

# **County of Albany**

Harold L. Joyce  
Albany County Office Building  
112 State Street - Albany, NY 12207



## **Meeting Agenda**

**Tuesday, February 27, 2024**

**6:00 PM**

**Harold L. Joyce Albany County Office Building  
Cahill Room - First Floor**

### **Conservation, Sustainability and Green Initiatives Committee**

**PREVIOUS BUSINESS:**

1. APPROVING PREVIOUS MEETING MINUTES

**CURRENT BUSINESS:**

2. AUTHORIZING AN AGREEMENT WITH THE TOWN OF COLONIE REGARDING NON-REFERRAL ITEMS FOR THE ALBANY COUNTY PLANNING BOARD
3. AUTHORIZING AN AGREEMENT WITH VARIOUS MUNICIPALITIES REGARDING NON-REFERRAL ITEMS FOR THE ALBANY COUNTY PLANNING BOARD

# County of Albany

*Harold L. Joyce*  
*Albany County Office Building*  
*112 State Street - Albany, NY 12207*



## Meeting Minutes

Tuesday, January 23, 2024

6:00 PM

Harold L. Joyce Albany County Office Building  
Cahill Room - First Floor

**Conservation, Sustainability and Green Initiatives**  
**Committee**

**PREVIOUS BUSINESS:**

**Present:** William Reinhardt, Beroro T. Efekoro, Susan C. Laurilliard,  
Matthew J. Miller, Ellen Rosano, Jeff S. Perlee and  
Christopher H. Smith

**Excused:** Merton D. Simpson and Mickey Cleary

**1. APPROVING PREVIOUS MEETING MINUTES**

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

**CURRENT BUSINESS:**

**2. AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION AND AMENDING THE 2024 DEPARTMENT OF ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING BUDGET**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

**3. AUTHORIZING AN AGREEMENT FOR THE MAINTENANCE AND SUPPORT OF THE COOPERATIVE EXTENSION ASSOCIATION OF ALBANY COUNTY FOR THE YEAR 2024**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
DEPARTMENT OF PUBLIC WORKS  
449 NEW SALEM ROAD  
VOORHEESVILLE, NEW YORK 12186-4826  
(518) 765-2055 - FAX (518) 447-7047  
www.albanycountyny.gov

LISA M. RAMUNDO  
COMMISSIONER

MICHAEL MCLAUGHLIN  
DEPUTY COUNTY EXECUTIVE

SCOTT D. DUNCAN  
DEPUTY COMMISSIONER

January 24, 2024

Hon. Joanne Cunningham, Chairwoman  
Albany County Legislature  
112 State Street, Rm. 710  
Albany, NY 12207

Dear Chairwoman Cunningham:

Albany County Department of Public Works is requesting authorization of an agreement with the Town of Colonie, regarding certain matters of referral to the Albany County Planning Board (ACPB)

The Legislature authorized to amend the Albany County Planning Board's list of Non-Referral items (Resolution 2023-389) to include the following three items that are of local concern in the Town of Colonie, do not have an impact on county-wide and pursuant to §190 of the Code of the Town of Colonie, undergo local administrative review and do not go before the town planning board or zoning board:

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
  - o Addition or other site change other than demolition; and
  - o Previously developed site with a building that was occupied within the preceding ten (10) years.
- Subdivision of a parcel of land into four (4) lots or fewer, where no new public streets are required.

Adding these items to the non-referral list would allow the Board to spend extra time on projects that have County-wide impact, and would reduce the review timeframe for the applicant by one month.

If you have any questions, please contact my office.

Sincerely,

Lisa M. Ramundo  
Commissioner

cc: Dennis Feeney, Majority Leader  
Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

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**File #:** TMP-5083, **Version:** 1

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### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Authorization of an agreement with the Town of Colonie regarding certain matters of referral to the Albany County Planning Board (ACPB)

Date: 01/29/2024  
Submitted By: Rosa Maria Tirino  
Department: Public Works  
Title: Director of Operations  
Phone: 518-655-7919  
Department Rep.  
Attending Meeting: Lisa M. Ramundo, PE, Commissioner

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) [Click or tap here to enter text.](#)

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe

- Personnel
- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$0.00  
Scope of Services: Agreement with Town of Colonie for Non-Referral Items

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Original Awarding Agency / Funder:

Click or tap here to enter text.

New York State Pass-Through Agency (if applicable):

Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes  No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Res. 389

Date of Adoption: 10/10/2023

**Justification:** (state briefly why legislative action is requested)

Albany County Department of Public Works is requesting authorization of an agreement with the Town of Colonie, regarding certain matters of referral to the Albany County Planning Board (ACPB)

The Legislature authorized to amend the Albany County Planning Board's list of Non-Referral items (Resolution 2023-389) to include the following three items that are of local concern in the Town of Colonie, do not have an impact on county-wide and pursuant to §190 of the Code of the Town of Colonie, undergo local administrative review and do not go before the town planning board or zoning board:

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
  - o Addition or other site change other than demolition; and
  - o Previously developed site with a building that was occupied within the preceding ten (10) years.
- Subdivision of a parcel of land into four (4) lots or fewer, where no new public streets are required.

Adding these items to the non-referral list would allow the Albany County Planning Board to spend extra time on



projects that have County-wide impact, and would reduce the review timeframe for the applicant by one month.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
PLANNING BOARD  
449 NEW SALEM ROAD  
VOORHEESVILLE, NEW YORK 12186  
PHONE (518) 655-7932 FAX (518) 447-7047

GERALD A. ENGSTROM JR.,  
AICP  
CHAIRPERSON

TRAVON T. JACKSON  
VICE CHAIRPERSON

**LIST OF NON-REFERRAL ITEMS FROM TOWN OF COLONIE TO THE ALBANY  
COUNTY PLANNING BOARD**

Minor Site Plans per § 190 of the Code of the Town of Colonie, which includes:

1. Addition or other site change affecting less than 10,000 square feet

Redevelopment Site Plans per § 190 of the Code of the Town of Colonie, which includes:

1. Commercial redevelopment on lots less than one acre which meet the following conditions:
  - a. Addition or other site change other than demolition; and
  - b. Previously developed site with a building that was occupied within the preceding 10 years.

Minor Subdivisions per § 190 of the Code of the Town of Colonie, which includes:

1. Subdivision of a parcel of land into four lots or fewer, where no new public streets are required. (Proposal for new well and/or septic should require review by Albany County Department of Health)

(Any changes to existing ingress/egress on a state or county highway or a proposal for new access for the above actions should require review by Department of Transportation or Albany County Highway Department as required.)

**The Albany County Planning Board requires the Town of Colonie to send a summary list of all non-referrals showing project name, type of action, and location within 30 days of approval.**

RESOLUTION NO. 389

**AUTHORIZING THE ALBANY COUNTY PLANNING BOARD TO ADD NON-REFERRAL ITEMS FOR TOWN OF COLONIE**

Introduced: 10/10/23  
By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to amend the Albany County Planning Board's (ACPB) list of Non-Referral items to include three that are of local concern in the Town of Colonie and do not have an impact county-wide, and

WHEREAS, The Commissioner has indicated that pursuant to § 190 of the Code of the Town of Colonie, the following items undergo local administrative review and do not go before the town planning board or zoning board:

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
  - a. Addition or other site change other than demolition; and
  - b. Previously developed site with a building that was occupied within the preceding 10 years.
- Subdivision of a parcel of land into four lots or fewer, where no new public streets are required.

, and

WHEREAS, Adding these items to the Non-Referral list would allow ACPB to focus on projects that have a county-wide impact while also reducing the review time frame for each applicant, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Department of Public Works is authorized to amend ACPB's list of Non-Referral items to include the three aforementioned items in the Town of Colonie, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote – 10/10/23*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 10<sup>th</sup> day of October, 2023, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



**IN WITNESS THEREOF**, I have hereunto set my hand and the official seal of the County Legislature this 11<sup>th</sup> day of October, 2023.

*Nicole Chambers*

Clerk, Albany County Legislature

**RESOLUTION NO.**

**AUTHORIZING AN AGREEMENT WITH THE TOWN OF COLONIE  
REGARDING CERTAIN MATTERS OF REFERRAL TO THE  
ALBANY COUNTY PLANNING BOARD**

WHEREAS, By Resolution No. 389 for 2023, this Honorable Body authorized to amend the Albany County Planning Board's List of Non-Referral items to include the following three items that are of local concern in the Town of Colonie, do not have an impact county-wide and pursuant to §190 of the Code of the Town of Colonie, undergo local administrative review and do not go before the town planning board or zoning board:

- Addition or other site change affecting less than 10,000 square feet
- Commercial redevelopment on lots less than one acre which meet the following conditions:
  - a. Addition or other site change other than demolition; and
  - b. Previously developed site with a building that was occupied within the preceding 10 years.
- Subdivision of a parcel of land into four lots or fewer, where no new public streets are required.

, and

WHEREAS, The Albany County Department of Public Works has requested authorization for the Albany County Planning Board to enter into an agreement with the Town of Colonie regarding the three aforementioned Non-Referral items in the Town of Colonie, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Planning Board is authorized to enter into an agreement with the Town of Colonie regarding the three aforementioned Non-Referral items in the Town of Colonie as annexed hereto, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

MICHAEL MCLAUGHLIN  
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY  
DEPARTMENT OF PUBLIC WORKS  
449 NEW SALEM ROAD  
VOORHEESVILLE, NEW YORK 12186-4826  
(518) 765-2055 - FAX (518) 447-7047  
www.albanycountyny.gov

LISA M. RAMUNDO  
COMMISSIONER

SCOTT D. DUNCAN  
DEPUTY COMMISSIONER

January 24, 2024

Hon. Joanne Cunningham, Chairwoman  
Albany County Legislature  
112 State Street, Rm. 710  
Albany, NY 12207

Dear Chairwoman Cunningham:

Albany County Department of Public Works is requesting authorization to enter into agreements with the Town of Colonie, Town of Bethlehem, Town of Guilderland, Town of New Scotland, Village of Voorheesville and the City of Albany regarding the Albany County Planning Board's (ACPB) list of Non-Referral items. Non-referral items are those that are within the purview of Albany County Planning Board review, but are historically deferred for local consideration.

The Legislature authorized expansion of the Albany County Planning Board's list of Non-Referral items (Resolution 2023-254) and amended the Non-Referral Items (2023-358).

The updated non-referral items include:

1. EV charging stations
2. New sign proposals or a change in square footage of existing signs that are wall/building mounted
3. Chickens
4. Lot Line Adjustments
5. Fences (unless it is a corner lot, which could cause site distance issues)

Adding these items to the non-referral list would allow the Board to spend extra time on projects that have County-wide impact, and would reduce the review timeframe for the applicant by one month.

If you have any questions, please contact my office.

Sincerely,

Lisa M. Ramundo  
Commissioner

cc: Dennis Feeney, Majority Leader  
Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

**File #:** TMP-5084, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Authorization to enter into agreements with various county municipalities regarding the Albany County Planning Board’s (ACPB) list of Non-Referral items.

Date:	01/29/2024
Submitted By:	Rosa Maria Tirino
Department:	Public Works
Title:	Director of Operations
Phone:	518-655-7919
Department Rep.	
Attending Meeting:	Lisa M. Ramundo, PE, Commissioner

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Click or tap here to enter text.

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel

- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$0.00  
Scope of Services: Agreement with multiple municipalities for non-referral items

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No



County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Original Awarding Agency / Funder:

Click or tap here to enter text.

New York State Pass-Through Agency (if applicable):

Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes  No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Res. 446 / Res. 254 / Res. 358

Date of Adoption: 11.13.07 / 7.10.23 / 9.11.23

**Justification:** (state briefly why legislative action is requested)

Albany County Department of Public Works is requesting authorization to enter into agreements with the Town of Colonie, Town of Bethlehem, Town of Guilderland, Town of New Scotland, Village of Voorheesville and the City of Albany regarding the Albany County Planning Board’s (ACPB) list of Non-Referral items. Non-referral items are those that are within the purview of Albany County Planning Board review, but are historically deferred for local consideration.

The Legislature authorized expansion of the Albany County Planning Board’s list of Non-Referral items (Resolution 2023-254) and amended the Non-Referral Items (2023-358).

The updated non-referral items include:

1. EV charging stations
2. New sign proposals or a change in square footage of existing signs that are wall/building mounted
3. Chickens
4. Lot Line Adjustments
5. Fences (unless it is a corner lot, which could cause site distance issues)

Adding these items to the non-referral list would allow the Albany County Planning Board to spend extra time on

projects that have County-wide impact, and would reduce the review timeframe for the applicant by one month.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
PLANNING BOARD  
449 NEW SALEM ROAD  
VOORHEESVILLE, NEW YORK 12186  
PHONE (518) 655-7932 FAX (518) 447-7047

GERALD A. ENGSTROM JR.,  
AICP  
CHAIRPERSON

TRAVON T. JACKSON  
VICE CHAIRPERSON

***Exhibit A***  
**LIST OF NON-REFERRAL ITEMS TO THE ALBANY COUNTY PLANNING BOARD**  
**APRIL 2023**

From the Planning Board and/or Planning and Economic Development Department:

Minor Site Plans for:

1. Temporary tents
2. Change in tenant or use
3. Storage sheds in all zoning categories except when there is a change to curb cuts on county or state roads
4. Façade changes to existing buildings
5. Replacement of wall signs on existing building

From the Zoning Board of Appeals and/or Planning and Economic Development Department:

1. Area Variances (i.e. yard setbacks, lot width, lot frontage) that relate to existing or proposed residential structures only, and are for the following types of construction or remodeling:
  - a. Additions
  - b. Decks
  - c. Swimming Pools
  - d. Sheds
  - e. Replacement of mobile homes, except those where a driveway has access to a county or state road
  - f. garages, except those where a driveway has access to a county or state road
2. *Area Variance related to signage,*
  - a. *Installation/replacement of free standing signs or changes to the existing signs including the ones that may require an area variance from the Town/City/Village, as long as the signs do not cause existing and/or proposed site visibility or pedestrian obstruction to the road or located in a County/ DOT ROW.*
  - b. *Signs that may require variance for internal or external illumination*

- c. Proposal for new signs or change in square footage for existing signs that are wall/building mounted.*
- 3. Use Variances for relocation of businesses within the same building.
- 4. *Accessory Structure - EV Charging Stations*
- 5. *Chickens – Special Use Permit and Variance to have chickens*
- 6. *Lot Line Adjustment that is,*
  - a. Not a part of subdivision review*
  - b. Does not create land lock parcels*
  - c. Does not create any land disturbance (disturbance over one acre will require a SWPPP review)*
- 7. *Fences (unless it is corner lot due to possible site distance issues)*

*The Albany County Planning Board requires the Town/City/Village to send a summary list of all non-referrals showing project name, type of action, and location within 30 days of approval.*

**RESOLUTION NO. 446**

**AUTHORIZING AN AGREEMENT REGARDING THE EXEMPTION OF CERTAIN MATTERS FROM REFERRAL TO THE ALBANY COUNTY PLANNING BOARD**

Introduced: 11/13/07

By Conservation and Improvement Committee, Messrs. Dawson, Reilly, Cotrofeld, Aylward and Ms. McKnight:

WHEREAS, The Albany County Planning Board has requested authorization to enter into an intermunicipal agreement with the Towns of Colonie, Bethlehem, Guilderland, New Scotland and the City of Albany regarding the exemption of certain matters from referral to the County Planning Board, and

WHEREAS, In order to streamline applications and benefit citizens seeking permits, the intermunicipal agreement exempts the matters indicated below from referral to the Albany County Planning Board that are a local concern and do not have a countywide or intercommunity impact:

Exempted referrals from local planning boards regarding Minor Site Plans for:

1. Temporary tents
2. Change in tenant or use
3. storage sheds in all zoning categories except when there is a change to curb cuts on County or State roads
4. façade changes to existing buildings
5. replacement of wall signs on existing buildings

Exempted referrals from zoning boards of appeals:

1. Area Variances (i.e. yard setbacks, lot width, lot frontage) that relate to existing or proposed residential structures only, and are for the following types of construction or remodeling:
  - a. additions
  - b. decks
  - c. swimming pools
  - d. sheds
  - e. replacement of mobile homes, except those where a driveway has access to a county or state road
  - f. garages, except those where a driveway has access to a county or state road
2. Area Variances that relate to changes to or replacement of existing signs, both free standing and building mounted, as long as the signs do not increase in square footage and are not located directly adjacent to county or state roadways.

3. Use Variances for relocation of businesses within the same building.

now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an intermunicipal agreement with the Towns of Colonie, Bethlehem, Guilderland, New Scotland and the City of Albany regarding the exemption of certain matters from referral to the Albany County Planning Board, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials

*Adopted by unanimous vote. 11/13/07*

**RESOLUTION NO. 254****AUTHORIZING AMENDMENTS TO THE ALBANY COUNTY PLANNING BOARD'S LIST OF NON-REFERRAL ITEMS**

Introduced: 7/10/23

By Conservation, Sustainability, and Green Initiatives Committee:

WHEREAS, The Albany County Department of Public Works has requested authorization to amend the Albany County Planning Board's (ACPB) list of Non-Referral items to include EV charging stations, most fences, and installation and modification of certain new and existing signs, and

WHEREAS, Adding these items to the Non-Referral list would allow ACPB to spend extra time on projects that have a County-Wide impact while also reducing the review time frame for each applicant by one month, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Department of Public Works is authorized to amend ACPB's list of Non-Referral items to include EV charging stations, most fences, and installation and modification of certain new and existing signs, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote – 7/10/23*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 10<sup>th</sup> day of July, 2023, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 12<sup>th</sup> day of July, 2023.

A handwritten signature in cursive script that reads "Nicole Chambers".

Clerk, Albany County Legislature



RESOLUTION NO. 358

AMENDING RESOLUTION NO. 254 FOR 2023 REGARDING AMENDMENTS  
TO THE ALBANY COUNTY PLANNING BOARD'S LIST OF NON-REFERRAL  
ITEMS

Introduced: 9/11/23

By Public Works Committee:

WHEREAS, By Resolution No. 254 for 2023, this Honorable Body authorized the expansion of the Albany County Planning Board's list of Non-Referral items to include EV charging stations, fencing, and installation and modification of certain new and existing signage, and

WHEREAS, An amendment is necessary in order to complete the request, now, therefore, be it

RESOLVED, By the Albany County Legislature, that Resolution No. 254 for 2023 is hereby amended as follows:

After the First Resolved Clause, ADD:

"RESOLVED, That the Albany County Planning Board's lists of Non-Referral items is hereby amended as annexed hereto, and be it further"

and, be it further

RESOLVED, That Resolution No. 254 for 2023 is hereby further amended to annex the Albany County Planning Board's lists of Non-Referral items, as annexed hereto, to said Resolution, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. McCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
PLANNING BOARD  
449 NEW SALEM ROAD  
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PHONE (518) 655-7932 FAX (518) 447-7047

GERALD A. ENGSTROM JR.,  
AICP  
CHAIRPERSON

TRAVON T. JACKSON  
VICE CHAIRPERSON

*Exhibit A*  
**LIST OF NON-REFERRAL ITEMS TO THE ALBANY COUNTY PLANNING BOARD  
APRIL 2023**

From the Planning Board and/or Planning and Economic Development  
Department: Minor Site Plans for:

1. Temporary tents
2. Change in tenant or use
3. Storage sheds in all zoning categories except when there is a change to curb cuts on county or state roads
4. Façade changes to existing buildings
5. Replacement of wall signs on existing building

From the Zoning Board of Appeals and/or Planning and Economic Development Department:

1. Area Variances (i.e. yard setbacks, lot width, lot frontage) that relate to existing or proposed residential structures only, and are for the following types of construction or remodeling:
  - a. Additions
  - b. Decks
  - c. Swimming Pools
  - d. Sheds
  - e. Replacement of mobile homes, except those where a driveway has access to a county or state road
    - . garages, except those where a driveway has access to a county or state road

2. *Area Variance related to signage,*
  - a. *Installation/replacement of free standing signs or changes to the existing signs including the ones that may require an area variance from the Town/City/Village, as long as the signs do not cause existing and/or proposed site visibility or pedestrian obstruction to the road or located in a County/DOT ROW.*
  - b. *Signs that may require variance for internal or external illumination*
  - c. *Proposal for new signs or change in square footage for existing signs that are wall/building mounted.*
3. *Use Variances for relocation of businesses within the same building.*
4. *Accessory Structure - EV Charging Stations*
5. *Chickens – Special Use Permit and Variance to have chickens*
6. *Lot Line Adjustment that is,*
  - a. *Not a part of subdivision review*
  - b. *Does not create land lock parcels*
  - c. *Does not create any land disturbance (disturbance over one acre will require a SWPPP review)*
7. *Fences (unless it is corner lot due to possible site distance issues)*

*The Albany County Planning Board requires the Town/City/Village to send a summary list of all non-referrals showing project name, type of action, and location within 30 days of approval.*

*Adopted by unanimous vote – 9/11/23*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 11<sup>th</sup> day of September, 2023, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



**IN WITNESS THEREOF**, I have hereunto set my hand and the official seal of the County Legislature this 14<sup>th</sup> day of September, 2023.

A handwritten signature in cursive script that reads "Nicole Chambers". The signature is written in black ink and is positioned above a horizontal line.

Clerk, Albany County Legislature

**RESOLUTION NO.****AUTHORIZING AGREEMENTS REGARDING THE ALBANY COUNTY  
PLANNING BOARD'S LIST OF NON-REFERRAL ITEMS**

WHEREAS, By Resolution No. 254 for 2023, this Honorable Body authorized the expansion of the Albany County Planning Board's List of Non-Referral items, and

WHEREAS, By Resolution No. 358 for 2023, this Honorable Body amended the Albany County Planning Board's List of Non-Referral items as annexed hereto, and

WHEREAS, The Albany County Department of Public Works has requested authorization for the Albany County Planning Board to enter into agreements with the Town of Colonie, Town of Bethlehem, Town of Guilderland, Town of New Scotland, Village of Voorheesville and the City of Albany regarding the Albany County Planning Board's List of Non-Referral items, now, therefore, be it

RESOLVED, By the Albany County Legislature that the Albany County Planning Board is authorized to enter into agreements with the Town of Colonie, Town of Bethlehem, Town of Guilderland, Town of New Scotland, Village of Voorheesville and City of Albany regarding the Albany County Planning Board's List of Non-Referral items as annexed hereto, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.