



Village of Colonie
VILLAGE HALL
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JAMIE L. BLOT
CLERK

Minutes
Tuesday, April 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, April 16, 2024.

ROLL CALL: Chairman: Chris Dennis

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

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

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 April 2, 2024. Commissioner Hart made a motion to

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

Vote: unanimous to approve

Chairman Dennis introduced new Commission member John Lemperle.

Change of Occupant
59 Broderick Street
Home Auto Window Tinting Business

A vote was taken on the Change of Occupant application for 59 Broderick Street. Commissioner Hart stated that nowhere in the current code does it state what a home occupant business can be or can't be.

Commissioner Hart made a motion to conditionally approve the application for a home-based vehicle window tinting business, owned and operated by Mr. and Mrs. Nahlupin located at 59 Broderick Street. There is a Village of Colonie Zoning Variance issued on 12/6/23 for this application. The conditions of approval, in addition to the variance are:

All work to be conducted inside the garage with all doors outside of the existing privacy fence closed.

No commercial trucks to be worked on.

No customer vehicles are to be parked outside the garage outside of the variance approved business hours.

No more than two business customers per day.

Commissioner Curran seconded the motion. Village Attorney Caponera requested that Chairman Dennis call the roll for voting.

Commissioner Kendall – yes
Commissioner Lemperle – abstain, 1st time seeing the application.
Commissioner Curran – yes
Commissioner Splonskowski – yes
Commissioner Hart – yes
Chairman Dennis – no, based on the use in the neighborhood.

Vote: approved 4 yes – 1 no- 1 abstain

Change of Occupant
8 Petra Lane
Capital Region Cash 4 Cars, Inc.

Mr. Ernest Maier, owner appeared before the Commission.

Mr. Maier stated this will be a satellite office for Cash 4 Cars, a scrap yard located at 8 Anderson Drive in Albany. This will be a private office with no signage.

Chairman Dennis asked who the property owner is. Property owner Guy Blake was not present.

Commissioner Hart asked if any junk cars will be located on the property. Mr. Maier stated they will only be doing paperwork and answering phones. Commissioner Kendall asked about the licenses listed for running the business. Mr. Maier stated they are for the main business. Chairman Dennis stated there is enough parking.

Commissioner Hart made a motion to approve the Change of Occupant for Capital Region Cash 4 Cars, Inc. located at 8 Petra Lane.
Commissioner Splonskowski seconded the motion.

Vote: unanimous to approve

Change of Occupant
14 Jupiter Lane
Resource Environmental Solutions, LLC.

Mr. Elliott Feinman, property owner appeared before the board.

Mr. Feinman stated that RES does environmental work off site not at 14 Jupiter Lane. They will have ten to fifteen vehicles including employees and equipment.

Chairman Dennis asked about the trailers, landscaping equipment that is mentioned in the narrative. Mr. Feinman stated there will be no outside storage other than the trailers. There is plenty of parking. Village Engineer Laberge asked about the cleaning equipment. Mr. Feinman stated that everything will be done inside. Commissioner Hart asked if the chemicals were household type chemicals. Mr. Feinman stated that nothing is hazardous and nothing over five gallons.

Commissioner Hart made a motion to approve the Change of Occupant for Resource Environmental Solutions, LLC, located at 14 Jupiter Lane Unit 7. Motion was seconded by Commissioner Splonskowski.

Vote: unanimous to approve

Site Plan Amendment
1762 Central Avenue
1762 Central Ave. Associates

Mr. Ronald Mariani, installer for the EV project, appeared before the Commission and represented the property owner Tony Remetra, who was not present.

Chairman Dennis stated the application is for the installation of four pedestals for eight vehicles. Eight parking spaces will be required. Commissioner Hart asked if they will be installed on the blacktop. Mr. Mariani stated they will be installed on the grass. Commissioner Hart asked if it would affect the green space. It was determined that there is enough green space.

Chairman Dennis stated that he thinks the proposed location on the site is appropriate.

Village Engineer Laberge spoke to the need for landscaping around the electrical board to be installed near the right of way. Chairman Dennis suggested five thirty-inch hicksii yews around the board. Commissioner Splonskowski suggested three along the back and one on each corner.

Commissioner Hart made a motion to approve the Site Plan Amendment for 1762 Central Avenue on the condition that an amended site plan be submitted within thirty days and five thirty-inch hicksii yews be planted around the electrical board on the Rapple Drive side of the road. Motion was seconded by Commissioner Kendall.

Vote: unanimous to approve

Change of Occupant
18 Walker Way Section 1A
Smokers Paradise

Mr. Joe Clark, property owner, Ms. Mandy Shufelt, Mr. Clark's executive assistant, and Mr. Khan from Smokers Paradise appeared before the Commission.

Mr. Clark stated Smokers Paradise distribution center is expanding from 1B into 1A at 18 Walker Way. A doorway will be placed between the two units.

Commissioner Hart made a motion to approve the Change of Occupant for Smokers Paradise located at 18 Walker Way 1A. Motion seconded by Commissioner Curran.

Vote: unanimous to approve

Site Plan Application

3 Fritz Blvd.

16 Walker Way

18 Walker Way

Mr. Joe Clark, property owner, and Ms. Mandy Shufelt, Mr. Clark's executive assistant, appeared before the Commission. Discussion was tabled because Mr. Nick Costa had not reached out to Chairman Dennis or Village Engineer Laberge to discuss.

Sketch Plan Review

1535,1537,1539 Central Avenue

Taco Bell

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

This was an add on presentation due to Hospitality Syracuse, Inc. submitting a new sketch plan for the proposed Taco Bell. The new plan takes into consideration an additional property located at 1535 Central Avenue. The Planning Commission will not act on the proposal this evening. The Commission will be giving additional feedback.

Mr. Freitag gave a brief history of the project to date. They have addressed many of the concerns that have been raised. They have decided not to go for an area variance that had been suggested based

on parking concerns shown in the previous proposals. Instead, they have been in contact with a third party to expand the property.

The third property will allow a right in and right out from Central Avenue, reducing the traffic on Nicholas Drive. They have completed a full traffic impact study to address the concerns regarding traffic. The study will be submitted to the Planning Commission and was based on the previous plan submittal. GTS completed the traffic study. Concerns were expressed regarding access to the Taco Bell coming from West to East and the merging lane off the Northway.

Additionally, the applicant studied four different locations in the Capital District to determine how many parking spots are needed. They determined the highest count was eleven cars at peak lunch hour. As a result, they are comfortable with the parking as suggested.

There was discussion regarding operational hours. Mr. McCracken stated that Taco Bell has suggested hours of operation, but the franchisee can set the hours and adjust where needed.

The plan allows for large truck deliveries. Hospitality Syracuse, Inc. heard concerns from the neighbors so they would be willing to offer a cross connection at the back of the property if the Planning Commission would like. Trailers would use a right in from Central Avenue and leave through Nicholas Drive. Concern was expressed if it was wide enough for a tractor trailer and a car. There was discussion regarding deliveries and the time of deliveries. Mr. McCracken stated that it would be typically one delivery per week.

The berm will be continued across the back of the property.

Village Engineer Laberge stated he did not review the project. He stated there are various options that can be looked at. You could slide the

building to the east and provide more landscaping on the Nicholas Drive side of the building. Service drive-through could be looked at. Site lighting could be looked at for drive-through, so it doesn't affect the neighbors. The building could be flipped.

Several neighbors spoke regarding the project-

Mary Lou Fredette - 7 Peachtree Lane – has concerns regarding property values, safety and traffic.

Paul Milovach – 7 Gabriel Way – Mr. Milovach stated that it is an improved design, but he has concerns regarding tractor trailer deliveries and the traffic on Nicholas Drive.

Pual Fredette – 7 Peachtree Lane – has serious concerns regarding traffic from the Northway and Nicholas Drive. Mr. Fredette stated that it is difficult getting through the light at Nicholas currently. The difficulty will increase with Taco Bell. He expressed concern with property values coming down.

Lindsey Jackson – 40 Hialeah Drive – Ms. Jackson shared her concerns regarding the increase in traffic, after school bus drop offs across from the proposed Taco Bell, deterioration of the roadways, panhandlers moving down from Northway Mall and the congestion coming off the Northway.

Sheila Blasch – 17 Nicholas Drive – Spoke to the possible proposed drive through to Dominoes Pizza. Ms. Blasch stated that Dominoes will not give up parking spaces. She has concerns about where dumpsters will be placed and the possibility of rodents.

Roy Bailey – 12 Nicholas Drive – Mr. Bailey expressed concerns regarding the traffic and deliveries. He was most concerned about the traffic on Nicholas Drive.

Maureen Lee – 6 Hialeah Drive – Ms. Lee stated that she would like to continue to have the Village be a “Place to be Proud Of” like the motto. Ms. Lee would prefer a nine to five business.

Mary Burke – 31 Nicholas Drive – Ms. Burke has lived in the Village for her entire life and is concerned with the amount of traffic. Ms. Burke was upset that neighbors have not been told anything.

Discussion:

Chipotle - 1707 Central Avenue – received plans for the project with minor changes from DOT. The sidewalk in the front of the building had been changed from what was agreed to by the Commission and modified the green space. Commissioner Curran asked if it was because of the ADA sidewalk. Commissioner Hart stated that he doesn't like the changes. Commission requested that they go back to the original design.

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

Vote: unanimous to adjourn

Respectfully Submitted,

Joan Rueckert - Planning Coordinator

