



Village of Colonie
VILLAGE HALL
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JAMIE L. BLOT
CLERK

Minutes
Tuesday, August 6, 2024
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 6, 2024.

ROLL CALL: Chairman: Chris Dennis

Commissioners: John Martin
Brittany Kendall-absent
Kenny Hart
Jim Splonskowski
Alison Curran
John Lemperle

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

Liaison: Frank A. Prevratil

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. Trustee Prevratil introduced the new alternate, Carl Kuentzel to the Commission. Chairman Dennis and Commissioner

Hart had not reviewed the minutes from the July 2, 2024, meeting. The Commission postponed the approval of the regular meeting minutes from July 2, 2024, until the August 20, 2024, meeting.

Change of Ownership

1653 Central Ave.

Prime Storage Albany, LLC

Mr. Brad Plom appeared before the Commission for Prime Group Albany LLC. Mr. Plom stated that Prime Group Albany LLC had purchased the building and had a change in employees and assumed that is why there was a delay in the Change of Ownership application. Mr. Plom stated there are no changes proposed to the site or building.

Commissioner Hart asked if a site plan, floor plan or easements are needed to approve the Change of Ownership. Village Attorney Caponera stated there is an approved site plan that the sale was approved on. Commissioner Hart asked if there are any changes to the site plan or easements to the Goldstein car dealership. Mr. Plom stated they are a storage facility renting spaces to customers. He is unaware of who Goldstein is. Mr. Plom stated the business was bought from Central Storage Solutions. Concern was expressed By Commissioner Hart that the site plan could have changed when it became Central Storage Solutions. Chairman Dennis stated that there is an approved site plan and if any changes have been made the new owner would need to bring it to compliance. Commissioner Hart requested that a letter be sent to the building department to confirm that no changes have been made to the site plan. Commissioner Curran confirmed that Central Storage Solutions is Goldstein's.

Commissioner Martin made a motion to approve the Change of Ownership of Prime Storage Albany LLC located at 1653 Central Ave. Commissioner Hart seconded the motion.

Vote: unanimous to approve

Change of Ownership

1729 Central Ave.

Pakamro Properties

Mr. Ali Khan, the property owner, appeared before the Commission. Mr. Khan stated that he purchased the building September 11, 2023, from Ray Tidball who continues to rent the salon on the first floor. The second floor is a small one-bedroom apartment that is not currently rented. There are no plans to change anything other than clean it up and make it look better. Commissioner Hart requested that the building department look at the site plan to confirm that no changes have been made.

Commissioner Martin made a motion to approve the Change of Ownership, Pakamro Properties for 1729 Central Ave. Commissioner Hart seconded the motion.

Vote: unanimous to approve

Change of Occupant

1693 Central Ave.

Towne Pizza

Mr. Frank Guerra, Towne Pizza Owner, and Mr. Tony Dadamo, architect appeared before the Commission.

Mr. Dadamo stated that the former sub shop is looking to become a pizza restaurant and he was submitting the site plan for the pizza shop.

Commissioner Martin questioned where the dumpster will be located because it was not shown on the site plan, and he believes it will impact the parking on the site. Mr. Guerra stated that the previous owner had one on site and it didn't interfere with the parking.

Chairman Dennis requested confirmation of the number of seats to be twenty-four and asked the maximum number of employees on a shift. Mr. Guerra stated four to six employees on the busiest nights. It was determined that there is enough parking for patrons and employees.

Chairman Dennis asked how the seating will be set up. Mr. Dadamo stated that there are currently six four top tables in the building. They will be using the current set up for seating.

Commissioner Hart asked if they will be delivering food or serving alcohol. Mr. Guerra stated they will be using Door Dash or Uber Eats and there will be no alcohol served on site.

Commissioner Curran asked if grease traps are required. Village Engineer Laberge stated they will need two one-thousand-gallon traps, and they need to be on the site plan. Mr. Dadamo stated they hadn't been included in the drawing because they wanted to obtain approval first.

The Commission agreed that it is an allowable use by code, but the applicant will need to resubmit the site plan with the grease traps laid out and the dumpster shown, in addition to a full floor plan. An accurate seating plan needs to be submitted as well.

Change of Occupant
1698 Central Avenue
Rarick HVAC

Mr. John Rarick, the business owner, appeared before the Commission. Ms. Sabrina Pierone, the property owner, was not present.

Mr. Rarick stated he is using the site for warehouse storage unit/office space, it's vacant most of the time and there. The staff consists of Mr. Rarick and one other person.

Commissioner Martin stated the parking sheet submitted should have been for the full site, not just his business.

Commissioner Hart asked if there will be outside storage at the location because there are trailers with equipment sitting on the site. Mr. Rarick stated that the trailers are used for moving the equipment and the inside is used for revolving storage of equipment. Commissioner Hart stated that Mr. Rarick currently has equipment parked in an area that says trees on the site plan. Village Attorney Caponera asked for verification as to the building that Mr. Rarick is renting. It was determined the building that Mr. Rarick is renting doesn't match the application.

Commissioner Martin expressed that the Village does not allow outside storage in any of the commercial spaces. A vehicle occasionally overnight is acceptable.

Chairman Dennis asked if there is an overhead door. Mr. Rarick stated the overhead door is on the side facing the green space. Commissioner Hart stated there is no green space, just crusher run. Chairman Dennis stated that it appears the site statistics have been changed from the original submission. There was discussion regarding parking and allotting a space for the trailer. Mr. Rarick stated he needs four parking spots. Commissioner Curran stated the previous tenant had eleven spaces allotted to them based on the site plan submitted.

Chairman Dennis stated he has no problem with the use. Storage must be inside. It was agreed the property owner needs to provide a new site plan with the change in statistics. The current site plan does not reflect the site and how it's being used.

Commissioner Martin asked if the Commission could approve the tenant and then request the owner to come with the new site plan. Commissioner Hart stated that he doesn't think approval should be given until the owner comes in. Village Attorney Caponera stated the application doesn't fit the approved site plan and believes that we need the site plan to reflect the use.

Chairman Dennis stated that ABD can reach out to Village Engineer Laberge should they have any questions.

The applicant will need to resubmit the revised application with a new site plan.

Discussion:

Commissioner Martin asked Village Engineer Laberge if he had any updated information regarding Capital Church. Village Engineer Laberge stated the church had been sold and Victory Church had purchased the property. Village Engineer Laberge stated the last he heard they would be submitting a site plan application.

Commissioner Martin had spoken to Village Attorney Caponera asking if the Village should take into consideration any action restricting the potential for Airbnb in the Village. Commissioner Hart stated that is something the Mayor and Board of Trustees would have to do, not the Planning Commission.

Village Attorney Caponera spoke regarding the Grouper Law which was enacted by college towns when renting rooms. The law states there can only be X number of unrelated people in a household. Attorney Caponera stated this law was somewhat different than individuals renting through Airbnb. Attorney Caponera has spoken with the mayor regarding this concern after the mayor received a letter from a resident. Mayor Rubino stated he and the trustees are waiting for a ruling from New York State on the law. Trustee Prevratil stated the Board is looking at the concern and waiting for clarification from New York State as to what can and cannot be done before taking any action. Mayor Rabino stated that the Board has discussed with Village Attorney Caponera as to making the necessary changes to the Village Code.

Commissioner Martin asked if Village Engineer Laberge has received any communication from Taco Bell. Engineer Laberge stated he has received no response to the latest Commission comments. He also stated DOT is the is the only agency involved and we have not heard back from them yet. The Commission is also waiting to hear back from Albany County Planning Board which only meets once a month.

Commissioner Hart made a motion to adjourn the meeting at 7:20 PM. Commissioner Martin seconded the motion.

Vote: unanimous to adjourn

Respectfully Submitted,

Joan Rueckert - Planning Coordinator