



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 9-18-25 Meeting Minutes - FINAL

NOTE: The September 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: Brian Crawford, Ta-Sean Murdock, Jeff LaFontaine and Aimee McKane.

Board Members Absent: Kate Powers

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

Guests: Jeremy Kaufman and William Hilligas, RIC Solar (via Microsoft Teams)

Minutes: Lynn Delaney, Secretary

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

Ann Marie Salmon was introduced to the Board. Ann Marie is the new Director of Economic Development, Conservation and Planning for Albany County.

Vote for Meeting Minutes: Ta-Sean Murdock made a motion to approve the April 17, 2025 Meeting Minutes. The motion was seconded by Jeff LaFontaine and was also approved by Brian Crawford. Aimee McKane was not a Board Member at the April meeting and therefore did not vote.

Ta-Sean Murdock made a motion to accept July 17, 2025 Meeting Minutes. The motion was seconded by Aimee McKane and was also approved by Brian Crawford (Jeff LaFontaine was not in attendance at the July meeting and therefore did not vote).

THIS PAGE IS INTENTIONALLY LEFT BLANK

ACPB 9-18-25 Meeting Minutes cont. FINAL

Jeff LaFontaine made a motion to move all referrals with a Staff Opinion of “Defer to Local Consideration” to the front of the agenda and vote on them as a group. The motion was seconded by Ta-Sean Murdock and was also approved by Aimee McKane and Brian Crawford.

Case #: **01-2509040740**

Project Name: **Cannabis Dispensary**

Applicant: John D. Peckham

Project Location: 402 N Pearl Street

Municipality: City of Albany

Parcel Size: 9816.00 sq. Feet

Zoning: Mixed use, form-based Warehouse District (MU-FW)

Tax Map Number: 65.16-1-27

Referring Agency: City of Albany Planning Board

Considerations: Site plan review for the development of a 9,816 SF cannabis dispensary, including the construction of a second-story to accommodate a consumption lounge.

Action Type: **Site Plan Review**

Juris. Determinant: State Road

Potential Impacts: 32 N Pearl Street

Staff Notes: An application to replace existing single story commercial building with a new building in the same building footprint. The new commercial building will have a second floor in the front portion to provide a better street façade at the corner of North Pearl Street and Pleasant Street. Less than one acre of land disturbance is anticipated for the proposed action per the Short Environmental Assessment Form (SEAF).

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

Advisory Note: 1. The applicant should be required to provide adequate parking for the proposed use to avoid traffic congestion. All parking should be delineated on the plan.

Case #: 01-2509040743
Project Name: **Construction of Single-Unit Dwelling**

Applicant: Lina & Matt Pasceri
Project Location: 653 Morris Street
Municipality: City of Albany
Parcel Size: 0.07 acres
Zoning: Residential, Two-Unit (R-2)
Tax Map Number: 64.67-2-11
Referring Agency: City of Albany Planning Board

Considerations: Special use permit for the conversion of a dwelling single-unit, detached to a dwelling two-unit, detached.

Action Type: **Special use permit**

Juris. Determinant: County Property
Potential Impacts: Albany County Pine Hills Land

Staff Notes: This application is being submitted to approve work done by a previous owner to convert 653 Morris Street from a single-family use to a multifamily use. As such, if approved, all appropriate inspections, paperwork, permits, and filings will be completed and put on record with the City of Albany to allow for the continued multifamily 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 #: 03-2508040730
Project Name: **Grippin Minor Subdivision**

Applicant: Wesley Grippin
Project Location: 35 Pinnacle Road
Municipality: Town of Berne
Parcel Size: 104.50 acres
Zoning: RAF: Residence/Agriculture/Forestry
Tax Map Number: 92.-2-51
Referring Agency: Town of Berne Planning Board

Considerations: Subdivision review of the parcel into two lots consisting 7.92 acres for new single-family residence and 96.70 acres with existing residence.

Action Type: Subdivision Review

Juris. Determinant: County Road, State Road, Agricultural District
Potential Impacts: CR 303 Pinnacle Road, 443 Helderberg Trail

Staff Notes: The applicant proposed to subdivide the property into two lots. Lot 1 will consist of 96.58 acres with existing two-story wood frame residence, barn, shed and garage. Lot 2 will consist of 7.92 acres for future residential development which will be access via Elm Drive.

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 #: 04-2509040751
Project Name: Stephen Munn Solar Project

Applicant: Scott Ference & Alex Martin
Project Location: 14 Halter RD Glenmont, NY 12077
Municipality: Town of Bethlehem
Parcel Size: 0.56 acres
Zoning: Residential A
Tax Map Number: 98.01-1-26
Referring Agency: Town of Bethlehem Planning Board

Considerations: Site plan review and special use permit for the installation of 19.13kW ground-mounted PV array.

Action Type: Site Plan Review, Special Use Permit

Juris. Determinant: State Road
Potential Impacts: 144 River Road

Staff Notes: The installation of a 19.13kW DC ground mounted solar array for the purpose of onsite consumption. The array will have a foot print of 845.8

SqFt. The footings of the array will be affixed via ground screws to torque. It will be a 30 degree fixed angle array facing directly south. The maximum height of proposed array is 11.91 ft. Less than one acre of land disturbance is anticipated for the proposed action 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 #: **05-2509040748**
Project Name: **Pine Ridge Estates Lot Line Adjustment**

Applicant: Lois Realty, LLC
Project Location: 1737 US 9W
Municipality: Town of Coeymans
Parcel Size: 35.76 acres
Zoning: C-1P: Planned Commercial
Tax Map Number: 144.-1-42.1
Referring Agency: Town of Coeymans Planning/Zoning Board of Appeals

Considerations: Lot line adjustment of 3.16 acres to be merged with Pine Ridge Estates

Action Type: **Lot Line Adjustment**

Juris. Determinant: State Road
Potential Impacts: Route 9W, Freshwater Wetlands, FEMA Flood Zone

Staff Notes: Lot line adjustment that will add 3.16 acres to Pine Ridge Estates parcel with Tax Map ID 144.00-1-42.1 by taking 2.6 acres from the parcel 144.00-1-41 and .90 acres from parcel 144.00-1-40.

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 #: **05-2509040750**
Project Name: **Land Leveling / Regarding**

Applicant: William & Lauren Horner
Project Location: 314 Old Ravena Road
Municipality: Town of Coeymans
Parcel Size: 5.10 acres
Zoning: I-3P: Industrial
Tax Map Number: 144.-2-21.1
Referring Agency: Town of Coeymans Planning/Zoning Board of Appeals

Considerations: Special use permit for leveling hillside for equine pasture.

Action Type: **Special Use Permit**

Juris. Determinant: State Property
Potential Impacts: Coeymans Creek Wildlife Managment Area

Staff Notes: Special use permit for the leveling of hillside for equine pasture. A total of 1.5 acres of land is to be disturbed as per Short Environmental Assessment Form (SEAF). The Town Code Section 165-10 states that no excavation or grading shall be permitted except for the installation of driveways or minor operations designed to change existing land contours by not more than two feet except by special permit.

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- 2509040754**
Project Name: **Zoning Law Amendment CHAPTER 190 of Town of Colonie**

Applicant: Town of Colonie
Project Location: Town wide
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: A local law amending Chapter 190, section 190-21 of the code of the Town of Colonie to update the table of permitted uses.

Action Type: **Amendment of Local Law**

Juris. Determinant: N/A

Potential Impacts: N/A

Staff Notes: Amendment of Town of Colonie Town Code Chapter 190, Section 190-21, table of permitted ususes. Updates to go along with Local Laws #2 and #4 of 2025, previously adopted.

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 #: **07-2508040732**

Project Name: **Area Variance for Minor Subdivision**

Applicant: Aqeel Abbas Mughal

Project Location: 2 Lindbergh Drive

Municipality: Town of Colonie

Parcel Size: 0.37 acres

Zoning: Single Family Residence

Tax Map Number: 19.19-5-1

Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Area variance for minor subdivision of 0.37 acres (17,136 SF) into two lots consisting 8,568 SF each for future construction of single-family dwelling.

Action Type: **Area Variance**

Juris. Determinant: State Road

Potential Impacts: Rte 2 Troy Schenectady Road

Staff Notes: The proposed subdivision of a 17,3136 SF lot into two lots: Lot 1 with 8,568 SF for future construction of single-family dwelling with a 21' front yard setback and Lot 2 with 8,568 SF with 68.78' front lot line for future construction of single-family dwelling with a 21' front yard setback is not

compliant with the 18,000SF minimum lot size, 40' minimum front yard setback, and 80' minimum front lot line required in a Single-Family Residential (SFR) zoning district 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.

Advisory Note:

1. Any access proposed via state road with required review and necessary permits from New York State Department of Transportation.

Case #:

07-2508040731

Project Name:

Kings Motors, LLC

Applicant:

Kings Motors, LLC

Project Location:

1338 Loudon Road

Municipality:

Town of Colonie

Parcel Size:

0.99 acres

Zoning:

NCOR — Neighborhood Commercial Office Residential District

Tax Map Number:

2.3-1-37

Referring Agency:

Town of Colonie Zoning Board of Appeals

Considerations:

Use variance for the proposal of automobile repair shop in Neighborhood Commercial Office Residential District.

Action Type:

Use Variance

Juris. Determinant:

State Road

Potential Impacts:

Rte 9 Loudon Road

Staff Notes:

The proposed automobile repair shop and automobile sales center located within the Neighborhood Commercial Office Residential District is not compliant with the Town of Colonie Land Use Law. The property currently maintains a 1,154 SF structure and a 5 bay garage structure that are vacant for approximately 3 years.

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 #: **07-2508040734**
Project Name: **Single-Family Dwelling**

Applicant: F&D Builders
Project Location: 3975 Albany Street, Schenectady
Municipality: Town of Colonie
Parcel Size: 0.20 acres
Zoning: Single Family Residence
Tax Map Number: 16.7-7-13
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Area variance for the proposed construction of 2,148 SF two-story single-family residence.

Action Type: **Area Variance**

Juris. Determinant: Recreational Area
Potential Impacts: Evergreen Memorial Cemetery

Staff Notes: The proposed construction of 2,148 SF two-story single-family dwelling on 8,704 SF lot with a 21' front yard setback on a corner lot is not compliant with 12,000 SF minimum lot size and 30' minimum front yard setback required in a Single-Family Residential (SFR) zoning district as 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 #: 10-2509040737
Project Name: **ATM Development**

Applicant: CBRE/ Bank of America
Project Location: 1611 Western Ave
Municipality: Town of Guilderland
Parcel Size: 8568.00 sq.feet
Zoning: TOD- Transit Oriented Development
Tax Map Number: 52.14-3-18
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special Use permit for the construction of an ATM which is essentially a bank use.

Action Type: **Special Use Permit**

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

Staff Notes: The proposed redevelopment will involve a remote ATM machine on a concrete island. Associated pavement markings and site signage will also be installed as part of the project. Access to the site will be provided via the exiting curb along Western Ave, which will remain but be converted to a one-way entrance and a one-way exit. Other site improvements include upgraded lighting. The redevelopment will maintain existing grades and preserve the current amount of impervious coverage. Stormwater runoff will continue to drain toward the catch basins along Western Avenue. The proposed site layout can accommodate up to four (4) vehicles in queue. Less than one acre of land disturbance is anticipated for the proposed action 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 #: **10-2509040738**

Project Name: **Beauty Salon**

Applicant: Brett Yori

Project Location: 1834 Western Ave

Municipality: Town of Guilderland

Parcel Size: 8276.00 sq. Feet

Zoning: Business Non-Retail Professional District (BNRP)

Tax Map Number: 52.09-6-11

Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Special Use permit for a beauty salon home occupation.

Action Type: **Special Use Permit**

Juris. Determinant: State Road

Potential Impacts: 20 Western Avenue

Staff Notes: This licensed cosmetologist is converting the finished garage into a personal full service, single employee beauty salon. Customers will have access to the adjoining home bathroom and parking in the driveway with one space dedicated solely for customer during hours of operation.

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 #: **10-2509040739**

Project Name: **Canna Planet Dispensary**

Applicant: Canna Planet

Project Location: 2093 Western Ave

Municipality: Town of Guilderland

Parcel Size: 3.80 acres

Zoning: Local Business District (LB)

Tax Map Number: 51.02-1-17

Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: A special use permit regarding cannabis retail services.

Action Type: Special Use Permit

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

Staff Notes: The proposed project is regarding using existing retail building as a Cannabis retail dispensary, operating under the Canna Planet NY Brand. There will be surveillance 24/7, staff members present during every purchasing step, as well as a customer screening from the entrance of the store and age at the point of sale.

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.

Brian Crawford commented that we had already approved a different Cannabis Dispensary very close by in Guilderland. He commented that he wondered at what point are there too many in a close proximity but noted that this isn't an issue from a town zoning standpoint.

Case #: 13-2509040753
Project Name: Special Use Permit: Kennel/Dog Day Care

Applicant: Lauren Conti
Project Location: 312 New Scotland South Road
Municipality: Town of New Scotland
Parcel Size: 21.39 acres
Zoning: IND-Industrial
Tax Map Number: 84.-4-1.21
Referring Agency: Town of New Scotland Planning Board

Considerations: Special use permit for the proposed dog daycare.

Action Type: Special Use Permit

Juris. Determinant: County Road
Potential Impacts: CR 308 New Scotland South Road

Staff Notes: Proposing a dog daycare on the lands of Sharon Boehlke at 312 New Scotland South Road. The dog daycare would take place within an existing kennel structure, a new fenced-in area and 4-6 parking spots on approximately 1 acre of the 21.29 acre parcel. The parcel is located in

the industrial zoning district and the use is permitted in zone permitted in zone per Town Code Article II Section 190-18. The applicant is only applying for a Special Use Permit for Phase 1 (Dog Daycare) of her plan 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.

Aimee McKane made a motion to accept the Staff Opinion for Referral # 01-2509040740, 01-2509040743, 03-2509040730, 04-2509040751, 05-2509040748, 05-2509040750, 07-2509040754, 07-2509040732, 07-2509040731, 07-2509040734, 10-2509040737, 10-2509040738, 10-2509040739 & 13-2509040753. The motion was seconded by Ta-Sean Murdock and was also approved by Jeff LaFontaine and Brian Crawford.

Case #:

01-2509040742

Project Name:

Construction of Dwelling Units

Applicant:

Fred Dargust, Habitat for Humanity Capital District

Project Location:

30-38 Albany St

Municipality:

City of Albany

Parcel Size:

0.19 acres

Zoning:

Residential, Townhouse (R-T)

Tax Map Number:

65.52-2-41

Referring Agency:

City of Albany Planning Board

Considerations:

Site plan review and lot modification for the construction for four (4), two story dwelling, townhouses, containing one (1) dwelling unit.

Action Type:

Lot Modification and Site Plan Review

Juris. Determinant:

State Road

Potential Impacts:

32 N Pearl Street

Staff Notes:

This project is regarding a revamp construction for Habitat for Humanity Capital District. Habitat for Humanity is proposing the construction of 4 new single family homes for home ownership. Less than one acre of land disturbance is anticipated for the proposed action per the Short Environmental Assessment Form (SEAF). The properties are owned by

Albany County Land Bank Corp. The SEAF indicates that the property is located in archeologically sensitive area. All water from roof gutters and during construction will be moved to an existing storm sewer. This storm drain is part of the municipal stormwater system already existing along Albany Street.

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.

Advisory Note: 1. The applicant should be required to provide adequate parking for the proposed use to avoid traffic congestion. All parking should be delineated on the plan.

The Board reviewed the site plan. Ta-Sean commented that there really isn't any space to put parking even if the City wanted to. Gopika stated that the City code doesn't require parking which is why we added the parking comment as an Advisory Note vs a Modification. Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #01-2509040742. The motion was seconded by Aimee McKane and was also approved by Jeff LaFontaine and Brian Crawford.

<u>Case #:</u>	<u>01-2509040745</u>
Project Name:	Expansion & Construction of Four-Story Structure
Applicant:	Chanda Dawadi
Project Location:	315 Northern Boulevard
Municipality:	City of Albany
Parcel Size:	6.51 acres
Zoning:	Mixed-Use, Neighborhood (MU-NE)
Tax Map Number:	65.11-1-7.1
Referring Agency:	City of Albany Planning Board

Considerations: Site plan review for the expansion including the construction of a four-story structure containing 97 dwelling units, and consolidating 8,255 sq. ft portion of the North Manning Boulevard right-of-way with the existing 6.5 acre parcel.

Action Type: Site plan review

Juris. Determinant: State Road

Potential Impacts: 9 Loudon Road

Staff Notes: Applicant proposes to acquire an 8,255 sf portion of the North Manning Boulevard ROW and combine it with the existing 6.5 acre parcel known to be as No.315 Northern Boulevard. Applicant proposes to construct a new 4 story building addition with 97 units of affordable housing connected to the existing Phillip Livingston Apartments with 103 units. The Full Environmental Assessment Form (FEAF) indicates that the property is located in archeologically sensitive area. A total of 2 acres of land is to be disturbed during the proposed action.

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.

The Board reviewed the site plan and commented about the location of this project and the addition that will be added to the building. The Board commented about the lack of parking but it meets the City of Albany requirements. Ta-Sean mentioned that after the units are all rented, if more parking is needed there is space to add it at a later date. Jeff LaFontaine made a motion to accept the Staff Opinion for Case #01-2509040745. The motion was seconded by Ta-Sean Murdock and was also approved by Aimee McKane and Brian Crawford.

Case #: 05-2509040741
Project Name: Coeymans Solar

Applicant: RIC Development LLC
Project Location: 1304-122 SR-143
Municipality: Town of Coeymans
Parcel Size: 89.79 acres
Zoning: R-A: Residential/Agricultural
Tax Map Number: 166.-2-3.11
Referring Agency: Town of Coeymans Planning/Zoning Board of Appeals

Considerations: A special use permit, and site plan review for the proposed 1.5 MW AC community solar photovoltaic generation facility.

Action Type: Site plan review & special permit

Juris. Determinant: State Road

Potential Impacts: State Route 143

Staff Notes: Coeymans PV, LLC is proposing to develop a 1.5 MW AC Community Solar Photovoltaic generation facility. The project is located on 2 parcels located at 1304-1322 NY-143, Coeymans Hollow, NY 12046. The project's total Limit of Disturbance will be 10.59 acres. The project will also include the installation of new electrical equipment and an access road. The project will consist of a ground-mounted solar system, which will be constructed via driving posts into the ground at depths appropriate for frost conditions along the proposed array. The system is proposed to consist of 3,151 solar PV modules and 5 inverters, connected by one transformer. The proposed project will involve construction on, or physical alteration of the land surface within the proposed site. The project will be decommissioned when required and the land will be restored to its original condition with project components removed so that it may return to productive land use.

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. A decommissioning plan or established conditions requiring abandoned solar systems to be removed by the owner should be required to be included as part of an approval for this project.
3. The Town should consider options to control runoff from solar array that run downhill toward Hannacroix Creek and State Route 143.

Brian Crawford expressed concerns regarding run off/erosion and the effects on the road way. Gopika mentioned that the SWPPP should address those concerns but Brian felt that it should be stressed further with a separate comment and the rest of the Board members agreed. Jeremy Kaufman (project manager) addressed the concerns and said that the SWPPP was provided to the Town and that it addresses this concern. Brian and Gopika stated that the document he is referring to was not submitted to the ACPB by the Town so they can only go by what is in front of us. Brian mentioned the possibility of tabling this until we receive the SWPPP. Gopika stressed to the Board that this does not have any countywide or intermunicipal impact. Brian said that if it isn't done well, there

will be intermunicipal impact. Ta-Sean stated that he believes we should make a decision based on what is before us so adding the 3rd note seems to be the best option. The Board decided to add a modification related to the control of the runoff/erosion (noted above as Modification #3).

With that modification added, Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #05-2509040741. The motion was seconded by Aimee McKane and was also approved by Jeff LaFontaine and Brian Crawford.

Case #: 07-2509040749
Project Name: Quick Check

Applicant: Tri Capital Reality LLC
Project Location: 947 Troy-Schenectady Road & 2 Mill Road, Latham, NY
Municipality: Town of Colonie
Parcel Size: 6.21 acres
Zoning: Commercial & Residential
Tax Map Number: 18.2-1-14.3
Referring Agency: Town of Colonie Planning Board

Considerations: Site plan review for using 6.21 acres to create a mini-mart with fueling canopy & apartment buildings for residents.

Action Type: Site Plan Review

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

Staff Notes: The application proposes a 6,730 square foot one-story building to serve as a mini mart, accompanied by 6,225 square foot canopy structure housing eight fueling pumps. This site design includes a parking lot and access drives to support the mini-mart, offering a total of 56 parking spaces including 3 designated handicap-accessible spaces. The building features 24 residential units and include amenities such as a resident's park area.

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. Review by the New York State Department of Environmental Conservation to determine potential jurisdiction under bulk petroleum storage regulations and that the underground storage tank (UST) systems meet both state (6 NYCRR Part 613) and federal (40 CFR 280) regulations should be required.

Advisory Note:

1. The Town should consider requesting the applicant to include EV Charging Stations to the proposed mini-mart.

Aimee McKane commented that she visited the site and had questions about the proximity of the single family residential neighborhood nearby. The Board reviewed the plans and map closely and discussed the fact that it is an allowed use. Brian mentioned the fact that EV chargers were not mentioned in the submission. The Board decided to add an Advisory Note about this for the Town to consider (noted above as Advisory Note #1).

With the Advisory Note added, Jeff Lafontaine made a motion to accept the Staff Opinion for Case # 07-2509040749. The motion was seconded by Ta-Sean Murdock and was also approved by Aimee McKane and Brian Crawford.

Case #:	<u>10-2509040744</u>
Project Name:	Curious Minds Childcare
Applicant:	Namra Khan
Project Location:	1865 Western Ave, Albany NY 12203
Municipality:	Town of Guilderland
Parcel Size:	0.09 acres
Zoning:	Business Non-Retail Professional District (BNRP)
Tax Map Number:	52.09-1-36
Referring Agency:	Town of Guilderland Zoning Board of Appeals
Considerations:	Special use permit for the proposed daycare.
Action Type:	Special Use Permit
Juris. Determinant:	State Road
Potential Impacts:	20 Western Avenue
Staff Notes:	This is an application for the proposed daycare providing a safe, nurturing, and stimulating environment for infants, toddlers, and preschool-aged children. From ages 8 weeks to 5 years of age. The facility will be designed for 24 children capacity with four staff members and 8-10

parking spaces. No land disturbance is anticipated for the proposed action per the Short Environmental Assessment Form (SEAF).

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.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #10-2509040744. The motion was seconded by Jeff LaFontaine and was also approved by Aimee McKane and Brian Crawford.

Case #: 12-2509040746
Project Name: Mail works Printing Production Facility

Applicant: The Mail Works
Project Location: 5 Elmwood Ave
Municipality: Village of Menands
Parcel Size: 3.22 acres
Zoning: Light Industrial
Tax Map Number: 55.6-1-2
Referring Agency: Village of Menands Planning Board

Considerations: Site plan review and special use permit for proposed renovation to establish secondary production location.

Action Type: Site Plan Review & Special Use Permit

Juris. Determinant: State Road
Potential Impacts: SR 378 Menands Bridge Road

Staff Notes: Mailworks is a full service direct mail marketing company. Mail Works is looking to establish a secondary production location at 5 Elmwood ave. This existing building will be renovated and repurposed into a modern printing production facility. The building will also include approximately a 20,000 square ft of additional space available for a future tenant. Less than one acre of land disturbance is anticipated for the proposed action per the Short Environmental Assessment Form (SEAF).

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.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #12-2509040746. The motion was seconded by Aimee McKane and was also approved by Jeff LaFontaine and Brian Crawford.

Case #: **13-2509040752**
Project Name: **Battery Energy Storage System**

Applicant: New Scotland ESS, LLC
Project Location: 1543 Indian Fields, Feura Bush
Municipality: Town of New Scotland
Parcel Size: 137.00 acres
Zoning: RH- Residential Hamlet
Tax Map Number: 107.-2-30
Referring Agency: Town of New Scotland Planning Board

Considerations: Site plan review and special use permit for the construction and operation of a 4896kWAC/19,684Wh Battery Energy Storage System that will occupy approximately 11,300-sq ft. Approximate limits of disturbance will be 0.92 acres. The parcel size is 131.09

Action Type: **Site plan review & special use permit**

Juris. Determinant: State Road
Potential Impacts: 32 Indian Fields Road

Staff Notes: New Scotland ESS, LLC New Scotland ESS is a Battery Energy Storage System (BESS) being developed consistent with New York State policy. The project is led by RIC Development, LLC on behalf of New Scotland ESS, LLC. It is located at 1543 Indian Fields Rd., Feura Bush, NY, a property zoned Residential Hamlet. The parcel is owned by the New Scotland Beagle Club and is used for recreational purposes and Beagle training. The total parcel size will be seven acres once the minor

subdivision is approved. The project will utilize 5 Tesla Megapack 2XL units, designed to discharge a maximum of 20,000 kWh over a four-hour period. The system will be connected to NGRID via an overhead line. The facility is approximately 11,300 square feet and is enclosed with a seven-foot-tall fence. The facility is strategically located away from the Indian Fields Road and residences to avoid visual impact. The project is located in the northeastern corner of the 131.09-acre parcel (7-acre parcel upon approval of the SUP/minor subdivision) along the south side of Indian Fields Road. The driveway is located on the southern side of the road at an existing paved drive between Unionville Feura Bush Rd. and Western Ave. The remaining borders of the property are wooded areas, and an overhead transmission right of way. In this way the project is designed to avoid impacts on neighboring residences and other uses. An existing driveway entrance will be used, and improvements will be made to the road while maintaining an impervious surface. A NYSDOT driveway permit will be required and is currently under DOT review. The batteries are designed for outdoor installation. They are in cabinet-style enclosures and do not include any spaces that can be occupied by personnel. The battery enclosures will be mounted on concrete pads as will associated transformer. An overhead line will be installed to parallel the access driveway to connect to the utility distribution system with the BESS. A full safety analysis has been conducted by a consultant to ensure compliance and safety. The application includes an Emergency Response Plan, a Hazard Mitigation Analysis, and a Fire Safety Compliance Plan. The information contained in the application demonstrates that the project can comply with regulations, is safe, and will not have a noticeable impact on the community. The facility requires no buildings and will not be occupied during operation. The facility will be remotely monitored for performance and safety. Local officials and first responders will be provided with contact information to reach a representative 24 hours a day.

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. 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 Town should address public concerns regarding the proposed battery energy storage system during the Town's public hearing on October 8th, 2025.

The Board reviewed the plans and discussed Fire Safety concerns. Weston Hilligas, who represented the applicant, spoke about the project as a whole as well as the Fire Safety protocol. He indicated that there had been a meeting with the local fire dept. and gave an overview of the fire safety measures that are in place within the structure. Ta-Sean Murdock had specific concerns regarding the location of this project and the difference in use from what the land has been used for previously. He expressed worry about the neighbors and asked if there had been any public input. Mr. Hilligas stated that the Public Hearing is scheduled for October 8, 2025 and they will have the safety expert in attendance to give a mini safety training to the public and answer questions. Ta-Sean Murdock said that he wished we were seeing this after the public hearing so he could know more about how the residents felt about it. Brian Crawford suggested adding a modification indicating that the ACPB feels that the Town should address any public concerns that are brought up at the public hearing (noted above as Modification #3).

With that Modification added, Jeff LaFontaine made a motion to accept the Staff Opinion for Case #13-2509040752. The motion was seconded by Aimee McKane and was also approved by Brian Crawford. Ta-Sean Murdock voted to disapprove the submission. The vote was 3 – approve and 1 disapprove, therefore the approval carried.

That concluded the GML review portion of the meeting.

Unfinished Business –

- a. The Dept of Economic Development Conservation and Planning has hired a Graduate Fellow, who started part time on August 29th and will be working with the department until next spring. A new Senior Planner has also been hired and is scheduled to start full time on October 3rd. In addition, Gopika is now in the process of hiring a full-time Confidential Secretary for the department and hopes to have someone in place by mid-October. Gopika will send out an introductory announcement once all the new department members officially start.

New Business –

- a. Gopika's office is moving downtown! Due to the substantial growth of the Dept. of Economic Development, Conservation and Planning, more space is needed. The new office will be located on the 10th floor of 112 State Street (the County Office Building). The Albany County Planning Board Meetings will remain in Voorheesville for the foreseeable future. Once hired, the new Confidential Secretary will become the Planning Board Secretary but in the interim, Lynn is happy to assist with anything that is needed.

- b. Kate Powers has submitted her resignation from the Albany County Planning Board. An increase in work travel is resulting in her inability to commit to attendance at the ACPB Meetings. We thank Kate for her contributions to the Planning Board and wish her well.
- c. Due to Kate's resignation, we are now looking for a new ACPB member. Please let Gopika know if you know of someone who might be interested. Ideally we need someone with a Planning and/or Zoning familiarity.
- d. **SAVE THE DATE:** The Capital Region Planning Commission Annual Planning and Zoning Conference will be held on Friday, October 17, 2025 from 8:30-3:45 at Hudson Valley Community College. You can obtain all 4 hours of the required training credit at this conference or you may choose to attend a portion of the day vs the whole day. Please let Gopika know if you would like to attend and she will submit your registration. The funds to attend will come from the Planning Budget, but Gopika will need to pay for your registration directly (she is unable to reimburse you for training expenses).
- e. The next meeting of the ACPB will be on **Thursday, October 16, 2025** and the deadline for municipalities to submit referral items for review will be on Monday, October 6, 2025.

Adjourn: Ta-Sean Murdock made a motion to adjourn at 4:54 pm. The motion was seconded by Jeff LaFontaine.