



Village of Colonie
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Minutes
Tuesday, January 16, 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, January 16, 2024.

ROLL CALL: Chairman: Chris Dennis

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

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

Liaison: Patty Schwarz Lockart

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 January 2, 2024. Commissioner Martin made a motion to approve the minutes as amended. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant
1531 Central Avenue Suite 202
Velvet & Vogue Visions

Sayala Sarmin Munni, applicant appeared before the Commission. The owner of the property was not present. Ms. Munni stated the owner was in China for two months.

Ms. Munni stated that she will be opening a tailor shop with just her husband and her working there.

Commissioner Martin stated that it was not clear from the information provided on the parking sheet which tenants are in the building or what suite they are in the building. The lack of this information makes it difficult to determine if there is enough parking to accommodate all tenants as this is a shared parking with adjacent buildings.

The Commission agreed to vote on the application but stated that any future applicants will need the owner to appear before the Commission and provide an updated site plan with an accurate list of tenants and the parking needs for those tenants in 1529,1531, and 1533 Central Avenue. A letter will be sent to the owner of the properties by Planning Coordinator Rueckert informing them of this decision.

Commission Martin made a motion to approve the Change of Occupant for Velvet & Vogue Visions located at 1531 Central Avenue Suite 202. Motion was seconded by Commissioner Splonskowski.

Vote: Unanimous to approve

**Change of Occupant
1814 Central Avenue
Muttz Dog Lounge**

Mr. Patrick Nelson and Ms. Heather Hauf, applicants, appeared before the Commission.

Mr. Nelson and Ms. Hauf have worked together in the veterinary industry for many years. They would like to open an indoor dog park that will offer doggy day care, socialization, dog training, and some pet supplies retail. This is not a kennel. There will be no overnight boarding of animals or grooming.

The space will be set up café style with Wi-Fi availability for dog owners to come in and have their dogs socialize while they work or socialize with other dog owners. They will have some retail, coffee, and prepackaged food options from third party vendors. They would also like to provide space for rescue groups or not for profits that work with animals to promote their work.

Currently their lawyer and the lawyer for the property owner are negotiating for them to have the ability to walk dogs behind the building in a small grassy area that is fenced and lit. If they cannot come to terms on this could be a deal breaker.

Commissioner Martin asked for clarification of the narrative that suggests that most activity will be in the evening and weekends. Mr. Nelson stated that the daycare will be during the morning and

afternoon hours to help offset the cost of the dog park which will be offered evenings and weekends. Commissioner Martin also asked about garbage disposal. Mr. Nelson stated they will speak with their neighbor that does not fill their dumpster or contact County Waste for disposal.

Village Attorney Caponera read Code section 242-3 and 242-11 to determine if this applicant would be determined a kennel. After asking questions and listening to the applicants Attorney Caponera was satisfied that Muttz Dog Lounge would not be a kennel and it is an appropriate use of the site.

Commissioner Martin made a motion to approve the Change of Occupant for Muttz Dog Lounge, LLC located at 1814 Central Avenue Suite 2. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant

1 Park Place

MHANYS

Mr. James VanVorst, project manager for Picotte Companies, appeared before the Commission.

Village Attorney Caponera stated that he had been in contact with the lawyer for Picotte Properties to discuss the access road and who is the owner and responsible for the maintenance of the road. The lawyer for Picotte Properties states that the road is not on their property but on the state of New York. At this time Picotte Properties nor the Village can access the original maps to determine how the road came to be and who is responsible for the road. Picotte Properties does not believe that they built the road or should be responsible for the maintenance. Village Attorney Caponera believes that the road benefits Picotte because it is another means of ingress/egress to the street. Mr.

VanVorst stated he is looking at old records to try and determine who owns the road. Village Attorney Caponera requested that Mr. VanVorst notify the lawyer for Picotte that he needs to reach out to Attorney Caponera after the decision of the Planning Commission.

Village Engineer Laberge explained that the state must have approved the road at some point but never maintained it. There is fifty feet right away for the state to develop, which is no longer possible because the Department of Transportation decided to put parking in.

Commissioner Stevens asked who was responsible for the signs that said No Thoroughfare- No Parking. Village Engineer Laberge stated the state was responsible.

Mr. Van Vorst stated he will continue to research who is responsible for the road and the information will be shared with the Village when determined.

Commissioner Martin made a motion to approve the Change of Occupant for MHANYS located at 1 Park Place 3rd floor. Motion was seconded by Commissioner Stevens.

Vote: unanimous to approve

Site Plan Application
Subdivision Application
1537 & 1539 Central Avenue
Hospitality Syracuse, Inc.

Mr. Tim Freitag, Bohler Engineering, and Mr. Mike McCracken, Hospitality Syracuse, Inc. appeared before the Commission.

Mr. Freitag stated that they were coming back before the Commission with a revised site plan for a twenty-one hundred square foot quick

serve restaurant with drive through. The plan combines the current two lots into one. The building was shifted to the south eliminating the driveway on Central Avenue and eliminating the second drive through.

Green space was increased to thirty-seven percent across the entire site. The front of the building will have fifty percent green space along Central Avenue and Nicholas Drive. The driveways have been moved away from the residential area of Nicholas Drive and the buffer to the residential area has been increased to twenty-five feet.

The drive through has the ordering points on Central Avenue rather than towards Nicholas Drive. Parking has been reduced to sixteen spaces, which is minimum for code compliance. Mr. Freitag stated they have submitted a zoning compliant plan for this permitted restaurant use. They also understand that there has not been a Village engineering review yet.

Chairman Dennis asked Village Attorney Caponera if a subdivision public hearing is required. Village Attorney Caponera stated that only a merger deed is required.

Chairman Dennis asked about access points along Central Avenue and the property to the south of the proposed building and if their driveway was on the property of the proposed plan. Mr. Freitag stated that the Computer Geek driveway has a four-foot easement on the border of their property and encroaches onto the property by two feet and expands from there. The proposal is to separate the drive through from Computer Geek property with a six-inch curb along the restaurant driveway and a wooden guide beam rail.

Chairman Dennis asked about the need for two access points along Nicholas Drive. Chairman Dennis discussed the area of the current access and pavement compared to the proposed access and pavement

conditions. Mr. Freitag stated they reduced the size of the building from the first plan but were required to keep the two access points for fire apparatus and delivery trucks to be able to access the property.

The twenty-five-foot buffer that is required by the Village code was discussed. The fence along the property line belongs to the neighbors and Mr. Freitag asked if a second fence will be needed. Chairman Dennis asked Village Attorney Caponera if the buffer requires trees along it. Village Attorney Caponera read code 242-8-D-5 stating that a berm must be required by code and the berm must be covered with natural or newly planted vegetation that must be six feet high with a six feet high fence.

Commissioner Martin stated that he has problems with the hours of operation as stated in the application. Commissioner Martin would like the closing hours to be 9 PM. Mr. McCracken stated that these are the standard hours of operation for the franchise. The operation closes indoor seating earlier and it is the drive through that remains open until 1 AM. He stated there is a noise ambient sensor at the drive through as well. The Commission does have questions regarding the noise and lights from the cars going through the drive-through.

Commissioner Martin questioned the amount of green space but stated he will wait for the Village Engineer review. He also had concerns regarding snow removal.

Commissioner Martin would also like to have information on the flow of traffic throughout the day, the number of customers per day and peak times of operation. He requested a traffic study including the neighborhood and school buses.

Mr. Mike Capitula, 1 Nicholas Drive commented that the business along Central Avenue has always been in daytime use and now you will be

changing the hours of operation to eighteen/nineteen hours a day. He is concerned that it is an undersized lot for the proposed use, the amount of traffic will increase and cause traffic backups, trucks will be going in and out, noise will increase, where will the garbage go and where will any buildup of water go.

Commission agreed that the plan can go forward for the Village Engineer review.

Discussion:

The Commission stated that Victory Church is interested in purchasing the Capital Church parcel and putting on a gymnasium.

Chairman Dennis stated that he had visited the United Rentals property, 5 Fritz Blvd, because of a complaint that the lighting had been changed. The lights have been replaced with LED lighting and the lighting no longer conforms to the approved plan. The building department has been in contact with the owners to request that all lighting be turned off until a new plan is submitted to the Planning Commission.

Commissioner Martin made a motion to adjourn the meeting at 8:25 pm. Commissioner Kendall seconded the motion.

Vote: unanimous to approve

Respectfully Submitted,

Joan Rueckert - Planning Coordinator