



Village of Colonie
VILLAGE HALL
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JAMIE L. BLOT
CLERK

Minutes
Tuesday, August 20, 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 20, 2024.

ROLL CALL: Chairman: Chris Dennis

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

Alternate: Carl Kuentzel

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

Liaison: Frank A. Prevratil-excused

Chairman Dennis opened the meeting at 6:30 p.m., Commissioner Kendall led the Pledge of Allegiance and requested that all electronic devices be turned off or muted. Deputy Mayor Lockart was the acting

liaison. Chairman Dennis asked Alternate Commissioner Kuentzel to be a full voting member for the night. The Commission reviewed the regular meeting minutes from July 2, 2024, and August 6, 2024. Commissioner Martin made a motion to approve all minutes as amended. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant

8 Wolf Road

Prince Tea House

Ms. Ping Lin appeared before the Commission for Prince Tea House. Ms. Lin stated she is taking over the site that housed the Hong Kong bakery for the past twelve years. Ms. Lin stated Prince Tea House is a full-service franchised restaurant with a bar that currently has locations in NYC and New Jersey.

Chairman Dennis asked Village Engineer Laberge if the site (Hong Kong Bakery) was approved for a bar. Engineer Laberge stated he did not know if the original approval included alcohol sales. Engineer Laberge stated when there is a bar the parking requirement will need to be looked at. There is a formula in the code to work out the parking requirement. Chairman Dennis asked Ms. Lin for clarification if alcohol will be sold. Ms. Lin stated yes. Chairman Dennis stated that there are no calculations on the site plan for the bar included in the application.

Commissioner Curran stated the application states the linear bar footage is twenty-five feet. The calculation is twenty-five feet squared divided by usable customer floor space which is indicated to be 1650 sq. ft., which indicates .38 and if you review the Village code, the parking for that is twenty-three parking spaces. Eight employees indicated divided by 1.5 parking spaces would be 5.3 parking spaces.

The requirement for the bar space and employees would be twenty-nine spaces. There was discussion about if the customer space is accurate and if the number of tables needs to be considered. Village Engineer Laberge will confirm the parking requirements.

Commissioner Martin stated that the application did not indicate the NYS liquor license that will be required to serve alcohol. Ms. Lin initialed the correction on the submitted application and stated that she had not applied for the license yet.

Chairman Dennis stated, "the approval that was given to the Hong Kong Bakery amended the application to serve alcohol at the location. It was ascertained there would be no changes to the sixty seats shown." Chairman Dennis asked for clarification on the number of parking spaces. Village Engineer Laberge stated after counting there are twenty-seven shown on the submitted application. Village Attorney Caponera asked if there is any documentation that spoke about the adjoining parcel that appears to have a common parking lot between the two properties. Village Attorney Caponera was provided a document dated 01/13/13 that calls for common access to ingress, egress and parking in the rear lot. This allows for a more convenient flow for customers of both properties."

Chairman Dennis asked Ms. Lin if there will be any construction inside, Ms. Lin stated yes. Chairman Dennis stated he would like the building department to verify that the landscaping shown on the site plan is in place before a CO is issued for the space.

Commissioner Kendall asked if Ms. Lin was present on behalf of the property owner and if she was comfortable providing the information that will be required of the property owner. Ms. Lin stated she is in contact with them and will share the information.

Village Attorney Caponera stated the Commission doesn't have an updated site plan showing the landscaping. Attorney Caponera asked if an updated site plan showing landscaping is needed.

It was agreed by the Commission that a stamped site plan which shows the landscaping, a stamped floor plan and updated parking sheet needs to be submitted before the Commission will act on the application for Prince Tea House.

Change of Occupant
18 Walker Way Section 3
The ICEE Company

Mr. David Blake, Director of Field Operations for the ICEE Company and Mr. Joe Clark, representing the landlord appeared before the Commission.

Mr. Blake stated the ICEE Company is in the frozen beverage industry and they have over one hundred service centers. They will be relocating from their current location in Ravenna. They are looking to modernize and upgrade their facility. They distribute cups, lids, concentrates, machines, machine parts and provide the service on the ICEE machines. All employees are employed by the ICEE Company with ninety-eight percent of the work performed off site.

Company Vehicles are taken home by the employees. Currently there are four company vehicles and unless there is a vacancy there is no overnight parking of company vehicles.

Commissioner Martin asked about meetings and classes. Mr. Blake stated this would be rare and only for the day. It could be up to eight individuals in addition to the employees, but training is usually done elsewhere.

Chairman Dennis stated that the landscaping has been recently updated on this site.

Commissioner Martin asked Mr. Clark if this was the parking that was being used for Tru Green. Mr. Clark stated it is not. Commissioner Martin asked why trucks from Tru Green were being parked on the rear of the site, empty trailers were parked on the green space and backhoe equipment on the site. Commissioner Martin stated there is also a lift and another truck by something other than Tru Green. Mr. Clark stated the only parking Tru Green should be using is what they are approved for. Commissioner Martin stated that the spaces approved were being taken by other tenants. Mr. Clark stated the lease for Tru Green states where they can park. Mr. Clark stated he will drive by the site and address the issue.

Commissioner Martin made a motion to approve the Change of Occupant for The ICEE Company located at 18 Walker Way, Section 3. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant

25 Walker Way

ALS

Ms. Dina Ayers, Service Center Manager at ALS Environmental and Mr. Joe Clark, representing the landlord appeared before the Commission.

Ms. Ayers stated that ALS is an environmental laboratory network that is found in the U.S. and abroad. Ms. Ayers is running a service center for them. They do environmental analysis. In Ms. Ayers, office she is providing coolers with bottles for clients. The client drops samples off

and Ms. Ayers ships samples via Fed Ex to the various labs. Results are given directly to the client. The operation consists of Ms. Ayers with a part-time courier when needed. Nothing is stored outside. Ms. Ayers stated the hours of operation are 8 AM to 5 PM.

Commissioner Martin made a motion to approve the Change of Occupant for ALS Environmental located at 25 Walker Way. Commissioner Splonskowski seconded.

Vote: unanimous to approve

Chairman Dennis explained to the Commission Members that the Planning Coordinator and the building inspector had looked at the 132 and 134 Lincoln Avenue site and asked for clarification from Mr. Clark as to which tenant is in each building and suite on the site and which tenant has been approved. The list of applicants that follows is a result of the work that has been done by the Village to get an accurate picture of the site.

Chairman Dennis stated that the landscaper working on the Fritz Blvd. site is the same landscaper that will be working on the Lincoln Ave. site. Mr. Clark stated there are several trees that need to be planted in different areas, four trees behind building two, 134 Lincoln Ave., four trees behind building three, 134 Lincoln Ave. and the berm. Mr. Clark stated that the landscaper believes the trees suggested for the berm will not work. Commissioner Martin asked if the berm could be similar to what has been approved for Stewarts. Chairman Dennis stated that he would like to visit the site and asked other members of the Commission to join him. Commissioner Martin stated that he would like to be present when the site is reviewed and meet with the landscaper and Mr. Clark. Commissioner Curran stated if the meeting is held after 2 PM she can be present. Commission members were asked to email

Commissioner Martin with any of their concerns regarding the landscaping.

It was noted that there is a truck for sale on the front lawn and the Commission would like it moved.

There was discussion regarding moving forward on approval for the tenants when the Commission stated in the past that they would not entertain moving forward with applicants due to the site not conforming to the approved site plan. Commissioner Martin stated that he accepts moving forward because members of the Commission will be meeting with the landscaper. Commissioner Splonskowski stated that he is not opposed to the tenant but would like the building department made aware of the items that need to be addressed by Mr. Clark.

Change of Occupant
132 Lincoln Ave. Section 102
Mexico Depot LLC

Ms. Katherine Hernandez, co-owner Mexico Depot LLC and Mr. Joe Clark, agent for the owner appeared before the Commission. This is a new tenant at the site.

Ms. Hernandez stated they are a wholesale sale and distribution business for Hispanic and Latino bodegas and restaurants. They currently are operating in a co-op warehouse in Menands. Currently the business is one hundred per cent delivery. The Lincoln Ave. site makes them more centrally located to Restaurant Depot and customers will be looking to come in and pick up orders. Currently delivery is done by the two owners of the company. Deliveries are monthly, weekly or bi-weekly. Products that they receive from importers in NYC and New Jersey the owners pick up themselves. They have a total of thirty-five customers and expect only one to two customers a day. There are

longtime customers that will stay on delivery and orders over \$350.00 will remain on delivery.

Commissioner Martin made a motion to approve Mexico Depot LLC located at 132 Lincoln Ave. Section 102. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant

134 Lincoln Ave. Suite 202

Premium Property Services/Eagle Eye Customs

Mr. Joe Clark, property owner, was present before the Commission. Mr. Matthew Falconio, business owner, was not present.

Mr. Clark stated this is a subleased space from AR Powders. Mr. Clark stated “if he’s not here, I’m not here. I’m not speaking for the gentleman.” Mr. Clark stated they had been before the Commission and been denied for a not allowable use. The new application is a new use.

It was determined that the Commission would not proceed with the application if the applicant wasn’t present. It was stated that Eagle Eye is currently in the space illegally, they have not been approved by the Planning Commission and have no Certificate of Occupancy.

Change of Occupant

134 Lincoln Ave. Suite 304 (Expansion)

Chambers Sports Performance

Mr. Clark, agent for the owner, appeared before the Commission. Mr. Clark stated the business owner is out of town.

Mr. Clark stated that Chambers Sports Performance was approved for Suite 303 and expanded to Suite 304 when they hired another trainer and added two batting cages. Most clients are dropped off, so parking is not impacted.

Commissioner Martin made a motion to approve the expansion for Chambers Sports Performance located at 134 Lincoln Avenue Suite 304. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant
132 Lincoln Ave. Section 403
AAA Hudson Valley

Mr. Darryl Bessette, Director Technical Services for Hudson Valley and Mr. Joe Clark, agent for the property owner appeared before the Commission.

Mr. Bessette stated Triple AAA currently has a garage in Menands that is owned and where they store vehicles. Triple AAA ran out of storage room and is leasing the space to store two service vehicles and a new local tire truck. There is one employee who drives the truck. All work is done off site. There is a courier once a day that is in and out. The space is strictly used for storage.

Commissioner Martin made a motion to approve AAA Hudson Valley located at 132 Lincoln Ave. Section 403. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant

132 Lincoln Ave. Section 101

Commercial Kitchen & Hoods LLC

Mr. Clark, agent for property owner, appeared before the Commission. Mr. Joe Aquilo, representative for Commercial Kitchen & Hoods, was not present.

Mr. Clark stated that Commercial Kitchen & Hoods designs, installs, and repairs commercial kitchens. All work is done off site. There is no fabrication done on site. All vehicles are kept inside. Deliveries are minimal.

Commissioner Martin made a motion to approve Commercial Kitchen & Hoods LLC located at 132 Lincoln Ave. Section 101. Commissioner Curran seconded the motion.

Vote: unanimous to approve

Change of Occupant

132 Lincoln Ave. Suite 401

Stream HVAC

Mr. Jeff Patterson, owner, and Mr. Joe Clark, agent for property owner, appeared before the Commission.

Mr. Patterson stated Stream HVAC does residential installation for heating and cooling as well as repairs. There are two employees in addition to himself and two cargo vans for the business. Vehicles are stored inside overnight.

Commissioner Lemperle asked if there are any hazardous materials. Mr. Patterson stated the freon is clipped in and secured in the vehicles. No freon is stored on the property, it must be bought new.

Commissioner Martin asked if duct work is done by the company and where it is stored. Mr. Patterson stated he orders for each job. Scrap does not come back because he has an individual that comes to the work site to pick up. There is no storage outside the space.

Commissioner Lemperle asked if any license is needed for the business. Mr. Patterson stated EPA 608 Refrigeration. Application was corrected to reflect this.

Commissioner Martin made a motion to approve Stream HVAC located at 132 Lincoln Ave. Suite 401. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant
132 Lincoln Ave. Section 404
CXNS Customs

Mr. Joe Clark, agent for property owner, appeared before the Commission. Mr. Cade Coyne, business owner, did not appear.

Mr. Clark stated that CXNS Customs details, wraps and does after-market customizations of cars.

Village Attorney Caponera asked if any vehicle repairs are done on site. Mr. Clark stated that he didn't believe so. Attorney Caponera stated that the Commission would prefer to have the owner present to answer questions.

The Commission tabled this application until the owner could be present.

Discussion:

Planning Coordinator Rueckert shared that Advanced Flooring, TSS Distribution, Smith & Nephew and Spectrum Research need to be submitted for approval from Mr. Clark. Limitless is another business that needs to come in for approval (which previously was AR Auto works). Mr. Clark believes that Smith and Nephew were approved previously, and he will find the paperwork.

Chairman Dennis stated that he has observed a sign on the lawn of Pine Grove Church to rent commercial office space. It was agreed that Pine Grove should come before the Planning Commission if they rent space. A letter will be sent to the church.

Commissioner Curran inquired about Victory Church coming before the Commission. Engineer Laberge stated it was his understanding that they will be submitting the Change of Ownership and a Site Plan application.

Commissioner Curran stated that Colonie Beverage has sold as well.

1535-1539 Central Ave./Taco Bell- Village Engineer Laberge stated we are waiting for a written response to his last letter and answers for the traffic questions. The Village is also waiting for a response to SEQRE coordinated review and Albany County Planning Commission. Engineer Laberge spoke with Mr. Freitag, engineer for the applicant, at a meeting and asked him to speak with his client regarding the hours of operation and to consider not being open as late as has been stated.

Commissioner Splonskowski asked about the Village getting their own traffic study. Engineer Laberge stated that he believes the Commission should wait until they receive a response to the questions presented. He does not believe a separate traffic study is required.

Commissioner Martin made a motion to adjourn the meeting at 8:20 PM. Commissioner Splonskowski seconded the motion.

Vote: unanimous to adjourn

Respectfully Submitted,

Joan Rueckert - Planning Coordinator