



Village of Colonie
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Minutes
Tuesday, August 15, 2023
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, August 15, 2023.

ROLL CALL: Chairman: Chris Dennis

Commissioners: John Martin
Brittany Kendall
Kenny Hart-absent
Jim Splonskowski
Brian Curran-absent
Kerry Bytner

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

Liaison: Patty Schwarz Lockart

Commissioner Martin opened the meeting at 6:30 p.m., led the Pledge of Allegiance and requested that all electronic devices be turned off or muted. The Commission reviewed the regular meeting minutes from

August 1, 2023. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Splonskowski seconded the motion.

VOTE: unanimous to approve

**Change of Occupancy
Home Window Tinting Business
59 Broderick Street**

Mr. Stepan Nahlupin and Mrs. Anna Nahlupin presented before the Commission requesting approval for a Home Window Tinting Business. Mr. Nahlupin stated that he is the only person that performs the tinting which requires only baby soap and heat. There will be no outside operations or storage, no more than two customers per day, he does not advertise and only provides the service to friends and family. The tinting usually requires four to five hours. Mr. Nahlupin stated that he usually schedules individuals two weeks in advance and is concerned for the safety of his family, his home and his neighbors. He also submitted a petition signed by his neighbors in support of the business being approved.

Chairman Dennis clarified for the Commission the requirements for a home business and stated that a special permit which requires a public hearing would be required prior to any Commission action toward approval.

Village Attorney Caponera read the Village Code section 242.5 and stated per code any home business cannot occupy more than 25% of the living space of the principal dwelling.

The paperwork submitted did not allow for square footage of the primary dwelling to be calculated nor of the garage which is an ancillary

building. The board requested that the Nahlupins' submit paperwork showing the square footage of each building and a site plan if possible.

Village Engineer Laberge stated if the area requirement cannot be met, the applicant would need to go to the ZBA for a variance.

The Nahlupin's will be tentatively scheduled for the September 5, 2023, Planning Commission meeting.

Drainage Site Plan Review

Otto Cadillac

1769 Central Avenue

Mr. Daniel Hershberg, engineer and Ms. Meghan Serrell, Otto Cadillac appeared before the Commission to submit an amended site plan for the infiltration basin. This was redesigned as a result of the unsatisfactory inspection by Village Stormwater Management Officer Rivera. Mr. Phil Koziol from Laberge Engineering reviewed the design. The basin has had the silt removed and #1 and 2 stone has been put in. It is easy to maintain and can be inspected without issue. Mr. Hershberg stated that since the redesign it has not overflowed considering all the rain that has been experienced this summer. Mr. Rivera has been notified of the changes and approves.

Commissioner Martin made a motion to approve the amended site plan for Otto Cadillac located at 1769 Central Avenue. Motion was seconded by Commissioner Splonskowski.

VOTE: unanimous to approve

Discussion:

Village Engineer Laberge and Chairman Dennis met with the engineer and applicant for Chipotle to be located at 1707 Central Avenue. They have a revised plan eliminating the retaining walls and one of the driving window lanes on the Central Avenue side. They have added additional green space in the front on the Central Avenue side. Details need to be worked out on the sidewalk plan and the back of the property. There is also a conflict with First National Bank of Scotia regarding some parking spaces.

Taco Bell will be submitting a sketch plan for the property they are interested in near Nicholas Drive.

Commissioner Splonskowski made a motion to adjourn the meeting at 7:12 pm. Commissioner Martin seconded the motion.

Vote: unanimous to approve

Respectfully Submitted,

Joan Rueckert - Planning Coordinator