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CHAIRPERSON

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COUNTY OF ALBANY
ALBANY COUNTY PLANNING BOARD
ECONOMIC DEVELOPMENT, CONSERVATION, & PLANNING
DEPARTMENT
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VICE CHAIRPERSON

ACPB 10-23-25 Meeting Minutes

NOTE: The October 23, 2025 meeting of the ACPB was held in person at the Albany County office building located at 112 State Street in Albany. 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: none

Albany County: Gopika Muddappa, Deputy Director of Economic Development, Conservation and Planning; Autumn Countermine, ACPB Secretary, Ann Marie Salmon, Director of Economic Development, Conservation and Planning; Christine Breton, Albany County Comptroller's Office (via Teams).

Guests: Sharon Butler, Michelle Dorsey, Marc Dorsey

Minutes: Secretary

Call to Order: Brian Crawford called the meeting to order at 9:05

Vote for Meeting Minutes: Aimee McKane made a motion to accept the September 18, 2025 Meeting Minutes. The motion was seconded by Jeff LaFontaine and was also approved by Brian Crawford and Ta-Sean Murdock.

<u>Case #:</u>	<u>01-2510040758</u>
Project Name:	Ordinance 3.41.25
Applicant:	City of Albany Common Council
Project Location:	N/A
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 Ordinance 3.41.25 that updates the City of Albany's Entertainment Licensing provisions.
Action Type:	Adoption/ Amendment of Zoning Ordinance
Juris. Determinant:	N/A
Potential Impacts:	N/A
Staff Notes:	Amendment of Ordinance 3.41.25 of chapter 111 (amusements) of the code of city of Albany in relation to updating city's entertainment licensing provisions. With an aim of improving the efficiency of former "cabaret" licensing process providing clearer guidance to applicants and reduce administrative burden, improve transparency and support local business. The proposed ordinance clarifies and reduces the number of uses licensure is required for, imposes time limits on the approval of applications, specifies guidelines for application review, reduces the hurdles obtaining license, and extends license validity from 1 year to 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.

<u>Case #:</u>	<u>01-2510040763</u>
Project Name:	Conversion at 45 First Street
Applicant:	Wally Evora, Albany Properties LLC
Project Location:	45 First Street
Municipality:	City of Albany
Parcel Size:	0.05 acres
Zoning:	R-T: Townhouse
Tax Map Number:	65.82-1-72
Referring Agency:	City of Albany Planning Board
Considerations:	Special Use Permit for the conversion of existing Townhouse containing one Dwelling unit to a Townhouse containing two dwelling units
Action Type:	Special Use Permit
Juris. Determinant:	State Road
Potential Impacts:	SR 9 Clinton Avenue
Staff Notes:	Application submitted for the conversion of an existing dwelling, i.e. a Townhouse with one dwelling unit into a Townhouse consisting 2 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 #:	<u>05-2510040755</u>
Project Name:	Barn Restoration
Applicant:	Marc & Michelle Dorsey
Project Location:	880 Bridge Street
Municipality:	Town of Coeymans
Parcel Size:	82.00 acres
Zoning:	R-A: Residential/Agricultural
Tax Map Number:	131.-4-12.1
Referring Agency:	Town of Coeymans Planning/Zoning Board
Considerations:	Rezoning/Appeal of the zoning code to renovate the existing barn with non-structural modifications to host events.
Action Type:	Rezoning (Appeal)
Juris. Determinant:	Municipal Boundary
Potential Impacts:	Intermunicipal Boundaries of Town of Coeymans and Town of Bethlehem
Staff Notes:	Application submitted for rezoning the existing barn from an equine hospital/ office into an high end barn suitable for hosting events. The existing barn has certificate of occupancy for the original construction. No structural modifications are proposed in connection with the renovations. Less than one acres of the land disturbance is expected during the proposed action per the 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.

Marc Dorsey inquired as to why this had to be referred to the ACPB. Gopika Muddappa, stated that submission to the ACPB is required under NYS General Municipal Law 239 nn, due to the fact that this project is located within 500ft of the inter-municipal boundary of the Town of Bethlehem. She went on to state that any kind of development proposal, minor or major, is required to be referred to the County Planning Board.

<u>Case #:</u>	<u>05-2510040762</u>
Project Name:	Adoption of Local Law - Town of Coeymans Zoning Code
Applicant:	Town of Coeymans
Project Location:	Town of Coeymans
Municipality:	Town of Coeymans
Parcel Size:	N/A N/A
Zoning:	N/A
Tax Map Number:	N/A
Referring Agency:	Town of Coeymans Legislative Board
Considerations:	Amendment of the zoning code with an addition of new definition for "Transportation Terminal, Agriculture Related" in the zoning code as "Agriculture-Related Transportation Terminal" that is permitted as an "Accessory Use" in the Town's Residential and Agricultural (R-A) district.
Action Type:	Adoption/ Amendment of Zoning Ordinance or Local law
Juris. Determinant:	N/A
Potential Impacts:	N/A
Staff Notes:	Application for the addition of new definition for "Transportation Terminal, Agriculture Related" in the zoning code with clarification that it is an Agriculture Related Transportation Terminal that is permitted as an "Accessory Use" in the Town's (R-A) district while currently defined "Transportation Terminal", is not. The intent is to clarify and correct an error that was made when the Local Law (No. 9, 2020) enacted to add definition for "Transportation Terminal" to Chapter 165-Zoning without distinguishing between a "Transportation Terminal" as an Accessory Use in the Residential and Agriculture District; and a Transportation Terminal as a Principal Use in the Industrial (I-1, I-2 and I-3P) Districts.
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 #: 07-2510040757
Project Name: **Ali Subdivision**

Applicant: Shahad Ali
Project Location: 4 Kirkner Lane
Municipality: Town of Colonie
Parcel Size: 0.27 acres
Zoning: IND : Industrial District
Tax Map Number: 20.4-2-5
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Area Variance for minor subdivision of the property consisting existing Single Family Dwelling and Detached ADU into 2 lots for flexible use.

Action Type: **Area Variance**

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

Staff Notes: Proposal for subdivision of a 0.27 acres lot (12,135 sq. ft. lot) into 2 lots : Lot A consisting an existing single family dwelling with a lot area of 5649 sq. (0.13 acres) and 61.42' front lot line and 61.42' front building setback line. Lot B with an existing detached Accessory Dwelling Unit with a lot size of 6486 sq. (0.15 acres) and 72.58' front lot line and 71.58' front building setback line. The proposed subdivision is not compliant with the 20,000 SF minimum lot size, 100-foot minimum lot width at the front building setback line in an Industrial zoning district as per the Town's 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.

<u>Case #:</u>	<u>11-2510040760</u>
Project Name:	Rogotzke Minor Subdivision
Applicant:	Korey Rogotzke
Project Location:	584 Middle Road
Municipality:	Town of Knox
Parcel Size:	27.02 acres
Zoning:	Residential/Agricultural District (RES/AG)
Tax Map Number:	45.-1-14.2
Referring Agency:	Town of Knox Planning Board
Considerations:	Minor Subdivision of the 27.02 acres into 17.82 acre and a 10.2 acre.
Action Type:	Subdivision Review
Juris. Determinant:	County Road, Agricultural District
Potential Impacts:	CR 262 Middle Road
Staff Notes:	Proposed Minor Subdivision of a 27.02 acres parcel into a Lot 1 with 17.82 acres and Lot 2 with 10.2 acre with front yard set back of 75' and side yard and rear yard setback being 50'. Lot 1 consists of existing dwelling with driveway access from County Route 262.
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 future development of proposed Lot 2 consisting of 10.2 acres will require highway work permit from the Albany County Department of Public Works for driveway construction, drainage and public utility connections within the county right of way.

Case #: **16-2510040759**
Project Name: **Regrading of parking lot**

Applicant: Pete Rossi
Project Location: 28 S Main Street
Municipality: Village of Voorheesville
Parcel Size: 1.00 acres
Zoning: Commercial MSE: Main Street East
Tax Map Number: 72.7-3-38
Referring Agency: Village of Voorheesville Planning Board

Considerations: Site plan review to regrade and elevate existing parking lot to provide vehicular access and improve drainage.

Action Type: **Site Plan Review**

Juris. Determinant: County Road
Potential Impacts: CR 201 South Main Street

Staff Notes: Site plan review to regrade the existing parking lot to eliminate low spots that cause water pooling and to add a ramp for vehicle access to the building's south entrance. The proposed action will physically disturb approximately 0.35 acres of land according to 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.

Aimee McKane made a motion to accept Case #**01-2510040758, 01-2510040763, 05-2510040755, 05-2510040762, 07-2510040757, 11-2510040760, 16-2510040759**
 The motion was seconded by Jeff LaFontaine and also approved by Ta-Sean Murdock and Brian Crawford.

<u>Case #:</u>	<u>01-2510040764</u>
Project Name:	National Grid Normanskill GRS Facility Upgrades
Applicant:	Eastern Gas Transmission &Storage, Inc f/k/a Dominion Transmission Inc
Project Location:	55 Mill Road
Municipality:	City of Albany
Parcel Size:	0.92 acres
Zoning:	LC: Land Conservation
Tax Map Number:	75.00-2-10
Referring Agency:	City of Albany Planning Board
Considerations:	Site Plan review to replace and upgrade existing section of TL470 pipeline.
Action Type:	Site Plan Review
Juris. Determinant:	Municipal Boundary
Potential Impacts:	Intermunicipal Boundaries of City of Albany and Town of Bethlehem
Staff Notes:	Application to replace and upgrade of an existing public utility requiring major Development Plan Review in the NK-O (Normans Kill Overlay) including new valves, regulator stations, water bath heater, electrical service, conduit, controls, partial fencing, and protective bollards addressing localized pressure concerns in the Albany Loop 24 system. The project is located within the City of Albany and adjacent to Town of Bethlehem boundary, requiring 239-nn referral. A total of 3.6 acres is anticipated to be disturbed and Stormwater Pollution Prevention Plan (SWPPP) has been including in the submission packet.
Staff Opinion:	Modify local approval to include 1. Notification of the application should be sent to the Town of Bethlehem, including all required notices pursuant to GML §239-nn.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #**01-2510040764**. The motion was seconded by Aimee McKane, Jeff LaFontaine and also approved by Ta-Sean Murdock and Brian Crawford.

Case #: **06-2510040761**

Project Name: **Stewarts Shop**

Applicant: Stewarts Shop Corp.

Project Location: 330 & 342 North Mohawk St

Municipality: City of Cohoes

Parcel Size: 0.84 acres

Zoning: MU-1: Mixed Use District

Tax Map Number: 10.7-3-3, 10.7-3-2

Referring Agency: City of Cohoes Planning Board

Considerations: Special use permit and site plan review to demolish the existing LePage's Market (at 342 Mohawk St) for new construction of Stewarts Shop a self service gasoline station with a convenience shop.

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

Juris. Determinant: Mohawk River, Historic District

Potential Impacts: Harmony Mill Historic District

Staff Notes: Applicant is seeking a site plan review and a special use permit to construct a new Stewarts shop with gasoline sales and a convenience shop after demolishing the existing Le Page's market. The current site falls under NYS Heritage Areas i.e. Hudson Mohawk, Mohawk Valley Heritage Corridor (as per Full Environmental Assessment Form). Less than 1 acres of land disturbance is expected from 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.
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 City should ensure that a demolition review is provided by the applicant to ensure no hazardous materials are present on site.
2. The applicant should restrict delivery times and manage noise, lighting (canopy), visual impacts, and traffic patterns to reduce disturbances to nearby residents. All public concerns should be addressed before final

approval.

3. The city should encourage the addition of EV charging units.

Ta-Sean Murdock made a motion to accept the Staff Opinion for Case #01-206-2510040761. The motion was seconded by Aimee McKane and also approved by Jeff LaFontaine and Brian Crawford.

Case #: 18-2510040756

Project Name: **Auto Repair Shop**

Applicant: Dennis McDermott Jr

Project Location: 579 County Route 1

Municipality: Town of Westerlo

Parcel Size: 22.00 acres

Zoning: RD/A - Rural Development/Agricultural

Tax Map Number: 127.1-2-30

Referring Agency: Town of Westerlo Zoning/Planning Board

Considerations: Special Use Permit for an existing garage to serve as a small automobile repair shop/garage.

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

Juris. Determinant: County Road

Potential Impacts: County Route 1

Staff Notes: Special Use Permit application as per zoning law section 8.40(3)C commercial use to allow for an existing garage to operate a repair shop for small engines and off road vehicle. This use will be located in an existing structure located on the same property as their single-family home. Less than one acres of the land disturbance is expected during the proposed action per the SEAF.

Staff Opinion: Modify local approval to include
1. The applicant should ensure adequate parking is available for the commercial use and a highway work permit/review is required from the Albany County Department of Public Works due to the proposed change of use from single- family residential to commercial use.

Advisory Note:

1. Any potential contamination from products including various automotive fluids, fuel and materials containing heavy metals used in the repair shop should be carefully evaluated, and preventive measures should be implemented to protect the property.

Jeff LaFontaine made a motion to accept the Staff Opinion for Case #**18-2510040756**

The motion was seconded by Ta-Sean Murdock and also approved by Aimee McKane and Brian Crawford.

This concluded the GML review portion of the meeting.

1. Unfinished Business –

- a. The ACPB is now looking for a new 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.

b. New Business –

- a. The discussion of the time for future ACPB meetings. The Board decided that the meetings will return to a 3:30pm start time vs the 9:00am meeting time of today's meeting. The meetings will be continue to be held at 112 State St. going forward, but the specific location of the meeting within the building (the specific room/office where the meeting will take place) is subject to change based on availability. The Board members expressed frustration at the last minute changes that occurred regarding the scheduling of today's meeting (changes in date, location and time that they felt was with short notice). Gopika ensured the board notice of the location and time much in advance going forward.
- b. The next meeting of the ACPB will be on **Thursday, November 20, 2025** at 3:30pm at 112 State Street, Albany. The deadline for municipalities to submit referral items for review is **Monday, November 10, 2025 at 3:30pm.**
- c. **Adjourn** – A motion to adjourn was made at 9:48 AM by Ta-Sean Murdock. The motion was seconded by Jeff LaFontaine.

