



DANIEL P. MCCOY
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 05-21-26 Meeting Minutes

NOTE: The May 21st, 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, Ta-Sean Murdock and Michael Allain

Board Members Absent: Aimee McKane, and Jeff LaFontaine

Albany County: Ann Marie Salmon (Director of Economic Development, Conservation and Planning); James Mearkle Albany County DPW (Via Teams); Bhagyashree (Senior Planner)

Guests: Justin Reuter (Via Teams), Marc Dorsey and Michelle Dorsey (In- Person)

Minutes: Bhagyashree (Senior Planner)

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

Vote for Meeting Minutes: Ta- Sean Murdock made a motion to approve the April 16th, 2026, Meeting Minutes. The Motion was seconded by Michael Allain and was also approved by Brian Crawford.

Michael Allain 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 Ta-Sean Murdock and was also approved by Brain Crawford.

Case #: **05-2605040854**

Project Name: **Lot Line Adjustment**

Applicant: Coeymans Recycling Centre LLC

Project Location: Coeymans Industrial Park lane

Municipality: Town of Coeymans

Parcel Size: 96.17 acres

Zoning: Industrial

Tax Map Number: 156-4-12

Referring Agency: Town of Coeymans Planning/Zoning Board

Considerations: Proposal to adjust 4 parcels by improving the overall layout correcting irregular lot boundaries to enhance long term development potential.

Action Type: **Other Authorization - Lot Line Adjustment**

Juris. Determinant: State or County Road

Potential Impacts: NYS RT 144

Staff Notes: An application has been submitted for a lot line adjustment involving four parcels owned by the Coeymans Recycling Center. The proposal is intended to improve overall site configuration, enhancing parcel usability, access, and long-term development potential. The four parcels under consideration are: Lot 1 (Tax Map No. 156.-4-6.11, ±88 acres), Lot 2 (Tax Map No. 156.-4-6.13, ±3.49 acres), Lot 3 (Tax Map No. 156.-4-12, ±1.0 acre), and Lot 4 (Tax Map No. 156.-4-14). As described in the narrative statement, the proposed action involves reallocating portions of Lot 1 to adjacent parcels to improve site configuration. Specifically: (1) a portion of the original Baroni Pad and associated roadway from Lot 1 will be incorporated into Lot 3 (40 CIP Lane; Tax Map No. 156.-4-12); (2) another portion of the Baroni Pad from Lot 1 will be added to Lot 4 (144 VIP Lane; Tax Map No. 156.-4-14); (3) the remaining portion of the CIP Lane roadway from Lot 1 will be transferred to Lot 2 (149 CIP Lane; Tax Map No. 156.-4-6.13); and (4) the remaining northern portion of Lot 1 will continue as the 50/194 CIP Lane parcel (Tax Map No. 156.-4-6.11). As per the Short Environmental Assessment Form (SEAF), the proposed action is permitted use and is consistent with the surrounding land use context. The project site is listed within the New York State Historic Preservation Office (SHPO) archaeological site inventory. The site also contains wetlands regulated by federal, state, or local agencies and provides habitats for federally listed threatened species, including Atlantic sturgeon and shortnose sturgeon. In addition, the site is located within the 100-year floodplain and has previously undergone hazardous waste remediation.

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 #: 07-2605040855
Project Name: Unifirst Parking Lot

Applicant: Unifirst Corporation
Project Location: 157 Troy Schenectady
Municipality: Town of Colonie
Parcel Size: 7.95 acres
Zoning: COR - Commercial Office Residential District
Tax Map Number: 32.1-2-13.1

Referring Agency: Town of Colonie Planning Board

Considerations: Proposal to rehabilitate existing asphalt parking to accommodate fleet truck along with site improvements.

Action Type: Site Plan Review

Juris. Determinant: State or County Road
Potential Impacts: 2 Troy Schenectady Rd

Staff Notes: A referral application has been submitted to rehabilitate an existing parking lot to accommodate 32 fleet truck spaces with a minimum 28-foot-wide perimeter access aisle. The proposed site improvements encompass approximately 1.13 acres on a site currently developed as a 47,249-square-foot asphalt parking lot. The former Wonder Hostess Thrift Shop has been removed; however, existing stormwater infrastructure, asphalt pavement, utility components, and two curb-cut access points onto NY State Highway Route 2 remain. Stormwater runoff is conveyed northward toward the Dry River Watershed. Sand Creek, a Town of Colonie Protected Watercourse, is adjacent to the site, with portions of the property located within the 100-foot protected buffer. A

portion of Site falls under Flood Zone A. The project proposes rehabilitation of the existing asphalt parking area for UniFirst fleet truck operations, including a 41.6% reduction in pavement area, with removed pavement areas to be seeded. Additional improvements include perimeter fencing, removal of the eastern curb cut, widening of the primary entrance, installation of an automated sliding security gate, and construction of a 25-foot-wide driveway connecting to the existing fleet parking area west of the UniFirst building. No new municipal water or sewer connections are proposed, and no impacts to adjoining properties are anticipated. Construction is proposed in a single phase, with completion anticipated before the end of the 2026 construction season. According to the SEAF form, the proposed action is a permitted use and is consistent with the surrounding land use pattern. The project site is identified as sensitive for archaeological resources in the New York State Historic Preservation Office (SHPO) Archaeological Site Inventory. The site contains wetlands and/or other waterbodies; however, the proposed action will not encroach upon or alter these features. Portions of the site are located within the 100-year floodplain. Stormwater generated by the proposed action will be directed to the existing on-site closed stormwater drainage system.

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. 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.

2. The current Stormwater Pollution Prevention Plan (SWPPP) should be revised to reflect the accomodation of the stormwater generated by the proposed action.

Case #:

01-2605040857

Project Name:

Conversion into an event space

Applicant:

Mckinley Branch

Project Location:

56 Robin Street

Municipality:

City of Albany

Parcel Size:

0.05 acres

Zoning:	MU NE- Mixed Use Neighborhood Edge
Tax Map Number:	65.63-2-16
Referring Agency:	City of Albany Planning Board
Considerations:	Proposal seeking a conversion of unoccupied ground floor into an event space.
Action Type:	Special Use Permit
Juris. Determinant:	State or County Road
Potential Impacts:	5 Central Ave
Staff Notes:	A Special Use Permit is requested to convert the existing unoccupied ground floor of a detached row house into an indoor recreational/event space for private gatherings and special occasions for family and friends. No food preparation or cooking will occur on-site. An existing bar is located within the space; however, no alcoholic beverages will be served. The proposed occupancy is limited to a maximum of 40 people. Hours of operation, according to the Completeness Review Statement, will be Thursday through Sunday from 12:00 PM to 9:00 PM. No on-site parking is offered, as public parking is available nearby. The venue complies with all applicable fire and life-safety requirements, including smoke detectors, carbon monoxide detectors, exit signage, and emergency lighting. Licensed security personnel will be present during events. No changes to existing utilities are proposed. The property includes front and rear entrances for access and egress. The applicant states the proposed use is compatible with the surrounding commercial area and will not create excessive noise or adverse impacts on neighboring properties. The applicant, who owns the building, was advised to obtain a Special Use Permit to provide a safe and code-compliant space for family gatherings and special occasions.
Staff Opinion:	Defer to Local Consideration 1. This board has found that the proposed action will have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.
Advisory Note:	1. The applicant should elaborate on types of events and gatherings.

Case #: **01-2605040858**
Project Name: **Conversion of a Dwelling**

Applicant: Marcin Piotrowski Drescher,
Nuala Mc Gann
Project Location: 369 Madison Ave
Municipality: City of Albany
Parcel Size: 0.03 acres
Zoning: R-T : Residential Townhouse
Tax Map Number: 76.32-3-67
Referring Agency: City of Albany Planning Board

Considerations: Conversion of a Dwelling, Townhouse containing two (2) dwelling units to a Dwelling, Townhouse containing three (3) dwelling units.

Action Type: **Special Use Permit**
Certificate of Appropriateness

Juris. Determinant: State or County Road

Potential Impacts: 20 Madison Ave

Staff Notes: An application has been submitted for a Special Use Permit and a Certificate of Appropriateness to convert an existing townhouse containing two dwelling units into a townhouse containing three dwelling units. The property is located within the local historic district, specifically the Center Square/Hudson-Park Historic District. The Albany County Planning Board previously reviewed a proposal for this property in December 2025 in connection with a Special Use Permit application and, at that time, recommended that the applicant obtain a review from the New York State Office of Parks, Recreation and Historic Preservation to evaluate potential impacts on archaeological and historic resources. According to the completeness review form, with respect to public utility provisions, the applicant states that the building contains four electric meters. Ground Fault Circuit Interrupter (GFCI) outlets are proposed in the bathrooms and kitchens to ensure compliance with applicable building codes. Any required electrical or plumbing modifications will be performed by licensed contractors. No changes are proposed to curb cuts, streets, sidewalks, or connections to public spaces. On-street parking is available in the surrounding area. The applicant states that the proposed action will not result in traffic delays or adverse impacts on adjacent properties. The proposed residential use is consistent with the surrounding neighborhood character, which is predominantly

residential in nature. The proposal consists primarily of interior renovations.

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 #:

05-2605040859

Project Name:

Barn Renovation

Applicant:

Marc and 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:

Proposal to renovate the existing barn to host events.

Action Type:

Use Variance

Juris. Determinant:

Municipal Boundary, Agricultural District,
State or County Road

Potential Impacts:

Intermunicipal Boundaries of Town of Coeymans and Town of Bethlehem,
396 Bridge Street

Staff Notes:

A Use Variance application submitted seeking approval to renovate an existing barn through non-structural modifications to accommodate event and agritourism activities. Proposed uses include: (i) farm-to-table events promoting products from the farm and other local agricultural goods; (ii) educational events; (iii) events related to the future sale of horses and beef products; (iv) equine therapy-related events for U.S. veterans; and (v) farmers markets, business retreats, farm-themed parties, and weddings. The Planning Board reviewed this project in

November 2025 in connection with a rezoning appeal application. According to the submitted Use Variance application, applicant's appeal from the decision of the Code Enforcement Officer or from the Building Department was denied on March 11, 2026 (was also denied on June 25, 2025) due to violation or conflict with chapter 165 of the code of Town of Coeymans. Specifically, a banquet hall is neither a permitted principal use nor a special use within the R/A Zoning District. As such, a Use Variance is required for the proposed change in occupancy. So, the applicant is seeking a Use Variance to allow the existing Morton building to be utilized for events and agritourism-related activities, including weddings, fundraisers, corporate retreats, community gatherings, and educational events, in conjunction with an active working farm and commercial horse boarding operation. The building is pre-existent and is proposed to support the farm operation through direct marketing opportunities and diversified agricultural uses. The applicant states that the property cannot achieve a reasonable return under current zoning, as it operates as a working farm and commercial horse boarding facility. The existing Morton building was classified in 1993 as a commercial structure with kitchen, bathroom, and office space and was previously used for events under a Certificate of Compliance. The Town has since restricted the building to agricultural use only and determined that proposed event uses would require a change in occupancy from "U" to "A-2," which is not a permitted use in the R/A (Residential Agricultural) Zoning District. The applicant claims the hardship is unique, noting that the property is identified as commercial land use in the Town of Coeymans 2021 Comprehensive Plan and spans two municipalities, with access from the Town of Bethlehem, which permits agritourism and related event uses. The applicant further states that the zoning code has not been substantially updated since 1961 and does not reflect current Comprehensive Plan goals promoting agricultural, tourism, and recreational uses. The applicant contends the use variance would not alter the rural agricultural character of the area and that the hardship was not self-created, as the property was acquired with an existing commercial agricultural and equine facility. As per the SEAF form, no structural modifications are proposed with the renovations. Proposed action is not a permitted use, but it is consistent with adopted comprehensive plan and the surrounding context. Property is listed on National or State Registered of Historic places.

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 #: 18-2605040861
Project Name: **Town of Westerlo Local Law of 2026 - Moratorium**

Applicant: Town of Westerlo
Project Location: NA
Municipality: Town of Westerlo
Parcel Size: NA NA
Zoning: NA
Tax Map Number: NA
Referring Agency: Town of Westerlo Legislative Board

Considerations: A local law establishing a temporary land use moratorium prohibiting commercial solar energy systems and energy storage systems within the Town of Westerlo.

Action Type: **Adoption/ Amendment of Zoning Ordinance or Local Law**

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

Staff Notes: Application submitted for the adoption of a local law proposing a temporary land use moratorium prohibiting commercial solar energy systems and energy storage systems within the Town of Westerlo for a period of 6 months starting from the effective date of this Local Law, pending the further development and adoption of Local Laws, and/or ordinances prepared to regulate and govern such installations. As per the Narrative statement, it is deemed necessary to enact this moratorium to permit the Town Board adequate time in which to draft suitable additional legislation to allow for proper siting and development of the solar industry within the Town of Westerlo. The purpose of this moratorium is to allow the Town of Westerlo to review and update its Code to properly regulate future commercial-scale solar installations and energy storage systems in accordance with community planning goals. Applications subject to this moratorium may be exempted following a duly noticed public hearing before the Town Board. In reviewing such requests, the Town Board shall consider the application's proximity to natural resources, its impact on surrounding properties,

compatibility with existing land uses and community character, recommendations from relevant Town boards or officials (Town of Westerlo Planning Board, Zoning Board of Appeals, and Code Enforcement Officer), whether delay would jeopardize the application, and any other reasonable factors raised by the Town Board. As per SEAF form, the proposed action will not result in any material conflict with an adopted land use plan or zoning regulation, nor will it cause a change in the use or intensity of land use. Additionally, the proposed action will not result in an increase in energy consumption.

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 #:

18-2605040862

Project Name:

Amendment of Local Law of 2026 on Residential Solar

Applicant:

Town of Westerlo

Project Location:

NA

Municipality:

Town of Westerlo

Parcel Size:

NA NA

Zoning:

NA

Tax Map Number:

NA

Referring Agency:

Town of Westerlo Legislative Board

Considerations:

Amendment of local law 4 of 2021 entitled commercial and residential solar energy systems to clarify and eliminate redundancy.

Action Type:

Adoption/ Amendment of Zoning Ordinance or Local Law

Juris. Determinant:

N/A

Potential Impacts:

N/A

Staff Notes:

Proposal for amending local law 4 of 2021 entitled commercial and residential solar energy systems specifically Section 7 Residential Solar Energy Systems to clarify the Law's applicability and other requirements to ensure the intent of Local Law 4 of 2021 is achieved and further to avoid and eliminate ambiguities within the Law. The amendments effectuated through this Local Law remove Section 7(2)(A)(ii) in its entirety, thereby eliminating the requirements that rooftop and flush-mounted solar energy systems comply with certain zoning height and setback standards applicable to the underlying structure. The amendments further remove Section 7(2)(B)(ix) in its entirety, eliminating the requirement for a Special Use Permit for ground-mounted or freestanding solar energy systems exceeding twelve (12) feet in height or generating more than one hundred ten percent (110%) of household electricity demand. As per the SEAF Form, as per SEAF form, the proposed action will not result in any material conflict with an adopted land use plan or zoning regulation, nor will it cause a change in the use or intensity of land use. Additionally, the proposed action will not result in an increase in energy consumption.

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 #:****13-2605040863****Project Name:****Verizon Small Cellular Wireless Facility****Applicant:**

Cellco Partnership dba Verizon Wireless as represented by Tectonic Engineering

Project Location:

Adjacent to 1 Parkway Drive

Municipality:

Town of New Scotland

Parcel Size:**Zoning:**

Medium Density Residential (MDR)

Tax Map Number:

NA

Referring Agency:

Town of New Scotland Planning Board

Considerations:

Proposal for the installation of an unmanned wireless communications facility on a existing wood pole on the NYS Right of way.

Action Type: Site Plan Review

Juris. Determinant: State or County Road

Potential Impacts: 85 New Scotland Rd

Staff Notes: Proposed installation of an unmanned wireless communications facility on a existing wood pole on the NYS Right of way at the corner of Heldervue Avenue and New Scotland Road. The installation will consist of the following: One (1) antenna to be mounted at a tip height of 41.7' above grade on a proposed 38.5' tall wood pole (45' pole with 6.5' bury depth). All accessory equipment, cabling and utility services (power and fiber) are to be mounted to the wood pole. As per the SEAF Form, the proposed action is permitted use and is consistent with the predominant character of the existing built or natural landscape. The site of proposed action contains long-earned bats listed as threatened or endangered species by the State or Federal Government. As per the Radio Frequency Analysis report, proposed micro cell will provide reliable coverage along NY-85 from the New Scotland / Bethlehem town line extending approximately ¾-mile into New Scotland; coverage along this stretch of NY-85 is currently unreliable mostly due to the dense tree canopy paralleling both sides of the road along with rolling terrain and distance to Verizon's neighboring wireless facilities. The proposed facility will resolve this gap in reliable service. Application packet contains DOT Highway Work Permit and Site Compliance report.

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 #: 07-2605040864

Project Name: T- Mobile Tower Alterations

Applicant: T-Mobile Northeast, LLC

Project Location: 543 Loudon Rd

Municipality: Town of Colonie

Parcel Size: 22.20 Acres
Zoning: Single Family Residential (SFR)
Tax Map Number: 43.1-12-1
Referring Agency: Town of Colonie Zoning Board of Appeals

Considerations: Proposed alteration to existing wireless telecommunications equipment on a tower.

Action Type: **Special Use Permit**

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

Staff Notes: Application submitted seeking the removal and replacement of existing wireless telecommunications equipment on an existing tower. As per the Zoning Verification form, a variance was granted. As per the narrative statement, proposed action involves the removal and relocation of three (3) antennas and installation of six (6) new antennas. The proposed action does not entail any excavation or deployment outside current site. As per the SEAF form, the proposed action has been defined broadly to include all site work, under the federal telecommunications act, the scope of work constitutes an eligible facilities request. There is no physical disturbance attributed. The proposed action is permitted use. Project site located behind the Loudon Road historic district and is designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) Archaeological site inventory. Property contains wetlands, but the proposed action would not affect any wetlands. Site is within 2000 feet of Newton Plaza state Superfund Site, therefore, the EAF Mapper identifies the property as being subject to hazardous waste remediation

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 #: **05-2605040866**
Project Name: **Kalney Area Variance**

Applicant: Russel Kalney
Project Location: 9 Uthe Blvd
Municipality: Town of Coeymans
Parcel Size: 0.25 acres
Zoning: R-2 Single- and Two-Family Residence
Tax Map Number: 168.8-1-11
Referring Agency: Town of Coeymans Zoning Board of Appeals

Considerations: Proposal seeks a 17-foot front yard setback relief to permit construction of a front deck.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
Potential Impacts: 144 S Main St

Staff Notes: Area variance application seeking a 17-foot front yard setback relief (25 feet required) to build a deck continuing off the covered porches. As per the area variance application, deck would span 8.4 -9.6 feet from the front property line. Proposed action will not cause any undesirable change in the character of neighborhood or have an adverse impact on the physical; or environmental conditions in the neighborhood or district. As per the SEAF form, about 340 sft of land disturbance were expected. The proposed action is consistent with the surrounding character. Albany County Planning Board reviewed another area variance request for this parcel in March 2026 requesting a 13.5' relief on rear setback to construct a lean-to on the side of the garage. The property is listed under National Register Building Listings.

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 #: 10-2605040868
Project Name: **Conversion of Basement**

Applicant: Sean Bayliss
Project Location: 11 Hamilton St
Municipality: Town of Guilderland
Parcel Size: 0.67 acres
Zoning: Local Business (LB)
Tax Map Number: 40.13-3-18
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Conversion of basement space into additional dwelling units in a pre-existing, non-conforming structure.

Action Type: **Area Variance**

Juris. Determinant: State or County Road
Potential Impacts: 20 Western Ave

Staff Notes: Area Variance application seeking to expand the existing non-conforming residential basement space to add four (4) additional studio Apartment units to the current Four (4) unit configuration, bringing total number of units to eight (8). As per the narrative statement, the property has been maintained and operated as a multi-family residential housing for decades. No changes to the exterior footprint. Expansion is completely internal and structural, focused on safety, code compliance, and the dignified enhancement of existing living spaces. All building entryways and individual apartment access points will be reconfigured to improve accessibility and safety. This change will bring entire building into compliance with all building and fire codes. The total cost of required building improvements exceeds \$300,000. Applicant alleges that the addition of 4 studio apartments allows him to spread the cost of the improvements across, preserving the affordability of existing rents while generating additional revenue to service the debt associated with the renovation. There is no undesirable change in neighborhood character as there are no exterior modifications. Applicant states that the variance is not substantial as the addition of 4 studio units with an existing multi family structure with no change in footprint is a modest and proportionate expansion of the existing non-conforming use. The difficulty is not self-created as this variance arises from the lawful evolution of code requirements applied to an existing, lawfully operating structure.

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 #: **10-2605040869**
Project Name: **Commercial Tattoo Studio**

Applicant: Dustin Horan
Project Location: 5180 Western Tpke
Municipality: Town of Guilderland
Parcel Size: 0.85 acres
Zoning: Local Business (LB)
Tax Map Number: 39.00-2-15
Referring Agency: Town of Guilderland Zoning Board of Appeals

Considerations: Conversion of a Restaurant to a Tattoo Studio and Yoga Studio.

Action Type: **Special Use Permit**

Juris. Determinant: State or County Road
Potential Impacts: 20 Western Tpke

Staff Notes: A Special Use Permit application has been submitted for the conversion of an existing restaurant into a tattoo studio, with a yoga studio proposed as a future addition. According to the applicant’s narrative statement, the tattoo studio is expected to employ approximately 10–11 employees and operate between 12:00 p.m. and 8:00 p.m. The business may receive small weekly deliveries consisting of paper products, tattoo supplies, merchandise, and related materials. The yoga studio is proposed to commence operations at a later stage, following the establishment of the yoga business. Proposed operating hours are from 6:00 a.m. to 8:00 p.m. SEAF form states that no physical disturbance is proposed as part of the action. The proposed action is identified as being consistent with the Comprehensive Plan and compatible with the surrounding land use context. The project will

utilize existing public/private water supply and wastewater utility connections.

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:

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Cases: **05-2605040854, 07-2605040855, 01-2605040857, 01-2605040858, 05-2605040859, 18-2605040861, 18-2605040862, 13-2605040863, 07-2605040864, 05-2605040866, 10-2605040868, and 10-2605040869.** The motion was seconded by Micheal Allain and was also approved by Brian Crawford.

Case #:

08-2605040856

Project Name:

Cole's Collision

Applicant:

ABD Engineering/Cole's Collision

Project Location:

1517-1529 Central Ave

Municipality:

Village of Colonie

Parcel Size:

3.13 acres

Zoning:

Commercial A

Tax Map Number:

42.9-1-52,
41.12-5-7.1

Referring Agency:

Village of Colonie Planning and Zoning Board of Appeals

Considerations:

Proposal seeking an Area Variance and Site Plan Review to demolish an existing building, and construct a new 10,000 sq. ft. facility for expanded collision shop and storage use with reconfigured parking and access. Area Variance is required as they are proposing 5 feet setback instead of the required 25-foot residential buffer.

Action Type:

Area Variance and Site Plan Review

Juris. Determinant:

Site or County Road,

Potential Impacts:

5 Central Ave

Staff Notes:

Application received seeking an Area Variance for the demolition of existing building and proposing a new building. As per the narrative statement, the applicant is the owner of Cole's Collision at 1517 Central Ave with 93 parking spaces and is currently under contract to purchase the multi-tenant building at 1529 Central Ave. The applicant is proposing to combine the two lots, demolishing the existing 1 storey 12,000 Sq.ft multi-tenant building and replacing it with a modern 10,000 Sq.ft building in roughly the same footprint which shall be used as a additional shop and storage space for Cole's collision. The existing parking area in front of 1529 Central Ave will be moved back from the road and enlarged to meet current code standards and offer additional landscaping. This will result in the new building sitting approx. 18 feet away from Central Ave compared to existing building. The existing parking lot (paved area) at the rear of 1529 Central Ave will be redone with addition of proposed 43 parking spaces with new asphalt added landscaping and new fencing for the adjacent residential property. Most of the rear parking will be used for Cole's collision, remaining will be used as a buffer area and drive aisle. A code-complaint 24-foot-wide access drive will be provided from the existing curb cut on Nash Place to the existing parking area behind 1531 and 1533 Central Ave, which is the part of the shared parking/access agreement between the properties. Area variance is required due to lack of a 25-foot buffer requirement as per the village code between commercial and adjoining residential use. (Between 1529 Central Ave and 5 Nicholas Drive). Since the project proposes improving and maintaining the existing access drive from Nash Place to the rear of 1531 and 1533 Central Ave, only 5 feet of the required 25-foot buffer will be landscaped. A new six-foot fence will be provided. Applicant states that the requested variance will not create any undesirable change in the surrounding, it improves by the 5-foot-wide landscaped area with abbreviates and 6-foot-high solid vinyl fence. As there is no buffer currently existing. Applicant further explains there is no alternative way to provide required parking spaces on site (144 required,101 present) provide the applicant access; provide access to the rear of the building and provide required ingress and egress to and from the rear of 1531 and 1533 central Ave via Nash Place without configuring the parking areas, access drive and buffer as shown. The hardship is not self-created as the access drive adjoining 5 Nicolas Drive is an existing condition. The proposal was reviewed by the Planning Commission of the Village of Colonie on April 21. According to the meeting minutes, public concerns focused on commercial traffic and large vehicles using the rear easement near Nicholas Drive, insufficient buffering between the commercial site and nearby residences, excessive pavement and limited green space along Central Avenue, and potential traffic safety issues related to multiple curb cuts and truck circulation.

Planning Commission members recommended several revisions, including increasing front-yard green space, consolidating entrances into a single curb cut, relocating parking to the side of the building, moving the building farther back from the road, reducing the number of parking spaces to enlarge the residential buffer, and redesigning the site before pursuing zoning relief. In response, the applicant stated that the proposal already represents a substantial improvement over existing conditions because no residential buffer currently exists. The applicant also emphasized that adequate parking is critical to business operations and argued that eliminating Central Avenue frontage or access could negatively impact property value and site functionality. Additionally, the applicant explained that the existing easement and the required 24-foot-wide access drive significantly limit the ability to redesign the site without reducing the proposed building size. Planning Commission denied the site plan application, citing insufficient buffering between the commercial property and adjacent residential uses, as well as inadequate front-yard green space along Central Avenue. As per the SEAF Form, less than one acre of land disturbance is expected. Proposed action is a permitted use and is consistent with the surrounding. Proposed action will create storm water discharge which will be directed to established conveyance systems through existing drains.

Staff Opinion:

Modify Local Approval to Include

1. Review by the New York State Department of Transportation for design of highway access, drainage and assessment of road capacity is required.
2. The Village should ensure that all zoning requirements are in compliance prior to final site plan preview.
3. The setback requirements should be evaluated across the entire site to ensure zoning compliance prior to granting final site plan approval.

Advisory Note:

Brian Crawford requested clarification regarding the zoning setback requirements, specifically the proposed 5-foot setback compared to the 25-foot setback requirement. He also inquired whether any public comments had been received concerning this matter. During the discussion, it was noted that the 25-foot setback had not existed for the subject property. Ta-Sean Murdock expressed concerns about potential increases in traffic resulting from the proposed development, particularly given the parcel's proximity to adjacent residential properties. Ann Marie Salmon noted that modified staff opinions #1 and #2 are intended to ensure that all zoning requirements and traffic-related concerns are adequately addressed prior to final approval. Additionally, Ann Marie Salmon and Ta-Sean Murdock recommended adding modified staff opinion #3 to

ensure that setback requirements are reviewed across the entire site to verify zoning compliance with respect to adjacent parcels before final site plan approval is granted.

Michael Allain made a motion to accept Staff Opinion for the following Case:
08-2605040856. The motion was seconded by Ta-Sean Murdock and was also approved by Brian Crawford.

Case #: **08-2605040860**
Project Name: **Car Wash Facility**

Applicant: Luizzi Companies/ McFarland and Johnson
Project Location: 1579 Central Ave
Municipality: Village of Colonie
Parcel Size: 1.70 acres
Zoning: Commercial A
Tax Map Number: 41.8-6-41
Referring Agency: Village of Colonie Planning and Zoning Board of Appeals

Considerations: Proposal to construct a 5,400 sq.ft single bay car wash facility, and a 1,350 sq.ft building for detailing and office space on a vacant site.

Action Type: **Site Plan Review**

Juris. Determinant: State or County Road
Potential Impacts: 5 Central Ave

Staff Notes: A Site Plan Review application has been submitted for the construction of a 5,400-square-foot single-bay automated car wash facility with associated queuing lanes and a bypass lane, as well as a two-bay detailing shop with office space. The proposed development also includes 12 overhead vacuum stations and 7 parking spaces. Site access will be provided through two driveways: the existing driveway on Central Avenue, which will be modified to function as a right-in/right-out access point, and a proposed full-access driveway connection to Parkwood Drive. The site has been designed with internal circulation patterns intended to support safe and efficient vehicle movement, turning, and queuing operations. A one-way drive-through lane will serve the car wash building, while a separate two-way circulation drive will provide access to the detailed shop, parking area, and vacuum stations. The layout is intended to minimize congestion from queued and exiting vehicles, with vacuum stations positioned as far as practicable from adjacent residential properties. The proposal also

incorporates landscape berms and fencing in accordance with buffering standards applicable to properties adjoining residential uses. The project site consists of approximately 1.7 acres and was formerly occupied by the Albany Inn Motel. According to the applicant's narrative statement, a car wash is permitted use within the Commercial A Zoning District. The former structure has already been demolished, and the applicant intends to fully clear and redevelop the site, resulting in both aesthetic and functional improvements. Hours of operation will be from 8 am to 8 pm daily with 5 - 8 employees per day. The facility is expected to serve approximately 150 customers per day, with peak-hour traffic estimated at approximately 10 customers per hour. No future expansion is proposed at this time. There will be hazardous materials used or stored in the building. Truck deliveries are anticipated, and dumpsters will be provided for waste disposal. As per the SEAF Form, 1.7 acres of land disturbance is expected. Proposed action is consistent with the surroundings. Proposed action will connect to existing water supply and wastewater utilities. Project will create storm water discharge, which will be conveyed through a private closed conveyance system, treated and managed onsite via private storm water management facilities and ultimately connected to the village stormwater network for extreme storm overflow conveyance.

Staff Opinion:

Modify Local Approval to Include

1. Any necessary permits or license from NYS DMV should be required to mitigate potential ground contamination from the materials used for the proposed car wash.
2. A Notice of Intent filed with the New York State Department of Environmental Conservation affirming that a Stormwater Pollution Prevention Plan has been prepared and is being implemented, or submission of a Stormwater Pollution Prevention Plan (SWPPP) that is consistent with the requirements included in the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges (GP-0-25-001, effective January 2025) for construction activities that disturb more than one acre of land should be required prior to final approval.

Advisory Note:

Michael Allain made a motion to accept Staff Opinion for the following Case:

08-2605040860. The motion was seconded by Ta-Sean Murdock and was also approved by Brian Crawford.

Case #: 08-2605040865
Project Name: Quickchek Site Plan Amendment

Applicant: Bohler Engineering/Quikchek
Project Location: 32 Wolf Road
Municipality: Village of Colonie
Parcel Size: 3.49 acres
Zoning: Commercial B
Tax Map Number: 42.9-3-4
Referring Agency: Village of Colonie Planning Board

Considerations: Proposal seeking a 1200 sq.ft addition for meeting/ training space and eight (8) parking spaces.

Action Type: Site Plan Review

Juris. Determinant: Municipal Boundary,
State or County Road

Potential Impacts: Intermunicipal Boundaries of Village of Colonie and Town of Colonie,
Wolf Road,
Interstate Highway 87

Staff Notes: Site plan review Application Submitted seeking approval for the addition of a 1200 sq.ft addition for meeting/training space. Original site plan approval was granted in May 2025 by the village board. As per the narrative statement, the meeting/training space will accommodate a maximum of approximately 20–25 people. Meetings may occur Monday through Saturday but are anticipated to be held no more than 4–5 times per month conducted between 8 am to 5 pm. The proposed storage room will be used for backup equipment and small repair parts (e.g., computer equipment, replacement small appliances such as blenders/microwaves/coffee brewers, and other commonly needed components) to support timely maintenance and replacements. The proposed addition will increase the gross floor area of the building by approximately 1,200 SF while maintaining the approved convenience store with fuel sales as the principal use. The addition is designed to be integrated into the existing building footprint and architecture currently under construction. The building addition and site changes will increase impervious surface on site from ±85,112 to ±87,085 SF but this is still significantly below the impervious surface present with the site’s former use as Bed, Bath and Beyond. The proposed action will not increase

traffic volumes beyond those associated with the approved store and fueling station. Attendance is expected to be limited to employees and occasional vendors, with meetings scheduled to avoid peak customer periods when practicable. To that end, eight (8) additional parking spaces will be constructed next to the addition. This raises the total parking count on site to 73 total spaces. The addition will be served by the same utility infrastructure supporting the approved project. ACPB Planning Board Reviewed the initial proposal involving site plan review with the proposal for the demolition of existing building for the construction of QuickChek convenience store and fuel island with 12 dispensers in March 2025.

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:

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case: **08-2605040865**. The motion was seconded by Michael Allain and was also approved by Brian Crawford.

Case #: **04-2605040867**

Project Name: **JRG Subdivision**

Applicant: JRG Builders LLC

Project Location: 55 McCormack Rd

Municipality: Town of Bethlehem

Parcel Size: 6.43 acres

Zoning: Core Residential (CR)

Tax Map Number: 85.06-4-26.2,

85.06-4-26.3,

85.06-4-27

Referring Agency: Town of Bethlehem Planning Board

Considerations: Proposal for a minor subdivision of 6.435 acres over three (3) tax parcels, to be reconfigured into three (3) conforming tax parcels.

Action Type: **Subdivision Review**

Juris. Determinant: State or County Road,
State or County Property
Potential Impacts: 140 Cherry Ave,
Albany County Rail Trail

Staff Notes: Application submitted seeking a 3-lot residential subdivision of three existing parcels that will be reconfigured (total 6.3 acres) to create Lot#1 at 3.2 acres, Lot#2 of 1.5 acres and Lot#3 of 1.6 acres. Each lot will have a common driveway to McCormack Road. According to the narrative statement, the project involves the reconfiguration of three existing tax parcels: Tax ID Nos. 85.06-4-27 (± 0.90 acres), 85.06-4-26.2 (± 2.68 acres), and 85.06-4-26.3 (± 2.85 acres). Two parcels (85.06-4-26.2 and 85.06-4-26.3) are currently landlocked. The proposed subdivision is intended to facilitate future single-family residential development. All proposed lots will have frontage on McCormack Road (Lot 1 – 75 feet; Lot 2 – 70.57 feet; Lot 3 – 70.01 feet) and access to public water, sewer, electric, and natural gas utilities. All proposed lots will have frontage (Lot#1 – 75 feet; Lot#2 – 70.57 feet; Lot#3 70.01 feet frontage) on McCormack Road and access to public water, public sewer, electric, and natural gas utilities. Each proposed lot exceeds the minimum dimensional and area requirements of the Core Residential zoning district, including minimum lot width (60 feet), minimum lot depth (120 feet), and minimum lot area (0.17 acres). The proposed subdivision is consistent with the existing density, and lot configurations of the surrounding neighborhood along McCormack Road and will not result in any adverse impacts to the area. As per the SEAF form, less than 1 acre of land disturbance is expected. Proposed action is a permitted use and is consistent with the surrounding character. The projected is listed on the NY State Historic Preservation Office (SHPO) site inventory. Application packet consists of a letter from NYS Parks, Recreation and Historic Preservation Starting Office of Parks, Recreation and Historic Preservation (OPRHP) that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by the proposed project. The site or adjoining properties contain wetlands and/or water bodies regulated by federal, state, or local agencies. However, the application includes a New York State Department of Environmental Conservation (NYSDEC) no-jurisdiction letter confirming that no DEC-regulated freshwater wetlands or adjacent areas are located on the subject parcel. A Stormwater Analysis Report submitted with the application states that the project will disturb less than one acre of land and is therefore not subject to NYSDEC stormwater management requirements. The report concludes

that the project will not increase or redirect stormwater runoff onto neighboring properties or adversely impact adjacent or downstream areas.

Staff Opinion:

Modify Local Approval to Include

1. The site plans provided for the review indicate large area of wetlands present in the proposed Lot 2 and Lot 3. The Town should ensure that the any disturbance to the wetlands will require notification to and review by the U.S. Army Corps of Engineers for permits under Section 404 of the Clean Water Act.

Advisory Note:

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case: **04-2605040867**. The motion was seconded by Michael Allain and was also approved by Brian Crawford.

Unfinished Business –

None

New Business –

- a. The next meeting of the ACPB will be on **Thursday, June 18th, 2026** and the deadline for municipalities to submit referral items for review will be **June 8th, 2026**.
- b. The Department of Economic Development, Conservation and Planning (EDCAP) hosted its 2nd Annual Planning and Zoning Workshop on April 30, 2026. The event was a great success, with approximately 150 attendees participating in discussions and learning opportunities focused on planning and zoning initiatives. We sincerely thank everyone who attended and contributed to making the workshop impactful. We extend a special thank you to our presenters for sharing their insights. EDCAP looks forward to hosting the Planning and Zoning Workshop again next year.

Adjourn – Ta-Sean Murdock motion to adjourn was made at 4:02 PM by the motion was seconded by Michael Allain, also approved by Brain Crawford.