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ACPB Meeting Minutes FINAL – March 16, 2023

NOTE: The March 16, 2023 meeting of the ACPB was held in person at the Albany County DPW office in Voorheesville. The meeting was also available remotely via Microsoft Teams for the public to participate.

Board Members Present: Gerry Engstrom, Beth Lacey & Jeff LaFontaine.

Board Members Absent: Brian Crawford, Travon Jackson

Albany County Public Works Office: Gopika Muddappa, Senior Planner; Lynn Delaney, Secretary; William Anslow, Civil Engineer; Sameer Modasra, Albany County Dept. of Management and Budget, Ex Officio; Anton Konev, Albany County Comptroller's Office, Ex Officio.

Guests: Jake Eisland, Research Counsel for the City of Albany (attending for Case # 01-230304182 - Ordinance 8.22.23); Andy Brick (attorney for the property owner for Case #01-230304194 - Armory Redevelopment).

Minutes: Lynn Delaney, Secretary

Call to Order: Gerry Engstrom called the meeting to order at 3:39pm.

Vote for Meeting Minutes: The Board was unable to vote on the February 16, 2023 meeting minutes due to the absence of Brian Crawford and Travon Jackson. This will be put on the agenda for the April, 2023 meeting.

ACPB Meeting Minutes - FINAL- March 16th, 2023 (cont.)

Beth Lacey made a motion to move all cases with a Staff Recommendation of Defer to Local Consideration to the front of the agenda and to vote on them as a group. The motion was seconded by Jeff LaFontaine and was also approved by Gerry Engstrom.

Case #: **01-230304182**
Project Name: **Ordinance 8.22.23**

Applicant: City of Albany Common Council
Project Location: City of Albany
Municipality: City of Albany
Parcel Size: N/A N/A
Zoning: N/A
Tax Map Number: N/A
Referring Agency: City of Albany Legislative Board

Considerations: Amendment of zoning ordinance to lower the threshold of dwelling units from 50 to 20, increase the minimum requirement of affordable units from 5% to between 7% and 13%, and lower the area median household income requirement from 100% to 60% of regional AMI.

Action Type: **Amendment to Zoning Ordinance**

Juris. Determinant: N/A
Potential Impacts: N/A

Staff Notes: The Common Council Legislature finds that present and historical divestment along income and racial lines have left lasting impacts on the City of Albany. These impacts include lack of affordable housing, concentration of affordable housing in low-income neighborhood, and high level of residential segregation. Inclusionary housing zoning ordinances are increasingly recognized as an important part of a comprehensive plan to redress these unequal and unjust development patterns. The legislature proposes the amendment of zoning ordinance to lower the threshold of dwelling units from 50 to 20, increase the minimum requirement of affordable units from 5% to between 7% and 13%, and lower the area median household income requirement from 100% to 60% of regional AMI. The Common Council of the City of Albany declares that Ordinance 8.22.23 (MC) is a Type I action and resolves that

a Negative Declaration for Ordinance 8.22.23 (MC) be adopted in accordance with SEQR by the Common Council.

Staff Opinion:

Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Jake Eisland, Research Council for the City of Albany Common Council, spoke about Ordinance 8.22.23. It had passed previously with the City but they realized that proper procedure had not been followed at the time so they submitted it to Albany County as required to correct that error. He pointed out that the Chair of the City Planning Committee was on the Teams call if the ACPB had any questions for him however there were no further questions posed by the Board.

Case #:

01-230304183

Project Name:

Nurses Middle College Charter School - Capital Region

Applicant:

Dr. Brenda Robinson

Project Location:

50 Beaver Street

Municipality:

City of Albany

Parcel Size:

0.30 acres

Zoning:

Mixed Use - Downtown (MU-DT)

Tax Map Number:

76.42-4-32

Referring Agency:

City of Albany Legislative Board

Considerations:

Conditional use permit to allow a school to occupy the +/- 63,000 square foot building at the site.

Action Type:

Conditional Use Permit

Juris. Determinant:

State Road

Potential Impacts:

32 S Pearl Street

Staff Notes:

The applicant proposes internal renovations of six floors of an existing commercial office building to accommodate the Nurses Middle College Charter School program. Exterior renovations are limited to relocation of existing operable windows. No site work is proposed. No land disturbance is anticipated during the renovation.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 04-230304184
Project Name: **Awakening Church/Caponera Law Firm**

Applicant: Awakening Church
Project Location: 3 Normanskill Blvd, Delmar
Municipality: Town of Bethlehem
Parcel Size: 1.10 acres
Zoning: Commercial Hamlet
Tax Map Number: 86.06-1-17
Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review to change use of the existing building from medical office and martial arts to a Church.

Action Type: **Site Plan Review**

Juris. Determinant: State Road
Potential Impacts: 443 Delaware Ave

Staff Notes: The existing building is proposed to be utilized for church use, to be operated by the Awakening Church. As shown on the floor plan, the church area is approximately 2,832 SF with seating up to 96 persons. The fellowship area behind the church area 2,255 SF is proposed to be used in concert with the church area where gatherings would be held of the same churchgoers before and after a church function. The proposed floor plan also shows office use of approximately 3,522 SF with a kids play area of approximately 708 SF and a basement storage of 2,219 SF. The proposal is for change of tenancy/change of use/change of ownership whereby the pre-existing medical office use be changed to a church use. No modification to the outside of the site of building is proposed. Snow storage will continue to be the same as previously use. No land disturbance are indicated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 04-230304185
Project Name: **Bethlehem Children's School**
Applicant: Bethlehem Children's School
Project Location: 12 Fisher Blvd, Slingerlands
Municipality: Town of Bethlehem
Parcel Size: 3.95 acres
Zoning: Residential A
Tax Map Number: 84.12-2-3.1
Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review and special use permit to expand the existing parking area and relocate two +/-500 SF yurts and one shed.

Action Type: **Site Plan Review, Special Use Permit**

Juris. Determinant: State Road
Potential Impacts: 85 New Scotland Road

Staff Notes: The applicant proposes to expand the existing parking area and relocate two +/-500 SF yurts and one shed. The applicant also proposes to provide screening on each boundary of the property with either landscaping or a 6' high fence. No new buildings are proposed. The site consists of 12 existing parking spaces and 18 more spaces are proposed totaling 30 spaces. Stormwater from expanded parking area to be directed to a dry swale which will then enter an existing stormwater sewer catch basin. The applicant proposes to extend permanent use to the 20'ft diameter yurt (314.6 square feet, 12.6-foot height) next to the building and extend permanent use of two yurts measuring 27' diameter (572.56 square feet, 14.9-foot height) and 30'diameter (706.86 square feet, 15.6-foot height), which will be moved to the North side of the property, and a 22-foot tipi (380.1 square feet). This application was previously reviewed by the Albany County Planning Board in September 2022 for use variance to expand on the existing non-conforming use to

make the temporary yurts into permanent classrooms and expand on the use of the school. The ACPB determination was, 'Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.'

Staff Opinion:

Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #:

04-230304186

Project Name:

Glenmont All Purpose Storage Facility

Applicant:

Patriot Holdings

Project Location:

721 River Road, Glenmont

Municipality:

Town of Bethlehem

Parcel Size:

7.99 acres

Zoning:

Rural Light Industrial

Tax Map Number:

110.00-2-13.2

Referring Agency:

Town of Bethlehem Planning Board

Considerations:

Site plan amendment for the existing self-storage facility proposing six new buildings with 53,738 SF storage space.

Action Type:

Site Plan Review

Juris. Determinant:

State Road

Potential Impacts:

144 River Road

Staff Notes:

The project proposes the development of several additional enclosed self-storage buildings across the site, developed in separate phases. The first phase would consist of two additional buildings, south of and in-line with the existing self-storage buildings on the north side of the property. These buildings will be unconditioned space and constructed in a similar manner to the existing buildings. The second phase would consist of four additional self-storage buildings on the southern half of the property. The majority of these buildings would be unconditioned space and constructed in a similar manner to the existing buildings. A single facility is also proposed along the front of the property, which would be

constructed as a conditioned space. The project intends to remove the majority of the exterior vehicle storage to accommodate date the construction of the buildings. The existing site has approximately 34,450 square feet of building space (primarily made up of self-storage space). The project proposes an additional 53,738 square feet of indoor storage space, of which approximately 21,000 square feet will be conditioned space. Full buildout will total approximately 88,188 square feet, which is less than the 104,000 square feet allowed by code, based on 30% coverage of the 7.99 acre site. As part of the project, the applicant intends to it utilize the existing gravel on-site as a suitable subbase for the concrete slabs of the proposed buildings. This will significantly reduce the site disturbance. Several small, grassed areas will be altered or impacted as part of the project, and a small section of wooded area will be removed. These areas will be offset by an equal or greater greenspace area to be installed along the front and rear portions of the property. In total, the project proposes no new increase in impervious area. As per the Full Environmental Assessment Form (FEAF),a total of 1.23 acres of land is anticipated to be disturbed. An amended SWPPP has been provided for review. The existing facility was originally built in 2005 with a building permit which was al allowed use with no site plan review required at that time by Town Zoning Law. The existing propane tank was issued a building permit in 2001 as a by right use, no requirements for site plan review at that time.

Staff Opinion:

Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #:

07-230304187

Project Name:

Floor & Décor

Applicant:

Floor and Décor Outlets of America,Inc.

Project Location:

1425 Central Avenue

Municipality:

Town of Colonie

Parcel Size:

20.70 acres

Zoning:

Highway Commercial Office Residential (HCOR)

Tax Map Number:

42.3-1-1

Referring Agency:

Town of Colonie Planning Board

Considerations:

Site plan review to occupy 54,760 SF of former Sears store with a Floor & Décor retail store.

Action Type: Site Plan Review

Juris. Determinant: Municipal Boundary, State Road

Potential Impacts: Intermunicipal Boundaries of Town of Colonie and Village of Colonie, 5 Central Ave

Staff Notes: Floor & Décor seeks to lease, occupy and fit up a portion of the former Sears store with a retail store consisting of small parking area, new loading bay, a new entry vestibule, external staircase, landscaping, lighting and utilities. The proposal includes construction of approximately 283 SF building addition for a main entrance vestibule, construct an approximately 277 SF of enclosed external staircase, approximately 2,976 SF to accommodate new loading bays, demolition of former garden center and replace it with a drive aisle and parking including accessible parking, EV charging spaces, and customer curbside pickup spaces. A total of 24 parking spaces will be removed in the area of the new loading bays, and the equal number will be constructed in the area now occupied by the garden center. No net change overall. Less than one of land disturbance is indicated as per the Short Environmental Assessment Form (SEAF). Stormwater runoff will be collected via onsite drainage inlets and will connect into the existing stormwater conveyance system per the NYSDEC requirements. Stormwater management facilities will be installed to control runoff. The existing Sears building consists of two floors. Floor & Decor will occupy only a portion of the ground level. Waiver requests have been placed for the following: 1) parking in the front yard where new parking in the front yard is prohibited whereas 24 new parking spaces are proposed in the front yard, 2) green space percentage where a minimum of 35% is required and 9.6% is proposed, and 3) number of required parking spaces where 5 spaces/1000 SF for building supplies and 1 space/200 SF for retail business is required whereas no additional parking is provided with the floor area increase of approximately 3,536 SF. The Town Planning Board has determined that the waiver request for greenspace percentage as well as parking is a non-issue and the front yard setback will be looked into during the final site plan review.

Staff Opinion: Defer to local consideration

1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Advisory Note: 1. The Town should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.

Case #: 07-230304188

Project Name: **Mixed-Use Residential/Commercial Building**

Applicant: Sudhakar Pillai

Project Location: 1103 Loudon Road

Municipality: Town of Colonie

Parcel Size: 0.54 acres

Zoning: Neighborhood Commercial Office Residential (NCOR)

Tax Map Number: 9.2-1-41

Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Area variance to the proposed new construction of 7,200 SF mixed-use residential/commercial building.

Action Type: **Area Variance**

Juris. Determinant: Federal Highway

Potential Impacts: 9 Loudon Road

Staff Notes: The proposed new construction of a 7,200 SF mixed-use residential/commercial building, located in the Neighborhood Commercial Office Residential (NCOR) zoning district consists of four apartments where a maximum of two is allowed and has a density of 15,600 SF where a minimum of 9,540 SF is allowed as per the Town Land Use Law. The existing building is to be demolished. The proposed building will consist of 3,600 SF of commercial space on the first floor. Site development include parking, landscaping, utilities and stormwater management. Less than one acre of land disturbance indicated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion: Defer to local consideration
 1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Advisory Note: 1. The Town should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.

Case #: 07-230304189
Project Name: **Off-premises Freestanding Sign**

Applicant: AJ Signs
Project Location: 2 Wellness Way
Municipality: Town of Colonie
Parcel Size: 1.24 acres
Zoning: Highway Commercial Office Residential (HCOR)
Tax Map Number: 9.4-3-3.2
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Special use permit for the installation of 274.3 SF freestanding sign.

Action Type: **Special Use Permit**

Juris. Determinant: Federal Highway
Potential Impacts: 9 Loudon Road

Staff Notes: The proposed construction of an off premises 274.3 SF freestanding sign, located in the Highway Commercial Office Residential (HCOR) zoning district requires a special use permit as per the Town of Colonie Land Use Law.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 07-230304190
Project Name: **Renovation & Demolition of Existing Structures**

Applicant: The Caponera Law Firm, P.C
Project Location: 9 Anthony Lane
Municipality: Town of Colonie
Parcel Size: 0.79 acres
Zoning: Single Family residence (SFR)
Tax Map Number: 43.13-2-18
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Use variance to allow for parking after demolition of the building. The remaining two buildings are to be renovated.

Action Type: Use Variance

Juris. Determinant: County Road
Potential Impacts: CR 154 Osborne road

Staff Notes: The proposal to renovate the two existing 4-unit apartment buildings and demolish the third building for parking (centered between the two apartments to be renovated), on a parcel that has been vacant for a period of 18 months or more, located in the Single Family Residential Zoning District has been relinquished the non-confirming use and is not an allowed use as per the Town of Colonie Land Use Law. Less than one acre of land disturbance indicated as per the Short Environmental Assessment Form (SEAF). Stormwater will be discharged to the adjacent water course area which runs through subject parcel.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 07-230304191
Project Name: Siena - Cushing Village Town House

Applicant: Siena College
Project Location: 515 Loudon Road
Municipality: Town of Colonie
Parcel Size: 156.90 acres
Zoning: Single Family residence (SFR)
Tax Map Number: 43.2-1-12.1
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the proposed repair, replace and installations of walkway, steps and underdrains as required maintenance.

Action Type: Site Plan Review

Juris. Determinant: Federal Highway
Potential Impacts: Route 9W, Historic District

Staff Notes: The applicant proposes to repair, replace and install walks, steps, underdrains as necessary for required maintenance. The existing site is

currently occupied by several town homes that include parking, access driveway, lawn and landscaping areas.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 13-230304192
Project Name: **Lands of Laz**
Applicant: Desiree Laz
Project Location: 611 Krumkill Road
Municipality: Town of New Scotland
Parcel Size: 30.80 acres
Zoning: Medium Density Residential (MDR)
Tax Map Number: 63.-4-3
Referring Agency: Town of New Scotland Planning Board

Considerations: Three lot subdivision of the existing parcel into Parcel A 2.1 acres, Parcel B 14.8 acres and Parcel C 13.9 acres.

Action Type: **Subdivision Review**

Juris. Determinant: Municipal Boundary, Agricultural District
Potential Impacts: Intermunicipal Boundaries of Town of New Scotland and Town of Guilderland, Agricultural District

Staff Notes: The applicant proposes a three lot subdivision of the existing parcel into Parcel A 2.1 acres, Parcel B 14.8 acres and Parcel C 13.9 acres. All site improvements will remain on Parcel B. Parcel A and C will remain vacant as part of Estate plan. No land disturbance is anticipated during the subdivision.

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Case #: 12-230304193
Project Name: 442 Broadway Subdivision

Applicant: 4G Realty Holdings, LLC
Project Location: 442 Broadway Subdivision
Municipality: Village of Menands
Parcel Size: 4.76 acres
Zoning: Broadway Business District (BBD)
Tax Map Number: 44.18-2-15
Referring Agency: Village of Menands Planning Board

Considerations: Subdivision review of the existing parcel into two lots to be known as 442 Broadway and 444 Broadway.

Action Type: Subdivision Review

Juris. Determinant: State Road
Potential Impacts: 32 Broadway, FEMA Floodzone

Staff Notes: The applicant proposes to subdivide the site into two parcels. Proposed No.442 Broadway will be 0.92± acres and will contain the 10,269 ± SF building. Proposed No.444 Broadway will be 3.81 acres and will contain the 45,199 ± SF building. A shared ingress/egress easement between 442 and 444 Broadway is proposed. No land disturbance are indicated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion: Defer to local consideration
1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.

Advisory Note: 1. A shared access agreement (including a maintenance agreement) should be referenced in the deeds for both properties, due to the proposed use of shared ingress and egress between 442 and 444 Broadway.

The Board did not have any questions or comments regarding any of these submissions. Jeff LaFontaine made a motion to accept the Staff Recommendation for Case #'s 01-230304182, 01-230304183, 04-230304184, 04-230304185, 04-230304186, 07-230304187, 07-230304188, 07-230304189, 07-230304190, 07-230304191, 13-230304192 & 12-230304193. The motion was seconded by Beth Lacey and was also approved by Gerry Engstrom.

Case #: 01-230304194
Project Name: **Armory Redevelopment**

Applicant: A-METRO Self Storage Colvin Ave LLC
Project Location: 64 Colvin Avenue, 944 Central Ave
Municipality: City of Albany
Parcel Size: 8.92 acres
Zoning: Mixed Use - Community Urban, Mixed Use - Community Highway (MU-CU, MU-CH)
Tax Map Number: 53.74-2-14, 53.75-1-8.2
Referring Agency: City of Albany Legislative Board

Considerations: Development plan review for redevelopment of the sites to include a self-storage facility, a restaurant and 5-story building for affordable house units.

Action Type: **Development Plan Review**

Juris. Determinant: State Road
Potential Impacts: 5 Central Ave

Staff Notes: Applicant proposes to subdivide 944 Central Avenue into two parcels. One will be known as No. 66 Colvin Avenue and would contain the existing building which will be converted to a self storage facility with 502 +/- storage units varying in size from 5 ft.x5 ft. to 10 ft.x30 ft. This lot will have an area of 2.74 +/- acres. This site would have 20 parking spaces including 1 ADA accessible space. The second parcel will be known as 944 Central Avenue and will house a restaurant with associated drive through lanes. The building would be 8,125 +/- SF (5,526 +/- SF enclosed for the restaurant use and +/- 2,599 SF open structure over the drive through lanes) and a canopy covered ordering station area of 2,233 +/- SF will be constructed. This lot will have an area of 2.53+/-acres. The restaurant will have 68 +/- interior seats and 16 +/- exterior seating. This site would have 173 +/- parking spaces including 5 ADA accessible spaces. The Applicant also owns No. 64 Colvin Avenue. This is to be developed for affordable housing units in a 5 story building housing with 187 units of 1, 2 & 3 bedroom apartments. The gross building area will be 152,760± SF. This lot will have an area of 3.66 +/- acres. This site would have 161 +/- parking spaces including 12 ADA accessible spaces. As per the Full Environmental Assessment Form (FEAF), a total of 5 acres of land is anticipated to be disturbed. As identified in the FEAF, the project site is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic

Preservation Office (SHPO) archaeological site inventory. Self-storage is not an allowable use in the MU-CU zoning district. The applicant requested that the City Zoning Board of Appeals exercise its authority conferred by USDO 375-506 (4)(D) to authorize the applicant to eliminate all of the property's existing non-conforming uses and replace them instead with a self-storage facility to be located within the existing building. The City ZBA determined that the proposed non-conforming use is consistent with Section 375-506(4)(d) of the USDO of the City of Albany.

Staff Opinion:

Modify local approval to include

1. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 29, 2020) for construction activities that disturb more than one acre of land.
2. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.
3. Review by the NY State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required. As identified in the FEAF, the project site is located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

Andy Brick, Attorney for the Property Owner spoke about the project and clarified some points about what was presented to the Board today. Today the Board is presented with the Storage Facility portion of the project. 2 other projects planned for the site will be sent to ACPB once they are further along in the process, however some of the information regarding the site itself is reflecting what will be happening on the entire parcel.

Without any further questions or comments, Jeff LaFontaine made a motion to accept the Staff Recommendation for Case #**01-230304194**. The motion was seconded by Beth Lacey and was also approved by Gerry Engstrom.

Case #: **01-230304195**
Project Name: **Academy Lofts**

Applicant: Manfredi Group
Project Location: 102 Hackett Blvd.
Municipality: City of Albany
Parcel Size: 0.69 acres
Zoning: Mixed Use-Neighborhood Edge (MU-NE)
Tax Map Number: 75.60-2-27
Referring Agency: City of Albany Legislative Board

Considerations: Development plan review for conversion of the existing +/- 27,736 square feet building at the site to a multi-unit dwelling with 25 dwelling units.

Action Type: **Development Plan Review**

Juris. Determinant: County Property/Facility
Potential Impacts: County Owned Drainage Facility

Staff Notes: The applicant proposes to rehabilitate the existing building to serve 25 apartment units. A new water service will be provided as well as outdoor amenities, landscaping and lighting. The building is already served by a private sewer lateral. Less than one acre of land disturbance indicated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion: Modify local approval to include
1. Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.

Jeff LaFontaine made a motion to accept the Staff Recommendation for Case #01-230304195. The motion was seconded by Beth Lacey and was also approved by Gerry Engstrom.

Case #: **07-230304196**
Project Name: **18,700 SF Warehouse**

Applicant: Peter Elitzer (agent for TS Lathan LLC)
Project Location: 952 Troy Schenectady Road
Municipality: Town of Colonie
Parcel Size: 10.08 acres

Zoning: Commercial Office Residential (COR)
Tax Map Number: 18.2-5-6
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Special use permit to construct a 18,700 SF warehouse for the tenants of the shopping center and others.

Action Type: **Special Use Permit**

Juris. Determinant: State Road
Potential Impacts: 7 Troy Schenectady Road, FEMA Floodzone, Albany International Airport, Historic District

Staff Notes: A 18,700 SF warehouse is proposed to be constructed for the use of the tenants of the shopping center and others. Total building footprint on the site will be 102,407 SF and total green space will be 162,336 SF (36.7% of the site area). A total of 1.52 acres of land disturbance is indicated as per the Short Environmental Assessment Form (SEAF). The project site is located adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory as per the SEAF. Roof drainage is to be directed through a hydrodynamic separator to an expanded retention pond. Surface drainage is also to be directed to the expanded retention pond. The existing retention pond will be directed to the expanded retention basin with a capacity of 65,275 cubic feet. Parking for 15 cars including 2 handicap accessible spaces along with two loading docks are also provided.

Staff Opinion: Modify local approval to include

1. Review by the FAA and notification to Albany Airport Authority for FAA FAR Part 77 Aeronautical Impact for temporary construction related and structural incursions within the prescribed Runway Approach Surfaces should be required.
2. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 29, 2020) for construction activities that disturb more than one acre of land.
3. The local fire department should be notified to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.

4. Review by the NY State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required. The project site is located adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory as per the Short Environmental Assessment Form (SEAF).

Beth Lacey made a motion to accept the Staff Recommendation for Case # **07-230304196**. The motion was seconded by Jeff LaFontaine and was also approved by Gerry Engstrom.

Case #: **07-230304197**
Project Name: **Century House PDD**

Applicant: Latham Century Partners LLC
Project Location: 997 Loudon Road, 997A Loudon Rd, 995A Loudon Rd
Municipality: Town of Colonie
Parcel Size: 14.10 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 9.4-2-8.1, 9.4-2-7, 9.4-2-8.3
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the construction of 130 multi-family units and maintenance of the hotel. Three lots to be merged.

Action Type: **Site Plan Review**

Juris. Determinant: Federal Highway
Potential Impacts: 9 Loudon Road

Staff Notes: The applicant proposes to merge the four existing parcels and construct 130 units of multifamily housing along with maintaining the hotel. The allowable density based on the existing zoning is 53 units for the existing hotel and 67 units based on the undeveloped lot size. The increased density is required to support this development. The existing building area is 41,278 +/- SF and the proposed buildings have an area of 77,531 +/- SF. The existing building has a height of 24 feet and is a two-story building. The proposed buildings shall vary in height. The two proposed buildings facing Loudon Road shall be 3-stories and transition to 4 stories within the common courtyard. The proposed building in the rear shall be 3-stories. There are three existing building currently used as a restaurant, a hotel and a small office building. Existing amenities

consisting of an outdoor pool and tented area with concrete pad are located in the rear of the site. The site currently has parking for 275 cars. The applicant proposes to provide parking for 292 cars. Modifications to the existing traffic signal is proposed at the intersection of Loudon Road and Century Hill Drive which will mitigate the proposed development. Modifications to the existing traffic signal is proposed at the intersection of Loudon Road and Century Hill Drive which will mitigate the proposed development. The proposed buildings will also have new 6" DIP water services installed to service them branching off of the proposed public water main extension. The construction of this project will be completed in one phase. A total of 6.15 acres of land disturbance is indicated as per the Short Environmental Assessment Form (SEAF).

Staff Opinion:

Modify local approval to include

1. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-20-001, January 29, 2020) for construction activities that disturb more than one acre of land.
2. The local fire department should be notified to evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.
3. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.

Advisory Note:

1. The Town should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.

Beth Lacey made a motion to accept the Staff Recommendation for Case #07-230304197. The motion was seconded by Jeff LaFontaine and was also approved by Gerry Engstrom.

Case #: 07-230304198
Project Name: **Mixed-Use Building - Redevelopment**

Applicant: Freddy Companies of NY, LLC
Project Location: 1133 Loudon Road
Municipality: Town of Colonie
Parcel Size: 0.84 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 10.1-1-7
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review to demolish and redevelop former Karl's motel into a 12,000 SF mixed-use building.

Action Type: **Site Plan Review**

Juris. Determinant: Federal Highway
Potential Impacts: 9 Loudon Road

Staff Notes: The applicant proposes to redevelop the parcel by removal of the existing structures and existing asphalt and gravel areas. Once that is completed the construction of the new building with a total footprint area of 6000 SF is proposed. The building will be two stories with the first floor being developed for office/retail use and the second floor with four apartments. 37 parking spaces including two handicap spaces and access drives are proposed to support the mixed-use building. The existing building is to be demolished. Stormwater runoff resulting from the project site will be directed to a detention basin that will detain the stormwater and discharge it at a reduced rate similar to the predevelopment conditions.

Staff Opinion: Modify local approval to include
1. Review and permits by New York State Department of Transportation for commercial property development plans involving new or modified access to a state highway, or involve any change of use or expansion of an existing development on a state highway.
2. Review by the Albany County Department of Health for water supply, waste water discharge and other required permits.

Advisory Note: 1. The Town should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.

Beth Lacey made a motion to accept the Staff Recommendation for Case #07-230304198. The motion was seconded by Jeff Lafontaine and was also approved by Gerry Engstrom.

Unfinished Business:

Non-Referral list additions update: Gopika Muddappa, Senior Planner stated that the updated list of non-referral items is drafted but we are waiting for the County Attorney to give feedback on the list and procedure to move forward with the update. She is hoping to have more information by next month's meeting.

Updated Bylaws: Gopika stated that she and Lynn Delaney, ACPB Secretary, have been working on some updated wording for the Bylaws, but that too will need to be reviewed by the County Attorney before we can present it to the Board.

New Business:

The next meeting of the Albany County Planning Board will be held on Thursday, April 20, 2023 at 3:30 pm in Voorheesville. The deadline for municipalities to refer cases for consideration to ACPB is Monday, April 10, 2023.

A reminder to all ACPB members that we need 3 voting members present to meet our quorum requirements. If any Board Member is aware of a possibility of a conflict for an upcoming meeting, let Gopika or Lynn know as soon as possible.

Adjourn: Jeff LaFontaine made a motion to adjourn at 4:03pm.