



*Village of Colonie*  
**VILLAGE HALL**  
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**PATTY SCHWARZ LOCKART**  
DEPUTY MAYOR

**FRANK A. PREVRATIL**  
TRUSTEE

**JASON M. DEPAULO**  
TRUSTEE

**MARK P. STEVENS**  
TRUSTEE

**JAMIE L. BLOT**  
CLERK

**Minutes**  
**Tuesday, September 3, 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, September 3, 2024.

**ROLL CALL:** Chairman: Chris Dennis

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

Alternate: Carl Kuentzel

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

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. Chairman Dennis asked Alternate Commissioner

Kuentzel to be a full voting member for the night. The Commission reviewed the regular meeting minutes from August 20, 2024. Commissioner Hart made a motion to approve all minutes as amended. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Chairman Dennis stated he and Commissioner Martin will be meeting with the landscaper for 132 Lincoln Ave. Thursday September 5, 2024, at 4 PM and asked Commissioner Curran if she is available at that time. Commissioner Curran stated that she is available.

**Change of Occupant  
1693 Central Ave.  
Colonie Towne Pizza**

Mr. Frank Guerra, owner of Colonie Towne Pizza, and Mr. Anthony Dadamo, architect appeared before the Commission. Mr. Dadamo stated they were returning to the Commission with the requested plans that show the location of the dumpster, grease traps and parking.

Mr. Dadamo stated the plans show an increase of a parking space, two one-thousand-gallon grease traps, sampling manhole, inverts and pipelines, located the dumpster at ninety degrees in the current location, but stated it may need to be changed to a forty-five-degree angle depending on the waste company. Fencing will be placed around the dumpster once the waste company determines the best option. Coordinator Rueckert noted that Village Engineer Laberge and DPW had looked at the plan and had no comments. It was requested that a finalized site plan showing the correct angle of the dumpster be submitted to the Village once determined.

Commissioner Hart made a motion to approve Colonie Towne Pizza located at 1693 Central Ave. Commissioner Splonskoski seconded the motion.

**Vote:** unanimous to approve

**Change of Occupant**  
**23A Walker Way**  
**Scholastic Talent**

Mr. Dwayne Bass, founder and executive director of Scholastic Talent and Mr. Joe Clark, representing the landlord appeared before the Commission.

Mr. Bass stated Scholastic Talent is a 5013C organization founded in 2013, is recognized by NYS Board of Education, and provides after school and summer programming for youth in chess, music, dance and fashion. They are adding indoor soccer and baseball opportunities with this site. They hope to offer more opportunities to youth in the Colonie area. Most youth are between third and eighth grade. Recitals are held off site. Most clients are seen after 3 PM and are dropped off by their parents. They will be occupying the entire building.

Commissioner Hart asked Mr. Bass about being closed on Sunday. Mr. Bass stated that it depends on the season but for the most part they are closed on Sunday. It was explained that Scholastic Talent would be in violation of the approval if they chose to open on Sunday. Mr. Bass stated he would like to include Sunday and initialed the application to adjust the hours to be Sunday – Saturday 8AM – 10PM.

Chairman Dennis asked how many employees Scholastic Talent has. Mr. Bass stated they have eight contractors. Usually, between one and five contractors are on site at any given time.

Chairman Dennis asked Village Attorney Caponera for clarification if this is an allowable use for the area zoned Commercial D. Attorney Caponera stated after reading code 242-10, which states that business and professional uses, including training and financial are allowable, he believes this is an acceptable use. Attorney Caponera noted that under Village Code section 242-12, all uses in a Commercial D district shall require a special permit. Attorney Caponera defined what needs to be done to obtain the special permit under Village Code 242-12.

Commissioner Curran read Village Code 242-12-C (6), which states “as far as possible, the Planning Commission shall combine consideration of an application for a special permit with consideration of an application for any other permit which the Planning Commission may grant” and asked if this could be used to approve the application without a special permit. Attorney Caponera stated if the Commission agreed he believes this could be used to act on the application if it is reflected in the motion. The Commission agreed.

Commissioner Hart made a motion to approve the Change of Occupant for Scholastic Talent located at 23A Walker Way, Section 1, under section 242-12-C(6) the Planning Commission has combined consideration for a special permit with consideration of an application for a Change in Tenant and therefor waives the requirement for a special permit and acts upon the application for a Change of Tenant. Commissioner Splonskowski seconded the motion.

**Vote:** unanimous to approve

**Change of Occupant**  
**132 Lincoln Ave. Suite 404**  
**CXNS Customs**

Mr. Cade Coyne, applicant, and Mr. Joe Clark, representing the landlord appeared before the Commission.

Mr. Coyne stated that CXNS provides detailing, window tinting and vinyl wraps to change the color of cars.

Commissioner Hart asked about after-market customization spoken about in the narrative. Mr. Cade stated he is not able to touch an engine. Concern was expressed if CXNS is doing automotive repair. Village Attorney Caponera read Village code section 242-10-A (2) permitted uses. Commissioner Curran asked if Village code section 242-3, light industrial use could be used to approve the applicant. Village Attorney Caponera stated that if the Commission agrees, it can be used. The Commission agreed.

Commissioner Hart made a motion to approve the Change of Occupant for CXNS Customs located at 132 Lincoln Ave. Suite 404, under section 242-12-C (6) the Planning Commission has combined consideration for a special permit with consideration of an application for a Change of Tenant and therefore waves the requirement for a special permit and acts upon the application for Change of Tenant. Commissioner Splonskowski seconded.

**Vote:** unanimous to approve

**Change of Occupant**

**134 Lincoln Ave. Section 202**

**Premium Property Services/Eagle Eye Customs**

Mr. Matthew Falconio and Mr. Jason Wright, tenant and Mr. Joe Clark, agent for the owner appeared before the Commission.

Mr. Falconio stated this is a revised application for automatic car starters, stereos only and storage for landscaping equipment for his landscaping business.

Village Attorney Caponera asked about the narrative from August 6, 2024, which states they will be doing two cycle engine repairs. Mr. Falconio stated they will not be doing any engine repairs. Commissioner Hart asked if an updated narrative has been submitted. The Planning Commission has only received a previous narrative on May 9, 2024, and the August 6, 2024, narrative. Mr. Falconio stated he will provide an updated narrative that states that they will be installing car starters and stereos as well as storage for his landscaping business. Mr. Falconio stated that they are not doing any retail related to the landscaping business.

Commissioner Hart made a motion to approve Premium Property Services/Eagle Eye Customs located at 134 Lincoln Ave. Section 202, on the condition that an updated narrative be submitted to the Village prior to a Certificate of Occupancy being issued and pursuant to Section 242-12-C(6) the Planning Commission has combined consideration for a special permit with consideration for an application for Change of Tenant and therefore waves the requirement for a special permit and acts upon the application for Change of Tenant upon receiving the revised narrative. Commissioner Splonskowski seconded the motion.

**Vote:** unanimous to approve

**Discussion:**

There was discussion on how to correct the code in relation to special permits. Commissioner Curran suggested that Code 24-10-2 be changed to read, all uses in the Commercial D district “MAY” require special permits in accordance with the provision of 24-12. A special permit

“MAY” also be required for any expansion, change of use, use of hazardous or toxic materials or change of ownership. Liaison/Trustee Prevratil will take this suggestion to the Mayor and Board to comment or act on.

Chairman Dennis requested that the documentation that has been submitted by Taco Bell in response to Village Engineer Laberge’s letter and questions from the Commission be sent to Commission members so they may have time to review. Coordinator Rueckert will have the packets delivered to the Commission members.

Coordinator Rueckert reviewed a project that was denied by the Zoning Board of Appeals to verify that the Planning Commission should hear the applicant.

Commissioner Hart made a motion to adjourn the meeting at 8 PM. Commissioner Splonskowski seconded the motion.

Vote: unanimous to adjourn

Respectfully Submitted,

Joan Rueckert - Planning Coordinator