



Village of Colonie
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Minutes
Tuesday, July 5, 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, July 5, 2022.

ROLL CALL: Chairman: Chris Dennis

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

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

Liaison: Patty Schwarz Lockart (absent)

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

The Commission reviewed the regular meeting minutes from June 21, 2022. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Hart seconded the motion.

VOTE: unanimous to approve

Site Plan Application

T Mobile

1760 Central Avenue

Village Engineer Laberge stated that T Mobile had come before the Commission about a year ago and had been told that they needed to submit a new site plan that addressed the green space requirements. They were reluctant to do so at that time and did not submit a new site plan with the application. Engineer Laberge will send a letter stating that the application is incomplete and if the green space is under 20% on the site plan that they will need to go before the Village Zoning Board of Appeals. Engineer Laberge will review the letter with Attorney Caponera before sending.

Change of Occupancy

One Park Place 2nd Floor

Delta Properties LLC - Superior Controls

Ms. Jennifer Mossey appeared as the agent for Delta Properties LLC, Superior Controls. Ms. Mossey stated that Superior Controls is an existing tenant that is moving from 80 Wolf Road to One Park Place. Superior Controls is an engineering firm for E-Technology designing and developing automation systems. The space requires no work or upgrades other than new carpeting. All simulation/testing is performed via computer with no equipment testing on site.

Commissioner Martin made a motion to approve the Change of Occupancy for Delta Properties LLC – Superior Controls located at One Park Place. Commissioner Hart seconded the motion.

Vote: Unanimous to approve.

Change of Occupancy
20 Wolf Road
Spirit Halloween

Ms. Lisa Lyons appeared as a representative for Spirit Halloween. Commissioner Martin asked if the floor plan was different. Ms. Lyons stated that the floor plan is like in the past and the square footage is still the same. The store will open August 1, 2022, until November 3, 2022.

Commissioner Martin made a motion to approve the Change of Occupancy for Spirit Halloween at 20 Wolf Road. Commissioner Hart seconded the motion.

Vote: Unanimous to approve.

Change of Occupancy
14 Walker Way Section 3
International Road Dynamics

Mr. Joe Clark appeared on behalf of International Road Dynamics. Mr. Clark stated that Mr. Dave Cronin from IRD is out of the country. Mr. Clark stated that IRD has programs/systems for tractor trailers that gathers information like weight, traffic data, and EZ Pass in addition to service and maintenance information. This will be the NY home base location. Chairman Dennis asked Mr. Clark regarding the training that is being offered and the number of people in the building daily.

Commissioner Chudznski asked Mr. Clark clarification regarding the statements regarding training in the application. Mr. Clark was unable to answer. The Commission has requested a letter from International Road Dynamics explaining training, how often training takes place, who is being trained and how many are being trained. Mr. Clark stated that he will request the letter and forward to the Commission.

Commissioner Martin asked Mr. Clark about the need for outside storage. Mr. Clark stated the storage is needed for equipment. Mr. Clark stated that the stockade fence will be replaced with chain link.

Commissioner Hart asked about debris on the property and dumpsters not on pads. Mr. Clark stated that new pads had been poured and the dumpsters have not been moved back to the pads. Mr. Clark stated they will remove the debris that has been dumped in that area.

Commissioner Splonskowski asked about parking spaces that don't exist. Parking lot has never been striped. Mr. Clark stated that he will have the pavement striped according to the site plan. Chairman Dennis has requested a new site plan be provided.

Commissioner Martin requested that the decision to approve the Change of Occupancy for International Road Dynamics, 14 Walker Way Section 3 be tabled until they have clarification from the company regarding the training questions.

**Change of Occupancy:
10 Walker Way
Fidens Brewing Company**

Mr. Adam Petela, Ms. Ashley Rabino, Mr. Tim Pierce and Mr. Greg Wilhem all appeared before the Commission to answer questions regarding the application for Fidens. Mr. Lou VanBuren, Chairman Village of Colonie Zoning Board was present in the audience. Mr. Petela stated the tasting room originally noted in the application is not being considered and the space will be used for brewery operations.

Chairman Dennis asked the representatives to explain the retail space. Mr. Petela stated that the retail space is “a place for those who want to purchase beer”.

Attorney Caponera asked if the tasting room and bar are still planned to be anywhere within the space. The representatives stated that they are no longer there. Sampling is available in the retail space when business is slow.

Chairman Dennis asked for clarification on the hours that are listed on the application. Representatives stated they were the approved retail hours. Mr. Pierce and Mr. Wilhem stated that the retail hours are 4PM to 8 PM. Production hours are 4 AM to 9 PM seven days a week.

Chairman Dennis asked what kind of noises would be heard from 4 AM to 7 AM. The Commission stated that there is to be no outside noise or outside operations, seven days a week prior to 7 AM.

Zoning Board Chairman VanBuren was recognized, and he asked what happens to the area variance that has been approved. Attorney Caponera stated it will have to be addressed. The applicant stated the retail hours are 3 PM to 7 PM Monday through Friday and Saturday 9 AM to 3 PM. There are no Sunday hours. Production hours are 4 AM to 9 PM seven days a week. Attorney Caponera stated that the hours of operation need to be clarified in the application.

Chairman Dennis explained Engineer LaBerge’s concerns regarding parking. Engineer LaBerge based his calculations on Fidens having a bar/serving area as depicted on a previous version of this application.

Based on this assumption there is not enough parking. The applicant explained that the bar/serving area is no longer in consideration and requested Engineer Laberge revisit the parking calculations based on that information.

The other concern is the plans submitted were surveys. Engineer LaBerge stated a signed and stamped site plan is required. The applicant is requested to respond to Engineer Laberge's June 10, 2022, letter.

In addition to Fiden's, Mr. Joe Clark appeared as the representative for the properties on 10 and 12 Walker Way. Mr. Clark discussed the changes proposed to the site plan in accordance with Engineer Laberge's letter of May 31, 2022. The changes discussed were in accordance with the Clark email of June 14, 2022. Mr. Clark presented these changes for acceptance by the Commission prior to making the formal site plan changes and submitting them for approval. It is noted that this site plan must be included as part of the overall Fiden's project approval.

**Site Plan Amendment:
132 Lincoln Avenue**

Mr. Joe Clark and Ms. Mary Clark appeared before the board to address concerns regarding the site plan for 132 Lincoln Avenue. These proposed site plan changes were provided to address Engineer Laberge's letter of April 22 and June 20, 2022.

Chairman Dennis identified his concerns regarding the truck turning movement at the rear of Building 3 on Lot 1. Several scenarios were discussed to resolve the issue. Ms. Clark stated that they were willing to work with any suggestions the Commission may have to facilitate the truck movements in that area of the site. Ms. Clark explained what items can be relocated to address the truck turning movement. The

question remaining was if the Commission was willing to relocate the proposed fence to a distance 25 feet from the building shown on the original site plan. Concerns still exist if an easement or variance is needed to address this concern. Ms. Clark stated she believed that this was covered in one of the existing variances. Attorney Caponera requested that Ms. Clark send all the variances to him electronically to review.

The Commission then addressed each concern of Engineer Laberge's June 20, 2022, letter, numbers 1-7. (1) The Clarks will have all plans stamped and sealed by a design professional;(2) the area behind Building 3 Lot 1 was discussed above; (3) Attorney Caponera will review all easements to determine if a revised ingress/egress easement will be required; (4) A post and rail fence will be installed on the railroad side of the emergency access driveway to preclude using this area for parking and storage. Fence will be identified on the site plan; (5) Russian Sage, Salvia, Lavender, Lilac, and multicolor Cone Flowers will be planted on each side of the entry; (6) Holly bushes will not be 50/50 male female, but rather a 10 to 1 distribution of female to male plantings; (7) The trees currently existing behind building 3 will remain and be shown on the landscaping plan.

Commissioner Martin asked the Clarks to check the grading plan to determine if there is a 3 to 1 slope on the mound along Lincoln Avenue and if not to correct the grading to reflect a 3:1 slope.

Commissioner Martin stated that the landscape plan tree planting detail, trees planted should be corrected to have the burlap on the root ball removed prior to planting. The root ball shall be planted at final ground level and mulch should not be mulched right up to the tree but rather have a minimum of two-foot diameter distance from the tree.

Ms. Clark asked the Commission if she can proceed with siding the building at Colonie Block. Ms. Clark stated that it will match the others. Chairman Dennis stated that it was ok to move forward with the plan to side.

Mr. Clark asked the Commission if manufacturing of cannabis is allowed in the Village. Attorney Caponera stated this is an allowed use in a Commercial D Zone.

Commissioner Hart made a motion to adjourn the meeting at 9:25 pm. Commissioner Chudzinski seconded the motion.

Respectfully Submitted,

Joan Rueckert - Planning Coordinator