



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 ENGSTROM JR.,
AICP
CHAIRPERSON

ACPB Meeting Minutes – July 18, 2024

NOTE: The July 18, 2024 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, Ta-Sean Murdock, Jeff LaFontaine and Kate Powers.

Board Members Absent: Brian Crawford

Albany County Public Works Office: Gopika Muddappa, Senior Planner; Lynn Delaney ACPB Secretary.

Guests: Jake Eisland, representing the City of Albany Common Council to discuss Case #01-2407040531 & 01-0407040532.

Minutes: Lynn Delaney, Secretary

Call to Order: Gerry Engstrom called the meeting to order at 3:31 pm.

Vote for Meeting Minutes:

May 16, 2024 & June 20, 2024 - Due to the absence of Brian Crawford, the Board is unable to vote on the May and June Meeting Minutes.

Gerry Engstrom welcomed new ACPB member Kate Powers.

Ta-Sean Murdock made a motion to move all referrals with a Staff Opinion of Defer to Local Consideration to the front of the agenda and to vote on them as a group. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

ACPB July 18, 2024 Meeting Minutes (cont.)

Case #: 01-2407040515
Project Name: Camino Nuevo - Dispensary

Applicant: Promesa, INC
Project Location: 1 United Way
Municipality: City of Albany
Parcel Size: 1.80 acres
Zoning: Mixed-Use, Campus / Institutions (MU-CI)
Tax Map Number: 41.00-2-94
Referring Agency: City of Albany Planning Board

Considerations: Special use permit to occupy the existing 13,170 SF single story building located at the site to be used as a controlled substance dispensary.

Action Type: Special Use Permit

Juris. Determinant: State Route
Potential Impacts: Interstate 90

Staff Notes: The applicant proposes to occupy the current property for the purposes of operating a methadone clinic providing comprehensive integrated opioid addiction and outpatient chemical dependency treatment services. This includes the dispensation of methadone as part of a medically assisted treatment [MAT] program, along with counseling, behavioral therapy, and support services for recovery. The applicant, Promesa Inc., is an affiliate of the Acacia network, which provides comprehensive substance use and mental health services to vulnerable individuals. Operating as Camino Nuevo, the entity will be relocating from a location at 175 Central Avenue in Albany. The proposed use is classified as a "Controlled Substance Dispensary" pursuant to §375-602 of Chapter 375 (Unified Sustainable Development) of the Albany City Code and it is a conditionally permitted use in the MU-CI zoning district pursuant to the permitted use table in §375-302 of the USDO. The proposed use will operate six days a week to ensure continuous support for their clients. The daily hours of operation will be from 6am to 3pm, with medication dispensation primarily occurring in the mornings between 6am and 11am. Construction work will include a full build-out of the existing facility to include layout renovations and the installation of medical and office equipment. The property was previously occupied as general office space and housed the regional headquarters of the

United Way until their relocation in 2021. A total of 54 regular parking spaces and two handicap spaces are proposed.

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 #: 01-2407040516
Project Name: Conversion of Dwelling

Applicant: Waldo Evora, Albany Properties LLC
Project Location: 45 First Street
Municipality: City of Albany
Parcel Size: 0.05 acres
Zoning: Residential, Townhouse (R-T)
Tax Map Number: 65.82-1-72
Referring Agency: City of Albany Planning Board

Considerations: Special use permit for the conversion of an existing Dwelling, Townhouse containing one dwelling unit to a Dwelling, Townhouse containing two dwelling units.

Action Type: Special Use Permit

Juris. Determinant: State Route
Potential Impacts: Route 9 Clinton Avenue, Historic District

Staff Notes: The applicant proposes to convert the existing single-family dwelling into a two-family dwelling. Interior renovation is proposed to provide two market rate apartments. No exterior work is proposed at this 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 #: 01-2407040531
Project Name: **Ordinance 10.42.24**
Applicant: 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 rectify the ambiguities related to commissary kitchen, ghost kitchen, cloud kitchen, catering, and other businesses primarily engaged in the commercial preparation of food.

Action Type: **Amendment of Zoning Ordinance**

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

Staff Notes: Ordinance 10.42.24 is a zoning amendment that will affect more than 25 acres. However, no particular areas of land use is changing or affected. This is an ordinance to resolve certain ambiguities as to how commissary kitchens, ghost kitchens, cloud kitchens, catering and other businesses primarily engaged in the commercial preparation of food to be classified and regulated. While some commercial food preparation locations may be required to offer a storefront, this will only be in mixed use areas, ensuring that the locations are consistent with the environment and character of the neighborhood as well.

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 #: 01-2407040532
Project Name: Ordinance 3.21.24

Applicant: 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 clarify certain ambiguities related to smoke shops, vape shops, tobacco, and other retail businesses that primarily engage in the sale of smoking and tobacco products.

Action Type: Amendment of Zoning Ordinance

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

Staff Notes: This ordinance clarifies certain ambiguities present in the Unified Sustainable Development Ordinance (USDO) as to how smoke shops, vape shops, tobacco or vape consumption businesses and other retail businesses primarily engaged in the sale of smoking and tobacco products should be classified and regulated. The legalization of cannabis at the state level has led to an influx of smoke shops, vape shops, tobacco or vape consumption businesses and other retail businesses primarily engaged in the sale of smoking and tobacco products, and tobacco or cannabis paraphernalia throughout the City. While considerable licensing requirements exist, and many zoning functions preempted, under New York State Law regarding cannabis uses, no such state-wide authority exists which regulates smoke shops, vape shops and tobacco or vape consumption businesses. Applications for smoke or vape shops will be delayed until such time that the USDO is amended.

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 #: 04-2407040518
Project Name: Triple M Management, LLC
Applicant: Triple M Management, LLC
Project Location: 21 Woodridge Road, Delmar
Municipality: Town of Bethlehem
Parcel Size: 0.61 acres
Zoning: Core Residential
Tax Map Number: 86.10-3-1.1
Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review for the conversion of existing construction storage buildings into a 2-Family residence with accessory tenant storage building.

Action Type: Site Plan Review

Juris. Determinant: Albany County Rail Trail
Potential Impacts: Albany County Rail Trail

Staff Notes: The applicant proposes to convert an existing 1 1/2 story construction storage building and single-story building into a two-family residence with each having one-bedroom and a tenant storage building. Less than one acre of land disturbance is anticipated during the conversion. As per the Short Environmental Assessment Form (SEAF), the stormwater currently runs to existing street coverts, and rear yard drainage swales. There is existing water, sewer overhead utility lines to building. There is an existing driveway/parking easement for 15 Woodridge Rd. for 4 vehicles, the remaining parking area can accommodate 8 to 10 more vehicles. The proposed project is for 12 vehicles total. Trash receptacles will be placed inside of the storage building. Traffic will change from daily truck and trailers to cars for residential occupancy.

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 #: 04-2407040521
Project Name: Citizens Bank

Applicant: Ray Sign
Project Location: 164 Delaware Ave, Delmar
Municipality: Town of Bethlehem
Parcel Size: 9.00 acres
Zoning: Commercial Hamlet
Tax Map Number: 86.10-1-8
Referring Agency: Town of Bethlehem Zoning Board of Appeals

Considerations: Area variance for the installation of second wall sign to the back of the building with internal illumination.

Action Type: Area Variance

Juris. Determinant: State Route
Potential Impacts: 443 Delaware Avenue

Staff Notes: The applicant proposes to install a second wall sign with internal illumination. As per the Town Code Section 128-59 Signs J, each tenant is permitted one wall sign. If the tenant occupies more than one façade, the tenant shall be allowed a maximum of two wall signs to be placed on the building's facade with no more than one sign on any facade.

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 #: 04-2407040522
Project Name: Kelly's Pharmacy
Applicant: Jeff Young
Project Location: 345 Delaware Ave, Delmar
Municipality: Town of Bethlehem
Parcel Size: 1.10 acres
Zoning: Hamlet
Tax Map Number: 85.12-4-16.2
Referring Agency: Town of Bethlehem Zoning Board of Appeals

Considerations: Area variance for the proposed freestanding sign which is 54 SF, 12' in height and has 4' setback whereas 20 SF, 10' in height and 10' setback is allowed.

Action Type: Area Variance

Juris. Determinant: State Route
Potential Impacts: 443 Delaware Avenue

Staff Notes: Under Article VI, Supplemental Regulations, Section 128-59, Signs, D. Signs in the H, CH and RH Districts, (2) In the Commercial Hamlet Districts, Freestanding signs shall be setback not less than 10 feet from the highway right-of-way. The proposed sign will be setback four feet, which is six feet short of the required ten foot setback. Also, the proposed signs will be 54 square feet which is over the allowed 20 square feet by 34 square feet. Lastly, the proposed height of the two proposed signs will be 12 feet which is over the allowed 10 feet by two feet. Therefore, the applicant requests an area variance.

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 #: 07-2407040523
Project Name: Green Renewables Inc.
Applicant: Green Renewables Inc.
Project Location: 191 Watervliet Shaker Road
Municipality: Town of Colonie
Parcel Size: 38.50 acres
Zoning: Industrial
Tax Map Number: 32.3-1-29
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review to rehabilitate two existing building and utilize the buildings as a packaging facility for mulch and soil products which are manufactured at the site.

Action Type: Site Plan Review

Juris. Determinant: State Route
Potential Impacts: 155 Watervliet Shaker Road, NWI Wetlands, FEMA Floodzone

Staff Notes: The applicant proposes to rehabilitate the existing buildings. The proposal is to utilize the buildings as a packaging facility for mulch and soil products which are manufactured at the site. No land disturbance is anticipated during the proposed action as per the Short Environmental Assessment Form (SEAF). Stormwater from the site is currently discharged to a swale that is adjacent to the railroad and is tributary to a culvert that carries the Gashouse Creek across the railroad. The stormwater activities will continue to operate the same after the proposed rehabilitation. The site was formerly occupied and used for the manufacturing of steel by the Adirondack Steel Manufacturing Company. The entire property is composed of several parcels and encompasses approximately 99.2 acres. The site was abandoned in the late 1970's and the facilities that were formerly utilized for the manufacturing process deteriorated and have been mostly removed from the site. The NYSDEC has conducted a long term remediation phase of a portion of the site that was identified as being contaminated. The current owner acquired the property from the NYSDEC and the County of Albany and for the last decade the site has been utilized for the processing of yard waste and materials recovery. These two buildings have a facade that is composed of metal and during its aging it has become rusted and is in need of repairs and rehabilitation. Green Renewable has been processing yard waste at the site and wishes to install the equipment for processing the waste materials inside the two buildings.

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 #: 07-2407040525
Project Name: iSmile Addition

Applicant: Stephanie & Lewis McCauley
Project Location: 84 Everett Road
Municipality: Town of Colonie
Parcel Size: 0.45 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 54.9-1-44
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review to build 24'x24' addition in the rear of the existing structure to be used as a conference room.

Action Type: Site Plan Review

Juris. Determinant: County Road
Potential Impacts: CR 155 Everett Road

Staff Notes: The applicant proposes to build 24'x24' addition to the back of the existing building to be used a conference room. The proposed use of a conference room does not increase any traffic in terms of employees or customers accessing the building at any time as per the project narrative. The existing porch is to removed and relocated.

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 #: 07-2407040528
Project Name: TSL Adventures Playground

Applicant: Thomas Styles
Project Location: 1050 Troy Schenectady Road
Municipality: Town of Colonie
Parcel Size: 3.06 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 18.-2-16.2
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review to install small children's playground.

Action Type: Site Plan Review

Juris. Determinant: State Route
Potential Impacts: 7 Troy Schenectady Road

Staff Notes: The applicant proposes to install a playground structure anchored into the ground via concrete footings. The site coverage will be roughly 1/2 of the green space bounded by the fence alongside the leased structure.

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 #: 07-2407040530
Project Name: **Parking Lot Expansion**

Applicant: Eastern Son, LLC c/o Conor Boyd
Project Location: 421 Troy Schenectady Road
Municipality: Town of Colonie
Parcel Size: 1.04 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 19.19-3-45
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review proposed expansion to an existing parking lot which is appurtenant to an existing ±6,185 SF mixed-use building.

Action Type: **Site Plan Review**

Juris. Determinant: State Route
Potential Impacts: Route 2 Troy Schenectady Road

Staff Notes: The proposed project involves parking lot maintenance and expansion of the existing parking lot together with a relocated commercial driveway onto 1st Avenue. Minimal clearing and grading of land for the installation of additional pavement and access is expected. Installation of landscaping along 1st Avenue and relocation of lighting to accommodate the revised parking lot are also proposed. The existing parking is insufficient for its current operational uses and not meet minimum parking requirements under current zoning code. The development plan proposes 33 total spaces by rearranging the parking layout and access driveway while maintaining the majority of the existing parking lot together with a small pavement addition in the west. Multiple waivers are requested for parking setback requirements and off-street parking design standard.

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 #: 10-2407040527
Project Name: Tower Place
Applicant: Donald Waldbillig
Project Location: Executive Park Dr Rear Pr
Municipality: Town of Guilderland
Parcel Size: 13.60 acres
Zoning: Local Business District (LB)
Tax Map Number: 52.04-2-1
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special use permit for the modification to include the reduction of 29 parking spaces for the development of a pedestrian park space within the existing parking area for an office building complex.

Action Type: Special Use Permit

Juris. Determinant: State Route
Potential Impacts: Interstate 87 Adirondack Northway

Staff Notes: The proposal is to provide improved outdoor amenities for the employees and visitors of the offices and medical offices for use during lunch, breaks, etc., as well as improve the pedestrian connections throughout the campus. As part of the enhancement project, the center island is to be enlarged width wise through the reduction of 29 parking spaces. By enlarging this island and reducing the parking, a total of 1,038 parking spaces is proposed on the entire site. Other site improvements within the enlarged pedestrian island include turf sitting areas, benches/chairs, curbing, concrete walkway with ADA accessible access points, plantings, and a seawall surrounding the relocated statue from the recently renovated Stuyvesant Plaza green. Less than one acre of land disturbance is anticipated during the modification 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 #: 13-2407040524
Project Name: Ground Mounted & Canopy Mounted Solar Array

Applicant: Mathew Lavigne
Project Location: 1769 Delaware Tpke
Municipality: Town of New Scotland
Parcel Size: 28.74 acres
Zoning: RA- Residential Agricultural
Tax Map Number: 106.-4-1.21
Referring Agency: Town of New Scotland Planning Board

Considerations: Site plan review for the installation of canopy mounted and ground mounted solar array.

Action Type: Site Plan Review

Juris. Determinant: State Route
Potential Impacts: 443 Delaware Tpke, NWI Wetlands

Staff Notes: The applicant proposes to install a timber framed mounted solar array and a ground mounted solar array on the North side of the dwelling. The installments will consist of a total of 57 Longi LR5-72 HBD 540 modules and three solis-1P7.6K-4G-US inverters. Less than one acre of land disturbance is anticipated during the installation.

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 #: 13-2407040529
Project Name: Special Use Permit - 100 Cubic Yards

Applicant: Town of Bethlehem DPW
Project Location: 2219 New Scotland Road
Municipality: Town of New Scotland
Parcel Size: 16.00 acres
Zoning: RA- Residential Agricultural
Tax Map Number: 83.-3-20
Referring Agency: Town of New Scotland Planning Board

Considerations: Special use permit to fill more than 100 cubic yards per calendar year at the facility to use the existing decommissioned dam reservoir area as spoil site for excess materials generated by Bethlehem DPW maintenance activity.

Action Type: Special Use Permit

Juris. Determinant: State Route
Potential Impacts: Route 85 New Scotland Road, NWI Wetlands (Delmar Reservoir)

Staff Notes: The Town of Bethlehem seeks a special use permit to place fill of more than 100 cubic yards per calendar year at their facility at 2219 New Scotland Road in the Town of New Scotland commonly called the 30 & 8 Spoil Sites. The Town of Bethlehem Department of Public Works (BDPW) requires a facility to spill excess subgrade materials excavated annually from the ongoing maintenance operations for their utility infrastructure. The BDPW is proposing to use the decommissioned reservoir basin on the parcel for this purpose. Materials to be stockpiled will be free of excavated asphalts, concrete, tiles, and other deleterious materials. The parcel was previously used as a water supply reservoir with a dam. The BDPW expects between 500 and 5000 cubic yards of excess materials to be produced each year. In 2019 the Town of Bethlehem undertook a project to breach the northern reservoir so that Dam Safety Permit (DEC DAM ID# 208-1016) could be reduced from a hazard classification Class A - Low Hazard to Class D - No Hazard status. As per the project narrative, the NYSDEC provided a letter confirming the work was substantially completed and the reclassification was accepted as of May 3, 2022. Drainage from the revegetated basin area is conveyed via a grass-lined drainage swale running around the eastern side of an existing water tank where it flows south to a culvert under New Scotland Road. The northern basin area does not provide any practical use and is a prime location to place excess fill materials from DPW operations as part of a long-term

restoration practice. Filling operations will occur systematically and is intended to minimize disturbances.

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 #: 14-2407040533
Project Name: Local Law - Village of Ravenna

Applicant: Village of Ravenna
Project Location: Village of Ravenna
Municipality: Village of Ravenna
Parcel Size: N/A
Zoning: N/A
Tax Map Number: N/A
Referring Agency: Village of Ravenna Legislative Board

Considerations: Local law to amend Chapter 102 of the Village Code to include a procedure for review and approval of lot line adjustments.

Action Type: Adoption of Local Law

Juris. Determinant: N/A

Potential Impacts: N/A

Staff Notes: The purpose of this local law is to amend Chapter 102 of the Village of Ravenna Code to include a procedure for review and approval of lot line adjustments. The Village Code currently provides for review and approval of subdivisions but does not address revisions to lot lines that do not result in the creation of new lots.

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.

Ta-Sean Murdock made a motion to accept the Staff Recommendation for the following cases: 01-2407040515, 01-2407040516, 01-2407040531, 01-2407040532, 04-2407040518, 04-2407040521, 04-2407040522, 07-2407040523, 07-2407040525, 07-2407040528, 07-2407040530, 10-2407040527, 13-2407040524, 13-2407040529 & 14-2407040533. The motion was seconded by Jeff LaFontaine and was also approved by Kate Powers and Gerry Engstrom.

Case #: 01-2407040535
Project Name: **Mansion Initiative**

Applicant: The Community Builders
Project Location: 70, 108-114 Grand Street
Municipality: City of Albany
Parcel Size: 0.94 acres
Zoning: Residential, Townhouse & Historic Resources Overlay
Tax Map Number: 76.49-3-80;61; 60; 59; 58
Referring Agency: City of Albany Planning Board

Considerations: Site plan review and special use permit for the construction of 5,511 SF two-story building including a Community Center and a General Office space (70 Grand Street) as well as the construction of four (4) three-story Dwelling, Townhouses of ±3,984 SF(108 Grand Street), ±3,453 SF (110 Grand Street), ±3,777 SF (112 Grand Street), and ±3,348 SF (114 Grand Street).

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

Juris. Determinant: State Route
Potential Impacts: Route 20 Madison Avenue

Staff Notes: The Community Builders, Inc. (TCB) positions the Mansion Initiative comprised of 63 units as part of the economic and social revitalization of Albany's Historic Mansion neighborhood. This project involves three phases - gut rehabilitation of 3 properties, moderate rehabilitation of 11 properties, and construction of five new three-story multi-family residential buildings. 70 Grand Street will be constructed on a vacant lot that was formerly the site of a single-story commercial building that was recently demolished because it was deemed structurally unsafe. The existing buildings at 108-114 Grand Street recently burned down and will be replaced with new three-story, multi-family buildings. TCB is working closely with the City of Albany to ensure that all rehabilitation work maintains the historic character of the neighborhood. The new buildings at 70 and 108-114 Grand Street will match the character of other buildings in the neighborhood as much as possible while meeting the current building codes. Although new building materials will be used and current construction and code standards (including energy compliance and ADA accessibility) will be incorporated into the design, the new buildings will feel similar to the surrounding neighborhood. Moderate rehabilitation of 76, 88, 89, 97, 104, 106, 107, 109, 121, and 127 Grand Street and 13 Ash Grove Place will include replacement of lighting and plumbing fixtures, repair/re-pointing of masonry,

interior/exterior painting, re-caulking of windows, and replacement of interior floors. Interior hardwood features will be restored in compliance with historic preservation requirements. Gut rehabilitation of 71, 78, and 100 Grand Street will include a full tear out of interior walls and floors and replacement of interior joists, beams, and sub floor. The existing masonry will be supported and retained during construction. Following structural repairs, new apartments with up-to-date features will be constructed.

Staff Opinion:

Modify local approval to include

1. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required since the development is within the Mansion Historic District.

Advisory Note:

1. The City should ensure that adequate number of parking spaces are provided for the proposed dwelling units by considering shared parking lots or other alternatives since all the proposed dwellings are dependent on street parking and may cause congestion.

Gerry Engstrom asked that an advisory note be added to mention the need for parking options (noted above as Advisory Note #1). Ta-Sean Murdock made a motion to accept the Staff Recommendation for Case #01-2407040535. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: 01-2407040536

Project Name: **South Albany Scattered Site Redevelopment Project**

Applicant: Zina Lagonegro, EIT, AICP, Director of Planning & Development / Passero Associates; MDG Development

Project Location: 85-89, 129-133, 137-145, 151, 155 & 159 Broad Street; 117, 134-138 & 145-147 Clinton Street; 10, 23, 33, 38, 44, 47 & 51-53 Second Avenue; 325,329 & 331 South Pearl Street; 1 & 4, 8-16,15-35 & 24-28 Teunis Street; 29,33-35, 36 & 49-57 Third Avenue; 20 Stephan St.

Municipality: City of Albany

Parcel Size:

Zoning: Mixed-Use, Form-Based Warehouse District (MU-FW)

Tax Map Number: 76.65-2-61, 76.65-2-60, 76.65-2-59, 76.73-4-10, 76.73-4-11, 76.73, 4-12, 76.73-4-14, 76.73-4-15, 76.73-4-16, 76.73-4-17, 76.73-4-18, 76.73-4-21, 76.72-2-55, 76.72-2-53, 76.73-4-38, 76.73-4-37, 76.73-4-36, 76.72-2-70, 76.72-2-69, 76.72-2-57, 76.73-4-28

Referring Agency: City of Albany Planning Board

Considerations: Site plan review and development plan review for the construction of 62 single-, two-, three-, and multi-unit dwelling structures totaling 166 dwelling units.

Action Type: **Site Plan Review**

Juris. Determinant: State Route

Potential Impacts: Route 32 S Pearl Street, Historic District

Staff Notes: This is a proposal to redevelop approximately 62 vacant parcels in South Albany into a mix of about 62 affordable housing duplex, triplex, and multi-family apartment buildings ranging between 2 and 3 stories in height for an approximate total of 166 +/- dwelling units throughout the South End-Groesbeckville Historic District. This application was reviewed by the Albany County Planning Board in August 2023 for site plan review and development plan review for the construction of two, three, and multi-unit dwelling structures totaling 108 dwelling units. The ACPB determination was, 'Modify local approval to include

1. As per the Full Environmental Assessment Form (FEAF), total acreage to be disturbed during the proposed project is anticipated to be +/- 1 cumulative acres. 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 should be required.

2. A traffic analysis report should be provided to evaluate the traffic flow and its potential impacts in the area.' with the advisory notes,'1. The City should ensure that adequate number of parking spaces are provided for the proposed dwelling units by considering shared parking lots or other alternatives.

2. The Albany County Planning Board advises the City to consider the significant neighborhood population with health and accessibility issues since the proposed dwelling units are multistory buildings.'

Staff Opinion:

Modify local approval to include

1. As per the Full Environmental Assessment Form (FEAF), total acreage to be disturbed during the proposed project is anticipated to be +/- 1 cumulative acres. 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-0-24-001, January 3, 2024) for construction activities that disturb more than one acre of land should be required.

Advisory Note:

1. The City should ensure that adequate number of parking spaces are provided for the proposed dwelling units by considering shared parking lots or other alternatives since all the proposed dwellings are dependent on on-street parking and may cause congestion.

Jeff LaFontaine made a motion to accept the Staff Recommendation for Case #01-2407040536. The motion was seconded by Ta-Sean Murdock and was also approved by Kate Powers and Gerry Engstrom.

Case #: 07-2407040517
Project Name: **Home Evolution**

Applicant: Alex Kotsyuba
Project Location: 1334 Loudon Road
Municipality: Town of Colonie
Parcel Size: 8.63 acres
Zoning: Neighborhood Commercial Office Residential (NCOR)
Tax Map Number: 2.03-1-34.1
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review to redevelop existing building into an office building and to construct 12,500 SF warehouse associated with vehicular access and parking.

Action Type: **Site Plan Review**

Juris. Determinant: State Route
Potential Impacts: Route 9 Loudon Road

Staff Notes: The applicant proposes to develop the parcel with the utilization of the existing building (formerly #22 Crescent Terrace), as the office for the Home Evolution Roofing contracting company. The building will be rehabilitated to contain the office of the roofing company. The applicant also proposes the construction of a new 12,500 SF building footprint that will be utilized for product storage of the materials utilized in the roofing contracting business. This new building will be roof canopies on the westerly & easterly sides that will be utilized for the parking of the construction vehicles associated with the contracting business. The applicant is also proposing to remove the existing storage building (formerly #37 Avenue B). In addition to the new building, the site will also have circulation, access drives and 25 parking spaces (including 1 accessible space) for the customers and employees. The existing access drive from the Loudon Road corridor will be modified to provide the main access for the parcel. The proposed uses within this zone are allowed and are the similar in nature as the existing uses and facilities located in the Loudon Road corridor. A total of 3.86 acres of land disturbance is expected during the redevelopment as per the Short Environmental Assessment Form (SEAF) and the stormwater is to be directed to existing drainage systems in compliance with the NYSDEC and Town code. the project is located in NY State Historic Preservation Office designated archaeological sites as per the 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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
2. Review by the NY State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.
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 should be required.

Kate Powers made a motion to accept the Staff Recommendation for Case #07-2407040517. The motion was seconded by Ta-Sean Murdock and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: 07-2407040520
Project Name: Catholic Central

Applicant: Bryan Davis - BBI Construction
Project Location: 335 Old Loudon Road
Municipality: Town of Colonie
Parcel Size: 20.20 acres
Zoning: MFR — Multifamily Residential District
Tax Map Number: 19.2-5-5
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the proposed 37,441 SF addition to the existing Saint Ambrose Church and Catholic Central School building with drive aisles and parking areas.

Action Type: Site Plan Review

Juris. Determinant: State Route

Potential Impacts: State Route 7

Staff Notes: The proposed project includes renovation and construction of two additions to the St. Ambrose Church and Catholic Central school. The project proposes the construction of a one story 4,174 sf parish office and pastoral room on the west side of the building, and a one story 33,267 sf academic wing and gymnasium on the east side of the building. The proposed parish office addition will include the reconstruction of the drive aisle on the west side of the building to improve traffic flow in the front of the building. The gymnasium addition also proposes the construction of additional drive aisles and parking areas to provide access to the rear of the building. The existing soccer field to the southeast will be shifted to the east of the proposed gymnasium expansion. Additionally, a potential future multi-use ball field to serve the Catholic Central School is shown to the northeast of the proposed gymnasium. The parking requirement for site based upon the most demanding use is 1 stall per 2 seats for the gymnasium with a max occupancy of 950 people. The required parking for the site yields 475 stalls. The applicant and the town planning board have recommended to bank a portion of the parking stalls if the school and church estimate 475 stalls will be over parked. As a result, the project will propose to construct 25 stalls and bank 106 stalls. Banked stalls are accounted for in impervious area calculations. As per the project narrative, there are +/- 1,069 square feet of potentially isolated wetlands on the northeastern portion of the site. As per the Full Environmental Assessment Form (FEAF), a total of 6 acres is to be disturbed during the proposed development.

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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
2. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

Ta-Sean Murdock made a motion to accept the Staff Recommendation for Case #07-2407040520. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: 07-2407040526

Project Name: Latham Aldi

Applicant: Aldi Inc.

Project Location: 831 Loudon Road

Municipality: Town of Colonie

Parcel Size: 3.53 acres

Zoning: Commercial Office Residential (COR)

Tax Map Number: 54.9-1-44

Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the construction of a 20,664± SF ALDI grocery store, including associated parking, lighting, landscaping, and utility improvements.

Action Type: Site Plan Review

Juris. Determinant: State Route

Potential Impacts: Route 9 New Loudon Road

Staff Notes: Proposed action includes construction of a 20,664± SF ALDI grocery store, including associated parking, lighting, landscaping, and utility improvements. The building is two stories and 28'-10" in height. The parking lot will include 103 spaces. Access to Loudon Road and Old Loudon Road will utilize existing curb cuts and maintain access to the La Quinta parking lot. Proposed action will substantially reduce existing impervious surfaces on site. The existing site is unoccupied. It is the former premises of a hotel and attached restaurant. The site currently consists of the remaining pavement, concrete, and gravel from the previous use. On the property to the north a La Quinta Inn & Suites operates, and to the east is Latham Fire Department Station Number 1. : ALDI is seeking a waiver of the maximum setback requirement of 25'. Due to the nature of the grocery store's business and to enable smooth operations, the building needs to be placed beyond this maximum setback distance. ALDI is also pursuing a waiver for front yard parking for

the same reasons and access to the front doors. As per the Full Environmental Assessment Form (FEAF), a total of 2.42 acres of land is to be disturbed.

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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.
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 should be required.

Kate Powers made a motion to accept the Staff Recommendation for Case #07-2407040526. The motion was seconded by Ta-Sean Murdock and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: 07-2407040538
Project Name: **KOP Automotive Facility**

Applicant: WCCS Albany LLC
Project Location: 1979 Central Avenue
Municipality: Town of Colonie
Parcel Size: 7.41 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 29.6-1-1
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the redevelopment of the existing site with construction of 30,000 SF building.

Action Type: **Site Plan Review**

Juris. Determinant: State Route
Potential Impacts: Route 5 Central Avenue

Staff Notes: This an application proposing to redevelop the existing site by removing the existing building and asphalt pavement and constructing a 30,000 SF building and a parking area to accommodate 300 vehicles. New access drives from Central Avenue and Culver Avenue will also be constructed. The existing infrastructure to provide the proposed redevelopment with municipal services of water and sanitary sewer. A total of 6.28 acres of land disturbance is anticipates as per the Short Environmental Assessment Form (SEAF). Storm water management practices will be developed in accordance with the Town of Colonie and the NYSDEC requirements and will utilize the existing closed drainage system.

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 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-0-24-001, effective January 3, 2024) for construction activities that disturb more than one acre of land should be required prior to final approval.

Ta-Sean Murdock made a motion to accept the Staff Recommendation for Case #07-2407040538. The motion was seconded by Kate Powers and was also approved by Jeff LaFontaine and Gerry Engstrom.

Case #: 07-2407040539
Project Name: Precision Industries Maintenance

Applicant: Todd Kilburn
Project Location: 1093 Kings Road
Municipality: Town of Colonie
Parcel Size: 27.44 acres
Zoning: Industrial (IND)
Tax Map Number: 16.3-1-29
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the development of 23,500 SF building with associated parking and circulation & access drives.

Action Type: Site Plan Review

Juris. Determinant: Municipal Boundary
Potential Impacts: Intermunicipal Boundaries of Town of Colonie and Town of Guilderland

Staff Notes: The applicant proposes to subdivide the parcel into two-lots and develop Lot #2 with a 23,500 Square Feet (SF) office & warehouse building and associated parking areas and access drives. The proposed building as noted on the Site Plan, would occupy a footprint area of approximately 20,500 SF. There would be a total of 34 parking spaces which is equal to the Town required parking spaces for this type of facility; 15 of the 34 parking spaces will be banked. Lot #2 would encompass approximately 15.36 Acres. the proposed site would have a green area of approximately 13.59 acres or 88.5% of the site. The building would be subdivided to have the office area located at the easterly side of the building. It would encompass approximately 6,000 SF; 3,000 SF on the bottom floor and 3,000 SF on the second floor. The office area would be the only portions of the proposed building that would have two stories. The remaining portions of the building would be used as a warehouse facility for the storage of vehicles and equipment. Vehicle entrances to the warehouse areas are planned and shown on the Site Plan. These entrances are located at the rear of the proposed building. Based on the zoning regulations, the site can be developed with the proposed use of office & warehouse facility. The parcel has frontage along Kings Road, Curry Road and Morris Road. As mentioned in the project narrative, the infrastructure necessary to provide the site with Sanitary, Water, Electric, Gas and Telephone services exist and are all located along the Morris Road corridor. These systems have sufficient capacities to

provide the demands from the proposed development. The proposed area of site development does contain existing US ACOE wetlands and these are shown on the Site Plan. The site has three wetlands areas (Nos. 3, 4 & 5) that have been deemed to be isolated. Wetlands Areas Nos. 1 & 2 have been field confirmed with the ACOE as being jurisdictional. The proposed project, upon approval, will commence with the removal of the existing structures and clearing of existing vegetation for the phase being developed. Erosion & Sediment Control systems will be installed prior to the removal of any structures and will be maintained throughout the construction period. Once the portions of the existing structures are removed, the contractor will proceed with site earthwork and utility installation that will service the proposed building. The grading of the site will continue and will be stabilized as soon as finish grade is achieved. The foundation work for the building will start and the site work contractor will continue to install the proposed circulation routes and parking areas. This will be followed with the completion of any items that remain incomplete and then landscaping for the project will be installed. The site is currently mostly undeveloped and vacant. There is a small one-story masonry building and a turf field that were previously used as a paintball range. The site is also developed with an area of asphalt pavement that is adjacent to the existing building. The parcel is identified as tax map no. 16.03-1-29 and is currently vacant. The parcel appears to have been historically utilized for agricultural purposes.

Staff Opinion:

Modify local approval to include

1. Notification of the application should be sent to the Town of Guilderland, including all required notices pursuant to GML §239-nn.
2. As specified in the project narrative and the site plans, the parcel consist of wetlands and any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

Ta-Sean Murdock made a motion to accept the Staff Recommendation for Case #07-2407040539. The motion was seconded by Jeff LaFontaine and was also approved by Kate Powers and Gerry Engstrom.

Case #: 09-2407040534
Project Name: **Factory Town Residential Development**

Applicant: Luizzi Companies
Project Location: Cannon Street
Municipality: Village of Green Island
Parcel Size: 33.20 acres
Zoning: Industrial
Tax Map Number: 21.09-2-5, 21.13-1-3.2, 21.13-1-3.1
Referring Agency: Village of Green Island Planning Board

Considerations: Site plan review for the proposed Planned Development District for a residential development project that consists 131 residential apartments, a club house, pool, walking trail and protected green space.

Action Type: **Site Plan Review**

Juris. Determinant: Municipal Boundary, County Road
Potential Impacts: Intermunicipal Boundaries of Village of Green Island and County of Rensselaer, County Road George Street, Hudson River, FEMA Floodzones

Staff Notes: The project involves the development of approximately 33 acres of land between the Hudson River and Cannon Street located in the Village of Green Island, New York. The proposed development consists of a total of 131 dwelling units split between 13 residential buildings as well as a clubhouse and pool. The development also includes an internal roadway, parking areas, walking trails, utility extensions and landscaping. A total of 9.9 acres of land is anticipated to be disturbed as per the Full Environmental Assessment Form (FEAF) and Stormwater Pollution Prevention Plan (SWPPP) had been submitted with the application packet. The proposed finished floor elevation will be 31.00' above sea level (three feet above the 100-year Floodplain elevation). The applicant intends to obtain all required development permits for construction within a designated flood hazard area, as the proposed grading will raise the modified site footprint. As per the FEAF Army Corps of Engineering consultation was completed and confirmed that impacts are avoided. New water mains will be installed through the project site to provide the proposed development with a domestic water supply. New sewer extension will be installed through the project site to provide the proposed development with sanitary service, mitigation will be required through a combined sewer separation project to be completed by the applicant. An internal roadway network is proposed to provide access to all units. Portions of the proposed project site are likely on top of the former landfill areas and development of the restrictive area will

occur once remediated as part of the Brownfield Cleanup Program. The site has been remediated to the satisfaction of the NYSDEC for industrial use. Some remnant contamination may be present. As a result, there is currently an industrial use deed restriction on a portion of the property. The area subject to the deed restriction will be included in the application to the DEC Brownfield Program with the intention of remediating the site to have the restriction removed. There is an elimination of a potential historical and archeological resources impact due to the proposed development. The site is a potential habitat for the Northern Long-eared Bat, Shortnose Strurgeon and Bald Eagle as per the FEAF. The development is anticipated to include the following sequence of operations:

1. Ensure a stabilized path around the proposed buildings from proposed stabilized access roads.
2. Install any required erosion and sediment control practices.
3. Install proposed drainage system/stormwater management features.
4. Install perimeter retaining walls and backslope grading.
5. Install site utilities to the proposed building and restore trenches during installation.
6. Construct the proposed buildings.
7. Pave the proposed road and parking areas.
8. Restore the existing disturbed ground around the building and pavement areas.

Staff Opinion:

Modify local approval to include

1. Notification of the application should be sent to the County of Rensselaer, including all required notices pursuant to GML §239-nn.
2. The Village of Green Island should ensure that the floodplain management zone requirements are met on site.
3. Review by the Albany County Department of Health for water supply, waste water discharge and other necessary permits should be required.
4. Review by the New York State Department of Environmental Conservation Division of Environmental Permits (Region 4) should be required to determine if permits or additional reviews are required due to presence of Shortnose Sturgeon, Bald Eagle and Northern Long-eared Bat as identified in the Full Environmental Assessment Form (FEAF).
5. As mentioned in the project narrative, the proposed development results in the elimination of potential historical and archeological resources. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.
6. Notification to the New York State Division of Environmental Remediation should be sent to obtain necessary permits and reviews

prior to the final approval of the proposed residential development due to potential contamination from previous industrial use.

7. The local fire department should be notified to evaluate for public safety, adequacy of the ingress and egress for emergency services, water availability and any sprinkler system that may be required by building code.

Kate Powers made a motion to accept the Staff Recommendation for Case #09-2407040534. The motion was seconded by Ta-Sean Murdock and was also approved by Jeff LaFontaine and Gerry Engstrom.

Unfinished Business: None

New Business:

- a. Save the Date – October 18, 2024 is the date for the Capital District Regional Planning Commission Fall Workshop. If you prefer to get your required training at an “in person” event, this is a great opportunity. The workshop is held at HVCC and offers many classes on both the basics of Planning and Zoning as well as more detailed topics. If you are interested in attending this or any other training opportunity, please remember that Gopika needs to arrange for payment as we are unable to reimburse you. There are also numerous free trainings available online. Speak with Gopika about how you will obtain your required 4 hours of training annually. If you have taken any trainings related to your profession that you think will meet the training requirement, Gopika will be happy to discuss them with you.
- b. The next meeting of the ACPB will be on Thursday, August 15, 2024 and the deadline for municipalities to submit referral items for review will be Monday, August 5, 2024.
- c. Gerry Engstrom is unable to attend the August 15, 2024 meeting.

Adjourn: Ta-Sean Murdock made a motion to adjourn at 4:04pm.