



Village of Colonie
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MINUTES
VILLAGE OF COLONIE PLANNING COMMISSION
TUESDAY, DECEMBER 12, 2023
6:30 P.M.

The regularly scheduled meeting of the Village of Colonie Planning Commission was held at Village Hall, 2 Thunder Rd, Albany, NY 12205 on Tuesday, December 12th, 2023.

Roll Call:	Chairman:	Chris Dennis	Present
	Commissioners:	John Martin	Present
		Brittany Kendall	Present
		Kenny Hart	Present
		Jim Splonskowski	Absent
		Mark Stevens	Present
		Alison Curran	Present
	Village Attorney:	Victor Caponera	Present
	Village Engineer:	R.J. Laberge	Present
	Village Liason:	Patty Schwarz-Lockart	Present

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.

All present commission members reviewed the minutes from the meeting on Tuesday, November 14th, 2023. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Hart seconded this motion.

Vote: All in favor.

All present commission members reviewed the minutes from the regularly scheduled meeting on Tuesday, November 21st, 2023. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Hart seconded this motion.

Vote: All in favor.

**Change of Occupancy
1892 Central Avenue
Laundry LI 1892 Inc.**

Mr. Hari Godhwani was present as the owner of 1892 Central Avenue, Colonie Plaza, to seek approval for a change of occupancy for Laundry LI 1892 Inc. The applicants were present as well. The space was previously a laundromat, and the current applicant is looking to reopen as a laundromat with new equipment. They are also the owners of the Tobacco House of Albany in the plaza.

Commissioner Martin asked if there was anything else new, and the applicant replied that it was just the machines being replaced. Commissioner Martin also asked about the repavement of the lot. Mr. Godhwani stated they had repaved by the fitness center recently.

Commissioner Martin made a motion to approve the change of occupancy application for Laundry LI 1892 Inc. at 1892 Central Avenue. Commissioner Hart seconded this motion.

Vote: Unanimous to approve.

**Change of Occupancy
1510 Central Avenue, Suite C
Styles by Reshma**

Mr. Bill Fitzgerald, from Coldwell Banker, was present along with the applicants, Reshma Shahi and Peter Orlander. Ms. Shahi is seeking approval for a change of occupancy at 1510 Central Ave, Suite C, for her business, Styles by Reshma. Chairman Dennis asked which parking spaces on the property were dedicated to Suite C, and Mr. Fitzgerald highlighted that it would be the 4 pink spaces on the map, directly in front of 1510 Central Ave. Chairman Dennis further asked if this would be taking parking from another business. Mr. Fitzgerald stated that this is currently a vacant space. He explained that the allotted parking is appropriate, and there is typically more parking available throughout the day in the back lot.

Commissioner Martin asked the applicants how many chairs would be in the space. Ms. Shahi replied that there will be two chairs, one for threading and one for cutting hair. Mr. Orlander explained that these two chairs are different, but both will be used by only Ms. Shahi. Commissioner Martin asked if Ms. Shahi had plans to expand at this time, to which Ms. Shahi replied no.

Chairman Dennis asked for clarification of the floor plan, specifically where the chairs would be located. Mr. Fitzgerald explained that the waiting area would be along the Central Avenue side, and the haircutting/threading chairs would be on the opposing side. Chairman Dennis also specified that if approved, the approval would be for 1 “station”, with 1 person, as it is what the parking allows for. If Ms. Shahi would like to expand and have more employees, she would need to come back for further approval.

Chairman Kendall inquired why the application included “Churches” on page 2 of the application as a use not specified. Mr. Fitzgerald explained that there are 4 church organizations within the building, and it was included because all of the parking is shared. Commissioner Hart received confirmation from the applicant that the business would be closed on Sunday.

Commissioner Martin made a motion to approve the change of occupancy application for Styles by Reshma, located at 1510 Central Avenue, Suite C. This motion was seconded by Commissioner Hart.

Vote: Unanimous to approve.

**Site Plan Amendment
3 Fritz Boulevard
Tru Green Chem Lawn**

Mr. Joe Clark and Ms. Amanda Schufelt were present to seek a site plan amendment for the property at 3 Fritz Boulevard. This amendment would further affect parking on 16 and 18 Walker Way. Mr. Clark explained that the current tenant at 3 Fritz Boulevard is Tru Green, and their employees are currently parking on the grass, as there isn't enough parking. This site plan amendment proposes 50 new parking spaces to remedy this problem. Mr. Clark explained that the majority of this new parking would be on 3 Fritz Blvd's property. Commissioner Hart asked if these spots would be replacing existing green space, and Mr. Clark replied yes.

Commissioner Hart suggested preparing three separate amended site plans to eliminate any confusion with future tenant changes. Chairman Dennis agreed that this site plan was good as an overview, but 3 new site plans would need to be submitted for 3 Fritz Blvd, 16 and 18 Walker Way. These site plans would need to highlight how the landscaping would be affected. Mr. Clark stated that trees wouldn't be affected, only grass. Chairman Dennis expressed concern for the location of the proposed parking spaces would be impacting entrance to the sites. Chairman Dennis suggested the commissioners visit the site. Village Engineer Laberge agreed that this was a good overview, and he also asked what is currently in the back of 3 Fritz Blvd. Mr. Clark explained that there is additional space necessary for the movement of the Tru Green trucks.

Commissioner Martin asked how this proposed parking would affect the other tenants. He also asked how it would be ensured that the employees adhere to the parking intended for the business. Mr. Clark explained that the employees are currently parking on the grass, but the manager would assign parking spaces to employees to make sure that they are parking in the appropriate area. Mr. Clark added that all of the spaces in the building are currently occupied, and this will only be adding more parking to the property.

Chairman Dennis requested that a site plan be submitted for each property. Mr. Clark added that Tru Green will be added as a “tenant” in each property, so that the additional parking will be accounted for. He added that new parking sheets will be provided, as well as the additional landscaping information.

The Planning Commission will provide comments to the applicant before they submit new applications to return.

Site Plan Application
1707 Central Avenue
Ridgeback Hospitality

Ms. Caryn Mlodzianowski was present with Bohler Engineering representing Ridgeback Hospitality in their site plan application for Chipotle at 1707 Central Avenue. She presented a new site plan, stating that the layout has not changed, but numerous comments provided by Village Engineer Laberge have been addressed. First, she stated that a directional sign was added to direct cars exiting from the pick-up window to drive towards Red Fox Drive to exit. She explained that they have been in coordination with First National Bank to draft easements, and they have also specified the two trees that will be placed on First National's property. The new site plan indicates a plan for snow removal, where if more than two inches fall, the snow will be hauled offsite. The plan addresses the lighting concerns, proposing for the light levels to be adjusted. Ms. Mlodzianowski added that they would be happy to discuss adding shields to the lights, as well as adjusting the lighting levels after a certain time.

Commissioner Martin asked what the maximum estimated traffic would be per day, and Ms. Mlodzianowski stated that it would be roughly 420-450 vehicles per day, based on estimates from other locations. Commissioner Martin asked if there has been any movement on the coordination with DOT, and Ms. Mlodzianowski replied that the application is still under review. Commissioner Martin shared that he is mainly concerned with traffic exiting the restaurant, particularly the drive through, and causing a back-up onto Red Fox Drive, which further affects the residents in the neighborhood. Ms. Mlodzianowski reminded the Commission that this is not a typical drive through, and would have the space for a maximum of 11 cars if they are lined up in the parking lot. Commissioner Martin added that he would like to see a traffic count for peak times of the operating hours, and how this would be aligned with the timing of the light at Red Fox Drive and Central Avenue. Ms. Mlodzianowski added that DOT would have the final say, and they do look at the peak A.M. and P.M. times for traffic. Village Engineer Laberge added that they likely will not adjust the timing of the light, and cars may just exit through the bank if there appears to be a backup.

Chairman Dennis asked approximately how many people will make it through the drive through, based on how the orders are queued. A representative from Ridgeback Hospitality shared that customers receive a notification on their phone when their food is near being ready, and then they will be instructed to arrive to pick it up. Though the turnaround time depends on the store, it is likely only a few minutes. Commissioner Curran further explained that this is not like a typical drive through, as there is no ordering at the window. The representative from Ridgeback explained that pick-up times will be staggered as well based on order quantity. Chairman Dennis asked if they knew how much walk-in traffic there would be, and the representative from Ridgeback shared that it will likely be more walk-in than anything, so not everyone will be going through the drive through. They have proposed 28 indoor/outdoor seats for the restaurant, and the option for walk-in to-go is available as well. Commissioner Hart commented that in his opinion, that if this is like other fast-food locations, a back-up is possible in the beginning but not

likely in the long-term. The representative from Ridgeback added that this is being considered a “secondary” store, based on its placement in relation to the Wolf Road and Balltown Road locations. They are not anticipating it to be as busy as those existing locations.

Chairman Dennis asked if the retaining wall will be removed on the drive through side if the easement with First National Bank is finalized, to which Ms. Mlodzianowski replied yes. Chairman Dennis asked if landscaping could be added to that side, as there is a gradual drop off onto the bank site. Ms. Mlodzianowski said that could be added. The site plan shows stated that the bank requested two Blue Spruce trees be planted, and Commissioner Hart asked what the height was. They requested 5-6’ at planting, but Chairman Dennis stated that the standard is 6-7’ at planting. Commissioner Martin requested that the proposed maple tree to the rear of the property on the bank side be a red oak, as opposed to the maple currently shown. Ms. Mlodzianowski replied that can be done.

Attorney Charles Dumas was present to represent First National Bank, as well as Mr. Christopher Cross, the Director of Facilities. They were present to provide an update on the easements between 1707 and 1705 Central Avenue. Attorney Dumas first asked if there could be bidirectional signage for cars exiting the parking lot. He then explained that they have 2 easement agreements drafted, one for drainage and one that is an amendment to the current easement from 1984. The drainage easement includes the front of 1705 Central Avenue to Killean Park, to the existing catch basin. The easement amendment includes 3 parking spaces that would be dedicated to Chipotle’s employees, as long as the parking is not long term and is utilized by registered and insured vehicles. The right-of-way would run across the back of 1707 Central Avenue to Red Fox Drive, and then across the back of 1705 Central Avenue to Killean Park. These parking spaces would be maintained by First National Bank. Attorney Caponera requested these documents from Attorney Dumas and added that the easement agreements would be a condition of the Commission’s approval. Village Engineer Laberge requested that a document from the bank agreeing to this work be added to the easement agreement, though any excavation work would be solely on the property of 1707 Central Ave.

Chairman Dennis asked if all of the green space indicated on the site plan is currently green space, to which Ms. Mlodzianowski replied no. It is proposed to add a small piece by Central Avenue, but the majority is already green. Chairman Dennis requested confirmation in the easements that the bank would continue to maintain the grass area.

Village Engineer Laberge addressed the lighting concerns he had for the site plan. He stated that the LED fixtures are 12’ high, which is 18’ when the grading is considered. He suggested adding shields to the lights to avoid a glare on Central Avenue and Red Fox Drive. Chairman Dennis mentioned that this may also be a concern with the drive through lights, but Ms. Mlodzianowski agreed this could be handled with shielding. Chairman Dennis added this would also be a condition of their approval. Village Engineer Laberge added that the lighting level should be decreased while the business is closed, and Ms. Mlodzianowski stated this would be possible.

Commissioner Kendall asked if headlights of the cars in the drive through would pose a problem to residences within the buffer zone. Ms. Mlodzianowski and the Commission agreed that between the dense landscaping and the grade change, it shouldn’t be a problem.

Village Engineer Laberge summarized some of the outstanding items that were depicted in his letter copied to the Commission. The project was still waiting on a DOT work permit and Village DPW approval for water/sewer connections. The easement agreements should be provided to the Village. Finally, the new site plan should include the modified signage, landscaping in the drive through and the modified tree height. It should also include information regarding the light levels after business hours. Lighting evaluations would also be conducted after 6 months if necessary. It was decided by the Commission that a new site plan would need to be submitted for the January 2nd meeting that includes all of the discussed information.

Discussion

Chairman Dennis asked if a written decision had been submitted to the Clerk's office from the Zoning Board of Appeals for the tinting business at 59 Broderick St. They would need to return to the Planning Commission for their final approval. Attorney Caponera stated that the stamped and signed decision should be placed in the Planning Commission's file before a date for the public hearing could be decided. Deputy Clerk Curran stated that she would send the decision to Attorney Caponera the following morning.

A discussion was held regarding the potential agenda for the next Planning Commission meeting, tentatively scheduled for January 2nd.

Ms. Judy Canniff was present in the audience with her husband and asked if there had been any further development on the proposed Vly Road subdivision. She brought up concerns regarding current traffic congestion on Vly Road.

Commissioner Martin made a motion to adjourn the meeting. This was seconded by Commissioner Hart.

Vote: All in favor.

Meeting adjourned at 8:05 p.m.
Respectfully submitted,

Hannah Curran
Deputy Village Clerk
Village of Colonie