



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
PLANNING BOARD
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CHAIRPERSON

ACPB 6-18-25 Meeting Minutes - FINAL

NOTE: The June 18, 2025 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: Jeff LaFontaine, Ta-Sean Murdock, Kate Powers and Aimee McKane.

Board Members Absent: Brian Crawford

Albany County Public Works Office: Gopika Muddappa, Deputy Director of Economic Development and Planning; Lynn Delaney ACPB Secretary, David Reilly, Commissioner, Albany County Office of Management and Budget; Christine Breton, Albany County Comptroller's Office (via Teams); Ian Reeve, Albany County Office of Management and Budget (via Teams).

Guests: None

Minutes: Lynn Delaney, Secretary

Call to Order: Kate Powers called the meeting to order at 3:38pm.

Welcome: Kate Powers introduced Aimee McKane. Aimee was recently appointed to the ACPB and this is her first meeting.

Vote for Meeting Minutes: Due to the absence of Brian Crawford, the vote for the April 2025 Meeting minutes will be postponed until the July 17, 2025 Meeting.

Jeff LaFontaine made a motion to accept May 15, 2025 Meeting Minutes. The motion was seconded by Ta-Sean Murdock and was also approved by Kate Powers.

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ACPB 6-18-2025 Meeting Minutes (cont.) -

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 Aimee McKane and was also approved by Jeff LaFontaine and Kate Powers.

Case #: 01-2506040709
Project Name: **Conversion of Existing Structure**

Applicant: Lychee LFTY0431, LLC
Project Location: 84 Madison Avenue
Municipality: City of Albany
Parcel Size: 0.05 acres
Zoning: Residential, Townhouse (R-T)
Tax Map Number: 76.50-3-6
Referring Agency: City of Albany Planning Board

Considerations: Special use permit for the conversion of the existing structure at the property from two-(2) unit to a three-(3) unit townhouse with the addition of 600 SF dwelling unit. No exterior work to be done.

Action Type: **Special Use Permit**

Juris. Determinant: State Road
Potential Impacts: 32 S. Pearl Street, 20 Madison Avenue

Staff Notes: This is an application for special use permit for the conversion of the existing structure at the property from two-(2) unit to a three-(3) unit townhouse with the addition of 600 SF dwelling unit. No exterior work to be done.

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 #: 01-2506040716
Project Name: Ordinance 68.121.24

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 establish regulations for building Accessory Dwelling Unit.

Action Type: Amendment of Zoning Ordinance

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

Staff Notes: This is an ordinance amending Chapter 375 of Unified Sustainable Development Ordinance of the Code of the City of Albany in relation to permitting accessory dwelling units.

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 #: 05-2506040706

Project Name: Area Variance

Applicant: Doug Mark

Project Location: 53 Lawson Lake Road

Municipality: Town of Coeymans

Parcel Size: 1.00 acres

Zoning: R-A: Residential/Agricultural

Tax Map Number: 141.-1-50

Referring Agency: Town of Coeymans Planning/Zoning Board of Appeals

Considerations: Area variance for side yard setback and allowed minimum lot area.

Action Type: Area Variance

Juris. Determinant: County Road

Potential Impacts: CR 109 Lawson Lake Road

Staff Notes: The applicant proposes to build a 26.8"x48" modular home. An area variance is requested for the proposed 43,560 SF parcel whereas 80,000 SF is required and the proposed 25' side yard setback whereas 30' is required per the Town Code Chapter 165 .

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 #:	<u>07-2506040710</u>
Project Name:	Define Fitness, LLC
Applicant:	Bryan Dilierto
Project Location:	350 Watervliet Shaker Road
Municipality:	Town of Colonie
Parcel Size:	0.50 acres
Zoning:	Single Family Residential (SFR)
Tax Map Number:	32.3-2-3
Referring Agency:	Town of Colonie Zoning Board of Appeals
Considerations:	Use variance for the proposed operation of a health club in a Single Family Residential (SFR) zoning district.
Action Type:	Use Variance
Juris. Determinant:	State Road
Potential Impacts:	155 Watervliet Shaker Road
Staff Notes:	The proposed operation of a health club is not a permitted use in a Single Family Residential (SFR) zoning district as stated in the Town of Colonie Land Use Law Article V Sections 190-21. Therefore the applicant requests for a use variance to allow the proposed use.
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 #: 07-2506040717
Project Name: **Renovation of Two-Family to Single-Family Home**

Applicant: Michael Fiacco
Project Location: 251 Troy Schenectady Road
Municipality: Town of Colonie
Parcel Size: 0.45 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 31.8-5-2
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Use variance for the proposed modification of a non-conforming two-family dwelling into a single-family dwelling in a Commercial Office Residential (COR) zoning district.

Action Type: **Use Variance**

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

Staff Notes: The proposed modification of a nonconforming two-family dwelling into single-family dwelling in a Commercial Office Residential (COR) zoning district is not an allowed use as a stated in 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 #:	<u>07-2506040718</u>
Project Name:	Local Law Amendment - Chapter 190, Sections 6 and 22
Applicant:	Town of Colonie
Project Location:	Town of Colonie
Municipality:	Town of Colonie
Parcel Size:	N/A N/A
Zoning:	N/A
Tax Map Number:	N/A
Referring Agency:	Town of Colonie Legislative Board
Considerations:	Amendment to Town of Colonie Town Code Chapter 190, Section 6 (Definitions) to add "Transitional Housing" definition and to add Section 22(M)(13) to place special use permit standards on Transitional Housing.
Action Type:	Amendment of Zoning Ordinance
Juris. Determinant:	N/A
Potential Impacts:	N/A
Staff Notes:	Proposed is a local law amending Chapter 190 of the Code of the Town of Colonie. Chapter 190 of the Code of the Town of Colonie pertaining to Zoning and Land Use is hereby amended as follows: § 190-6: Definitions TRANSITIONAL HOUSING – A form of temporary housing involving supervised community living and support services designed to prepare formerly incarcerated persons, formerly homeless persons, and/or individuals recovering from substance abuse and/or mental health crisis for future independent living. Transitional Housing shall include, but not be limited to, facilities commonly known as half-way houses, three-quarter houses, sober living houses, residential reentry homes, but shall not include physical rehabilitation centers. §190-22: Additional Use Standards, Restrictions and Exceptions M. Specific special use permit and planning special permit standards (in addition to the provisions of the detailed site plan review and special permits article of this chapter). (13) Crisis Intervention Center, Substance Abuse Treatment Center and Transitional Housing. The Town Board determines that this amendment is an Unlisted action that will not have a significant effect on the environment and, therefore, no other determination or procedure under the State Environmental Quality Review Act ("SEQRA") is required.

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 #: 10-2506040704
Project Name: Change in Zone

Applicant: Laviano Properties, LLC
Project Location: 1859-1865 Western Avenue
Municipality: Town of Guilderland
Parcel Size: 0.31 acres
Zoning: Business Non-Retail Professional District (BNRP)
Tax Map Number: 52.09-1-37, 52.09-1-36
Referring Agency: Town of Guilderland Legislative Board

Considerations: Rezoning of two parcel in the Business Non-Retail Professional (BNRP) District to a Local Business (LB) District.

Action Type: Amendment of Zoning Ordinance

Juris. Determinant: State Road
Potential Impacts: 20 Western Avenue

Staff Notes: An application for a change of zone has been submitted requesting a rezone of two parcel in the Business Non-Retail Professional (BNRP) District to a Local Business (LB) District. The parcels total 0.31 +/- acres and are located on the north side of Western Avenue. Surrounding zoning consists of properties located in the Local Business (LB) District to the west; Business Non-Retail Professional (BNRP) District to the east; Single-family Residential (R15) District to the north; and Local Business (LB) District to the south, across Western Avenue. The re-zone will create a uniform zoning designation for the proposed plaza/mixed used development with LB zoning regulations.

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 #: 10-2506040705
Project Name: **Change in Zone**

Applicant: Jennifer McClaire
Project Location: 2093 Western Avenue
Municipality: Town of Guilderland
Parcel Size: 3.80 acres
Zoning: Business Non-Retail Professional District (BNRP)
Tax Map Number: 51.02-1-17
Referring Agency: Town of Guilderland Legislative Board

Considerations: Rezoning of 2093 Western Avenue in the Business Non-Retail Professional (BNRP) District to a Local Business (LB) District.

Action Type: **Amendment of Zoning Ordinance**

Juris. Determinant: State Road
Potential Impacts: 20 Western Avenue

Staff Notes: An application for a change of zone has been submitted requesting a rezone of a parcel in the Business Non-Retail Professional (BNRP) District to a Local Business (LB) District. The parcel is 3.8 +/- acres and located on the north side of Western Avenue. There is an existing 6,144 square feet building on the property. Surrounding zoning consists of properties located in the Local Business (LB) District and General Business (GB) District to the west; Business Non-Retail Professional (BNRP) District to the east and north; and General Business (GB) District and Local Business (LB) District to the south, across Western Avenue. The applicant requests the rezone to allow for more business possibilities.

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 #: 11-2506040712
Project Name: Two-lot Subdivision

Applicant: John Dunn
Project Location: Knox Cave Road
Municipality: Town of Knox
Parcel Size: 75.70 acres
Zoning: Rural
Tax Map Number: 69.-1-18.31
Referring Agency: Town of Knox Planning Board

Considerations: Two-lot subdivision of 75.7 acres into a 20.2 acres and 55.5 acres.

Action Type: Subdivision Review

Juris. Determinant: County Road, Agricultural District
Potential Impacts: CR 252 Knox Cave Road

Staff Notes: The applicant proposes to subdivide the existing 75.7 acres into two lots. Northern parcel will consist of 20.2 acres with 4.3 acres of wetland and 5.4 acres of 100'buffer area. The Southern parcel will consist of 55.5 acres with 7 acres of wetland and 10.1 acres of buffer area.

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 #:	<u>13-2506040707</u>
Project Name:	Camp Pinnacle Staff Housing
Applicant:	Albany Bible Institute
Project Location:	621 Camp Pinnacle Road
Municipality:	Town of New Scotland
Parcel Size:	785.40 acres
Zoning:	Residential Forestry
Tax Map Number:	82.-1-17.1
Referring Agency:	Town of New Scotland Planning Board
Considerations:	Special use permit to construct up to three (3) Single-Family dwelling for staff housing at Camp Pinnacle.
Action Type:	Special Use Permit
Juris. Determinant:	County Road, Agricultural District
Potential Impacts:	CR 303 Pinnacle Road
Staff Notes:	This an application for special use permit to construct three single-family dwellings for staff housing at Camp Pinnacle. The building will connect to existing water, sewer and electrical supply. The property is located at 621 Pinnacle Road in Residential Forestry (R2) with Tax Id #82.00-1-17.1 and contains 785.40 acres. Camp Pinnacle operates under an existing Special Use Permit. Article V Section 190-48 of the Town of New Scotland Zoning Law requires a new special use permit in the event of an extension, alteration or variation of the permitted use as written in the permit. The letter from New York State Department of Environmental Conservation Division of Environmental Permits states that the State Pollutant Discharge Elimination System (SPDES) permit renewal for the facility is approved with the new effective (11/1/2023) and expiration dates (10/31/2028).
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 #: 2506040713
Project Name: **Lopresti Area Variance**

Applicant: Carl LoPresti
Project Location: 42 CR 406, Greenville
Municipality: Town of Westerlo
Parcel Size: 0.99 acres
Zoning: RD/A - Rural Development/Agricultural
Tax Map Number: 164.-1-17
Referring Agency: Town of Westerlo Planning/Zoning Board of Appeals

Considerations: Area variance to replace the current trailer on the property with modular home.

Action Type: **Area Variance**

Juris. Determinant: County Road, Agricultural District
Potential Impacts: CR 406

Staff Notes: The applicant is seeking relief of 23' from the lot line whereas 50' set back is required per the Town's zoning Section 8.40 (4)a. The existing mobile home is non-conforming which is to be replaced with new modular home.

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 Opinion for the following Referrals: 01-2506040709, 01-2506040716, 05-2506040706, 07-2506040710, 07-2506040717, 07-2506040718, 10-2506040704, 10-2506040705, 11-2506040712, 13-2506040707, and 18-2506040713. The motion was seconded by Aimee McKane and was also approved by Jeff LaFontaine and Kate Powers.

Case #: 04-2506040715
Project Name: National Grid

Applicant: Niagara Mohawk Power Corp. d/b/a National Grid
Project Location: 25 Mason Road, Delmar
Municipality: Town of Bethlehem
Parcel Size: 2.20 acres
Zoning: Core Residential District (CR)
Tax Map Number: 86.10-2-18.1
Referring Agency: Town of Bethlehem Planning Board

Considerations: Special use permit and site plan review for replacement of the existing National Grid substation at 25 Mason Road. The existing substation will be demolished, and a new, larger capacity station will be built in the same location within a new fenced area.

Action Type: Special Use Permit, Site Plan Review

Juris. Determinant: State Road, Albany County Rail Trail
Potential Impacts: 443 Delaware Avenue

Staff Notes: The applicant proposes the demolition and removal of the existing Elsmere substation and construction of a new and larger capacity substation in the existing facility footprint. The proposed new station will include new and upgraded equipment including a metal clad switchgear enclosure and new distribution riser pole. There will be new enclosure fencing to surround the expanded and reconfigured station, and the existing access drive will be widened. The existing and proposed use is a public utility facility which is prohibited in the Core Residential (CR) zoning district. Therefore, the existing substation, which was commissioned in 1970, qualifies as a pre-existing non-conforming use. Under the zoning law, expansion of a pre-existing non-conforming use can proceed with Special Use Permit approval under Section 128-68 (C)(1)(c). It is anticipated an area variance will also be needed to accommodate the proposed fence with an overall height of nine (9) feet (eight [8] feet with one [1] foot of barbed wire at the top). National Grid is considered a public utility under New York law and is therefore entitled to a relaxed zoning standard. A total of 1.3 acres of land is to be disturbed as per the Full Environmental Assessment Form (FEAF).

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-0-25-001, effective January 2025) for construction activities that disturb more than one acre of land should be required prior to final approval.

Advisory:

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

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #04-2506040715. The motion was seconded by Jeff LaFontaine and was also approved by Aimee McKane and Kate Powers.

Case #: **07-2506040708**
Project Name: **Century House Mixed Use Redevelopment**

Applicant: Latham Century Partners
Project Location: 981-997 Loudon Road
Municipality: Town of Colonie
Parcel Size: 20.15 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 9.4-2-10, 9.4-2-8.1
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the redevelopment of the property with multi-use buildings, parking and utilities.

Action Type: **Site Plan Review**

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

Staff Notes: The proposed project includes the demolition of the existing Century House banquet hall and restaurant, the Century House Hotel pool area, the existing 1,026 sf office building and the tent area. The existing Century House Hotel, Clocktower Hotel, and the original Century House structure will remain under proposed conditions. The proposed

development includes renovation to the existing 727 sf footprint 2-story Century House structure and proposes a 2,520-sf footprint addition. The renovated structure will provide facility offices on the second floor, and a restaurant on the first-floor addition. The existing 2-story Century House hotel to remain is 42,200 sf in total and provides 68 hotel units and various amenities. The front entrance to the building will be improved with vestibule and porte-cochere upgrades. The existing parking lot will be reconfigured as shown to provide better circulation and to accommodate the proposed entrance improvements to the building. The proposed development includes the construction of a multi-family building in the western portion of the parcel along Loudon Road. This structure will be 3-stories with an 18,100-sf footprint and will include 50 multi-family units. Proposed dwelling unit types include studio, one- and two-bedroom units. Approximately 2,000-sf on the northern portion of the structure will be 1-story. This portion of the building will include indoor amenity area for future residents of the proposed project. Also associated with the multi-family structure is the construction of a 13-bay garage building to provide covered parking for future residents. A corporate extended stay structure is proposed in the eastern portion of the site, in the vicinity of the tent area which is to be demolished. The proposed structure is a 3-story 6,027 sf footprint structure with 30 units. A sidewalk is also proposed between the existing parking area and the proposed structure. Hotel amenities and operations will be located in the existing Century House Hotel. The proposed site plan includes the construction of several outdoor amenities to serve future residents of the redevelopment. The existing pool area will be demolished and replaced by a hardscaped area with fireplaces. Also, to the west of the connector road between the Clock Tower and Century House, a dog park and outdoor recreation and game area are proposed. Parking for the proposed redevelopment is in accordance with the Town of Colonie Zoning Code, a total of 407 spaces are required. The proposed layout provides a total of 407 spaces, with 162 spaces being for the existing Clocktower Hotel and the remaining 245 for the proposed redevelopment in the northern portion of the project area. The project features three full access entrances from Loudon Road. The north entrance has been designed to be aligned with Century Hill Drive, which has an existing traffic signal. It is the intent of the applicant to replace the existing traffic light in its entirety as concluded by the Traffic Assessment prepared by Creighton Manning. The new intersection is intended to be the primary means of access to the Century House restaurant and hotel. The second entrance is located approximately 370' to the south and is intended to be the primary means of access to the multifamily buildings. The third entrance is approximately 420' south of the second and is the existing Clocktower

Hotel entrance. Stormwater runoff from the proposed site will be managed on site utilizing a designated stormwater management area. Stormwater management practices will be addressed in a project specific Stormwater Pollution Prevention Plan (SWPPP) which will be designed and implemented in accordance with the NYSDEC technical standards. In general, the design of the project will follow the natural topography as closely as possible, using existing site topography and drainage features to convey stormwater runoff. The proposed development is intended to be serviced by public water and sanitary sewer services from the Town of Colonie Department of Public Works Divisions of Latham Water and Pure Waters, respectively.

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-0-25-001, effective January 2025) 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.
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.

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.

The Board reviewed all of the plans provided for this referral. Aimee McKane stated that she is in support of the NYSDOT modification due to the concerns related to traffic and Ta-Sean Murdock agreed with her concerns and also stated that the driveway accesses should be reviewed by NYSDOT.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #07-2506040708. The motion was seconded by Aimee McKane and was also approved by Jeff LaFontaine and Kate Powers.

Case #: 10-2506040711
Project Name: Happy Days Dispensary

Applicant: Yesorno, LLC
Project Location: 1656 Western Avenue
Municipality: Town of Guilderland
Parcel Size: 0.43 acres
Zoning: Local Business District (LB)
Tax Map Number: 52.14-4-1
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special use permit for the proposed cannabis retail dispensary.

Action Type: Special Use Permit

Juris. Determinant: State Road
Potential Impacts: 20 Western Avenue

Staff Notes: The applicant proposed to renovate the existing building located at 1656 Western Avenue (formerly Side Door Café and Press Beauty Studio) to be used for a Cannabis Retail Dispensary. The exterior of the building will be covered with stucco and painted white with black trim, and the existing parapet roof will be painted black. Minor improvements to pedestrian circulation and site pavement are also proposed.

Staff Opinion: Modify local approval to include
1. Review and permits by New York State Department of Transportation for commercial property development plans involving any change of use or expansion of an existing development on a state highway should be required.

Ta-Sean Murdock confirmed with Gopika Muddappa that this is a reuse of an existing building not a new build. Ta-Sean made a motion to accept the Staff Opinion for Case #10-2506040711. The motion was seconded by Jeff LaFontaine and was also approved by Aimee McKane and Kate Powers.

That concluded the GML review portion of the meeting.

Unfinished Business: none

New Business:

1. Now that we have a full board (5 members) we will need to appoint a Chairperson and Vice Chairperson. This is decided upon by the Board Members themselves. Gopika spoke about this need and the responsibilities. Due to the absence of Brian Crawford, it was not something that could be voted upon at the current meeting but she asked that the attending members think about it for discussion at the July meeting.
2. The next meeting of the Albany County Planning Board will be held on July 17, 2025 at 3:30pm. The deadline for municipalities to submit cases for review at that meeting is Monday, July 7th, 2025 at 3:30pm.

Adjourn: Ta-Sean Murdock made a motion to adjourn at 4:06pm. The motion was seconded by Jeff LaFontaine.

