VILLAGE OF COLONIE

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PLANNING COMMISSION MINUTES
TUESDAY, OCTOBER 6, 2026
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, October 6th, 2026.

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

Chairman Dennis opened the meeting at 6:32 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 September 15, 2026. Commissioner Hart made a motion to approve the minutes as presented. Commissioner Lemperle seconded the motion.

VOTE: Unanimous to approve.

Chairman Dennis appointed Commissioner Kuentzel as a full voting member.

Environmental Design Partnership/McGovern Volvo
350 New Karner Rd/1892 Central Ave
Site Plan Review

Attorney Caponera stated that he would be recusing himself from the project, as his firm represents the applicant.

Brian Osterhout was present from Environmental Design Partnership on behalf of the applicant, McGovern Volvo at 350 New Karner Road, and additionally, Colonie Plaza at 1892 Central Avenue. Mr. Osterhout explained that McGovern Volvo has entered into a

lease agreement with Colonie Plaza and proposes a gated 10' private driveway connection between the two properties to facilitate the movement of vehicles between sites. He added that the current area consists of low-lying brush. Mr. Osterhout stated that the proposal would require a 10'-12' temporary grading easement from the Village of Colonie, to provide positive drainage for the Village DPW's pump station. He offered that there are no wetland or environmental impacts, and there is no DEC buffer associated with the site. Mr. Osterhout also explained that if the lease between McGovern and Colonie Plaza were to cease, the driveway would be eliminated, and the site would revert to its original state.

Chairman Dennis asked if any other parcels are being crossed, to which Mr. Osterhout stated no, and the two parcels at hand are directly adjacent. Commissioner Hart asked if approval has been granted from the Building Department for the tenant change in Colonie Plaza, to which Mr. Osterhout and Code Enforcement Officer Meservey both said yes, and that the tenant space is for service and detailing. Commissioner Splonskowski asked if the lease agreement includes this easement, and Mr. Osterhout stated that a separate easement is being drafted, pending site plan approval. A discussion was held regarding potential bankruptcy claims.

Chairman Dennis stated that if the Planning Commission would like to act on this application, approval would then be required from the Mayor and Board of Trustees to obtain the easement. He added that Planning approval should also be conditional on having received the lease agreement. Commissioner Kuentzel asked if the gate would be open all day, or open as needed. Mr. Osterhout stated that it will be open as needed, as it is likely in the applicant's best interest to have the gate locked and only opened as needed. Commissioner Kendall asked if there would be any signage, and Mr. Osterhout said no. A discussion was held about where the gate would be located, and Mr. Osterhout stated that it would be on the Colonie Plaza side. Commissioner Hart asked about the size of the gate, ensuring that it would not be too high and require a variance. Mr. Osterhout explained that it is a normal swing gate.

Commissioner Hart made a motion to approve the site plan amendment for 350 New Karner Road and 1892 Central Avenue, pending the submittal of an active lease agreement between the two parcels, and approval of a temporary grading easement from the Village of Colonie. This motion was seconded by Commissioner Kuentzel.

VOTE: Unanimous to approve.
Motion passed.

CT Male/Hoffman's Car Wash
1755-1757 Central Ave/6 Pine Ave
Site Plan Review

Frank Palumbo was present from CT Male on behalf of the applicant, Hoffman Development, to seek site plan approval for proposed changes to 1755-1757 Central Avenue and 6 Pine Avenue. Mr. Palumbo explained that the Planning Commission

requested that the applicant consider merging all three parcels into one, and the current submission offers that. However, based on Engineer Laberge's review, it has now been indicated that the site does not comply with Village of Colonie Code §242-8(D)(4), which requires that there must be no less than 20% of green space on the site, with 50% of that being in the front yard. Mr. Palumbo stated that if this is true, the applicant may consider going back to the proposal with three separate sites and implementing cross easements.

Attorney Caponera explained that according to the Village of Colonie Code, a front yard is defined as a yard between the main building and front line of the lot, extending the full width of the lot. Therefore, the proposed site has two front yards. Mr. Palumbo stated that the green space was further investigated and provided an additional exhibit for the Planning Commission to review. He explained that the site offers 28% green space in the Commercial zone, which well exceeds the 20% minimum requirement. Therefore, he suggested that a variance should not be required since the green space in the front yard exceeds 10%, which is 50% of the required 20%. He offered that because the site offers more than the required green space, the applicant would have to lessen the total green space to bring the percentage of green space in the front into compliance. Based on the 33,438 sq. ft. of total green space, 14,415 sq. ft. is in the front yard, which is only 43%. However, Mr. Palumbo explained that 50% of the required 20% would be 12,056 sq. ft., meaning that by this interpretation, a variance would not be required. He expressed concerns with the variance process and further prolonging reviews. Attorney Caponera agreed that it would be better to merge the parcels into one, and the code is not clear on green space in split zones. Commissioner Hart asked if the Planning Commission could provide any leniency when it comes to green space, as Mr. Palumbo reiterated that it is counterproductive to have to reduce the total amount of green space to make the percentage in the front compliant. Attorney Caponera and Chairman Dennis agreed that more green space on the site would be better, and that it would be counterproductive. Mr. Palumbo added that the submission does address some of the other comments, such as modifying the island near the car wash exit to ease access.

Commissioner Kuentzel agreed that the green space meets the spirit of what it is intended for and further agreed that it wouldn't make sense to add more pavement to make the green space percentages work. Attorney Caponera stated that while he understands the applicant's position in that 50% of the flat 20% green space requirement is provided, the code requires 50% of the *provided* green space to be in the front yard, which the proposal does not meet. He added that the applicant would have to seek an area variance from the Zoning Board of Appeals, but based on the logic used, it's likely a variance would be granted for the reasons articulated. Chairman Dennis also mentioned to the Commission that if comfortable, a letter of recommendation would be provided to the ZBA that a variance should be granted.

Mr. Palumbo asked if another submission could be made for the October 20th meeting, so that all technical comments could be addressed before receiving a denial and referral to the ZBA. He added that they have already spoken with the City of Watervliet regarding the main that runs through the property and added that they would not be excavating

there. They stated that most of Engineer Laberge's comments could be addressed, adding that they will reach out to him regarding the stormwater comments. He added that they are decreasing impervious areas, while the pipe networks and catch basins are staying the same, and will be collecting from a lesser area. Mr. Palumbo explained that they would like to relocate some of the light poles, including moving two closer to the pavement, allowing them to be more effective and further away from Pine Avenue. He added that he will also speak with Engineer Laberge regarding curbing.

Commissioner Hart asked if the lighting illumination was provided for the vacuums, and if lighting would cease when the business is closed. Mr. Palumbo explained that yes, the illumination was provided, and that lighting would be terminated 30 minutes after closing. Commissioner Hart requested that the applicant look into having gray hoses, as opposed to the proposed red hoses, to coincide with the Village's Master Plan in regard to streetscapes. Chairman Dennis asked where the power system will be for the vacuums, and Mr. Palumbo explained that the equipment will be inside the building.

The applicant and Commission discussed the next steps for the project, agreeing that the applicant will reappear at the October 20th meeting with full submission, in hopes of being referred to the Zoning Board of Appeals for the November 4th meeting.

ABD Engineering/Cole's Collision
1517-1529 Central Ave
Site Plan Review

Dave Kimmer, ABD Engineering, was present on behalf of Cole's Collision, regarding the site plan application at 1517-1529 Central Avenue. Mr. Kimmer explained that the proposal has remained relatively the same since the last meeting, and they are in receipt of Engineer Laberge's comment letters. He stated that Engineer Laberge suggested straightening out the entrance, potentially providing more green space, and the handicapped access aisle will need to be switched to be on the right side of the parking space. Mr. Kimmer stated that they will still need to seek a variance from the Zoning Board of Appeals due to the lack of green space in the front yard. Commissioner Hart asked what the status was of NYSDOT approval of the entrance, and Mr. Kimmer explained that email correspondence was submitted, offering that they approve of the proposal.

It was discussed that the site would potentially need a variance due to a lack of parking, based on how the calculation was made. Attorney Caponera stated that in accordance §242-8(C)(2)(i), parking requirements for combined uses may be determined on the basis of the percentage of floor area per classification of total floor area plus the sum of mandated spaces. The Planning Commission may reduce this requirement by not more than 50% of the lessor number of spaces if it finds that one of the uses will generate parking demand only at times when the other use will generate no, or minimal, parking. Mr. Kimmer offered that he does not believe this use will apply here, since both uses will likely be generating parking at the same time. Attorney Caponera stated that the applicant should apply for a variance for parking.

Chairman Dennis suggested replacing some of the pavement to the left of the handicapped space with green space, since the "hashed" pavement needs to be on the right side of the handicapped space. A discussion was also held regarding the grade change between the two properties and the proposed retaining wall.

Mike Capitula, Nicholas Drive, asked how all vehicles will be exiting the site. Mr. Cole explained that all of the vehicles will be exiting onto Central Avenue. A discussion was held regarding which vehicles may still be using the Nash Place entrance.

Commissioner Hart made a motion to deny the site plan application for Cole's Collision at 1517-1529 Central Avenue, due to the following reasons:

- Village of Colonie Code §242-8(D)(4), which requires no less than 50 percent of greenspace to be in the front yard.
- Village of Colonie Code §242-8(C)(1), which requires adequate parking spaces shall be provided on every site in the Commercial A District for the parking or garaging of all motor vehicles used in connection with or attracted to the site.

This motion was seconded by Commissioner Splonskowski.

VOTE: Unanimous to approve.

Discussion

Coordinator Curran advised the Commission on the next tentative agenda, which includes a sketch plan review for the Taco Bell project (1537-1539 Central Avenue), and the Hoffman's project that was previously discussed.

A motion was made by Commissioner Hart to adjourn the meeting.
The motion was seconded by Commissioner Splonskowski.

VOTE: Unanimous to adjourn.

Meeting adjourned 7:42 p.m.

Respectfully submitted,

Hannah Curran
Deputy Village Clerk/Treasurer
Planning Coordinator
Village of Colonie