



VILLAGE OF COLONIE

VILLAGE HALL

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PLANNING COMMISSION MINUTES

TUESDAY, JUNE 3, 2025

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, June 3rd, 2025.

ROLL CALL:	Chairman:	Chris Dennis	Present
	Commissioners:	John Martin	Present
		Brittany Kendall	Present
		Kenny Hart	Absent
		Jim Splonskowski	Present
		Alison Curran	Present
		John Lemperle	Present
	Alternate:	Carl Kuentzel	Present
	Village Attorney:	Victor Caponera	Present
	Village Engineer:	R.J. Laberge	Present
	Village Liaison:	Frank Prevratil	Present

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. The Commission reviewed the regular meeting minutes from May 6, 2025. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Splonskowski seconded the motion. Chairman Dennis appointed Commissioner Kuentzel as a voting member.

VOTE: Unanimous to approve.

Site Plan Amendment 5 Fritz Blvd United Rentals

Attorney Dave Brennan was present from Young & Sommer Law as the attorney for the applicant, United Rentals. Tim Dougherty was present as a representative of United Rentals, and together, they are looking to pursue a site plan amendment for United Rentals at 5 Fritz Boulevard.

Attorney Brennan explained that this amendment application arose from an Order to Remedy issued by the Building Department regarding site lighting. He explained that the

previous tenants had installed new lighting before United Rentals moved into the property. United Rentals has since upgraded some of the lightbulbs with LED bulbs, including existing lights that were not working properly. With these new bulbs installed, it resulted in a dramatic lighting increase to the surrounding neighborhood. Attorney Brennan stated that the lighting is not for security purposes, but rather for safety for the employees operating on the site in the early morning and/or evening hours. In one instance, during a power outage, the timer became off cue, and the lighting stayed on longer than it was supposed to. Since then, he explained that a closing checklist has been instituted, to ensure that the timer is working properly each evening before employees leave. Attorney Brennan stated that regardless, the current exterior lighting is out of compliance with the approved site plan from 2001, thus leading to the application for an amended site plan approval. Attorney Brennan explained that Hershberg & Hershberg is preparing a full site plan that the Commission will be able to review, since the lighting plan is being updated. He will take into consideration Attorney Laberge's comments on the footcandles, again, balancing safety in the Winter and the concerns of the Village and neighbors.

Chairman Dennis explained that Code Enforcement Officer Steve Meservey has been the point of contact with this issue, but he could not be present at the meeting. He has been making site visits and communicating with the neighbors. Attorney Brennan stated that he will ensure that Officer Meservey approves of the new plan.

Chairman Dennis asked about the hours of operation indicated in the narrative. He mentioned that it states that the summer hours differ from the winter hours and asked if this was correct. Attorney Brennan said yes, and the lights are not used at all in the summer months. Chairman Dennis confirmed that the lights are set to be on from 5:30 a.m. to 8 p.m.

Attorney Caponera asked for an explanation of what led to the complaints regarding this issue. Mr. Dougherty explained that when United Rentals moved into the property, they were approved by the Planning Commission through a Change of Occupancy application. Due to safety issues, lights were replaced with LEDS, and, some lights were not timed properly and left on longer than they were intended to. Mr. Dougherty explained that they have adjusted the lights based on the neighbors' comments, and he has personally met with neighbors' numerous times. Further, surrounding properties have had trees removed, which resulted in the lighting having different impacts on those properties. Since these issues have surfaced, a timer has been instituted, and they have turned lights down where requested.

Attorney Caponera asked who installed the unapproved lights on the property. Mr. Dougherty stated that it was not United Rentals, and they have only replaced the bulbs of the existing fixtures. Attorney Caponera asked if they own the property, to which Mr. Dougherty said no, they lease. Attorney Caponera asked if the issue was with the lights being left on all the time. Mr. Dougherty clarified that once the previously inoperable lights were working properly with new bulbs, it seemed like a sudden change, which attracted the attention of the neighbors. Attorney Caponera mentioned that back in 2001,

site lighting was a prominent issue when the plan was in front of the Planning Commission. Chairman Dennis stated that at his last site visit, he concurred that the site lighting projected onto the neighboring property, and he asked Mr. Dougherty if he was confident that this new plan would satisfy the neighbors. Mr. Dougherty affirmed that adjustments to the lighting are made when requested, and he has met with neighbors on numerous occasions.

Commissioner Curran asked if this is more of an issue in the winter, and if operations don't begin until 7 a.m., she asked if the lights could come on closer to that time. Mr. Dougherty explained that drivers leave the premises at 6 a.m., and the site is fully open for operations at 7 a.m. Commissioner Curran asked if the lights could be turned off earlier in the winter, since by 8 p.m., it's usually very dark. Mr. Dougherty stated that they are flexible, and they could be turned off by 6 p.m., as drivers are usually back by 5 p.m.

Commissioner Lemperle asked if any recent complaints have been made, or if the complaints are over a year old. Mr. Dougherty stated that it has been over a year, except for one recent complaint regarding the fuel island, and it was remedied. The light on the fuel island was accidentally left on by a driver. Right now, the lights are turned off completely for the summer.

Chairman Dennis asked if there will be a final submission for the Planning Commission. Attorney Brennan stated that Hershberg & Hershberg is working on an updated site plan, and an updated narrative would also be provided. The new submission would include comments from the Planning Commission, as well as comments from the floor.

Commissioner Martin asked that in the final submission, the hours of operation for the business be listed on the site plan. He also requested that cutsheets be submitted for each type of light. Commissioner Martin expressed concern regarding the LED lighting, in that even from a distance, the light is apparent. He requested that the cutsheets show downlighting and suggested adding shields to control additional light pollution. Attorney Brennan noted these comments and stated he will get the fixture information from the vendor. Attorney Caponera asked if there are currently shields on the fixtures. Mr. Dougherty explained that the lights were pointed upwards but were tilted downwards based on feedback from the neighbors. He added that the timer would reduce all light pollution at night. Commissioner Kuentzel confirmed that the fuel island light is now on a timer, and Mr. Dougherty said yes. Commissioner Kendall asked if there is a backup plan in the event of a power outage, in that someone could respond and ensure that the lighting is working properly. Mr. Dougherty stated that yes, someone is available to respond in the event of an emergency, but the use of the timer should allow the lights to reset when the power is restored. Commissioner Martin asked if they'd thought about using battery backups. Mr. Dougherty stated that he would have to check with Caruso Electrical. Commissioners Splonskowski and Keuntzel added that this would really be on a rare occasion.

Engineer Laberge asked if the lighting could be adjusted based on where loaded vehicles are staged and held. Mr. Dougherty explained that most of the vehicles are kept outside, with the exception of extreme weather. It was pointed out on the site plan where the loading dock was located. He added that most of the vehicles are electric, and the loading docks contain outlets for them to charge.

Commissioner Martin asked if all the site lighting is on one system. Mr. Dougherty stated that all the exterior lighting is set to come on at the same time. He mentioned there are instances where employees may have to respond to an emergency, such as providing scaffolding in the middle of the night. Chairman Dennis asked if the canopy light was still in operation. Mr. Dougherty explained that there was one canopy light, and when an issue was brought up by a neighbor, it was resolved immediately. Chairman Dennis also asked if noise has presented as an issue with the scaffolding operation if it occurs during the night. Mr. Dougherty explained that it is on a very rare occasion.

Chairman Dennis stated that he would like to get Officer Meservey's comments on the proposed site plan, as well as comments from the neighbors. Attorney Brennan mentioned that he did speak with Officer Meservey before he made the submission but stated he would communicate with him. Once Hershberg & Hershberg is complete with the new site plan, the applicant will return to the Planning Commission to seek final approval.

Discussion

Attorney Caponera asked Coordinator Curran if she had communicated with any of the residents that had concerns with the lighting at 5 Fritz Boulevard, to which she said no. She mentioned that she knew Officer Meservey had been in contact with them.

A discussion was held regarding the June 17th meeting. The agenda will be finalized on June 4th, but A.J.W. Caribbean, at 18 Wolf Road, will be returning to request a change of hours through a Change of Use application.

A motion was made by Commissioner Martin to adjourn the meeting.
Motion was seconded by Commissioner Splonskowski.

VOTE: Unanimous to adjourn.
Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Hannah Curran
Deputy Village Clerk
Planning Coordinator
Village of Colonie