



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

CHAIRPERSON

ACPB 7-17-25 Meeting Minutes

NOTE: The July 17, 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: Brian Crawford, Ta-Sean Murdock, Kate Powers and Aimee McKane.

Board Members Absent: Jeff LaFontaine

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)

Guests: James Soos (Crossgates Commons – Home Depot)

Minutes: Lynn Delaney, Secretary

Call to Order: Brian Crawford called the meeting to order at 3:34pm.

Vote for Meeting Minutes: Due to the absence of Jeff LaFontaine, the vote for the April 2025 Meeting minutes will be postponed until the August 21, 2025 Meeting.

Ta-Sean Murdock made a motion to accept June 18, 2025 Meeting Minutes. The motion was seconded by Aimee McKane and was also approved by Kate Powers.

THIS PAGE IS INTENTIONALLY LEFT BLANK

ACPB July 17, 2025 Meeting Minutes (cont.)

Because there was a guest present for the Crossgates Commons referral, Kate Powers made a motion to move Case # 01-2507040724 to the front of the agenda for discussion. The motion was seconded by Aimee McKane and was also approved by Ta-Sean Murdock and Brian Crawford.

Case #: **01-2507040724**

Project Name: **Crossgates Commons - HomeDepot Variances**

Applicant: James Soos

Project Location: 163 and 165 Washington Avenue Ext

Municipality: City of Albany

Parcel Size: 28.00 acres

Zoning: MU-CH Mixed-Use Community Highway

Tax Map Number: 52.2-1-26.2, 52.2-1-27

Referring Agency: City of Albany Zoning Board of Appeals

Considerations: Area variance related to minimum setbacks for the side and rear due to the proposed lot line modification.

Action Type: **Area Variance**

Juris. Determinant: State Road

Potential Impacts: Interstate Highway I-87

Staff Notes: The applicant requests for six area variances related to minimum setbacks for the side and rear as well as impervious lot coverage. The variances are necessitated by a lot modification request and no physical change or development is proposed. The variances are sought to allow to complete the lot modification process which will reconfigure parcel 52.2-1-26.1 around the foot print of the existing Home Depot building. The proposed is a TYPE II Action.

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

Advisory Note:

1. The Albany County Planning Board is making an exception for this proposed project, with the City of Albany as the referring agency, due to the financial implications of the project. The Board has made one exception for each municipality in the past and will not make any further exceptions if GML submission deadlines are missed in the future.

Aimee McKane asked for clarification as to why this variance is needed. Brian Crawford asked why this request couldn't wait until the August meeting date since the deadline to submit this referral for review was on 7/7/25 but it was received on 7/16/25. Gopika Muddappa, Deputy Director of Albany County Dept. of Economic Development, Conservation and Planning, received it the day prior from the City of Albany and therefore the Board did not have time to review it prior to the meeting. Dave Reilly, Albany County Commissioner for Management and Budget apologized, but stated that he asked Gopika if it would be possible to review this request despite missing the deadline since the Area Variance was for a lot line adjustment with variance (nothing that requires any construction). The Board's approval is needed for financing purposes and a critical deadline would be missed if it couldn't be reviewed at this meeting.

After discussing the project, James Soos, who was in attendance representing the project, shared 3 additional documents with the Board Members to clarify what was needed (SEE ATTACHMENT A).

Ta-Sean Murdock echoed Brian's concern of not having time to review a project regardless of whether there is construction or not. He stated that his greater concern is the precedent setting nature of making this exception and asked Mr. Soos why the deadline was missed. Mr. Soos said that they did not realize that the lot line modification with variance request would trigger a requirement for review by the County Planning Board. He apologized for the oversight and thanked the Board for considering the request despite the late application.

Dave Reilly asked the Board Members if some of their concerns could be allayed by adding an advisory note. Gopika told the Board that with other municipalities we have made a one-time exception when they have missed the deadline and that the City of Albany has generally submitted referrals on time.

Ta-Sean Murdock said he wanted to ensure that the today's discussion is reflected in detail in the meeting minutes. Ta-Sean said he is still concerned about setting a precedent and the fairness to other applicants. He did agree that adding an advisory note reflecting that this is a one-time exception would be acceptable.

With no further questions, Aimee McKane made a motion to accept the Staff Opinion for Referral # 01-2507040724 with the discussed advisory note added (noted above as Advisory Note #1). The motion was seconded by Ta-Sean Murdock and was also approved by Kate Powers and Brian Crawford.

Case #: **07-2507040719**
Project Name: **Mixed-Use Commercial/Residential Building**

Applicant: Woodhaven Land Partners #2, LLC
Project Location: 302 Troy Schenectady Road, Latham
Municipality: Town of Colonie
Parcel Size: 0.63 acres
Zoning: Commercial Office Residential (COR)
Tax Map Number: 31.8-1-6
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Area variance for the proposed construction of an 11,200 SF mixed use commercial/residential building with six residential units.

Action Type: **Area Variance**

Juris. Determinant: State Road
Potential Impacts: 2 Troy Schenectady Road, NWI - Riverine

Staff Notes: The proposed construction of 11,200 SF mixed-use commercial/residential building, located in the Commercial Office Residential (COR) zoning district, with 24,000 SF in proposed density exceeds the 11,340 SF maximum allowable density and exceeds the maximum number of allowable residential units where a total of six units are proposed whereas only three are allowed per the Town of Colonie Land Use Law. The project will include a single full access driveway with 19 parking spaces and on-site stormwater management.

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

Advisory Note: 1. The Town Zoning Board should consider the precedent setting nature of allowing significant area variances to the Town Code.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Referral # **07-2507040719**. The motion was seconded by Kate Powers and was also approved by Aimee McKane and Brian Crawford.

Case #: 10-2507040720
Project Name: Radke Minor Subdivision

Applicant: Bernard F. Radtke III
Project Location: 4304 Frederick Road, Altamont
Municipality: Town of Guilderland
Parcel Size: 55.80 acres
Zoning: Rural Agricultural-3 District (RA3)
Tax Map Number: 49.00-1-25.2
Referring Agency: Town of Guilderland Planning Board

Considerations: Two-lot subdivision of 55.8 acres into 6.28 acres and 48.82 acres.

Action Type: Subdivision Review

Juris. Determinant: Agricultural District
Potential Impacts: DEC Informational Freshwater Wetland

Staff Notes: The applicant is proposing a two-lot subdivision. Lot 1 will consist of 6.28 acres and contain a 60'x100' one-story metal garage. Lot 2 will consist of 48.82 acres and is undeveloped land. No disturbance to the land is anticipated during the subdivision as per the Short Environmental Assessment Form (SEAF). This application (10-211203875) was reviewed in December 2021 for special use permit to allow storage of equipment and roll-off containers. The Albany County Planning Board determination was, 'Disapprove

1. An AG data sheet should be provided since the property is located within an Agricultural District as per Section 305-a of the New York State Agricultural and Markets Law.
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-0-15-003, May 1, 2015) for construction activities that disturb more than one acre of land.
3. All referral applications for site plan review are required to include drawings prepared by a licensed or accredited professional, drawn to scale, showing proposed modification(s) and indicating all required setbacks from property lines, wetlands and/or jurisdictional determinants under Section 239 L, M & NN.

4. The site is a vacant farmland and an agricultural residential zone. Proposed use is storage of commercial roll off containers and heavy equipment resulting in a commercial use. The applicant should be required to apply to the Town of Guilderland for a use variance for the proposed use.
5. NWI wetlands exist on the property as well as being in a FEMA flood zone. Hand drawn approximate dimensions on the admitted “not to scale” site plan as submitted are not sufficient to determine where disturbance will be located or impacts to wetlands or floodplains.
6. The proposed use of the property does not match the rural residential and agricultural character of the community and is in fact a commercial/industrial use.
7. This property will be in the immediate viewshed of the Helderberg Escarpment in the John Boyd Thatcher State Park trails and overlook area. This may fall under the requirements of the Resolution No. 384 and act pertaining to the Albany County Planning Board in consideration of critical viewshed of the Helderberg Escarpment.'

Staff Opinion:

Defer to local consideration

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

Advisory Note:

1. The Town should consider the nature of the proposed 60'x100' one-story metal garage to minimize potential environmental impacts.

Brian Crawford and Gopika explained to the other Board members that today we were only seeing this for a subdivision of land. The previous review was for a Special Use Permit which the ACPB disapproved. With no further questions, Ta-Sean Murdock made a motion to accept the Staff Opinion for Referral #10-2507040720. The motion was seconded by Kate Powers and was also approved by Aimee McKane and Brian Crawford.

Case #:	<u>11-2507040723</u>
Project Name:	Amendment of Zoning Ordinance
Applicant:	Knox Town Board of Supervisors
Project Location:	Town of Knox
Municipality:	Town of Knox
Parcel Size:	N/A
Zoning:	N/A
Tax Map Number:	N/A
Referring Agency:	Town of Knox Legislative Board
Considerations:	Amendment to define the term "Biosolids" in the Town of Knox zoning ordinance.
Action Type:	Amendment to Zoning Ordinance
Juris. Determinant:	N/A
Potential Impacts:	N/A
Staff Notes:	The term "Biosolids" shall be defined in the zoning ordinance of the Town of Knox as "The accumulated semi-solids or solids resulting from the treatment of wastewater from publicly or privately owned or operated sewage treatment plants, excluding grit, screenings and ash generated from incinerating biosolids"
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.

The Board discussed that this referral is for the purpose of clarifying language within the Town of Knox zoning.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Referral # **11-2507040723**. The motion was seconded by Aimee McKane and was also approved by Kate Powers and Brian Crawford.

Case #: 07-2507040722
Project Name: Bishop Beaudry

Applicant: Bishop Beaudry Construction, LLC
Project Location: 2889 Curry Road
Municipality: Town of Colonie
Parcel Size: 1.70 acres
Zoning: Airport Business Area (ABA)
Tax Map Number: 16.3-1-19
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for the proposed 9,600 SF one-story warehouse building.

Action Type: Site Plan Review

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

Staff Notes: The proposed development includes a single-story warehouse/storage building with an approximate height of 30 feet and a building footprint of about ±9,600 square feet. Primary site access is proposed via a new driveway off Curry Road at the northwest corner of the property, with a secondary access provided through the existing curb cut at the northeast corner. Additional site features include 9 parking spaces, and a fenced yard area designated for secure storage of the tenant's equipment and vehicles. On-site stormwater will discharge to infiltration basin systems within the property. The proposed grading and drainage will mimic existing drainage patterns to the greatest extent possible. Municipal water and municipal sewer are currently not available to the property. Therefore, an on-site well and on-site septic system are proposed. The anticipated tenant is Schupp's Line Construction, who will have 7 employees. The site is vacant consisting mostly of open space, woods at the rear of the site, and an existing dirt gravel road known as Brewer Lane. This road is an access easement to the property to the southwest which is proposed to remain.

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 by the Albany County Department of Health for the proposed on-site well and on-site septic system should be required.

3. Notification of the application should be sent to the Town of Guilderland, including all required notices pursuant to GML §239-nn.

Aimee McKane asked for clarification that this project is not near the Pine Bush which was confirmed. With no further questions, Ta-Sean Murdock made a motion to accept the Staff Opinion for Referral # **07-2507040722**. The motion was seconded by Kate Powers and was also approved by Aimee McKane and Brian Crawford.

Case #: **10-2507040721**
Project Name: **Shady Acres Drive Three-lot Subdivision**

Applicant: Dale Houck
Project Location: Sandy Crest Ct
Municipality: Town of Guilderland
Parcel Size: 7.30 acres
Zoning: Residential Overlay Districts (RO30)
Tax Map Number: 15.20-2-1
Referring Agency: Town of Guilderland Planning Board

Considerations: Three-lot subdivision of 7.3 acres into 3.56 acres, 1.44 acres and 2.31 acres.

Action Type: **Subdivision Review**

Juris. Determinant: State Road
Potential Impacts: Interstate Highway I-90

Staff Notes: The applicant proposes to subdivide 7.3 acres into three new keyhole lots with 20' of frontage each with public water and sewer connections. Lot 1 will consist of 3.56 acres, Lot 2 will consist of 1.44 acres and Lot 3 will consist of 2.31 acres. A total of 4.9 acres is to be disturbed per the Short Environmental Assessment Form (SEAF). The property is currently vacant. Residential dwelling and private driveways are proposed on each

lot. For keyhole lots the Town allows a minimum 20' width for the area comprising the keyhole access portion of the lot. The plans show 20' width for each of the 3 lots with one shared driveway providing access to the 3 lots.

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 Note:

1. A shared access agreement (including a maintenance agreement) should be referenced in the deeds for both properties, due to the proposed shared driveway providing access to the 3 lots.
2. The applicant should consider creating noise barriers to reduce noise impact such as a vegetative buffer for the proposed three lots due to the proximity of New York State Thruway.

The Board reviewed the site plans for this project and commented on its proximity to the NYS Thruway. They asked that the comment regarding a noise buffer in the Advisory be stronger by adding wording about the NYS Thruway being so close to the property (noted above as Advisory Note #2).

With that wording added, Aimee McKane made a motion to accept the Staff Opinion for Referral **#10-2507040721**. The motion was seconded by Kate Powers and was also approved by Ta-Sean Murdock and Brian Crawford.

That concluded the GML review portion of the meeting.

Unfinished Business:

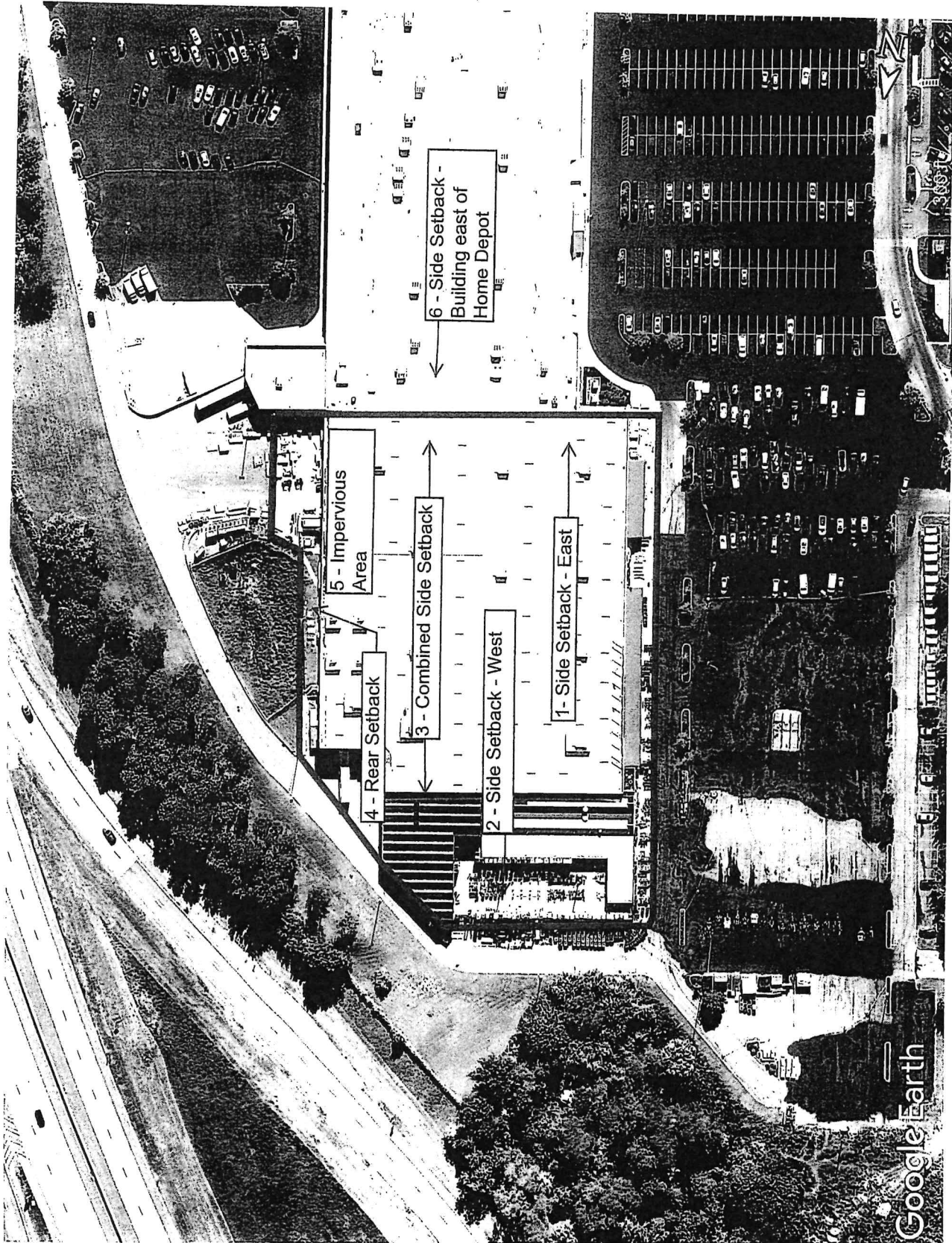
- a. Now that we have 5 Board Members, the Board needs to discuss appointing a Chairperson and a Vice Chairperson. Due to the absence of Jeff LaFontaine, it was determined that we will add this to the topics discussed at the August Meeting.
- b. Gopika is continuing her search for a Senior Planner for her Dept. and hopes to have more information at the August meeting.

New Business:

- a. The Dept. of Economic Development, Conservation and Planning will have a Graduate Fellow starting the p/t on August 29th, 2025.
- b. The next meeting of the ACPB will be held on Thursday, August 21, 2025 and the deadline for municipalities to submit referral items for review will be on Monday, August 11, 2025 at 3:30pm. Because there are 5 weeks between meetings this time, we do expect that we will have substantially more cases to review than we did in July. Please plan accordingly.

Adjourn: Ta-Sean Murdock made a motion to adjourn at 4:31pm. The motion was seconded by Aimee McKane.

ATTACHMENT A



Home Depot Proposed Lot Line Amendment



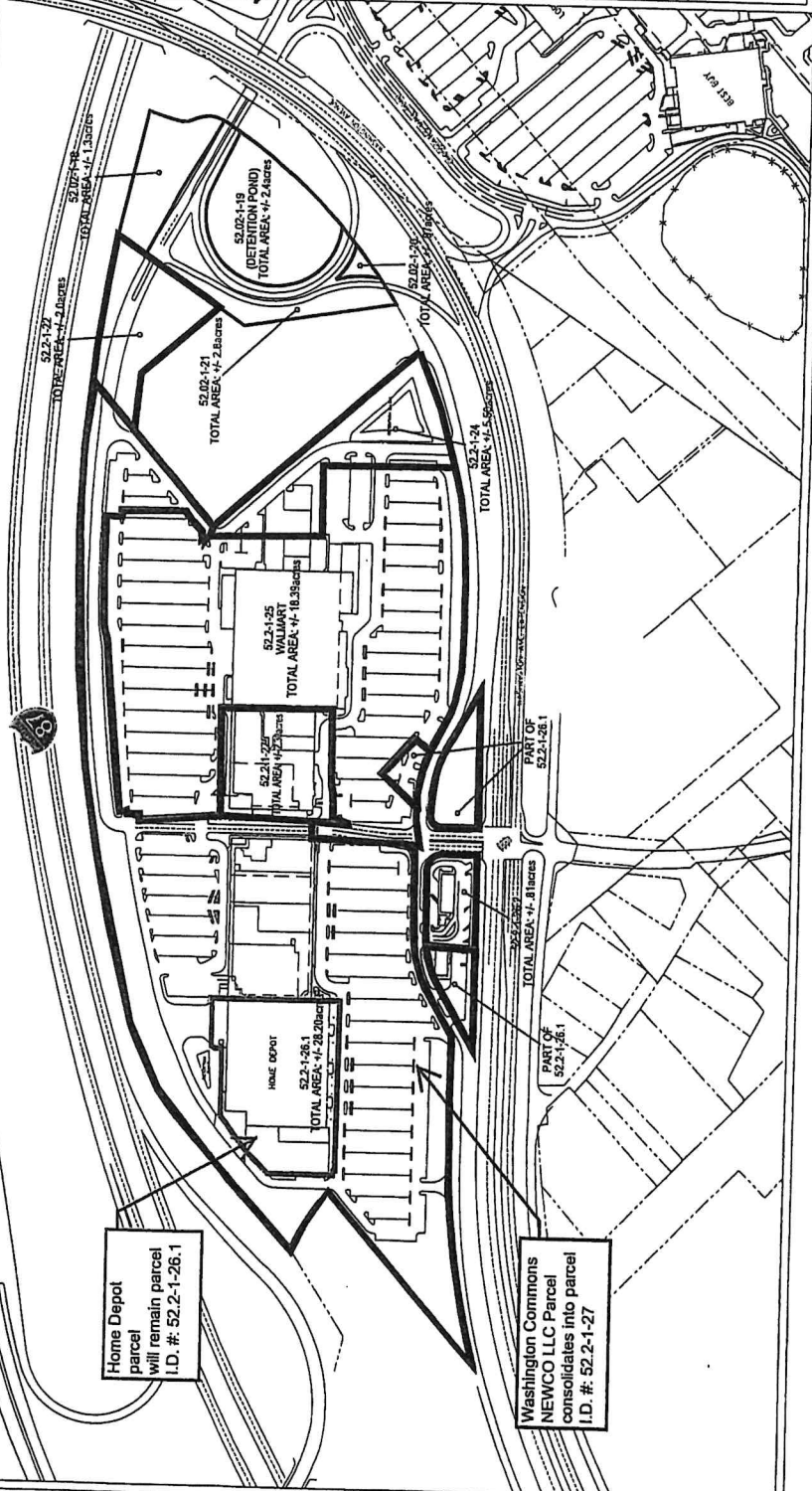
CROSSGATES COMMONS

PYRAMID
THE PYRAMID GROUP, INC.
100 WEST 17TH STREET, SUITE 100
NEW YORK, NY 10011
TEL: (212) 850-1000
FAX: (212) 850-1001
WWW.PYRAMIDGROUP.COM

ALBANY, NY
DATE: 06-June-22
SCALE: N.T.S.
DRAWN BY: CROSSGATES COMMONS
PROJECT NO: CROSSGATES COMMONS

S1

- LEGEND**
- ☐ WASHINGTON COMMONS NEWCO LLC
(SUBJECT TO MORTGAGE HELD BY)
 - ☐ WAL-MART STORES EAST, LP
 - ☐ PYRAMID CROSSGATES COMPANY



Home Depot
parcel
will remain parcel
I.D. #: 52.2-1-26.1

Washington Commons
NEWCO LLC Parcel
consolidates into parcel
I.D. #: 52.2-1-27

SUBDIVISION NO. _____

TAX MAP NO. _____

MAP OF THE SUBDIVISION OF PROPERTY AT:
 MAP OF THE SUBDIVISION/CONSOLIDATION OF PROPERTY OF:
161 WASHINGTON AVENUE EXTENSION
 STREET ADDRESS AS SHOWN ON TAX MAPS

APPROVED _____

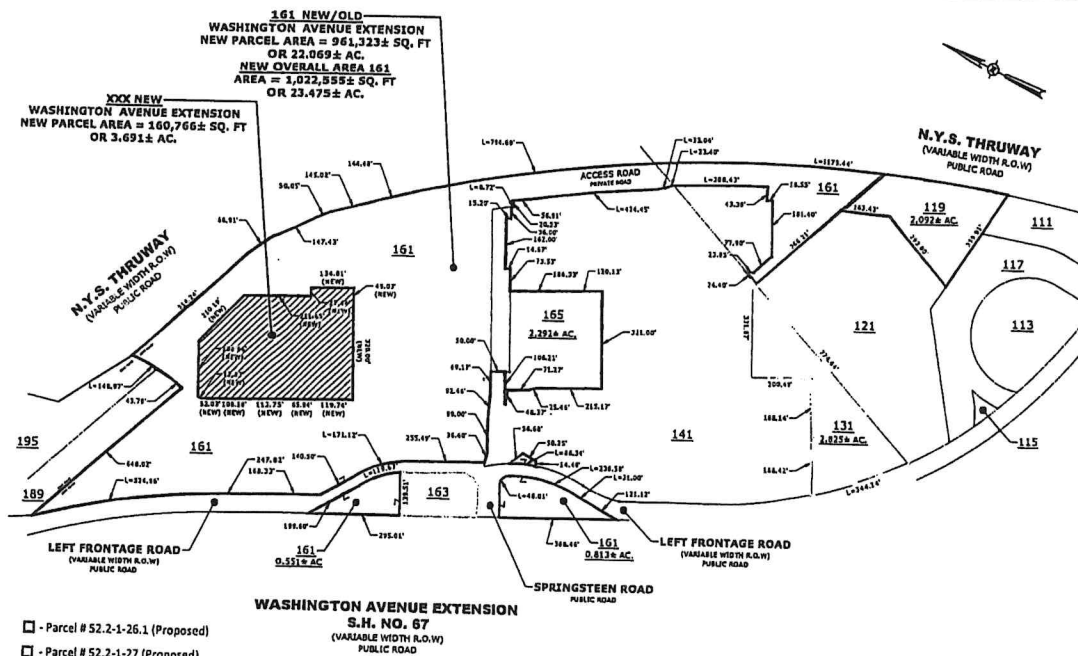
DATE _____

CHIEF PLANNING OFFICIAL _____

ALBANY COUNTY DIRECTOR OF
REAL PROPERTY TAX SERVICE _____

ASSESSMENT ROLL INFORMATION		
PARCEL ADDRESS	TAX ID NO.	ACCOUNT NUMBER

OWNER & TAX BILLING ADDRESS: _____



- ☐ - Parcel # 52.2-1-25.1 (Proposed)
- ☐ - Parcel # 52.2-1-27 (Proposed)
- ☐ - Parcel # 52.2-1-26.2
- ☐ - Parcel # 52.2-1-24
- ☐ - Parcel # 52.2-1-22

SCALE: ONE INCH TO 250 FEET

_____ DENOTES RESUBDIVISION LINE
 _____ DENOTES ORIGINAL SUBDIVISION

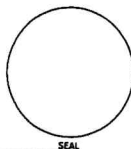
SHOW OLD STREET NUMBER LIGHT, THUS **XXX**SHOW NEW STREET NUMBER BOLD, THUS **XXX**

2025.06.26_PRELIMINARY FOR REVIEW AND COMMENT

BY: _____

CARL M. NIGDON

P.L.S. 50711



DRAWING FILES ARE FILED IN PROJECT NO. 04.0067

PROJ. NO. 04.0067 SHEET 1 OF 1
 CAD DWG. NAME 3025 HQME DEPOT SUBD.DWG
 PLOT SCALE 250