



*Village of Colonie*  
VILLAGE HALL  
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**EDWARD SIM**  
DEPUTY MAYOR

**PATTY SCHWARZ LOCKART**  
TRUSTEE

**JAMES M. RUBINO**  
TRUSTEE  
**ART WHITE**  
TRUSTEE

**JAMIE BLOT**  
CLERK

**Minutes**  
**Tuesday, November 1, 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, November 1, 2022.

**ROLL CALL:** Chairman: Chris Dennis

Commissioners: John Martin  
Peter Chudzinski  
Kenny Hart  
Dan Judge  
Jim Splonskowski (absent)  
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 October 18, 2022. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Hart seconded the motion.

**VOTE:** unanimous to approve

**Change of Occupancy**  
**1545 Central Avenue**  
**Max Deals Albany, LLC**

Mr. Xiong Cheng Chen appeared before the commission. Mr. Chen stated that the business will sell general merchandise for household use. Items to be sold include toys, cooking ware, small tools, small furniture, and clothing. Mr. Chen stated they will not sell tobacco, alcohol, food, or CBD products. All items will be new. There will be no consignment items. Mr. Chen stated that there will only be two employees, Mr. Chen, and his wife.

Commission members discussed concerns over parking. There are currently 20 spaces directly adjacent to the front of the building for all tenants. Mr. Chen stated that employees have been instructed to park in the back of the building. Commission stated currently there is plenty of parking. The commission is concerned when the larger part of the property is developed there may not be enough parking. Attorney Caponera stated that when an Asian market tried to develop the site, they were sent to the Zoning Board for a variance which was denied. The Commission noted changes to the application items #7 (0 to 2), #9 (0 to 1), #10 (0 to 20) and (peak days estimated to be Saturday), #17 and #18 (from no to yes). The applicant agreed with all these changes. Commissioner Martin made a motion to approve the Change of Occupancy for Max Deals located at 1545 Walker Way with the condition that the owner and property manager understand that any

future application for this site may be restricted based on site parking availability for that use. Commissioner Hart seconded the motion.

**Vote:** Unanimous to approve

### **Site Plan Application**

**1760 Central Ave**

**T – Mobile Northeast, LLC**

Mr. Bryce McCullough appeared before the Commission. Mr. McCullough stated this is an upgrade of the generator located by Best Fire. The generator is a standby generator for when power goes out and is the emergency backup for 911. There is a fuel tank located under the generator which will receive delivery of fuel-by-fuel hose, much like a normal residential delivery. It currently has a battery backup. Studies have shown that the power rarely goes out on the site.

Village Engineer stated the sound level at the property line needs to be no more than 50db. A plan will need to be developed to address the concern.

Attorney Caponera stated T-Mobile had appeared before the Zoning Board for a variance and received needed variance. Original green space at the site had been 14%, increased to 17% and now has been reduced back to 14%.

Commissioner Martin made a motion to approve the Site Plan Application for T-Mobile located at 1760 Central Ave. With the condition that a noise abatement plan, be provided to Village Engineer Laberge. Commissioner Hart seconded the motion.

**Vote:** Unanimous to approve

**Discussion:**

Village Engineer Laberge shared that he had received two applications for Change of Occupancy for 1710 Central Ave., the old Stewart's building. Engineer Laberge stated he received a property survey not a site plan with the application. Commission members have concerns regarding the parking and the entrance closest to Central Avenue. Planning Coordinator Rueckert will provide the current approved site plan to commission members and Engineer Laberge provide the Commission with a review letter once he has reviewed the provided site plan.

Chairman Dennis shared that Conway Entertainment located at 1720 Central Ave. has concerns because they are not able to retrieve equipment from their storage unit located next door at Prime Storage 1750 Central Ave. due to limited hours. Conway Entertainment would like to consider placing a storage trailer at 1720 Central Ave. and wants to know if the Commission will approve. Commission members stated they need more information regarding the size of the storage trailer, where it would be located, and how will it be classified by code. Attorney Caponera will assess what sections of the Village Code may impact any proposed onsite storage.

Chairman Dennis requested the stamped and approved site plan for Stewart's located at 1560 Central Ave. Chairman Dennis voiced his concern regarding the plantings, stating he believed they do not match what was listed on the approved site plan.

Commissioner Chudzinski made a motion to adjourn the meeting at 7:25 pm. Commissioner Hart seconded the motion.

Respectfully Submitted,

Joan Rueckert - Planning Coordinator

