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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 01-15-26 Meeting Minutes

NOTE: The January 15th, 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 Michael Allain

Board Members Absent: Ta-Sean Murdock

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

Guests: Colonie Planning & Economic Development Dept

Minutes: Autumn Countermine (ACPB Secretary)

Call to Order: Brian Crawford called the meeting to order at 3:32 PM

Vote for Meeting Minutes: The vote for the December 2025 Meeting minutes will be postponed until the February Meeting.

Case #:	<u>01- 2601040792</u>
Project Name:	2-4 New Scotland Ave Redevelopment
Applicant:	Washburn, Edith Hunter
Project Location:	2 and 4 New Scotland Avenue, 103 Dana Avenue
Municipality:	City of Albany
Parcel Size:	0.03,0.03,0.04 acres
Zoning:	MU-NC : Mixed-Use, Neighborhood Center
Tax Map Number:	76.23-1-59,76.23-1-60,76.23-1-56
Referring Agency:	City of Albany Planning board
Considerations:	Demolition of the existing structures, lot modification for consolidation and future proposed new construction of four story 'dwelling, multi-unit' building.
Action Type:	Demolition Review (Other Authorization)
Juris. Determinant:	State or County Road
Potential Impacts:	20 Madison Ave
Staff Notes:	A Demolition Review application has been submitted for the removal of an existing residential dwelling (townhouse) and the construction of a new multi-family residential building. As per Short Environmental Assessment Form (SEAF), the proposed action will result in approximately 0.10 acres of physical disturbance, is a permitted use, and is consistent with the City's adopted Comprehensive Plan. The site is served by existing public transportation, pedestrian and bicycle facilities, and will connect to existing water and wastewater infrastructure. The project is located within or adjacent to a SHPO-listed archaeological area and abuts the properties listed on the State and/or National Register of Historic Places. A Demolition Debris Diversion Plan has been submitted, providing for salvage and recycling of materials, including 10% concrete and masonry walls and 20% concrete slabs and walkways, with an estimated 38% total debris diversion rate. All remaining materials will be disposed of at a licensed facility. As documented in the Completeness Review Form, the project involves the redevelopment of multiple parcels. Alternatives to demolition were evaluated, including deconstruction, adaptive reuse, selective demolition, and renovation. Deconstruction was determined to be the most appropriate approach. The City of Albany does not distinguish between demolition review and deconstruction review applications. Adaptive reuse and renovation were determined to be financially infeasible, as evidenced by the extended period during

which the property was listed on the market without viable redevelopment interest. Selective demolition was determined to be technically infeasible, based on architectural plans and the civil engineer's site plan. Full demolition of the existing structure is necessary to facilitate construction of an appropriately sized building on the subject property and two adjacent vacant tax lots.

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:

Aimee Mckane made a motion to accept Staff Opinion for the following Case:
01- 2601040792. The motion was seconded by Michael Allain and was also approved by Brian Crawford.

Case #:

01- 2601040793

Project Name:

135 Ontario, LLC

Applicant:

Patrick Chiou

Project Location:

135 Ontario St

Municipality:

City of Albany

Parcel Size:

0.31 acres

Zoning:

MU-FM : Mixed-Use, Form-Based Midtown

Tax Map Number:

65.46-2-9.1

Referring Agency:

City of Albany Planning board

Considerations:

Rehabilitate an existing one-story building by converting it from a vacant commercial use to a multi-unit dwelling. The project proposes the construction of two additional stories, resulting in a total of 34 dwelling units along with associated building amenities.

Action Type:

Site Plan Review

Juris. Determinant:

State or County Road

Potential Impacts:

5 Central Ave

Staff Notes:

An application has been submitted to convert an existing one-story building from a vacant commercial use into a three-story multi-family residential building. The proposed development includes 34 dwelling units, consisting of a mix of studio, one-bedroom, and two-bedroom apartments, with a total of 40 bedrooms with no proposed off street parking. The city code states minimum 1 off street parking space required per unit adding up to 40 parking spaces (table 375.405.1), whereas it would be reduced by 20% i.e 32 spaces due to exceptions available on-street parking and the proximity to public transit. A 438-square-foot fitness center and a residential lobby are proposed on the first floor. According to the Short Environmental Assessment Form (SEAF), the proposed action will result in less than one acre of physical land disturbance and constitutes a permitted use. The project will connect to existing public or private water supply and wastewater utilities. Stormwater runoff generated by the building will be discharged to the City of Albany combined sewer system. The subject property and/or adjacent properties have been the subject of hazardous waste remediation, either completed or ongoing. As per the Inclusionary Housing Compliance Plan, two inclusionary housing units (representing 7% of the proposed 34 units) are required and are provided. The Combined Sewer Impact Statement indicates that the project exceeds SPDES permit requirements by significantly reducing stormwater entering the combined sewer system. Peak flow will be reduced from 1.11 to 0.08 cubic feet per second through the installation of a blue roof, which temporarily stores and slowly releases stormwater, thereby helping to prevent combined sewer overflows and reduce stress on municipal infrastructure. According to the Water Engineer's Report, the project will require approximately 2,640 gallons per day of water and can be adequately served by the existing public water system without adverse impacts. The Sewer Engineer's Report similarly concludes that the estimated average daily sewage generation of 2,640 gallons can be accommodated by the existing combined sewer system without negative impacts.

Staff Opinion:

Modify to local approval

1. The local fire department should evaluate for public safety, emergency services access, water availability and any sprinkler system that may be required by building code.

Advisory Note:

1. The city should consider the precedent setting nature of allowing the construction of buildings on the property line without allowing for adequate setback.

2. The Board requests that the applicant submit a revised site plan identifying access points for Apartments 1, 2, and 3, as there are discrepancies noted between the first-floor plan and site plan details.

Discussion:

The Board requested clarification regarding parking requirements and water supply. The Albany County Department of Economic Development, Conservation and Planning sought email confirmation of the applicable parking standards within the City of Albany. In response, the City of Albany Department of Planning provided clarification on the parking exceptions applicable to this matter.

Michael Allain made a motion to accept Staff Opinion for the following Case: **01- 2601040793**. The motion was seconded by Aimee Mckane and was also approved by Brian Crawford.

<u>Case #:</u>	<u>01- 2601040794</u>
Project Name:	222 Spruce Street LLC
Applicant:	Patrick Chiou
Project Location:	222 Spruce Street
Municipality:	City of Albany
Parcel Size:	0.38 acres
Zoning:	MU -CU: Mixed-Use, Community Urban
Tax Map Number:	65.72-4-28
Referring Agency:	City of Albany Planning board
Considerations:	Rehabilitate an existing one-story building and add four stories to create five-storey mixed-use building with commercial and community spaces and total 44 apartment units.
Action Type:	Site Plan Review
Juris. Determinant:	State or County Road State or County Facility
Potential Impacts:	9W Lark St
Staff Notes:	An application has been submitted to rehabilitate an existing one-story building currently consisting of vacant commercial space and construct four additional stories, resulting in a five-story mixed-use building. The ground floor will include 32 parking spaces, 3,742 square feet of

commercial space, a 1,086-square-foot fitness center, a two-level community space totaling 726 square feet, bicycle storage, and a storage area. The upper four floors will contain 44 residential units (studio, one-bedroom, and two-bedroom), totaling 48 bedrooms. Per the Short Environmental Assessment Form, the project will disturb 0.00 acres, is a permitted use, and is consistent with the adopted Comprehensive Plan. Public transportation, pedestrian facilities, and bicycle routes are available at or near the site. The project will connect to existing public water and wastewater systems. The site is located within or adjacent to a building, district, or archaeological site listed on the State or National Register of Historic Places and is identified as archaeologically sensitive by the New York State Historic Preservation Office (SHPO). Stormwater discharge will be managed through a proposed blue roof system, which will substantially reduce runoff to the existing combined sewer system. The site was previously subject to remediation following a hydraulic oil spill at 203 Spruce Street in August 2012, which was cleaned up the same day. The Inclusionary Housing Compliance Plan proposes three inclusionary units (7% of 44 units) in compliance with the requirement. The Sewer Engineer estimates average daily sewage generation at 3,806 gallons per day (GPD) and concludes the existing public sewer system can accommodate the project without adverse impacts. The Water Engineer estimates average daily water demand at 3,806 Gallons and similarly concludes the public water system can adequately serve the project. This project will require an Approved Backwater Devices Application (DOH 347).

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. Review by the Albany County Department of Health for water supply, waste water discharge, and other required permits.

Advisory Note:

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

01- 2601040794. The motion was seconded by Michael Allain and was also approved by Brian Crawford.

Case #:	<u>13- 2601040796</u>
Project Name:	Donato Estate Subdivision
Applicant:	Joseph Donato Estate/Vincent Donato
Project Location:	Normanskill Rd
Municipality:	Town of New Scotland
Parcel Size:	69.25, 0.58, 0.89 acres
Zoning:	MDR - Medium Density Residential RA - Residential Agricultural, R2 - Residential Conservation
Tax Map Number:	62.-3-11, 62.-3-10, 62.-3-13
Referring Agency:	Town of New Scotland Planning Board
Considerations:	Minor subdivision application to divide vacant parcel 62.-3-11 into 3 building lots. During the same process, Parcel 62.-3-10 will be given 0.26 acres and parcel 62.-3-13 will be given 0.21 acres.
Action Type:	Subdivision Review
Juris. Determinant:	State or County Road
Potential Impacts:	Normanskill Rd
Staff Notes:	Application has been submitted for two lot line adjustments involving a 69.25-acre parcel currently zoned as medium-density residential located north of Normanskill Road, followed by subdivision of the adjusted parcel. The lot line adjustments transfer a total of approximately 0.47 acres from Parcel 62.-3-11, including 0.26 acres to Parcel 62.-3-10 and 0.21 acres to Parcel 62.-3-13, resulting in Parcel 62.-3-11 totaling approximately 68.78 acres. The adjusted Parcel 62.-3-11 will then be subdivided into three single-family residential lots of approximately 60.28, 5.57, and 2.93 acres. The project site is located along north side and south side of Normanskill Rd in between the intersections with Krumkill Rd and State farm Rd in the Town of New Scotland. Included in the overall parcel are two isolated areas of land on the western side of State Fam Rd bisected by Voorheesville ave. , and these isolated areas will remain as existing. According to the Short Environmental Assessment Form (SEAF), the project site consists primarily of shrub, dense brush, and wooded cover types. Water service will be provided by individual on-site drilled wells, and sanitary service will be provided by individual on-site wastewater disposal systems. Each lot will be accessed by a private driveway connecting to the public roadway, and stormwater will be managed on site through designated infiltration areas. The proposed action will result in approximately 4.5 acres of land disturbance and is a permitted use

consistent with the adopted comprehensive plan. The project site and/or adjacent areas are identified as archaeologically sensitive on the New York State Historic Preservation Office (SHPO) inventory. Portions of the site contain wetlands or other regulated waterbodies under federal, state, or local jurisdiction. The site is located within the 100-year floodplain and contains habitat for the Northern Long-eared Bat, a species listed as threatened or endangered by state and federal agencies. The project will generate stormwater discharges from point and non-point sources and includes stormwater impoundments for runoff treatment and mitigation.

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. 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.

Advisory Note:

1. For any proposed future development, the town should request a review by the Albany County Department of Health for water supply, waste water discharge, and other required permits.
2. The town should ensure that any permits or mitigation measures that are necessary regarding the removal of trees are met by the applicant.
3. As per Short Environmental Assessment Form, the property consists of federally listed and endangered species such as bald eagles. A review by NYS DEC permitting Region 4 office for potential impacts should be considered.
4. As per Short Environmental Assessment Form, the property consists of wetlands. 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 for any proposed future development.
5. As per the Short Environmental Assessment Form, the property is located in the 100 year flood plain. The town should ensure that the

floodplain management zone requirements are met for any proposed future development.

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

13- 2601040796. 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, February 19th, 2026** and the deadline for municipalities to submit referral items for review will be on **February 9th, 2026**.
- b. Ann Marie Salmon, Director of Economic Development, Conservation and Planning, advised that Cases **#01-2511040781** and **#01-2511040782**, concerning the inclusionary zoning ordinances from the City of Albany presented on December 18, 2025, Albany County Planning Board meeting, have been withdrawn. The withdrawal is due to the conclusion of the City's legislative session on December 31, 2025, and the commencement of terms for newly elected officials on January 1, 2026. Once finalized, the ordinance is expected to be resubmitted for consideration by the Albany County Planning Board.

Adjourn – A motion to adjourn was made at 3:54 PM by Aimee McKane. The motion was seconded by Michael Allain also approved by Brian Crawford.