



Village of Colonie
VILLAGE HALL
2 THUNDER ROAD
COLONIE, NY 12205
(518) 869-7562 FAX (518) 464-0389
JAMES M. RUBINO
MAYOR

villagehall@colonievillage.org
www.colonievillage.org

PATTY SCHWARZ LOCKART
DEPUTY MAYOR

FRANK A. PREVRATIL
TRUSTEE

JASON M. DEPAULO
TRUSTEE

MARK P. STEVENS
TRUSTEE

JAMIE L. BLOT
CLERK

Minutes
Tuesday, April 2, 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, April 2, 2024.

ROLL CALL: Chairman: Chris Dennis

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

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. The Commission reviewed the regular meeting minutes from March 5, 2024. Commissioner Hart made a motion to

approve the minutes as amended. Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant
59 Broderick Street
Home Auto Window Tinting Business

Initially the Commission believed that there were only going to be four members present of the seven-member board. Village Attorney Caponera explained to the applicants that a full Commission was not present tonight and the applicant needed to decide to request the vote be taken or wait two weeks until the next meeting in the hopes that a full Commission is present. Village Attorney Caponera also stated that by law with the permission of the applicant the Commission can go beyond the sixty-day requirement for the decision. Mr. Nahlupin, applicant, stated that he agreed to have the vote taken on April 16, 2024.

Commissioner Hart asked the applicant if he was going to be involved in any vehicle/window wrapping. Mr. Nahlupin, the applicant, stated that he will not be involved in any wrapping of vehicle/windows. Tinting will be only on the inside of the vehicle and no commercial vehicles will be done.

Change of Occupant
20 Wolf Road
Albany Buffett, LLC

Mr. Keith Cramer, architect, Mr. Bo Lin, Capital Buffet, and Mr. Matt Ford, representing the property owner appeared before the Commission.

Mr. Kramer stated they appeared before the Zoning Board to receive an area variance. Village Attorney Caponera stated the area variance is for reduced green space and the canopy encroachment on the rear yard setback were granted. The Zoning Board approval was given subject to Planning Commission approval and any conditions they put on it.

Village Attorney Caponera addressed a typo on the access agreement. Mr. Ford stated that he will address this concern and forward a corrected copy. Village Attorney Caponera requested a copy be sent to him for approval and then a copy of the filed easement also be provided for the records.

Chairman Dennis requested that the new dumpsters be enclosed in a three-sided masonry surround with a chain link front. Commissioner Hart asked about dumpsters that are currently on the North side of the building. Mr. Ford stated that he doesn't believe they belong to the building and will confirm whose dumpsters they are.

Commissioner Hart made a motion to approve Albany Buffet, LLC located at 20 Wolf Road on the condition that until the language of the access easement agreement is acceptable to the Village of Colonie Planning Commission attorney and filed with the Albany County Clerk's office, and a masonry enclosure for the dumpster is complete, no Certificate of Occupancy will be granted. Motion seconded by Commissioner Splonskowski.

Vote: unanimous to approve

Change of Occupant
15 Walker Way
World Reach Pharma, LLC

Mr. Joe Clark, property owner, Ms. Mandy Shufelt, Mr. Clark's executive assistant, and Mr. Ernesto Samuel, World Reach Pharma, LLC appeared before the board.

Mr. Clark stated that Mr. Samuel was the former owner of Pharmaceutical Labs, and they were purchased by World Reach Pharma, LLC. This is a name change for 15 Walker Way as Mr. Samuels has operated in the building since 2013.

Commissioner Hart asked Mr. Clark about the site plan that was approved in 2003 with the dumpsters on a 10 by 10 dumpster pad with stockade enclosure that was approved in April 2003 and as of 04/01/2024 the dumpsters were not on a pad in an enclosure. Mr. Clark stated that he did not own the building in 2003. Mr. Clark stated they will put the dumpster pad in and locate it as indicated on the site plan. Mr. Clark stated the pad will need to be 10 by 20.

Chairman Dennis asked how many parking spaces are required for World Pharma. Mr. Samuels stated six. Chairmen Dennis stated the parking requirements won't be a problem for the dumpster pad/enclosure.

Commissioner Hart made a motion to approve the Change of Occupant for World Reach Pharma, LLC, located at 15 Walker Way on the condition that the 4/15/2003 site plan be updated and show the relocation of the dumpster to a 10 by 20 pad within 30 days and three-sided black chain link fence within 45 days. This will be coordinated with the building department. Motion was seconded by Alison Curran.

Vote: unanimous to approve

Site Plan Application

3 Fritz Blvd.
16 Walker Way
18 Walker Way

Mr. Joe Clark, the owner, appeared before the Commission.

Mr. Clark stated that several years ago management had negotiated with Tru Green for a 10–20-year lease. During the spring, for approximately two to three months, there is a need for extra parking. Mr. Clark hired a contractor to address those needs and started to complete work not realizing that new plans had not been submitted to the Village to address those needs. Mr. Clark stated he has submitted plans that don't change the green space and parking requirements and without touching the parking needs of the other two buildings. Chairman Dennis requested that each site stand on their own.

Chairman Dennis stated that he doesn't want cross parking in other sites. The proposal is above the green space requirements. The Village will not monitor the parking.

Chairman Dennis would like to see all three site plans increase the landscaping. Specifically, the trees. Each site needs to work individually by itself. It was suggested that 3 Fritz Blvd. may have a cluster of three trees. It was recommended to speak with Mr. Costa and the Village Engineer Laberge regarding the landscaping and resubmit the plans for review.

Discussion:

Request was submitted by Cali King, 1593 Central Avenue, to sell CBD products and requested an approval from the Commission. Chairman Dennis requested they submit a letter asking for an amendment to their approval that will allow CBD products.

There was a brief discussion regarding FedEx located at 134 Lincoln Avenue and the number of trucks on the property. Code Officer Meservey stated that he had been told that the business owner was looking for another facility in Schenectady for the trucks. Code Officer Meservey will follow up on the status.

Mr. Chris Kostyun had submitted a letter to the Commission regarding his Microbusiness to cultivate and manufacture cannabis in a property on Lincoln Ave. Mr. Kostyun spoke briefly to the Commission and will be submitting a Change of Occupancy application to the Commission in the future. Village Attorney Caponera asked if they require a license from New York State? Mr. Kostyun stated they had received a license from the Office of Cannabis Management this week.

Reviewed Chipotle - 1707 Central Avenue. Village Attorney Caponera has reviewed the easements. Final copies have not been submitted or filed with Albany County.

The Commission had received an email from Village Engineer Laberge with a new site plan for Taco Bell, 1537 & 1539 Central Avenue. This plan was submitted with the possibility of Taco Bell purchasing the property currently owned by Computer Geeks. Village Engineer Laberge had requested comments from the Commission. The concerns stated were regarding the entrance from Central Ave., the hours of operation, the decibel levels of the drive-through, deliveries and garbage pickup, location of the dumpster, the berm at the back of the property and traffic on Nicholas drive. Commission members will send individual concerns to Village Engineer Laberge.

Commissioner Splonskowski brought up concerns regarding 124 Lincoln Ave. not conforming to the site plan. Concerns expressed regarding lack of fencing, blacktop, gates being unlocked, green space not being completed, etc. It was requested that a letter be sent to Mrs. Clark

saying that future applicants will not be entertained until the site is cleaned up and meets the approved site plan.

Vly Road – Chairman Dennis and Village Engineer Laberge met with the Victory Church again. The church has requested for the parishioners to have a gym. They are receptive to doing a land swap with the builders to get the entrance road for the new subdivision directly to Vly. Chairman Dennis and Village Engineer Laberge then met with Mr. Falvey to discuss the church's site plan. They will now look at the plan to see how it will affect them. Discussion regarding Hillside Ave. and Chris Place was discussed in relation to the subdivision.

Commissioner Hart made a motion to adjourn the meeting at 8:25 PM. Commissioner Splonskowski seconded the motion.

Vote: unanimous to adjourn

Respectfully Submitted,

Joan Rueckert - Planning Coordinator