



DANIEL P. MCCOY
COUNTY EXECUTIVE

MICHAEL McLAUGHLIN
DEPUTY COUNTY EXECUTIVE

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

VICE CHAIRPERSON

ACPB 06-18-26 Meeting Minutes

NOTE: The June 18th, 2026 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, Aimee McKane, and Ta-Sean Murdock

Board Members Absent: Jeff LaFontaine and Michael Allain

Albany County: Gopika Muddappa (Deputy Director, Economic Development Conservation and Planning Department); James Mearkle Albany County DPW (Via Teams); Susan Rizzo, Albany County Comptroller's Office (via Teams); Christine Breton, Albany County Comptroller's Office (via Teams); Wesley Hartman (Operations Analyst); Ian Evans (Senior Natural Resources Planner); Bhagyashree (Senior Planner)

Guests: Joseph Hens (Via Teams)

Minutes: Bhagyashree (Senior Planner)

Call to Order: Brian Crawford called the meeting to order at 3:31 PM.

Vote for Meeting Minutes: Aimee McKane made a motion to approve the May 21st, 2026, Meeting Minutes. The Motion was seconded by Ta- Sean Murdock and was also approved by Brian Crawford.

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 Brain Crawford.

Case #: **01-2606040869**
Project Name: **Hamilton Square Redevelopment**

Applicant: Sophia Lane (TRW architecture),
Aurum Hamilton LLC
Project Location: 295 Hamilton Street
Municipality: City of Albany
Parcel Size: 0.04 acres
Zoning: MU-NE - Mixed Use Neighborhood Edge
Tax Map Number: 76.32-2-39
Referring Agency: City of Albany Planning Board

Considerations: Area Variance request for conversion of office space in an existing three storey townhouse to residential (studio) units. Proposed dwelling unit ratio in this configuration is 1 per 488.3 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in the Mixed-Use Neighborhood Edge (MU-NE) zoning district.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
State or County Park
State or County Property
State or County Facility

Potential Impacts: S Swan Street
Empire State Plaza

Staff Notes: Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. The three-story structure will provide (3) studio apartment units, ranging from 475 to 490 square feet of living space. The proposed dwelling unit density does not comply with the Mixed-Use Neighborhood Edge District requirements. The proposal provides one dwelling unit per 488.3 square feet of Gross Floor Area (GFA), exceeding the maximum permitted density of one dwelling unit per 750 square feet of GFA. As stated in the completeness review form, the applicant indicates that the existing building has not been substantially altered from its original configuration and that the floor plans are consistent with both the building typology and surrounding neighborhood context. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to

be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of the proposed change of use. The dimensional area variance requested is 261.7 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer. As per the planner's letter to the applicant, the building does not meet the average square footage unit size (1 unit per 750sq.ft) in MU-NE district, accordingly the applicant requests relief from the 261.7 sft deficiency per unit.

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:

Case #:

01-2606040870

Project Name:

Hamilton Square Redevelopment

Applicant:

Sophia Lane (TRW architecture),
Aurum Hamilton LLC

Project Location:

297 Hamilton Street

Municipality:

City of Albany

Parcel Size: 0.04 acres
Zoning: MU-NE - Mixed Use Neighborhood Edge
Tax Map Number: 76.32-2-40
Referring Agency: City of Albany Planning Board

Considerations: Area Variance request for conversion of office space in an existing three-storey townhouse to residential (studio) units. Proposed dwelling unit ratio in this configuration is 1 per 483.3 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in MU-NE district.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
State or County Park
State or County Property
State or County Facility

Potential Impacts: S Swan Street
Empire State Plaza

Staff Notes: Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. The three-story structure will provide (3) studio apartment units, ranging from 475 to 490 square feet of living space. The proposed dwelling unit ratio in this configuration is 1 per 483.3 sf gross floor area, where 1 per 750 sf gross floor area is required. As stated in the completeness review form, the applicant indicates that the existing building has not been substantially altered from its original configuration and that the floor plans are consistent with both the building typology and surrounding neighborhood context. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of the proposed change of use. The dimensional area variance requested is 266.7 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The

proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer.

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:

Case #:

01-2606040871

Project Name:

Hamilton Square Redevelopment

Applicant:

Sophia Lane (TRW architecture),
Aurum Hamilton LLC

Project Location:

299 Hamilton Street

Municipality:

City of Albany

Parcel Size:

0.05 acres

Zoning:

MU-NE - Mixed Use Neighborhood Edge

Tax Map Number:

76.32-2-41

Referring Agency:

City of Albany Planning Board

Considerations:

Area Variance request for conversion of office space in an existing four-storey townhouse to residential (studio and one bedroom) units. Proposed dwelling unit ratio in this configuration is 1 per 578.7 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in the Mixed-Use Neighborhood Edge (MU-NE) zoning district.

Action Type:

Area Variance

Juris. Determinant: State or County Road
State or County Park
State or County Property
State or County Facility

Potential Impacts: S Swan Street
Empire State Plaza

Staff Notes: Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. The four-story structure will provide (1) 1-bedroom and (3) studio apartment units, ranging from 830 to 490 square feet of living space. The proposed dwelling unit ratio in this configuration is 1 per 578.7 sf gfa, where 1 per 750 sf gfa is required. As stated in the completeness review form, the applicant indicates that the existing building has not been substantially altered from its original configuration and that the floor plans are consistent with both the building typology and surrounding neighborhood context. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of the proposed change of use. The dimensional area variance requested is 171.3 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer.

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:

Case #: **01-2606040872**
Project Name: **Hamilton Square Redevelopment**

Applicant: Sophia Lane (TRW architecture),
 Aurum Hamilton LLC
Project Location: 301 Hamilton Street
Municipality: City of Albany
Parcel Size: 0.05 acres
Zoning: MU-NE - Mixed Use Neighborhood Edge
Tax Map Number: 76.32-2-42
Referring Agency: City of Albany Planning Board

Considerations: Area variance request for conversion of office space in an existing four-story townhouse to one (1) bedroom residential units. Proposed dwelling unit ratio in this configuration is 1 per 700 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in the Mixed-Use Neighborhood Edge (MU-NE) district.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
 State or County Park
 State or County Property
 State or County Facility

Potential Impacts: S Swan Street
 Empire State Plaza

Staff Notes: Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. The four-story structure will provide (4) total 1-bedroom apartment units, ranging from 550 to 780 square feet of living space. The proposed dwelling unit ratio in this configuration is 1 per 700 sf gfa, where 1 per 750 sf gfa is required.

As stated in the completeness review form, the existing building has not been significantly altered from its original configuration with exception of a wood-framed single-story addition at the ground floor. This space will be used for the ground floor bedroom as well as mechanical or laundry facilities for the building. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of the proposed change of use. The dimensional area variance requested is 50 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer.

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:

Case #: **01-2606040873**
Project Name: **Hamilton Square Redevelopment**

Applicant: Sophia Lane (TRW architecture),
Aurum Hamilton LLC
Project Location: 305 Hamilton Street
Municipality: City of Albany
Parcel Size: 0.05 acres
Zoning: MU-NE - Mixed Use Neighborhood Edge
Tax Map Number: 76.32-2-44
Referring Agency: City of Albany Planning Board

Considerations: Area Variance request for conversion of office space in an existing three-story townhouse to one (1) bedroom residential units. Proposed dwelling unit ratio in this configuration is 1 per 681.7 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in the MU-NE district.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
State or County Park
State or County Property
State or County Facility

Potential Impacts: S Swan Street
Empire State Plaza

Staff Notes: Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. The three-story structure will provide (3) total 1-bedroom apartment units, ranging from 565 to 660 square feet of living space. The proposed dwelling unit ratio in this configuration is 1 per 681.7 sf gfa, where 1 per 750 sf gfa is required. As stated in the completeness review form, the existing building has not been significantly altered from its original configuration. This space will be used for the ground floor bedroom as well as mechanical or laundry facilities for the building. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of

the proposed change of use. The dimensional area variance requested is 68.3 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer.

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:

Case #:

01-2606040874

Project Name:

Hamilton Square Redevelopment

Applicant:

Sophia Lane (TRW architecture),
Aurum Hamilton LLC

Project Location:

307 Hamilton Street

Municipality:

City of Albany

Parcel Size:

0.05 acres

Zoning:

MU-NE - Mixed Use Neighborhood Edge

Tax Map Number:

76.32-2-45

Referring Agency:

City of Albany Planning Board

Considerations:	Area Variance request for conversion of office space in an existing four-story townhouse to one (1) bedroom residential units. Proposed dwelling unit ratio in this configuration is 1 per 732.5 SF Ground Floor Area (GFA) where 1 per 750 SF GFA is required in the Mixed-Use Neighborhood Edge (MU-NE) zoning district.
Action Type:	Area Variance
Juris. Determinant:	State or County Road State or County Park State or County Property State or County Facility
Potential Impacts:	S Swan Street Empire State Plaza
Staff Notes:	Area Variance application requesting for the conversion of office space in existing town houses to residences. Owner seeks to renovate each floor of the existing building into an apartment unit. Owner seeks to renovate each floor of the existing building into an apartment unit. The four-story structure will provide (4) total one-bedroom apartment units, ranging from 595 to 660 square feet of living space. The proposed dwelling unit ratio in this configuration is 1 per 732.5 sf gfa, where 1 per 750 sf gfa is required. As stated in the completeness review form, the existing building has not been significantly altered from its original configuration. The property is located within an area where a significant portion of the existing housing stock falls below the 750-square-foot average threshold. The proposal maintains existing site infrastructure, including stormwater drainage and water service, with no anticipated changes. Resident parking will continue to be accommodated within the existing rear parking area, and solid waste collection is proposed to be shared with adjacent properties via a centrally located rear dumpster. The applicant does not anticipate increases in traffic, noise, or other neighborhood impacts as a result of the proposed change of use. The dimensional area variance requested is 17.5 square feet lower than the Albany average area requirement. New York State Department of Homes and Community Renewal (HCR) Guidelines range from 400-550 SF for a studio apartment and 600-725 SF for a one-bedroom apartment, with the proposed unit sizes falling within these standards and meeting minimum code requirements. The proposal would convert underutilized office space into residential units, restoring previously lost housing stock. The applicant states that strict compliance with dimensional requirements would necessitate a reduction in unit count and a shift to townhouse-style layouts, which is not considered economically feasible due to anticipated higher rents and associated vacancy risk. The project

seeks to return these structures to their original use and arrangement as row houses. The existing floor plans of this building are under the minimum average area of 750 square feet, but they are sized comfortably for an average sized 1-bedroom apartment unit. The neighboring properties are of similar building style, age, and size, and are arranged similarly with multiple dwelling units. The site is located inside the Local Historic District layer.

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:

Case #:

01-2606040875

Project Name:

Dwelling Townhouse

Applicant:

James Ciccarello

Project Location:

8 Mohawk Street

Municipality:

City of Albany

Parcel Size:

0.04 acres

Zoning:

Residential Town House (R-T)

Tax Map Number:

65.52-2-12

Referring Agency:

City of Albany Planning Board

Considerations:

Proposed construction of a three-story residential building containing three (3) dwelling units, one per floor, each with two (2) bedrooms on a vacant parcel.

Action Type:

Site Plan Review

Juris. Determinant:

State or County Road

Potential Impacts:

32 N Pearl St

Staff Notes:

The proposed project consists of the construction of a new three-story, three-unit multifamily residential building on a vacant lot. The development will connect to existing municipal water and sanitary sewer infrastructure. Site grading will remain unchanged, and

approximately 0.04 acres of land disturbance is anticipated, as identified in the Short Environmental Assessment Form. The proposed residential use is permitted under current zoning and is consistent with the surrounding neighborhood character. No existing off-street parking is present, and no new parking is proposed. Based on the Water and Sanitary Sewer Report, the development is expected to generate an average water demand of approximately 660 gallons per day, supplied through a new 1-inch domestic water service connected to the City water main on Mohawk Street. Average wastewater flow is estimated at 0.46 gallons per minute (gpm), with a peak flow of 1.84 gpm, discharged through a new connection to the existing sanitary sewer system. No sprinkler system is required. Roof drainage will be managed separately and discharged on-site in accordance with best management practices outlined in the New York Stormwater Management Design Manual.

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 Water and Sanitary Sewer Report states that no sprinkler system is required. The city should ensure whether this is accurate or not. The proposal should be evaluated for emergency services access, water availability and any sprinkler system that may be required by building code.

Case #:

01-2606040876

Project Name:

Dwelling Townhouse

Applicant:

James Ciccarello

Project Location:

11 Mohawk Street

Municipality:

City of Albany

Parcel Size:

0.04 acres

Zoning:

Residential Town House (R-T)

Tax Map Number:

65.44-3-19

Referring Agency:

City of Albany Planning Board

Considerations:

Proposed construction of a three-story residential building containing three (3) dwelling units, one per floor, each with two (2) bedrooms on a vacant parcel.

Action Type: Site Plan Review

Juris. Determinant: State or County Road

Potential Impacts: 33 N Pearl St

Staff Notes: The proposed project consists of the construction of a new three-story, three-unit multifamily residential building on a vacant lot. These rental apartments are reserved for households earning at or below 80% of Area Median Income (AMI). The development will connect to existing municipal water and sanitary sewer infrastructure. Site grading will remain unchanged, and approximately 0.04 acres of land disturbance is anticipated, as identified in the Short Environmental Assessment Form. The proposed residential use is permitted under current zoning and is consistent with the surrounding neighborhood character. No existing off-street parking is present, and no new parking is offered. Based on the Water and Sanitary Sewer Report, the development is expected to generate an average water demand of approximately 660 gallons per day, supplied by a new 1-inch domestic water service connected to the city water main on Mohawk Street. Average wastewater flow is estimated at 0.46 gallons per minute (gpm), with a peak flow of 1.84 gpm, discharged through a new connection to the existing sanitary sewer system. No sprinkler system is required. Roof drainage will be managed separately and discharged on-site in accordance with best management practices outlined in the New York Stormwater Management Design Manual.

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 Water and Sanitary Sewer Report states that no sprinkler system is required. The city should ensure whether this is accurate or not. The proposal should be evaluated for emergency services access, water availability and any sprinkler system that may be required by building code.

Case #: 01-2606040877

Project Name: Single Family Dwelling

Applicant:	Brian Tollisen, McGiver Design Services
Project Location:	24A Aspen Circle
Municipality:	City of Albany
Parcel Size:	0.17 acres
Zoning:	Residential , Single Family Low Density
Tax Map Number:	64.54-3-47.2
Referring Agency:	City of Albany Planning Board
Considerations:	Proposed construction of a single-family dwelling with proposed Accessory Dwelling Unit in the basement.
Action Type:	Site Plan Review
Juris. Determinant:	State or County Property
Potential Impacts:	Daytona Ave (Parcel Number 64.54-3-32)
Staff Notes:	Site plan review application submitted for the construction of a two-storey single-family dwelling with an accessory dwelling unit (ADU) located in the basement on a vacant site. According to the Short Environmental Assessment Form (SEAF), the project is expected to disturb approximately 0.05 acres of land. The proposed use is permitted under current zoning and is consistent with the character of the surrounding neighborhood. The development will connect to existing municipal water supply and wastewater infrastructure. Stormwater runoff will be collected and conveyed through the existing storm sewer system. As per the engineer's memo, Projected wastewater flow is based on 5 bedrooms at 110 gallons per day per bedroom for a total of 550 gallons per day. The flowrate of 550 gallons per day is based upon NYSDOH standards for septic design and is being applied for water usage as well.
Staff Opinion:	Defer to local consideration 1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.
Advisory Note:	1. The referral packet did not include the floor plan for the Accessory Dwelling Unit in the basement. The applicant should be required to provide one prior to final approval by the City of Albany.

The Board briefly discussed the proposed Accessory Dwelling Unit (ADU), including whether it would be used as a rental unit or specifically as student housing. The Board expressed concerns regarding fire safety, particularly the need for a sprinkler system, and noted that if the ADU is used as a rental unit, it should be inspected to ensure compliance with all applicable fire safety requirements. Gopika Muddappa stated that, as the project involves new construction, it will be designed, constructed, and inspected in accordance with all applicable building code and fire safety standards of the city.

Case #: **11-2606040884**

Project Name: **Wilson Subdivision**

Applicant: Brian Wilson

Project Location: 273 Beebe Rd

Municipality: Town of Knox

Parcel Size: 115.00 acres

Zoning: Agricultural District (AG)

Tax Map Number: 45.00-1-11.1

Referring Agency: Town of Knox Planning Board

Considerations: Proposal to divide residence and barn(s) with approximately 15 acres from the existing 115-acre original lot.

Action Type: **Subdivision Review**

Juris. Determinant: State or County Road

Potential Impacts: County Route 259

Staff Notes: Subdivision proposal to divide a 115-acre lot containing residence, barn into an approximately 15-acre parcel including the house and barns and the balance of approximately 100 acres to remain farmland. As per the Short Environmental Assessment Form (SEAF), there will be no physical disturbance expected. Proposed action is a permitted use and is consistent with surrounding character of the existing context. The proposed site does not contain wetlands or waterbodies, and the proposed action will not physically alter, encroach into any existing wetland or waterbody.

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:

Case #: 18-2606040885

Project Name: **Meyer Camper**

Applicant: Heather Meyer

Project Location: Cty Rte 405

Municipality: Town of Westerlo

Parcel Size: 3.90 acres

Zoning: RD/A - Rural Development/Agricultural

Tax Map Number: 162.-2-8.11

Referring Agency: Town of Westerlo Planning Board

Considerations: Proposal for using a 17-foot camper for personal use and Airbnb bookings during spring, summer and fall.

Action Type: **Special Use Permit**

Juris. Determinant: State or County Road

Potential Impacts: County Route 405

Staff Notes: Special use permit application for a 17-foot camper to be utilized for personal use and Airbnb bookings during spring, summer and fall with no more than two persons maximum occupancy at a given time. Special use permits are required as per the Town's Local Law 3 of 2022 for travel trailers outside trailer parks, specifically no occupied trailer shall be left on a vacant lot without a special use permit approved by the town. No Occupied Travel Trailer shall be used as a year-around occupancy. As per the Short Environmental Assessment Form (SEAF), less than 1 acre of land disturbance is expected. The proposed use is permitted and is consistent with the surrounding context. There is no proposed water supply, guests will be directed to bring in potable water. For wastewater, camper will make use of existing tanks that will be pumped out as needed

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. Further clarification should be provided regarding whether the tool shed, the supply shed access road to the camper are existing or is a part of the proposed use.

Aimee McKane made a motion to accept Staff Opinion for the following Cases:

01-2606040869, 01-2606040870, 01-2606040871, 01-2606040872, 01-2606040873, 01-2606040874, 01-2606040875, 01-2606040876, 01-2606040877, 11-2606040884, and 18-2606040885. The motion was seconded by Ta-Sean Murdock and was also approved by Brian Crawford.

Case #:

04-2606040879

Project Name:

**Woodlands Subdivision
(Formerly Wiggand & Grady Subdivision)**

Applicant:

James Grady
Wiggand LLC

Project Location:

East of NYS Thruway,
South of Vagele Ln. and Wiggand Dr

Municipality:

Town of Bethlehem

Parcel Size:

84.30 acres

Zoning:

Residential A; Rural

Tax Map Number:

98.00-2-2
98.13-1-19
98.00-2-4
98.00-2-5

Referring Agency:

Town of Bethlehem Planning Board

Considerations:

Proposal for an 82-lot conservation subdivision comprising 44 single-family units, seven (7) two-family units, and six (6) four-family condominium units. The revised plan includes changes in the road layout and lot arrangements reducing wetland disturbance. A secondary site entrance is provided via Docous Drive and a new intersection on Wiggand Drive East.

Action Type:

**Subdivision Review,
LWRP Consistency Review**

Juris. Determinant:

State or County Road

Potential Impacts:

I-87

Staff Notes:

Proposal for 82 lot conservation subdivision including 44 Single-Family, Seven (7) Two-family, and Six (6) Four-family condominiums. The proposed subdivision has two points of access: between 28 and 30 Vagele Ln. and at 26 Wiggand Dr. Open space areas include forest and forested wetlands adjacent to the NYS Thruway and lands to the south of the Niagara Mohawk (NiMo) property. As outlined in October 2024 Narrative Statement, the site is predominantly zoned Residential A (RA), with a small approximately 10-acre portion south of the NiMo power lines zoned Rural (R), which is proposed to remain undeveloped open space. In accordance with Town of Bethlehem Zoning Law Section 103-18(G), a conventional subdivision plan was prepared to establish base density for the conservation subdivision. This conventional layout yielded 82 buildable units and required over 8,000 linear feet of roadway. In contrast, the proposed conservation subdivision reduces infrastructure to approximately 4,550 linear feet of Town roads and 600 linear feet of private road, thereby significantly reducing utility extension and overall site disturbance. Water supply and sanitary sewer service will be provided via connections to existing municipal infrastructure along Vagele Lane. The project is proposed under the Town's conservation subdivision regulations (Chapter 128-51(E)(1)), which allow density incentives of up to 20% (Tier 1) for permanent preservation of at least 50% of the site as open space, and up to 15% (Tier 2) for dedication of at least 10 contiguous acres for public recreational use. While these provisions could permit up to 110 dwelling units, the applicant has elected to waive all density bonuses and limit the project to 82 units to reduce potential density-related impacts on surrounding properties. The open space network includes both constrained and developable lands, preserving approximately 92% of wetlands, 98% of steep slopes, and approximately 36.9 acres of developable land. As a result, wetland impacts and tree clearing are significantly reduced compared to the conventional subdivision alternative. Albany County Planning board reviewed this case in November 2024 (Case# 04-2411040595) for a subdivision. As outlined in the applicant's December 2025 response to comments from the Albany County Planning Board (ACPB), the agency's review focused on Department of Health permitting requirements, stormwater management, wetland protection, emergency access, and wetland crossing design. The applicant committed to coordinating with the Albany County Department of Health for water supply, wastewater discharge, and other required subdivision permits following preliminary approval. The applicant also confirmed that a Stormwater Pollution Prevention Plan (SWPPP) has been prepared and submitted to the Town and that coverage under the applicable NYSDEC SPDES General Permit

will be obtained prior to construction. Regarding wetland impacts, the applicant submitted a Preconstruction Notification to the U.S. Army Corps of Engineers for review and indicated that all correspondence will be provided to the Town. To address concerns over wetland encroachment, the subdivision layout was revised to remove several lots previously proposed within Wetlands B, C, and H-1, while impacts associated with former Lot 37 (now Lot 53) were reduced from approximately 0.02 acres to 0.01 acres, with remaining impacts to be mitigated through the purchase of wetland bank credits. The applicant further noted that wetland and riparian buffer boundaries will be identified through signage along adjoining lot lines to discourage disturbance and future encroachment. In response to public safety concerns, the proposed 20-foot-wide porous stone emergency access drive was eliminated and replaced with secondary site access via Docous Drive and a new intersection on Wiggand Drive East. The applicant stated that the Wetland C crossing will be constructed using HDPE piping with embedment in accordance with U.S. Army Corps of Engineers requirements, rather than a box culvert or squash pipe. Supporting documentation includes a Stormwater Pollution Prevention Plan (SWPPP), a Water and Sewer Capacity Evaluation, and a Traffic Impact Evaluation (October 2024), which concluded that the surrounding roadway network can accommodate the development with installation of all-way stop control at the Vagele Lane/Wiggand Drive/East Wiggand Drive intersection. Agency correspondence indicates that the New York State Department of Environmental Conservation found no regulated freshwater wetlands on site, and the New York State Office of Parks, Recreation and Historic Preservation determined that no historic or archaeological resources would be adversely affected. The Full Environmental Assessment Form (FEAF), prepared in November 2025, indicates that the project will disturb approximately 32.4 acres over a 60-month construction period. Stormwater from approximately 8 acres of impervious surface will be managed through on-site facilities designed in accordance with the 2024 NYSDEC Stormwater Design Manual. The project will result in minor unavoidable impacts to federally regulated wetlands, including approximately 0.45 acres of wetland fill associated with roadway construction, with hydrology maintained through cross culverts. The development requires extensions of municipal water and sewer infrastructure, with estimated daily demand of approximately 28,000 gallons of water and 28,050 gallons of wastewater generation. Land cover changes include a reduction of approximately 22 acres of forest, a decrease of 0.4 acres of wetlands, and an increase of approximately 12.9 acres of meadow and grassland. The EAF also identifies potential habitat for the federally listed Northern Long-eared Bat and notes inclusion of the site in the New York State

Historic Preservation Office (SHPO) archaeological inventory, for which a letter stating no historic property shall be affected though the proposed action. At the March 17 meeting (Town Board), public comments primarily focused on the potential impacts of the proposed subdivision. Residents expressed concerns regarding increased traffic, particularly construction-related truck traffic, and its potential effects on local roads, utilities, drainage infrastructure, and overall traffic safety. Additional concerns included speeding, truck weight limits, existing drainage issues, standing water, and whether runoff from the development could adversely affect neighboring properties or place additional demands on the existing stormwater and sanitary sewer systems. With respect to access and traffic, Town staff and the applicant discussed several measures to address concerns associated with the proposed eastern entrance and increased neighborhood traffic. The applicant proposed modifications to the existing roadway configuration to direct traffic through a single, clearly defined intersection, reducing driver confusion and improving safety. New all-way stop controls, roadway signage, and pavement markings are also proposed to regulate traffic movements and enhance visibility. In addition, the Town recommended that the applicant provide detailed intersection cross-sections showing roadway geometry, grading, utilities, easements, landscaping, and screening to ensure the new entrance is designed safely and is compatible with adjacent residential properties. The applicant has also committed \$50,000 toward future traffic-calming measures, such as radar speed signs or speed humps, should post-development monitoring indicate a need. To protect environmental resources, staff recommended supplementing signage with split-rail fencing to clearly delineate wetlands, riparian buffers, and open space areas. The applicant is preparing an off-site drainage analysis to demonstrate that the project will not increase runoff rates or negatively impact drainage conditions within the surrounding neighborhood.

Staff Opinion:

Modify Local Approval to Include

1. Notification to the local fire department should be provided to evaluate public safety as well as adequacy of the ingress and egress for emergency services.
2. A deed restriction should be implemented to prohibit future construction within the buffer area, consistent with the applicant's representation during the board meeting. The Town should require the applicant to implement physical buffer (such as a split rail fence) to delineate the buildable area from the wetlands especially for lots that

consist large areas of wetland encroachment to limit the wetland disturbance and prevent further development.

Advisory Note:

1. ~~The East Wiggand Drive access road as shown in the site plan seems to be proposed via Lands of Docous. It is unclear if that property is part of the project.~~
2. As per the Full Environmental Assessment Form (FEAF), the project site contains federally enlisted endangered species such as Northern Long-eared Bat. Review by the New York State Department of Environmental Conservation Division of Environmental Permits should be required to determine if permits or additional reviews are required due to wildlife species identified to be present in the project site.

The Board discussed the proposed layout revisions and the reduction in wetland impacts compared to the proposal previously reviewed in 2024. Brian Crawford expressed concerns regarding the potential for future construction within the wetland buffer area. He recommended adding language to the approval notes stating that residents should not construct any structures within the designated buffer area. Gopika noted that the applicant had previously agreed to the Albany County Planning Board's recommendation to install a physical buffer, such as a split-rail fence, to clearly delineate the buildable area from the wetlands, particularly on lots with significant wetland encroachment. The purpose of the buffer is to limit wetland disturbance and prevent future development within protected areas. Joseph Hens, representing the applicant, stated that the wetland buffer areas would be protected through deed restrictions on each lot. The Board requested that Note #2 be revised to clearly reflect this requirement and ensure it is implemented by the applicant. Joseph Hens also stated that the applicant has acquired the Lands of Docous property and is proposing an access road through that parcel. As a result, Board agreed that Advisory Note #1 regarding the access road be removed.

Ta-Sean Murdock made a motion to accept the Staff Opinion, with one modification to the language in Note #2 and the addition of one advisory note for the following Case: **04-2606040879**. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Case #: **04-2606040880**
Project Name: **Pitt Ohio Albany**

Applicant: Terminal Properties of NY
Project Location: 37 Frontage Rd
Municipality: Town of Bethlehem
Parcel Size: 20.20 acres
Zoning: Rural Light Industrial

Tax Map Number: 87.03-1-5.11
Referring Agency: Town of Bethlehem Planning Board

Considerations: Rehabilitation and expansion of an existing truck terminal to include select building demolition, building renovation, construction of a building addition for a maintenance shop, replace/relocate a fuel island, repave existing asphalt parking lot, expand parking for employees, and construct stormwater management facilities.

Action Type: Site Plan Review

Juris. Determinant: State or County Road
Potential Impacts: Route 9W

Staff Notes: Proposal submitted to expand the existing truck terminal facility. The project includes the partial demolition of existing structures, including the maintenance garage, terminal building, and fuel island canopy. Portions of the existing terminal building will be renovated, with the exterior walls remaining in place, to accommodate office improvements and building upgrades. The proposed development includes construction of a new 8,315-square-foot maintenance garage at the rear of the terminal site, relocation and reconstruction of the fuel island and canopy (1,340 square feet), and installation of a new truck snow-scape area to support ongoing trucking operations. Additional impervious surface areas are proposed to accommodate relocated employee parking, improved vehicle circulation, and expanded parking around the terminal. As per the Short Environmental Assessment Form (SEAF), The project is expected to result in approximately 11 acres of land disturbance. While the proposed action is not permitted use under current zoning, it is consistent with the character of the surrounding developed and natural landscape. A variance was granted for the project in March 2025 to permit the expansion of the existing nonconforming use. The proposed site plan is consistent with the approved variance and associated design documentation. The development will connect to existing public and/or private water supply and wastewater utilities. The property is listed on the National and/or State Register of Historic Places and is located within or adjacent to an area identified as archaeologically sensitive by the New York State Historic Preservation Office (SHPO). The site also contains wetlands and/or waterbodies regulated by federal, state, or local agencies; however, no direct alteration or encroachment is proposed. Stormwater generated by the project will be collected and conveyed through the existing on-site drainage system. According to the Traffic Volume and Circulation Memorandum, the project will reduce the existing building area from 32,108 square feet to 28,388 square feet,

representing a 12% decrease, including the complete removal of the building's east wing. As a result of the building modifications and realignment of dock doors on the north addition, the total number of dock doors will decrease from 78 to 59, a 24% reduction. Existing peak-hour traffic volumes of 62 trips during the morning peak period (7:00–9:00 a.m.) and 63 trips during the evening peak period (4:00–6:00 p.m.) are projected to decrease by approximately 11%, resulting in 55 and 56 trips, respectively. A supporting memorandum justifies the provision of approximately 82 employees and visitor parking spaces despite a current workforce of 40 full-time employees, citing extended operating hours, anticipated future staffing growth, operational flexibility, site safety considerations, and accommodation of occasional visitors and support personnel. Existing site facilities include 78 dock spaces, 35 trailer parking spaces, and 50 tractor parking spaces, while the proposed layout will provide 61 dock spaces, 97 trailer parking spaces, 58 tractor parking spaces, and 82 employee parking spaces. The site design incorporates designated accessible parking spaces and an ADA-compliant access ramp, and the building interior will comply with applicable accessibility requirements. Hours of operation will remain from 2:00 a.m. to 10:00 p.m., with approximately 30 employees on site. The existing ingress/egress point for the site will remain unchanged in the proposed condition. However, the ingress/egress point will split trucks and passenger vehicles to increase overall site safety. The existing water services to the building (fire and domestic) will be removed and replaced with a single service to the proposed buildings. A geotechnical analysis report, SWPP Document and Storm Water Mitigation Plan has been provided as part of the application package. Correspondence from the New York State Office of Parks, Recreation and Historic Preservation indicates that the proposed project will have no adverse impact on archaeological or historic resources. In addition, a Positive Jurisdiction Determination for freshwater wetlands from the New York State Department of Environmental Conservation (DEC) confirms that the property contains DEC-regulated freshwater wetlands and/or adjacent areas, including wetlands meeting an 'Unusual Importance' (UI) criterion. As such, any regulated activities occurring within the wetlands or their designated adjacent areas will require an Article 24 Freshwater Wetlands Permit from the DEC prior to commencement of work.

Staff Opinion:

Modify Local Approval to Include

1. Any wetlands disturbance will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.
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.

3. Any necessary permits or license from NYS DMV should be required to mitigate potential ground contamination from the materials used for the proposed Fuel Station.

4. Submission of an agricultural data statement to the Town as required by Town Law for site plan approval of sites within 500 feet of a farm operation located in an agricultural district.

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.

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case:

04-2606040880. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Case #:

01-2606040868

Project Name:

7 Brew Crossgates Commons - Drive Thru Coffee Stand

Applicant:

Doug Beachel,
Brew Team NY LLC

Project Location:

161 Washington Avenue Extension

Municipality:

City of Albany

Parcel Size:

0.55 acres

Zoning:

Mixed-Use, Community Highway

Tax Map Number:

52.2-1-26.1

Referring Agency:

City of Albany Planning Board

Considerations:

Proposal for the construction of a 510 sq ft. drive-thru coffee stand with associated site improvements including canopies, storage unit, dumpster enclosure, and circulation infrastructure on a developed site.

Action Type:

Site Plan Review

Juris. Determinant:

State or County Road

Potential Impacts:

I-87,
Washington Ave Ext

Staff Notes:

A Site Plan Review application has been submitted for the construction of a 510-square-foot drive-through coffee stand with a 415-square-foot remote cooler, canopies, storage unit, dumpster enclosure, and associated circulation improvements. The project will replace the existing 2,800-square-foot Kitchen 216 restaurant, which is proposed for demolition. Albany County Planning board reviewed this case (demolition review) in February 2026. According to the Short Environmental Assessment Form (SEAF), approximately 0.1 acres of land disturbance is anticipated. The proposed action is a permitted use and is consistent with the adopted Comprehensive Plan and the predominant character of the existing built and natural landscape. The project will connect to existing water supply and wastewater utilities and will utilize existing conveyance systems to manage stormwater discharge. Project site is listed as an archaeological site in NY State Historic preservation office (SHPO) site inventory. The site is also listed on National or State Register of Historic Places. Site contains endangered species such as Karner Blue and Frosted Elfin. According to the Traffic Operations Review Memo, the development is expected to generate approximately 49 trips during the weekday morning peak hour, 41 trips during the weekday evening peak hour, and 87 trips during the Saturday peak hour. Because most trips are expected to be pass-by traffic from Washington Avenue Extension, only 15 to 35 new trips are anticipated within the study area during peak periods. As a result, the project is not expected to have a significant impact on traffic operations. As per the utility loads statement, The project will connect to the existing municipal water system and is expected to require approximately 3,000 gallons of water per day, with an average flow of 8 gallons per minute and a peak flow of 20 gallons per minute. Estimated average daily sanitary sewer flow is approximately 958 gallons per day. An existing 1,000-gallon grease interceptor will be utilized to manage fats, oils, and grease generated by the operation.

Staff Opinion:

Modify Local Approval to Include

1. Review by the Albany County Department of Health for food service and other necessary permits should be required.

Advisory Note:

1. As per the Short Environmental Assessment Form, the project site contains federally enlisted endangered species such as Karner Blue and Frosted Elfin. Review by the New York State Department of Environmental Conservation Division of Environmental Permits should be required to determine if permits or additional reviews are required due to wildlife species identified to be present in the project site.

2. To improve traffic operations and safety, a stop sign or other suitable traffic control measure should be implemented at the exit adjacent to McDonald's. A marked pedestrian crosswalk should also be provided at the entrance to ensure safe pedestrian access.

The Board discussed the proposed road layout. Ta-Sean Murdock expressed concerns about potential traffic safety issues due to the property's proximity to Home Depot and McDonald's. He noted that, during peak traffic periods, vehicles exiting the site could conflict with traffic entering the adjacent McDonald's driveway. Gopika Muddappa stated that, based on the submitted traffic study, the proposed development is expected to generate only a minor increase in traffic, and its operational impacts would not be noticeable to existing motorists. The Board recommended adding Advisory Note #2, stating that appropriate traffic control measures, such as a stop sign or other suitable traffic control method, should be installed at the site exit adjacent to McDonald's. The Board also recommended that a marked pedestrian crosswalk be provided at the entrance to ensure safe pedestrian access.

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case: **01-2606040868** with an additional **Advisory Note #2**. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Case #: **01-2606040878**
Project Name: **NYSTRS Parking lot expansion**

Applicant: Tyler Garrity, NYSTRS
Project Location: 10 Corporate Woods Drive
Municipality: City of Albany
Parcel Size: 12.30 acres
Zoning: Mixed Use, Campus/Institutions
Tax Map Number: 54.18-1-2.2,
54.3-1-41
Referring Agency: City of Albany Planning Board

Considerations: Expansion of an existing surface parking lot at the New York State Teachers' Retirement System (NYSTRS) office building adding 113 new parking spaces. The project also includes associated site improvements such as grading, drainage, and landscaping.

Action Type: **Site Plan Review**

Juris. Determinant: Municipal Boundary,
State or County Road
Potential Impacts: I-90,
Town of Colonie

Staff Notes: Site plan review application submitted for the expansion of an existing surface parking lot at the New York State Teachers' Retirement System (NYSTRS) office building adding 113 new parking spaces, increasing the total number of spaces to approximately 553, resulting in a net increase of approximately 33,671 sq ft. of impervious surface area associated with new pavement. The site is currently developed with office building and supporting infrastructure, including parking areas, internal roadways, utilities, landscaping, and an existing stormwater management system, with access provided by Corporate Woods Drive. Due to recent staff increases and anticipated future hiring, additional on-site parking capacity is needed. To address the additional runoff generated by the expanded parking area, a new stormwater management system will be constructed to collect, treat, and manage stormwater in accordance with applicable New York State Department of Environmental Conservation (NYSDEC) requirements. The project also includes associated site improvements such as grading, drainage, and landscaping. New landscape plantings are proposed, including the installation of trees along an earthen berm adjacent to Corporate Woods Drive to provide visual screening of the expanded parking area from the public roadway. As per the completeness review form, there are 9 EV ready parking spaces. 11 ADA parking spaces proposed. Current impervious lot coverage is 32.5% which will increase to 36.4% with the proposed expansion. Bicycle parking will increase from 7 to 14. SWPPP document is provided along with the application packet. As per the Full Environmental Assessment Form (FEAF), the site is within Mohawk Valley Heritage Corridor. Proposed action is a permitted use or allowed by a special use permit. 1.57 acres of land disturbance is expected. The stormwater will be directed to on-site stormwater chambers. Outdoor lighting poles and replacement light poles throughout the existing facility is proposed. Light poles (max 20 feet height) will be dark sky compliant with full cutoff mechanism. Pole mounted light fixtures feature occupancy sensors for dimming during vacancy. The Site is situated within five miles of Tivoli Lake Preserve. The project site/ adjacent site contains principal aquifer.

Staff Opinion: Modify Local Approval to Include
1. Notification of the application should be sent to the Town of Colonie, including all required notices pursuant to GML §239-nn

Advisory Note: 1. The applicant should incorporate EV charging stations in the parking lot to support electric vehicle use and sustainability goals.

Aimee McKane suggested incorporating electric vehicle (EV) charging stations within the proposed parking lot. The Board agreed to add an additional Advisory Note #1 encouraging the applicant to provide EV charging stations as part of the project to support electric vehicle use and advance sustainability goals.

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case: **01-2606040868** with an additional **Advisory Note #1**. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Case #: **07-2606040881**

Project Name: **Raising Cane's**

Applicant: Raising Cane's Restaurants LLC

Project Location: 107 Wolf Rd

Municipality: Town of Colonie

Parcel Size: 1.30 acres

Zoning: COR- Commercial Office Residential

Tax Map Number: 42.1-2-4

Referring Agency: Town of Colonie Planning Board

Considerations: Proposal for the construction of a 3,500 square-foot restaurant building with a dual drive-thru lane, parking improvements, and a patio for outdoor seating.

Action Type: **Site Plan Review**

Juris. Determinant: Municipal Boundary,
State or County Road

Potential Impacts: Village of Colonie,
Wolf Rd

Staff Notes: Site plan review application for the demolition of the existing restaurant building and redevelopment of a new 1-story ±3,500 SF restaurant building with dual lane drive-thru, associated parking, patio for an

outdoor seating area, and associated site appurtenances. The proposed restaurant will operate 7 days a week. The hours of operation are Sunday-Thursday 10:00am-1:30am and Friday-Saturday 10:00am-3:30am, with an average of 12 employees per shift. The subject parcel is located off Wolf Road, across from McDonalds and is in character with neighboring developments. The current site consists of an existing 1-Story ±6,500 SF commercial restaurant building, former “Ninety Nine” consisting of ±107 parking spaces, two (2) access points to Wolf Road. ±38 onsite parking spaces and 2 accessible spaces are proposed to service the development. The applicant also requests a waiver of 15 spaces also proposes eight (8) land banked parking spaces that can be constructed should additional parking be deemed necessary. Waivers from the planning board are proposed for the minimum number of parks permitted, maximum front yard setback, minimum greenspace coverage (35% needed, 26% existing) and parking lot setback to side lot lines. A new connection to the sidewalk within Wolf Road is proposed as well as a green space area. The applicant proposes to construct new onsite heavy-duty asphalt and concrete pavement, curbing, lighting, stormwater facilities, trash enclosure, landscaping and other associated appurtenances as part of this development. Proposed development includes 67.7% of paved surfaces, and 26% of the green spaces. The reuse of the existing water is proposed with a connection into the system located on Wolf Road. Coordination with the Latham Water District is required. Proposed sewer, gas, electric, and telecom connections are proposed as part of this development as well. As per the traffic impact assessment memo, The additional traffic generated by the proposed Raising Cane’s development will be minor and will have no significant impacts on traffic operations in the area. There are adequate gaps in traffic to accommodate turning movements into and out of the site and there are excellent sight lines for safe ingress/egress. There are no off-site mitigation measures recommended. As per Short Environmental Assessment Form (SEAF), about 1.24 acres of land disturbance is expected. Proposed action is permitted use and is consistent with surrounding character. Proposed action will connect to existing water supply and wastewater utilities. The storm water generated is proposed to connect to NYSDOT stormwater system. Proposed flows will be at or below predevelopment levels.

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 food service and other necessary permits should be required.

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

Advisory Note:

Aimee McKane made a motion to accept Staff Opinion for the following Case:

07-2606040881. The motion was seconded by Ta-Sean Murdock and was also approved by Brian Crawford.

<u>Case #:</u>	<u>07-2606040882</u>
Project Name:	Crisis Intervention Center
Applicant:	Rehabilitation Support Service
Project Location:	713 Troy Schenectady
Municipality:	Town of Colonie
Parcel Size:	6.44 acres
Zoning:	COR- Commercial Office Residential
Tax Map Number:	19.9-2-15.1
Referring Agency:	Town of Colonie Zoning Board of Appeals

Considerations:	Proposed construction of 3,870 sq ft Intensive Crisis Stabilization Center supporting a New York State licensed stabilization program. The applicant is appealing a permit denial related to rezoning and seeks the required zoning approvals and variances for permit issuance.
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Action Type:	Area Variance, Use Variance
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Juris. Determinant:	State or County Road
Potential Impacts:	7 Troy Schenectady Rd

Staff Notes:	A variance application was submitted for the proposed construction of a Crisis Intervention Center within a currently vacant tenant space formerly occupied by Community Care Cardiologists. The building and
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zoning permit application was denied by the Town because the proposed use is not permitted within the Commercial Office Residential (COR) Zoning District. In addition, the facility does not meet the Town's required separation standards, including a minimum distance of 1,000 feet from zoning districts that permit residential uses and a minimum distance of 1,500 feet from schools, daycare centers, playgrounds, businesses holding liquor licenses, and cannabis dispensaries, as required by the Town Land Use Code. According to the applicant's narrative memorandum, the proposed Intensive Crisis Stabilization Center (ICSC) is a healthcare facility and should not be treated as a land use threat. The applicant acquired vested rights to proceed with the project under the zoning framework that existed prior to the Town's 2025 amendment, which created a new definition for "Crisis Intervention Center" and prohibited such facilities within the Commercial Office Residential (COR) District. The property was selected due to its existing infrastructure, accessibility, parking, clinical suitability, and regional location, making it compatible with both the physical and operational characteristics of the site. The applicant states that it entered into lease agreements, advanced through the New York State Office of Mental Health (OMH) and Office of Addiction Services and Supports (OASAS) certification process, incurred substantial site-specific expenditures, and materially advanced the project in reliance on the zoning regulations then in effect. The proposed 3,870-square-foot facility would occupy a small portion of the approximately 250,000-square-foot Capital Region Health Park, an existing multi-tenant medical office complex, and would not require new construction, building expansion, or a change to the overall medical office character of the property. The applicant further asserts that the site has been reviewed and approved by the State for the Capital Region Intensive Crisis Stabilization Center and that applying the subsequently enacted zoning provisions would result in unnecessary hardship and practical difficulties. Accordingly, the applicant is seeking a use variance to permit the proposed facility. According to the Short Environmental Assessment Form (SEAF), the proposed project will disturb less than one acre of land and utilize existing water and wastewater infrastructure. While the use is not permitted in the zoning district, the applicant states that it is consistent with the surrounding area. The property is also listed on the New York State Historic Preservation Office (SHPO) archaeological site inventory.

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 prior to final approval.

Advisory Note:

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case:
07-2606040882. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Case #: **07-2606040883**

Project Name: **Siena Lacrosse Field**

Applicant: Siena University

Project Location: 515 Loudon Road

Municipality: Town of Colonie

Parcel Size: 159.67 acres

Zoning: Single Family Residential (SFR)

Tax Map Number: 43.2-1-12.1

Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Proposal for a synthetic turf athletic 750 seat grandstand with a 420 sft press box and separate 2880 sft support building for restrooms and concessions along with associated improvements.

Action Type: **Area Variance**

Juris. Determinant: State or County Road

Potential Impacts: 9 New Loudon Road

Staff Notes: Area Variance application submitted seeking approval for the construction of a synthetic turf athletic field, including a 750-seat grandstand with a 420-square-foot press box, a separate 2,880-square-foot support building for restrooms and concessions, a new score board and related site improvements. Priorly, the university used the existing property as a natural grass lacrosse field and practice field for athletic and recreational needs. The property can be accessed from Spring Street Road. The commercial zoning verification form was disapproved by the town as the property is located in the front yard of a single family residential (SFR) zoning district with a front yard setback of 421 feet is not compliant with the prohibition of structures in a front yard as per the town land use law. The proposed turf and structure associated with it does not comply with requirements and standards for the "recreational fields" as stated in the town law. In the memo statement,

the applicant asserts that unique circumstances justify variance relief. The 171-acre property, with approximately 4,200 feet of frontage and overall dimensions of roughly 3,000 by 3,000 feet, is substantially different from a typical residential lot and has a long-established institutional use as an athletic and recreational facility. The proposed improvements are located within the existing campus and athletic complex, rather than the functional front yard of a conventional single-family lot and situated significant distances from the roadway and front property line, with the proposed support building set back approximately 462 feet. The applicant contends that strict application of the zoning regulations would create practical difficulties in upgrading and operating the existing athletic field, as the proposed bleachers, press box, and restroom/concession/support facilities must remain near the field to serve athletes, spectators, and operators. Accordingly, the applicant requests area variance relief to permit the improvements within the designated front yard area, along with any additional interpretive or dimensional relief necessary to satisfy the Town's recreational field standards. According to the applicant's narrative statement, the project is expected to have minimal impacts on surrounding properties. Noise impacts are anticipated to be limited, as the nearest property boundary is approximately 275 feet from the project area. The proposed structures are low-profile in design and intended to remain subordinate to the open campus character. The project does not include expanded tournament programming, new sports activities, or extended operating hours; therefore, no substantial increase in traffic is anticipated. The proposed support building will be served by water and wastewater utility connections. Emergency access will be provided via existing campus roadways from Turchi Road, utilizing 12- to 15-foot-wide paved access routes serving the field, grandstand, and support building. Fire protection measures will be coordinated with the Town of Colonie Division of Fire Services and the Latham Water District. According to the Full Environmental Assessment Form (FEAF), the project includes new electrical service connections west of the site near the existing UHY Center, as well as ADA-compliant concrete pedestrian routes, emergency access drives, and gravel access paths connecting to existing site circulation. The proposed use is permitted or allowed by special use permit and represents approximately a 13% expansion of the existing use. The project will disturb approximately 3.82 acres and is expected to be constructed over an eight-month period. Construction activities are proposed Monday through Friday from 6:00 a.m. to 7:00 p.m. and Saturday from 8:00 a.m. to 5:00 p.m. The project is anticipated to generate approximately 100 tons of construction waste during this period. Operational impacts include an estimated increase of 200 gallons per day in water demand and

wastewater generation, both to be served by existing public infrastructure. The project will also create an estimated annual electrical demand of 22,300 kWh, supplied by the local utility. Stormwater runoff will be collected along the site perimeter and directed to the existing stormwater management system north of the field. Exterior lighting is proposed for security and building access only; no sports field lighting is proposed. The site is located within the Mohawk Valley Heritage Corridor and is identified in the Albany County Agricultural Farmland Protection Plan; however, no active farmland exists within the project area. The property contains delineated wetlands (Wetlands A through E) and is located over or adjacent to a Principal Aquifer. The site was also identified as containing the former Henry Remsen House, previously listed on the National Register of Historic Places; however, the structure was removed between 2001 and 2004. Additionally, the site is located within five miles of the Mohawk Towpath Byway and Revolutionary Byway.

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 by the town.
2. Review by the Albany County Department of Health for water supply, waste water discharge, and other required permits should be required proposed restrooms.

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case: **07-2606040883**. The motion was seconded by Aimee McKane and was also approved by Brian Crawford.

Unfinished Business –

None

New Business –

- a. The next meeting of the ACPB will be on **Thursday, July 16th, 2026**, and the deadline for municipalities to submit referral items for review will be **July 6th, 2026**.

Adjourn – Ta-Sean Murdock motion to adjourn was made at 4:37 PM by the motion was seconded by Aimee McKane, also approved by Brain Crawford.