked for the site to comply or to revise the site plan and have it stamped by a professional. Commissioner Hart suggested that the site plan be amended to show no parking and restripe other parking spaces on the site to make up for the lost spaces. Commissioner Splonskowski stated that the handicap parking spaces are not up to code and stated that signage needs to be added.

Attorney Caponera asked what cleaning services Fleetwash provides. Mr. Erhardt stated that they are contracted to clean Walmart, Target and other large retailers for their sidewalks, buildings, windows etc. They also provide landscaping, plowing and other facility services, however, the applicant stated these services are not planned for this location.

Commissioner Martin made a motion to approve Fleetwash at 4 Fritz Blvd with the condition that dumpster location, site plan with parking and handicap parking signage, and submittal of the DEC approval be submitted and completed prior to certificate of occupancy. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the application as conditioned.

APPLICANT:

**7 WALKER WAY
CARDINAL HEALTH
(SITE PLAN)**

Mr. Thomas Sauer, from O'Connell Electric Company presented a site plan application for a generator on site at 7 Walker Way. Mr. Sauer explained that a natural gas generator is to be installed behind the garage on a concrete pad and will be colored to match the building. Mr. Sauer's

company will be completing all the electrical work on the 50 kw generator and will be installing a transmission switch inside the building.

Chairman Dennis asked if the tenant requires the generator. Mr. Sauer stated yes, Cardinal Heath collects radioactive samples which requires refrigeration and a backup system. Engineer Laberge stated that he spoke to Mark Schwarz, the property owner, who believed that there is a mandate for a continuous power supply due to the nature of the business. Engineer Laberge stated that there is a 20 foot easement behind the building which only leaves 6 feet between the building and the easement. Engineer Laberge asked where the concrete pad will be located. Mr. Sauer explained that the concrete pad will be a few feet from the building for reasonable access, the pad will be 4.7 ft x 9 ft wide.

Commissioner Martin stated that the applicant provided a survey, not a site plan and asked that a site plan be provided. Chairman Dennis asked that the site plan have site statistics and hard services located on the site plan as well.

Commissioner Hart asked if the landlord was present. Mr. Sauer stated no. Commissioner Hart stated that there are two dumpsters on site that are not identified on the provided survey plan. Engineer Laberge explained that dumpsters are removable and are allowed to sit on easements, however the dumpsters should be fenced or screened.

Chairman Dennis stated that he would like to see the location of the generator with easement location, site statistics, dumpster location, and properly identified handicap parking spaces. Chairman Dennis asked if the generator creates a lot of noise. Mr. Sauer stated that the generator is only on during emergencies, and he does not have the decibel specifications available. Commissioner Splonskowski noted that question 9 of the application stated that there are 18 business vehicles and 30 total vehicles for 15 parking spaces on site. Mr. Sauer explained that all vehicles are not there on the same shift and there is stacked parking in the front side of the building.

Chairman Dennis asked that for the next meeting, the property owner be present and provide the following:

- Site plan with statistics
- Location of the generator
- Location of the dumpster
- Parking clarification and indicated on the site plan

The applicant will return.

DISCUSSION:

1755 CENTRAL AVE – HOFFMAN DEVELOPMENT

The Commission reviewed a re-zoning proposal that was referred from the Mayor and Board of Trustees for comment. Engineer Laberge updated the Commission on the procedure and stated the Board of Trustees will hold a public hearing for the proposed code book changes on the re-zoning section. The Commission will review the plans and submit comments.

132 LINCOLN AVE – COLONIE INDUSTRIAL PARK

The Commission reviewed a proposed site plan amendment for 132 Lincoln Ave. The Commission requested that the applicant's engineer provide a set of plans that show what was on the originally approved site plan and then identify all the proposed changes. Once this has been submitted a formal review can be undertaken. The Village Engineer Laberge will send a notification to the applicant requesting such.

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

VOTE: Unanimous to adjourn the meeting at 8:18 p.m.

Respectfully Submitted,

Alexandra M. Hart
Planning Coordinator
Village of Colonie