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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 12-18-25 Meeting Minutes

NOTE: The December 18th, 2025 meeting of the ACPB was held in person at the Albany County office building located at 112 State Street in Albany. The meeting was also available remotely via Microsoft Teams for the public to participate.

Board Members Present: Brian Crawford, Ta-Sean Murdock, Aimee McKane and Michael Allain

Board Members Absent: none

Albany County: Bhagyashree (Senior Planner); Ann Marie Salmon (Director of Economic Development, Conservation and Planning); Autumn Countermine (ACPB Secretary); Christine Breton (Albany County Comptroller's Office); James Mearkle (Albany County DPW {via Teams}).

Guests: Maria Markovics (Director at United Tenant of Albany); Thomas Shepardson (Attorney for Cole Group Realty {via Teams}); Sharon Butler (Commissioner of Building and Planning at City of Cohoes {via Teams}); Robert Wenner (Research Counsel for the City of Albany Common Council {via Teams}); Cathy Sheehan, Mike Conners and Kenneth Norris

Minutes: Autumn Countermine (ACPB Secretary)

Call to Order: Brian Crawford called the meeting to order at 3:33 PM

Vote for Meeting Minutes: Ta-Sean Murdock made a motion to approve the October 23rd 2025 and November 20th 2025 Meeting Minutes. The Motion was seconded by Aimee McKane and was also Approved by Brian Crawford and Michael Allain.

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 Brian Crawford and Michael Allain.

Case #: **01-2511040781**
Project Name: **Ordinance 24.101.25**

Applicant: Albany Common Council
Project Location: N/A
Municipality: City of Albany
Parcel Size: N/A N/A
Zoning: N/A
Tax Map Number: N/A
Referring Agency: City of Albany Legislative Board

Considerations: Amendment of Ordinance 24.101.25 that updates the affordable housing requirements applicable to new residential and mixed-use development, restoring the income calculus to 100% of the Area Median Income (AMI) and providing for exceptions to requirement.

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

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

Staff Notes: Amendment of Ordinance 24.101.25 (Section 375-401(5)) to the City of Albany's Unified Sustainable Development Ordinance increases the income threshold for required affordable units from 60% AMI to 100% AMI, making the affordability standard less restrictive for qualifying residential and mixed-use projects with 20 or more new units. The number of required affordable units varies by project size: 7% for developments with 20–49 units, 10% for 50–60 units, 12% for 61–75 units, and 13% for 76 or more units. The ordinance introduces new compliance alternatives that allow applicants to reduce or fully eliminate the required number of affordable units through monetary payments supporting affordable housing initiatives. Specifically, an applicant may reduce the requirement to 5% by paying \$5,000 per otherwise-required unit or reduce the requirement to 0% by paying \$10,000 per unit. These payments function as a buy-down option and must be submitted within two years of the Certificate of Occupancy to the Albany Community Development Agency, which will direct the funds toward homeownership down-payment assistance, emergency home repairs, or other affordable housing grant programs. Failure to submit payment within two years renders the Certificate of Occupancy void until satisfied. The ordinance also creates a full exemption for senior-only housing, specifying that the affordability requirement does not apply to developments consisting entirely of independent living, assisted living, nursing homes or skilled nursing facilities, continuing

care retirement communities, or age-restricted (55+) active-adult communities. This ordinance takes effect immediately.

Case #: 01-2511040782
Project Name: **Ordinance 63.121.25**

Applicant: Albany Common Council
Project Location: N/A
Municipality: City of Albany
Parcel Size: N/A N/A
Zoning: N/A
Tax Map Number: N/A
Referring Agency: City of Albany Legislative Board

Considerations: Amendment of Ordinance 63.121.25 to adjust affordable housing requirements and add new exceptions within the Unified Sustainable Development Ordinance’s (USDO) affordable housing incentive.

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

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

Staff Notes: Amendment of Ordinance 63.121.25 of Chapter 375 (Unified Sustainable Development Ordinance) of the Code of the City of Albany proposes adjustments to the affordable housing requirement and introduces exceptions to it. The changes aim to balance expanding the number of potential beneficiaries of Albany’s affordable housing incentives with encouraging new development and redevelopment by adjusting certain requirements and adding specific exceptions to the affordable housing requirement. Specifically, the ordinance raises the income eligibility for affordable units from 60% to 70% of the area median income and sets the following requirements for various project sizes: 7% for developments with 20–49 units, 10% for 50–60 units, 12% for 61–75 units, and 13% for 76 or more units must be affordable. Developers may reduce this requirement to 5% by paying an in-lieu fee of \$25,000 per unit within 90 days of receiving a Certificate of Occupancy. This would encourage more developers to provide affordable housing in a greater number of areas in the city, promoting inclusive housing while also increasing options for new developments and redevelopments. Through the money generated by the exceptions to the affordable housing requirement, this ordinance would also

generate funds for tenant and homeowner related programs. The affordability requirement does not apply to new residential or mixed use developments or redevelopments consisting 20 or more new dwelling units that are entirely of independent living, assisted living, nursing homes or skilled nursing facilities, continuing care retirement communities, or age-restricted (55+) active-adult communities.

Discussion:

The board questioned why two contradictory versions of the ordinance were submitted. Robert explained that there was no consensus on which version of the ordinance the council wanted to move forward with, and that, due to the upcoming administration change on January 1st, some members of the common council and individuals in the mayor’s office were pushing to resolve this. The board concludes that it is not its place to decide this matter. The board tabled the proposed consideration to the February meeting, as the January GML referral submission deadline is January 5th, leaving inadequate time for the city to revise.

Ta-Sean Murdock made a motion to postpone Staff Opinion for the following Case’s: **01-2511040781** and **01-2511040782** until February’s meeting. The motion was seconded by Aimee Mckane and was also approved by Brian Crawford and Michael Allain.

<u>Case #:</u>	<u>07-2511040785</u>
Project Name:	Rametra Subdivision
Applicant:	Ashok (Tony) Rametra
Project Location:	1 Cobble Court
Municipality:	Town of Colonie
Parcel Size:	4.70 acres
Zoning:	SFR: Single Family Residential
Tax Map Number:	43.1-10-42.2
Referring Agency:	Town of Colonie Zoning Board of Appeals
Considerations:	Proposed subdivision of a 4.7 acre lot into three lots with a 50 foot front lot line and a 50 foot width at the front building setback line for proposed lot 3.
Action Type:	Area Variance
Juris. Determinant:	State or County Road
Potential Impacts:	CR 152 Old Niskayuna Rd

Staff Notes:

An application has been submitted to subdivide an existing 4.7-acre residential parcel into three lots, creating two new homes while retaining the existing home. Lot 1 consists of 1.008 acres fronting Old Niskayuna Road; Lot 2 consists of 2.345 acres, also fronting Old Niskayuna Road; and Lot 3 consists of 1.347 acres with frontage on both Old Niskayuna Road and East Cobble Hill Road. As per the Zoning Verification – Subdivision/Merger document, three single-family homes are proposed for the site. All proposed lots will connect to public water and sewer systems, and stormwater will be managed onsite to minimize runoff. According to the SEAF form, the proposed action is expected to disturb approximately 1.7 acres of land. The applicant states that the use is permitted and consistent with the surrounding built and natural environment. The project site is identified as archaeologically sensitive in the New York State Historic Preservation Office (SHPO) archaeological site inventory. Zoning verification for the subdivision/merger application was disapproved by the Town of Colonie Building and Fire Services Department because the proposal does not meet the minimum 80-foot lot width and 80-foot width at the front building setback line required in the Single-Family Residential (SFR) zoning district, as set forth in the Town of Colonie Land Use Law, Article VI, Sections 190-24 and 190-25. The applicant contends that the property has only 50 feet of frontage on one of its streets and notes that the Town Planner previously suggested that using 50 feet of frontage on one street plus 30 feet on the other would create an undesirable lot configuration. The applicant is therefore requesting an area variance allowing a 50-foot lot frontage, as one of the three proposed lots cannot meet the required frontage standard.

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.
2. A highway work permit from the Albany County Department of Public Works for driveway construction, drainage and public utility connections within the county right of way is required.
3. 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.

4. The Town of Colonie should consider requesting the applicant to revise the proposed access either with shared access or individual access to avoid land lock.

Discussion:

The board questioned how access to parcels two and three would be provided. The board concluded that an additional advisory note will be added, requesting clarification on shared access.

Case #: **04-2511040787**

Project Name: **Accessory Apartment**

Applicant: Chad Whitman

Project Location: 1332 River Rd

Municipality: Town of Bethlehem

Parcel Size: 1.00 acres

Zoning: RR: Rural Riverfront

Tax Map Number: 134.00-2-7.2

Referring Agency: Town of Bethlehem Planning Board

Considerations: Proposal for the construction of an attached 2 storey garage with a 1 Bedroom apartment on second floor.

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

Juris. Determinant: State or County Road

Potential Impacts: 144 River Rd

Staff Notes: Proposal for constructing a two-story attached garage with accessory apartment. The site currently consists an existing residence (1,896 sq. ft.). The new garage will be 768 sq. ft. and will include an accessory apartment (<758 sq. ft) on the second floor. Project narrative states - proposed garage is connected to the residence by a short breezeway. Parking consists of two interior garage spaces and two exterior spaces in the driveway. A walkway will provide access from the parking area to the exterior entrance of the garage and accessory apartment. The

project complies with Section 128-73 (accessory apartments standards) of the Zoning Law. The lot is bordered by two residences to the north and south and by lands owned by the Scenic Hudson Land Conservancy extending to the Hudson River shoreline. The existing building is a four-bedroom, 2.5-bath single-family residence. The gravel driveway will connect to the existing easement provided by Scenic Hudson, with no new curb cuts or modifications proposed. The project is expected to have minimal to no impact on surrounding properties. The existing home is served by a private septic system, and sanitary facilities for the accessory apartment will tie into existing drain lines. According to the SEAF, the proposed action will result in less than one acre of physical disturbance. The applicant states the project is a permitted use and consistent with the prevailing character of the surrounding built and natural landscape. The project will connect to existing water supply and wastewater utilities. A septic system letter prepared by a Professional Engineer, along with site plans and floor plans, has been submitted as part of the application package.

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:	N/A
Case #:	<u>10-2511040788</u>
Project Name:	Petals and Palate
Applicant:	Zanalee Allan
Project Location:	2 Alton Rd
Municipality:	Town of Guilderland
Parcel Size:	0.41 acres
Zoning:	LB - Local Business District
Tax Map Number:	52.14-2-22
Referring Agency:	Town of Guilderland Zoning Board Appeal
Considerations:	Special Use Permit for a flower and chocolate store
Action Type:	Special Use Permit
Juris. Determinant:	State or County Road
Potential Impacts:	20 Western Ave

Staff Notes: Application submitted seeking Special Use Permit for the operation of Petals and Palate LLC, a small-scale retail flower shop and sweet-treats boutique offering high-quality floral arrangements and pre-prepared chocolate-dipped confections. The business will occupy an existing commercial retail unit with no structural changes (as per SEAF). Proposed hours of operation are Monday–Saturday from 9:00 a.m. to 8:00 p.m. and Sunday from 11:00 a.m. to 5:00 p.m. Flower supply deliveries are anticipated. Parking, waste disposal, and commercial dumpsters are provided by the plaza/landlord (as per Project Narrative). According to the applicant, the proposed use is permitted and consistent with the adopted Comprehensive Plan. The project is not expected to generate significant traffic impacts due to available public transportation, pedestrian accommodations, and nearby bicycle routes. The proposal will connect to existing public/private water supply services.

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

Advisory Note: 1. The Albany County Planning Board advises the Town to require official drawing or rendering from the applicant prepared by licensed professionals that are legible and allows for easier review.

Ta-Sean Murdock made a motion to accept Staff Opinion for the following Case's: **07-2511040785, 04-2511040787 and 10-2511040788.** (With the addition of advisory note #4 for case # **07-2511040785**) The motion was seconded by Aimee Mckane and was also approved by Brian Crawford and Michael Allain.

Case #:	<u>01-2511040789</u>
Project Name:	Conversion at 43 Columbia Street
Applicant:	Joseph Perniciaro
Project Location:	43 Columbia Street
Municipality:	City of Albany
Parcel Size:	0.39 acres
Zoning:	MU-DT : Mixed-Use Downtown
Tax Map Number:	76.34-1-7
Referring Agency:	City of Albany Planning Board

Considerations:	Conversion of an existing underutilized parking structure within a mixed-use building to add 37 residential units, bringing the total unit count from 22 to 59.
Action Type:	Site Plan Review
Juris. Determinant:	State or County Road State or County Property State or County Facility
Potential Impacts:	32 N Pearl St Property of New York State Dept. of Environmental Conservation
Staff Notes:	Application submitted for the conversion of underutilized parking areas within an existing mixed-use building to accommodate the addition of new residential units. The existing 22 units will remain; the project proposes 37 additional units, bringing the total to 59. Currently there are 40 parking spaces that will remain the same. According to the SEAF form, less than one acre of land will be physically disturbed. The applicant states that the proposed action is a permitted use. Public transportation services are available nearby, and pedestrian accommodations and bicycle routes are present on or near the site. The project will connect to an existing public/private water supply and existing wastewater utilities. The site is listed on the National Register of Historic Places, as determined by the NYS Office of Parks, Recreation, and Historic Preservation. It is also designated as a sensitive archaeological area in the NYSHPO archaeological site inventory. The site contains federally identified threatened or endangered species, specifically the Short nose Sturgeon. The project area lies within the 100-year floodplain with a 1% Annual Chance Flood Hazard. The applicant states that the proposed action will not result in stormwater discharge from either point or non-point sources. The site has undergone remediation for hazardous waste; all prior spills are closed. A Phase I ESA is available upon request (SEAF). With 37 units proposed, the applicant submitted an Inclusionary Zoning Plan (10/28/2025). The 7% affordability requirement for 20–49 unit projects applies , requiring five inclusionary units, which are provided. (As per to §375-401(5)(c)).
Staff Opinion:	Modify to Local Approval to Include 1. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.

Advisory Note:

1. As per the Short Environmental Assessment Form, the property is located in the 100 year flood plain. The city should ensure that the floodplain management zone requirements are met for new construction.
2. As per the Short Environmental Assessment Form, the project site contains federally enlisted endangered species such as Shortnose Sturgeon. 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.
3. The city should ensure that there are enough parking spaces available to support the proposed residential unit expansion.

Ta-Sean Murdock made a motion to accept Staff Opinion for Case# **01-2511040789** (With the modification of advisory note #3) The motion was seconded by Michael Allain and was also approved by Brian Crawford and Aimee Mckane.

Case #:

06-2511040790

Project Name:

UV Columbia Greens Project

Applicant:

Cole Group Realty

Project Location:

250 Columbia Street

Municipality:

City of Cohoes

Parcel Size:

15.80 acres

Zoning:

R-1 Residential District 1

Tax Map Number:

10.14-3-8.1 and 10.14-3-8.2

Referring Agency:

City of Cohoes Zoning Board of Appeals

Considerations:

Use Variance application seeking approval for the construction of 30 Multi family apartments and 2 single family homes in a R-1 Residential Zoning District.

Action Type:

Use Variance

Juris. Determinant:

State Road

Potential Impacts:

470 Columbia St

Staff Notes:

Use Variance application proposing the change from the original plan of constructing 36 apartment units to a proposal consisting of two single-family homes along Columbia Street and thirty (one- and two-bedroom) apartment units located behind the homes, for a total of 32

units. The City of Cohoes Zoning Board of Appeals previously disapproved the request because multi-family residential uses are not permitted in the R-1 Residential Zoning District, prompting the applicant to seek a Use Variance. The project site was formerly occupied by Felthousen's Florist, and the City's Comprehensive Plan identifies the Hines Drive and Felthousen's area as existing commercial land use. The application packet includes a narrative statement, a Short Environmental Assessment Form, lighting and landscaping plans, renderings, a cover letter, and the Use Variance application. According to the Short Environmental Assessment Form (SEAF), The proposed action is expected to disturb approximately 2.7 acres of land. Utility connections will be made to existing public water and wastewater systems. The site is located in or adjacent to an area identified by the New York State Historic Preservation Office as sensitive for archaeological resources. The project will generate stormwater discharge from point and non-point sources that may flow to adjacent properties. During public comment, the Board received substantial opposition to the initial use variance, including a petition with 86 signatures and numerous written and verbal statements from residents of Columbia Street and surrounding neighborhoods. Public concerns focused on the proposal's inconsistency with the R-1 single-family zoning designation, the alteration of the established residential and historic character of Columbia Street, and the visibility and scale of the proposed apartment buildings. Residents expressed significant concern regarding increased traffic congestion and pedestrian safety, particularly given the site's proximity to schools and existing rush-hour conditions, and questioned the conclusions of the traffic study based on lived experience. Additional concerns included the loss of green space and mature vegetation, increased stormwater runoff, noise and light pollution, impacts on water pressure and aging infrastructure, potential declines in property values, and the belief that additional multi-family housing would not promote long-term community stability or homeownership. Several speakers also challenged the applicant's assertion that the hardship was not self-created, noting the property was purchased with knowledge of its R-1 zoning restrictions. Following public comment and board discussion, Board members agreed that the proposed use variance would alter the essential character of the neighborhood, was inconsistent with the intent of R-1 zoning and relevant Comprehensive Plan goals, would negatively impact traffic and infrastructure, and constituted a self-created hardship. Based on these findings, the Board unanimously voted to deny the application for a use variance (as per Meeting Minutes). Following the initial ZBA disapproval, the applicant revised the project and held a public open house to address community concerns. The revised plan reduces

apartments from 36 to 30 units, decreases the number of buildings from 7 to 6, and adds two single-family homes along Columbia Street to replace the former non-conforming florist use. The applicant redesigned the building nearest Simmons Avenue to a single 3-unit structure with substantial setbacks (60 feet from the property line), added enhanced landscaping, fencing, and a landscaped berm for screening, and provided updated utility, traffic, lighting, zoning appraisal, and police incident documentation. A Freedom of Information Law (FOIL) report submitted by the applicant shows approximately 50 police calls to the existing complexes since 2025, with many originating from units whose problematic tenants have since left; remaining calls were minor, and the applicant maintains a rigorous tenant-vetting process using a detailed questionnaire including criminal background checks, credit history, and employment history. The applicant states the proposal will have little to no impact on the school district, does not track community involvement of current tenants, and disputes claims that higher-density housing reduces property values, noting research showing neutral or positive effects when well designed. Renderings from adjacent properties were provided, demonstrating buffering, dark-sky compliant lighting, and building designs resembling single-family homes. The proposed impervious area increases from 27% to 45% but remains compliant with zoning green-space requirements. The project is consistent with the surrounding area, which already contains 168 apartment units and numerous multi-family conversions, and revised design elements address concerns regarding density, privacy, and neighborhood character. Drainage impacts are minimized through berms, privacy is protected by inward-facing balconies and residential-scale building design, and waste will be collected by the existing private contractor. Regarding hardship, the applicant asserts it is not self-created, as single-family development on the site would result in significant financial loss as the appraisals indicate homes would need to sell for roughly \$800,000, nearly double local market values making a reasonable return unattainable under permitted uses.

Staff Opinion:

Modify to Local Approval to include

1. The City of Cohoes Zoning Board of Appeals should address all community concerns such as traffic congestion, green space, pedestrian safety, stormwater runoff and any other concerns raised by the public prior to final review of the project.
2. The city should consider the precedent setting nature of allowing significant use variance to the city code in R-1 Residential District.

3. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.
4. 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: N/A

Discussion:

Tom Shepardson enquired why this case was not deferred to local consideration. Tom stated that 7-8 months ago, the board considered a virtually identical project and deferred it to local consideration without the modifications being requested for his clients. He further explains that his clients have spoken to the neighbors and addressed all of their concerns. Michael asked if they presented to the zoning board on the 17th of December. Sharon explained the applicant needed to make some tweaks to their application, which should be presented in January or February. Tom did not feel that staff opinion #2 belongs in the county board's recommendation and asked the board to omit it. Aimee explained that the board is not in a position to omit staff opinion #2, as it is an important precedent. There were no changes made.

Aimee Mckane made a motion to accept Staff Opinion for Case# **06-2511040790**. The motion was seconded by Michael Allain and was also approved by Brian Crawford and Ta-Sean Murdock.

Case #:	<u>10-2511040786</u>
Project Name:	Acton Homeschool Resource Hub
Applicant:	Joseph Coffey
Project Location:	6378 Gun Club Road
Municipality:	Town of Guilderland
Parcel Size:	0.98 acres
Zoning:	R20 - Single-Family Residential District
Tax Map Number:	37.00-2-22

Referring Agency:	Town of Guilderland Zoning Board Appeal
Considerations:	Conversion of the parcel's existing use from a place of worship to a daycare and educational facility.
Action Type:	Special Use Permit Interpretation of Zoning Ordinance
Juris. Determinant:	Municipal Boundary Village park
Potential Impacts:	Town of Guilderland & Town of Altamont Boundary
Staff Notes:	Application submitted for an interpretation of the zoning ordinance, as the proposed use is comparable to the special use previously approved under Permit 10-06. The request includes an amendment to that permit to allow the conversion of an existing 2,760-sq-ft building into a learner-driven community resource center serving homeschool and working families in the Capital Region. According to project narrative, proposal includes two studios for children ages 4–11, accommodating a total of 20–30 students and 2–5 employees. Hours of operation will be Monday through Friday from 8:30 a.m. to 3:30 p.m., with drop-off between 8:00 and 8:30 a.m. and pick-up between 3:00 and 4:00 p.m. to minimize traffic congestion. The project will utilize the existing building with designated classrooms, and outdoor areas including a playground and recreation space, as well as nearby Bozenkill Park amenities. Ingress and egress are provided via an existing U-shaped driveway, approximately one-third paved and two-thirds gravel. Eleven parking spaces, including two accessible spaces, are provided. A sidewalk from the parking area leads to the main entrance. Site plans also identify a rear-yard play area (Town Planner Memorandum). A “community center” is a permitted use in the R20 District subject to Special Use Permit approval by the Town of Guilderland Zoning Board of Appeals. Under Section 280-25 of the Town Zoning Law (Off-Street Parking Requirements), no parking standard is listed for a community center use. The most comparable classification is “private school or commercial school,” and the Zoning Board will need to determine whether this standard applies and whether the existing 11 spaces are sufficient. The parking requirement for a private/commercial school is two spaces per three classroom seats. The SEAF form indicates that less than one acre of physical disturbance is expected from the proposed action. The proposed action will connect to existing public/private water supply and wastewater utilities. The project site is listed in the NYS Historic Preservation Office (SHPO) archaeological site inventory, adjoins a site containing a waterbody/stream, and contains

habitat for the Northern Long-Eared Bat, a federally threatened species.

Staff Opinion:

Modify to Local Approval to Include

1. The town should ensure that there are enough parking spaces for the proposed Daycare which generates significant number of trips.
2. 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.
3. Notification of the application should be sent to the Town of Altamont, including all required notices pursuant to GML §239-nn.

Advisory Note:

1. As per Short Environmental Assessment Form, the property consists of federally listed and endangered species such as long eared bats. A review by NYS DEC permitting Region 4 office for potential impacts should be considered.

Ta-Sean Murdock made a motion to accept Staff Opinion for Case# **10-2511040786**. The motion was seconded by Michael Allain and was also approved by Brian Crawford and Aimee Mckane.

Case #:

06-2511040783

Project Name:

Admirals Walk

Applicant:

Admirals Watch LLC

Project Location:

Lot#11 Lot#12 Admirals Walk

Municipality:

City of Cohoes

Parcel Size:

0.55 acres

Zoning:

PDD - Planned Unit Development District

Tax Map Number:

21.5-1-5.14,
21.5-1-5.24

Referring Agency:

City of Cohoes Zoning Board of Appeals

Considerations:

Site plan review application seeking reapproval for the parcels to construct a 10 unit condo building on each parcel with associate parking, sidewalks and utilities.

Action Type:

Site Plan Review

Juris. Determinant:

Other

Potential Impacts: Mohawk River

Staff Notes: Application submitted for the construction of two (2) ten-unit condominium buildings, similar to the existing structures on the property. The applicant requires new Site Plan Approval because a building permit was not obtained when the original approval was issued in 2004–2005. The property is limited to a maximum of 105 condominium units, and the proposed project will bring the total number of units to 105. According to the SEAF form, the proposal requires approval from the City of Cohoes Planning Board and the Building Department. Approximately 0.55 acres of the site is expected to be physically disturbed. The proposed action is a permitted use and is consistent with the adopted comprehensive plan. It aligns with the surrounding character and is not expected to result in any substantial increase in traffic levels. The project will connect to an existing public or private water supply. The project area is listed within the New York State Historic Preservation Office (SHPO) archaeological site inventory. The site adjoins wetlands or waterbodies regulated by federal and/or state agencies and is adjacent to an area classified as a Flood Zone. Shoreline habitat is present on the site, and Bald Eagles listed as threatened or endangered by the federal government have been identified in the vicinity. Stormwater discharges will be routed to established conveyance systems draining to the Hudson River. The proposed site, or an adjoining property, has previously undergone remediation for hazardous waste.

Staff Opinion: Modify to Local Approval to Include
1. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.

Advisory Note:
1. As per Short Environmental Assessment Form, the property consists of federally listed and endangered species such as long eared bats. A review by NYS DEC permitting Region 4 office for potential impacts should be considered.
2. The city should request a review by the Albany County Department of Health for water supply, waste water discharge, and other required permits.
3. The local fire department should be notified to evaluate for public safety, emergency services access, water availability that may be required by building code

Discussion:

Cathy asked for the submission date of the short environmental assessment form; Bhagya confirmed the date is 11/17/2025. Cathy asked for clarification on why they only require the short form. Brian explained that it is because they are disturbing less than one acre of land. She also expresses concern about the Bald Eagle population, which has recovered in recent years. Mike Conners expressed spacing concerns: 1) Emergency services are having difficulty gaining access to buildings due to a median; he feels it should be removed. 2) Parking issues. 3) Staging in the wetlands for the new construction. Mike Conners also raised concerns about the demand on the sewage and water systems sustaining so many units. The Board concludes there will be notes added regarding the emergency access and review by Albany County Department of Health for the water supply, wastewater discharge.

Ta-Sean Murdock made a motion to accept Staff Opinion for Case# **06-2511040783** (With the addition of advisory notes #'s 2 and 3). The motion was seconded by Aimee Mckane and was also approved by Brian Crawford and Michael Allain.

<u>Case #:</u>	<u>01-2511040784</u>
Project Name:	Conversion at 369 Madison Ave
Applicant:	Zalozy Kozlov
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 the existing structure at the property from two to a three unit townhouse.
Action Type:	Special Use Permit
Juris. Determinant:	State or County Road
Potential Impacts:	20 Madison Ave
Staff Notes:	An application has been submitted for a special use permit to convert an existing 2-unit building into a 3-unit townhouse. The surrounding street contains several similar 3-unit buildings, each consisting of one-bedroom units occupying one floor with front and rear egress. The residential townhouse zoning district allows 3-unit buildings with a

variance (as per Cover sheet, Project scope specified by the contractor), and the proposed action qualifies as a Type II action under SEQ. The application packet includes the owner consent form, floor plans, completeness review form, and site photos. All proposed work is interiors. The property is located within the local historic district (Center Square/Hudson-Park Historic District), and the completeness review form indicates that the required historic review step has been satisfied. No exterior changes are proposed, and no additional parking spaces are required per the completeness review form. All work will occur within the existing building footprint and is expected to have little to no impact on neighboring properties.

Staff Opinion:

Modify to local Approval to include

1. Review by the New York State Office of Parks, Recreation and Historic Preservation for potential impacts on archeological and historic resources should be required.
2. The city should ensure that all variance applications are reviewed and evaluated prior to final approval of the project.

Advisory Note:

N/A

Michael Allain made a motion to accept Staff Opinion for Case# **01-2511040784**. The motion was seconded by Aimee Mckane and was also approved by Brian Crawford and Ta-Sean Murdock.

Unfinished Business –

- a. Barn Restoration Project (1841 Circle M Ranch) – Prior to last month’s meeting the applicants had reached out to Gopika requesting a letter of interpretation of the local zoning code and appeal the local decision. The Board decided to consult Albany County Attorney on further steps and the decision was;

“The County Attorney cannot issue an opinion as it relates to the interpretation and application of a separate town, village or city zoning ordinance. The County of Albany is not the entity that has jurisdiction to hear the appeal of the matter. Moreover, neither the County Attorney, nor the County Planning Board should weigh in on the decision of a

separate municipal board. Further, Albany County does not represent the individual LLC and cannot provide legal advice on this matter.

Additionally, as the LLC is represented by counsel (Young Sommer LLP), it is improper for us to interfere with relationship between the attorney and client and to offer any opinion or strategy.”

Therefore, the Albany County Planning Board will not be interfering in the appeal of local decision on this case.

New Business –

- a. The GML Referral Submission Deadlines and Meeting dates for 2026 is available and posted on our webpage. Please note that the GML submission deadline for September 2026 falls on a Tuesday (September 8th) since September 7th is a holiday.
- b. The next meeting of the ACPB will be on **Thursday, January 15, 2026** and the deadline for municipalities to submit referral items for review will be on **Monday, January 5, 2026.**

Adjourn – A motion to adjourn was made at 5:06 PM by Ta-Sean Murdock. The motion was seconded by Aimee McKane also approved by Michael Allain and Brian Crawford.