



Village of Colonie
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MINUTES
TUESDAY, January 4, 2022
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, January 4, 2022.

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
	Liaison:	Patty Schwarz Lockart
	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 to be turned off or muted.

The Commission reviewed the regular meeting minutes from December 21, 2021. Commissioner Martin made a motion to approve the minutes, as amended. Commissioner Hart seconded the motion.

VOTE: Unanimous to approve the December 21, 2021, meeting minutes as amended.

**18 Walker Way
Smokers Paradise
Change of Occupancy**

Joe Clark from Clark Industrial Park was present as well as applicant Imran Sadiq. Smokers Paradise is looking to occupy 2500 sq ft which previously housed Contest Analytical and Motivated Auto Detail.

The usage of the space is for wholesale business and distribution only. Smokers Paradise has three retail locations in other locations. No retail will be taking place at this location.

Commissioner Hart stated this location is fine for this tenant, however, Property management needs to address issues related to site clean up as related to other tenants. Mr. Clark stated he is in constant contact with the other tenants regarding these issues.

Commissioner Keegan asks what the three business vehicles listed will be used for. Mr. Sadiq clarified to Commissioner Keegan that there will be only three employee vehicles and no business vehicles.

Commissioner Martin Made motion to approve Smokers Paradise at 18 Walker Way. Commissioner Hart Seconded motion.

VOTE: UNANIMOUS TO APPROVE

**16 Computer Drive West, Ste. 103
Albany Envelope, LLC
Change of Occupancy**

Engineer Laberge stated that because this is a property that his family has interest in, he will be recusing himself from conversation of project.

Ryan Hurley, representative from Albany Envelope, LLC was present. The applicant stated that the company is an online promotional product distributor. The space will be a basic office space used for sales and accounting.

Chairman Dennis asked for clarification on the operation. Mr. Hurley stated that Albany Envelope, LLC supplies printing and promotional products nationwide.

Chairman Dennis asked applicant if they design these products for the customers. Mr. Hurley Stated that they do not design the product itself just the graphic image that goes onto the selected item.

Commissioner Martin asked if there is any retail done on site. Mr. Hurley confirms all business is done through phone, email, and internet.

Commissioner Martin asked where the business is currently located. Mr. Hurley stated that Albany Envelope, LLC is currently on Winthrop Avenue in Albany.

Commissioner Hart stated the property is very clean.

Commissioner Martin made a motion to approve Albany Envelope, LLC in suite 103 in 16 Computer Drive West. Commissioner Hart Seconded motion.

VOTE: UNANIMOUS TO APPROVE

1520 Central Ave
Abstract Art by Susan
Change of Occupancy

Brent Tague , property representative, and the applicant Susan Smith were present.

Ms. Smith described her proposed business as having abstract art and paintings in the space.

Commissioner Martin asked applicant if this space will be a gallery. Ms. Smith confirmed that it will be a gallery.

Commissioner Martin asked the applicant if patrons will be coming to view the gallery and if classes will be offered. Ms. Smith confirmed that there will be viewing of the gallery as well as classes. The classes will be small, 3-5 people. The applicant currently teaches classes out of her home.

Chairman Dennis asked Mr. Tague for clarification where the applicant will be in the proposed space. Mr. Tague stated that the tenant will be in the middle of the building on the top floor.

Chairman Dennis asked Mr. Tague which properties does he manage Mr. Tague stated 1510, 1520 and 1524 Central Avenue are all his properties.

Commissioner Martin made a motion to approve Abstract Art by Susan at Ste. 100 in 1520 Central Avenue. Commissioner Hart Seconded motion.

VOTE: UNANIMOUS TO APPROVE

**1658 Central Avenue
Genesis Hair Salon
Change of Occupancy**

Code Enforcement officer Steve Meservey addressed the Planning Commission on the history of complaints filed to his department concerning 1658 Central Avenue. He stated he received a complaint that Genesis Hair Salon was operating outside of the CO that was on file. Code Enforcement officer Meservey went to investigate the complaint. The applicant was performing Botox injections on the second floor. Code Enforcement Officer Steve Messervey stated that Botox falls under the aesthetic umbrella. The property was investigated and everything on the second floor meets Village code. The only question that was raised was what was done with the medical waste, i.e., needles. The owner informed Code Enforcement that the needles are taken with the medical practitioners that are performing the procedure. No medical waste is left on property.

The applicant Pete Schuman, registered physician's assistant was present. Recently the applicant had joined a practice with Cristen Litz and Abigail Johnson as certified Botox and facial filler certified practitioners. The applicants listed has begun to operate a Medi Spa that is housed within Genesis Hair Salon, located on the second floor.

Currently the business is just beginning and is averaging three clients a week. Needle disposal is handled like diabetic needles which are placed in a sharp's container. The needles are mailed back to a facility named Steri-cycle or can be dropped off at St. Peter's hospital. One container is filled up every three months.

Chairman Dennis explained to the Planning Commission that an approved site plan with twenty-one parking spots is on file.

Commissioner Hart asked the salon owner, Kelly Lazzaro, if the chair number is increasing. Kelly Lazzaro stated that no, the chair number is not increasing. The applicant only has five full time employees, and she has been approved for six total chairs. The applicant stated that she can remove a chair if required to meet code.

Mr. Schuman stated that he has a procedural chair that he uses in the upstairs space.

Chairman Dennis recommended to the applicant that with the addition of the procedural chair that a hair station be removed to meet the parking requirements associated with six chairs as dictated by a previously issue zoning variance. This is not considered a reallocation of chair but rather a reduction in the hair salon chairs and the addition of the procedural chair to stay within the requirements of the zoning variance. .

Commissioner Hart asked Ms. Lazzaro if a chair is removed if a hardship will be created if a chair is removed. Ms. Lazzaro stated no.

Commissioner Keegan asked the applicant if the plans are to start a Medi Spa. Mr. Schuman stated that the proposed business will offer Botox fillers and facial injections only.

Commissioner Keegan asked who owns the Medical Spa. Mr. Schuman replied that himself, Ms. Litz and Ms. Johnson. Commissioner Keegan recommends that a management service agreement be made between Ms. Lazzaro and Mr. Schuman. Commissioner Keegan stated that a doctor must own the Medi Spa.

Chairman Dennis stated that application should have two tenants listed. Ms. Lazzaro owns the property and Mr. Schuman would be a tenant of Ms. Lazzaro. This should be reflected on the parking data sheet

Village Attorney Caponera stated that from a legal standpoint the responsibility for a management service agreement falls on property owner and tenant. The responsibility of the Planning Commission and ZBA is based on what the site plan has been approved for and if the proposed property meets the Village code.

Village Engineer Laberge stated that the application is a tenant approval. Chairman Dennis agreed. The applicant amended the application by adding two tenants onto parking page.

Commissioner Martin made a motion to approve Genesis Hair Salon at 1658 Central Avenue. Commissioner Hart seconded motion.

VOTE: UNANIMOUS TO APPROVE

Planning Commission to have Vly Road Subdivision lead agency discussion to be added to next agenda meeting which is 1/18/22.

Commissioner Martin made motion to adjourn meeting at 7:30PM. Commissioner Hart Seconded motion.

Respectfully Submitted,

Courtney Sim
Planning Coordinator