

**TOWN OF COLONIE
PLANNING BOARD**

**PLANNING BOARD MEETING
TUESDAY, APRIL 7, 2020 at 6:00 p.m.**

NOTE: To protect public safety during the State of Emergency triggered by COVID-19, the Planning Board will conduct its meetings remotely in accordance with [Executive Order 202.1](#). Meetings of the Planning Board will not be held at Memorial Town Hall until further notice. The Town has implemented business continuity measures that allows for meetings to continue with public engagement. Please take note of the following options for viewing or participating in this meeting.

To view the meeting, please visit the Town's YouTube channel using the following link and you will be able to watch a live stream. <https://www.youtube.com/channel/UCAEwclO-Rthar8R38fU2Kg>

To provide public comments at this meeting, please register with the following link and you will receive additional instructions. <https://zoom.us/meeting/register/ZlpdemprD0vGchhed1nsZa6mGB7s3SDUw>

NOTE: The time for this meeting has been adjusted from 7:00 p.m. to 6:00 p.m.

1. Call to Order
2. Roll Call
3. Report of the Planning and Economic Development Director
4. Regular Business
 - a. Sketch Plan Review
 - i. [6:00 p.m.] 2044 Central Ave. Minimart Redevelopment.

Applicant: Sam Petroleum, LLC, represented by Bohler Engineering.
Description: Redevelopment waiver request for the construction of a new one-story 3,000 square foot minimart with 4 fueling pumps and a 720 square foot self-standing carwash on a parcel that was previously a Getty gas station.
 - ii. [6:15 p.m.] 340 New Karner Road. Casale Self-Storage. (PL-20-00006)

Applicant: Tony Casale (Casale New Karner, LLC), represented by ABD Engineers. Description: Subdivide into two lots and construct a 3-story 92,676 square foot self-storage building. TDE: CHA Companies.
5. Adjournment

Project Narrative

Proposed

Convenience Store Project

2044 Central Ave (NYS Route 5)
Town of Colonie
Albany County
New York

March 27, 2020

Introduction

SAM Petroleum Inc proposes to construct a new 3,000± square foot mini mart, a fueling station with canopy, (4) fueling dispensers, an accessory 720 sf car wash located in the Commercial Office Residential (COR) Zoning District in the Town of Colonie. The proposed redevelopment plan is depicted on the accompanying plan entitled "Site Development Plan", dated May 30, 2019, last revised 11/26/2019, prepared by Bohler Engineering. This brief project narrative describes the proposed site redevelopment.

Proponent:

Sam Petroleum, LLC
214 Consaul Road
Albany NY 12205
(508) 270-1430
Jaafir Khan

Representative:

Bohler Engineering
17 Computer Drive West
Albany, NY 12205
(518) 438-9900
Scott Shearing

Existing Site Conditions

The proposed site is currently vacant land with access drives. There is some debris and vegetative ground cover to the rear of the site. The site is relatively flat. The site is bound by commercial uses to the east, west and south of the site. There appears to be a vacant parcel to the southeast of the site. The site was previous served by municipal water and sewer. There is an existing sidewalk and curbing along the site frontage.

Proposed Project Description

The proposed project consists of the construction of a new 3,000± square foot convenience store with 4 multi-product dispensers, 15 parking spaces plus an additional 8 spaces at the fuel islands. Associated signage, utility connections, lighting, storm water management, landscaping, etc. is also proposed.

Building

The proposed retail store will be 3,000± SF and approximately 28' feet in height (1 story). A loading/service area is proposed on the rear side of the facility. A masonry dumpster enclosure for the store will be located on the side of the building.

Water for facility and carwash

The previous structure was served by a municipal water main supply. It is anticipated that the water lateral was disconnected at the property line and capped for a future connection. We anticipate connecting to this water lateral. Based on past similar projects of equal or less size, the historical flow data reflects a usage of 1200± gallons/day.

Sewer for facility and carwash

The previous structure was served by a municipal sewer line. It is anticipated that the sewer lateral was disconnected at the property line and capped for a future connection. We anticipate connecting to this sewer lateral. Based on past similar projects of equal or less size, the historical flow data reflects a usage of 800± gallons/day.

Access

Access to the proposed site will be provided one full access curb cut on Central Avenue as well as a full access curb cut on Alta Road and a full access curb cut on Marjorie Road. This concept plan was presented, reviewed and approved by Gaetano Tedesco with the NYS DOT. The curb cut on Central Ave will meet all NYS DOT and Albany County DPW design requirements.

Site Lighting

The site will be designed to utilize new light poles to light areas for safety and security. All lighting will be down lit and area lighting will be full cutoff.

Storm Water

Storm water runoff is proposed to be accommodated on-site. Stormwater quantity and peak discharge flows will be mitigated to be at or below existing conditions in a proposed infiltration basin. Storm water will not run off onto to adjacent properties.

Signage

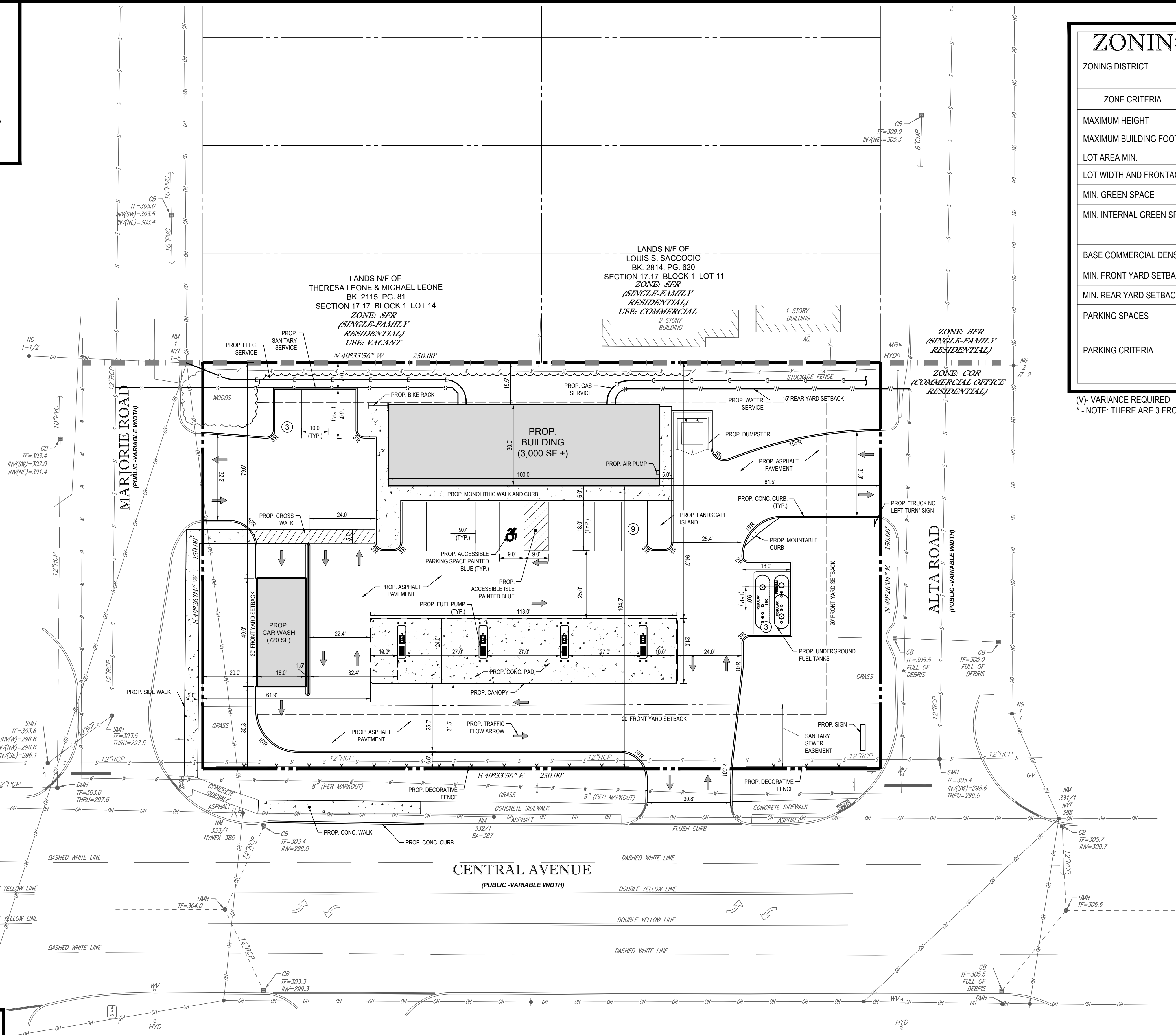
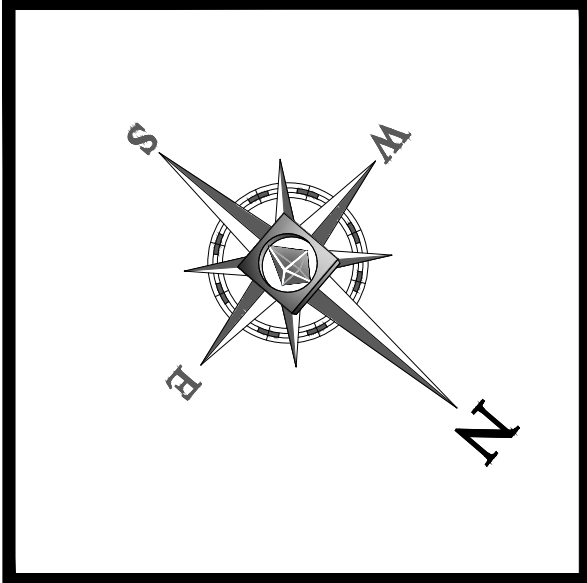
Proposed signage will consist of a combination of freestanding signage, canopy signage and building signage. The proposed signage will be zoning compliant unless the applicant seeks any necessary relief.

General

The proposed use will not generate an undesirable amount of noise. Building architecture and landscaping will be visually pleasing as it will meet the Town's design guidelines. The site drainage will be handled in a storm water management area on site and will not flow onto adjacent properties. The store will employ approximately 6-10 people. The anticipated store hours of operation are from 6am to 11pm, 7 days/week, store delivery 7am-7pm and fuel delivery 7 am to 10pm. The project will be constructed in one phase, taking about 5 months. General household type cleaners, such as bleach, degreasers, deodorizers and detergents, are anticipated to be used for everyday cleaning operations. There are no anticipated impacts on the Town communications systems or any proposed communication devices.

Zoning Board of Appeals

Town of Colonie Zoning, conditionally approved October 17,2019. See attached



ZONING ANALYSIS TABLE			
ZONING DISTRICT		- COR - COMMERCIAL OFFICE RESIDENTIAL - CONVENIENCE STORES ARE A PERMITTED USE - A SPECIAL USE PERMIT REQUIRED	
ZONE CRITERIA	REQUIRED	EXISTING	PROPOSED
MAXIMUM HEIGHT	75 FT	N/A	NOT TO EXCEED 75'
MAXIMUM BUILDING FOOTPRINT	30,000 SF	N/A	3,000 SF-STORE
LOT AREA MIN.	20,000 SF	37,500 SF	NO CHANGE
LOT WIDTH AND FRONTAGE MIN.	100 FT	250 FT	NO CHANGE
MIN. GREEN SPACE	35%	31.7 %	31.7 %
MIN. INTERNAL GREEN SPACE	20 SF PER PARKING SPACE (20 SF x 15 SPACES) = 300 SF	N/A	325 SF
BASE COMMERCIAL DENSITY	18,000 FT/ACRE	N/A	3485 SF/ACRE
MIN. FRONT YARD SETBACK *	20 FT	N/A	20.0 FT (CAR WASH)
MIN. REAR YARD SETBACK	15 FT	N/A	15.5 FT
PARKING SPACES	15 SPACES (MIN.) 19 SPACES (MAX.)	N/A	15 SPACES
PARKING CRITERIA	GAS STATION - 5 SPACES PER 1,000 SF OF GROSS FLOOR AREA GAS STATION - (5 SPACES) x (3,000SF/1000SF = 2.3) = 15 SPACES MAX AMOUNT OF PARKING SPACES = 15* 125% = 19 SPACES		

(V)- VARIANCE REQUIRED
* - NOTE: THERE ARE 3 FRONT YARDS

BOHLER
ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN PERMITTING SERVICES TRANSPORTATION SERVICES

• UPRSTATE NEW YORK
• ALABAMA
• NEW YORK, NY
• NEW JERSEY
• SOUTH CAROLINA
• NORTH CAROLINA
• VIRGINIA
• FLORIDA
• TEXAS
• CALIFORNIA
• ARIZONA
• ILLINOIS
• INDIANA
• OHIO
• PENNSYLVANIA
• MARYLAND
• DELAWARE
• DISTRICT OF COLUMBIA
• GEORGIA
• LOUISIANA
• MISSISSIPPI
• ALABAMA
• ARIZONA
• ARKANSAS
• CALIFORNIA
• COLORADO
• CONNECTICUT
• DELAWARE
• DISTRICT OF COLUMBIA
• FLORIDA
• GEORGIA
• HAWAII
• ILLINOIS
• INDIANA
• IOWA
• KANSAS
• KENTUCKY
• LOUISIANA
• MAINE
• MARYLAND
• MASSACHUSETTS
• MICHIGAN
• MINNESOTA
• MISSISSIPPI
• MISSOURI
• MONTANA
• NEBRASKA
• NEVADA
• NEW HAMPSHIRE
• NEW JERSEY
• NEW MEXICO
• NEW YORK
• NORTH CAROLINA
• NORTH DAKOTA
• OHIO
• OKLAHOMA
• OREGON
• PENNSYLVANIA
• RHODE ISLAND
• SOUTH CAROLINA
• SOUTH DAKOTA
• TENNESSEE
• TEXAS
• UTAH
• VERMONT
• VIRGINIA
• WASHINGTON
• WEST VIRGINIA
• WISCONSIN
• WYOMING

REVISIONS			
REV	DATE	COMMENT	BY
1	05/30/2019	PER CLIENT COMMENT	NCN
2	06/04/2019	UPDATED SURVEY	NCN
3	06/17/2019	UPDATED PER CLIENT COMMENTS	MDL
4	06/26/2019	UPDATED PER CLIENT COMMENTS	MDL
5	10/07/2019	PER TOWN COMMENTS	MDL
6	11/26/2019	PER DOT COMMENTS	MDL
7			
8			
9			

PRELIMINARY

PROJECT No.: B190131
DRAWN BY: NCN
CHECKED BY: CEB
DATE: 05/30/19
SCALE: AS NOTED
CAD I.D.: B190131SS05

PROJECT: SITE DEVELOPMENT PLANS FOR SAM PETROLEUM INC. LOCATION OF SITE

2044 CENTRAL AVE.
TOWN OF COLONIE
ALBANY COUNTY
STATE OF NEW YORK

BOHLER
ENGINEERING

17 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 438-9900

www.BohlerEngineering.com

W.D. GOEBEL

PROFESSIONAL ENGINEER
MASSACHUSETTS LICENSE No. 42644-C
RHODE ISLAND LICENSE No. 7268
CONNECTICUT LICENSE No. 21854
NEW HAMPSHIRE LICENSE No. 10290
MAINE LICENSE No. 9490
NEW YORK LICENSE No. 071284-1
FLORIDA LICENSE No. 66202

SHEET TITLE: SITE PLAN

SHEET NUMBER: 1 OF 1

REV 6 - 11/26/2019

P:\1919\1919131\Drawings\Plan Set\03-CSD_Mech\1919131 tsd.dwg, 04-Site, 4/23/2019, 10:17:14 AM, mlsasat, Xerox5101.ctb, User:SA, 1:1

Know what's below.
Call before you dig.



Paula A. Mahan
Town Supervisor

TOWN OF COLONIE

Zoning Board of Appeals
Public Operations Center
347 Old Niskayuna Road
Latham, New York 12110

Phone (518) 783-2706 Fax (518) 783-2772
<https://www.colonie.org/boards/zba/>

James Campbell
Chairman

Michael J. Garry
Counsel

DECISION OF ZONING BOARD OF APPEALS:

IN THE MATTER OF: **2044 Central Avenue and ZBA # 19-032**

Victor A. Caponera, Jr., Caponera Law Firm, P.C. (Tyree Land Development, LLC) gave notice of appeal from the decision of the Building Department Manager for the Town of Colonie, which refused to issue a Building and Zoning Permit for **2044 Central Avenue** on the grounds that such would be in violation of the Town of Colonie Land Use Law for the following reason(s):

The proposed construction in a Commercial Office Residential (COR) Zoning District of a new 3,000 sq. ft. mini-mart, a fueling station with canopy, (4) fueling pumps, a 720 sq. ft. car wash, a dumpster enclosure, and a vacuum island are not permitted uses within 200 ft. of the zoning boundary line of any single family residential district or multi-family residential district. The fueling station canopies, car wash, dumpster enclosure, and vacuum island are not permitted in a front yard. Also, the dumpster enclosure is not to be within 25 ft. of a boundary line to existing single family use, as stated in the Town of Colonie Land Use Law, Article VI, Sections 190-26C(4)(d), 190-26D(4), and 190 Attachment 2 – Note 5.

Victor A. Caponera, Jr., Caponera Law Firm, P.C. (Tyree Land Development, LLC) has petitioned the Zoning Board of Appeals for a variance from the strict application of said provisions, specifically an area variance as set forth above.

Whereas, said Board, on the 3rd day of October, 2019, and after due notice, held a public hearing on said appeal, at which hearing any and all persons interested in said appeal, were given an opportunity to appear and be heard thereon; and

Whereas, said Board has examined the application for the aforesaid permit and the aforesaid petition for variance in relation to the circumstances and conditions affecting said property and those applying in the neighborhood of the same;

Now, Therefore, Be it Resolved, BASED ON THE ENTIRE RECORD BEFORE THE BOARD, THE REQUESTED VARIANCE IS:

___ APPROVED ___ APPROVED IN PART X CONDITIONALLY APPROVED ___ DENIED

CONDITIONS: 1. Hours of 6am-11pm, 2. Down pointed lighting, 3. No vacuum, 4. Dumpster pickup at reasonable hours. 5. Fuel delivery at reasonable hours, 6. Defer to PEDD.

NOTE: Unless otherwise specified, any decision of the Zoning Board of Appeals shall expire and become null and void one year after the filing of such decision if the applicant has not exercised such authorized activity within such period. Issuance of a building permit in accordance with, and within one year of, such decision, shall be deemed prima facie evidence that such activity has been exercised. ZBA Rules and Procedures Article 8.6.

Certificate

I, David Rosenthal, Acting Chairman of the Zoning Board of Appeals of the Town of Colonie, do hereby certify that the foregoing is a true copy of a decision of the Zoning Board of Appeals made at a meeting thereof duly called and held on the 3rd day of October, 2019.

Date: 10/17

2019
RECEIVED
Town of Colonie

OCT 29 2019

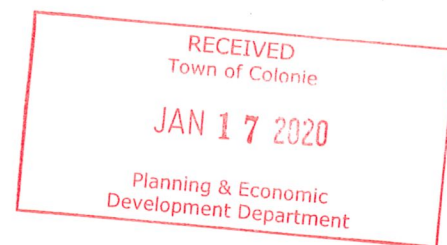
Planning & Economic
Development Department

David Rosenthal
David Rosenthal, Acting Chairman
Zoning Board of Appeals

NARRATIVE DESCRIPTION

Self-Storage Facility

340 New Karner Road



Tony Casale, Casale new Karner, LLC, 1641 Route 9, Clifton Park NY 12065 is the Owner/Applicant, of 3.87 acres at 340 New Karner Road (Tax Map #29.3-1-25.1). The site is Zoned IND – Industrial Area. The western portion of the site was recently developed for Casale Rent-All Facility. The easterly portion of the site is fairly level, vacant with some woods and brush. This site is bounded by commercial property to the north, east and west with Mabey's self-storage facility, Car Max and John Knighton.

The existing parcel of 3.87 acres is proposed to be subdivided into two (2) lots, Lot 1 consisting of 85,474± SF (1.96 AC) located on the westerly portion of the existing parcel #29.3-1-25.1 and Lot 2 consisting of 82,982± SF (1.91 AC) located on the easterly side.

Lot 2 is proposed to be developed for self-storage facility with a new three-story (40' height) building that consists of a 92,676 SF of gross storage space. The structure will be metal framed, with metal siding and stone veneer facing. All of these self-storage units will be indoors and climate controlled.

The proposal and its current zoning and land use will be in compliance to town codes. It is assumed that the building will be open 24 hours, seven days a week, with access code only. There are 24 parking spaces to accommodate the existing facility and 14 spaces are proposed to accommodate the proposed facility.

Access to the site would be from two existing curb cuts off new Karner Road. A third curb cut is proposed to accommodate the new facility and an ingress/egress easement is proposed for the shared use of one of the existing curb cuts. 38 parking spaces will be provided within the property for both customers and employees.

Sewer and water use are estimated at approximately 200 gallons per day, which amount will not have a significant impact on the Town's water systems or sewer system. A grinder pump installed for the existing facility and a new grinder pump will be installed for the new facility. Solid waste is estimated at 1± ton per month. The project will not have any impact on the Town's communication system as no special

communication devices are required. There will be no impact on drainage as onsite retention will be utilized and the visual and noise impacts will not change from an already developed commercial corridor.

There is water available at the site and a 6-inch water lateral is proposed to connect to an existing watermain on New Karner Road. The building will have a fire sprinkler system.

The proposed site statistics for the total site including existing facility are as follows:

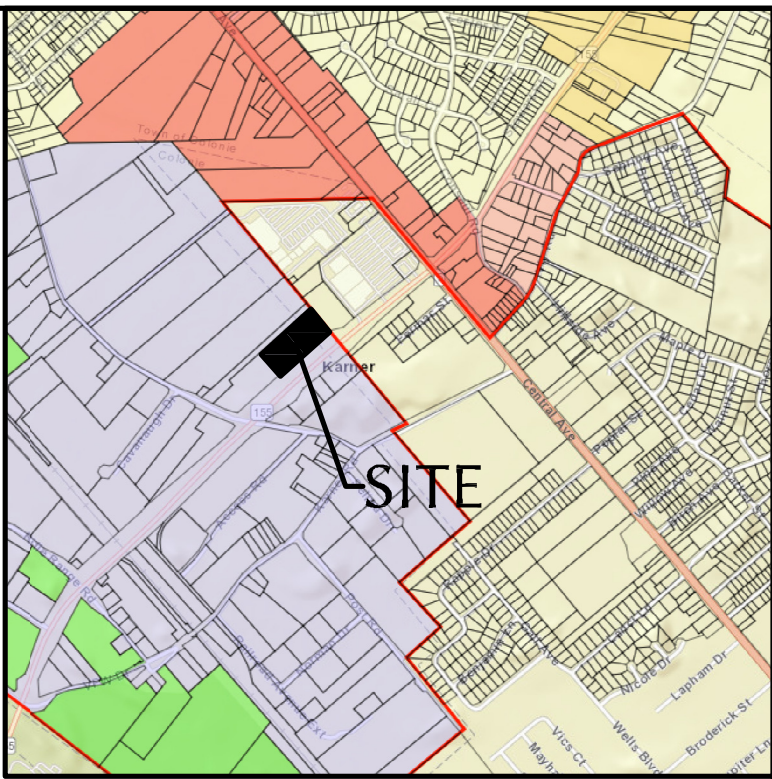
	<u>Lot 1</u>	<u>Lot 2</u>	<u>Total</u>
Building	8,000 SF (9.4%)	30,867 SF (37.2%)	38,867 SF (23.1%)
Pavement	46,442 SF (54.3%)	15,135 SF (18.2%)	61,577 SF (36.6%)
Greenspace	<u>31,032 SF (36.3%)</u>	<u>36,980 SF (44.6%)</u>	<u>68,012 SF (40.3%)</u>
Total	85,474 SF 100%	82,982 SF 100%	168,456 SF 100%

Approximately 1.3± acres will be disturbed by this project.

Only normal household cleaners will be used onsite and disposed of in the trash or to the sanitary sewer system.

Traffic is estimated at about 10 to 20 trips in both morning and afternoon peak two-hour periods. This amount of additional traffic to New Karner Road is not significant.

The project will be built in single phase. Starting with temporary erosion control facilities clearing and grading, building construction, utility installation, paving, and landscaping.



SITE LOCATION AND ZONING MAP

NOTES:

1. BASE MAPPING PREPARED FROM MAP REFERENCE AND ALBANY COUNTY GIS DATA.
2. THE PLANS SHOW SOME KNOWN SUBSURFACE STRUCTURES, ABOVE- GROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA, EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE SHOWN OR MAY NOT BE SHOWN, AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. 1-800-962-7962.
3. THIS SITE LIES WITHIN THE IND (INDUSTRIAL) ZONE.
4. THE SITE LIES WITHIN THE LATHAM WATER DISTRICT, SOUTH COLONIE SCHOOL DISTRICT & THE MIDWAY FIRE DISTRICT.
5. THERE ARE NO SMOKE STACKS, BORROW PITS, OVERHEAD UTILITY LINES, JUNKYARDS, REFUSE AREAS OR BILLBOARDS ON-SITE.
6. THERE ARE NO SOURCES OF SMOKE, NOISE, ODORS OR OTHER EMISSIONS ON-SITE.

MAP REFERENCE:

1. MAP ENTITLED "340 NEW KARNER ROAD SITE PLAN" PREPARED BY LANSING ENGINEERING, LOCATED AT 2452 STATE ROUTE 9, SUITE 301 MALTA, NY 12020 AS APPROVED ON MARCH 15, 2018.
2. MAP ENTITLED "LANDS OF CASALE NEW KARNER, LLC" PREPARED BY GILBERT VANQUILDER LAND SURVEYOR, PLLC DATED JUNE 3, 2016 AND LAST UPDATED DECEMBER 13, 2018. MAP NUMBER 00-22-81F.
3. MAP ENTITLED "340 NEW KARNER RD. COLONIE, NY" PREPARED BY RABCO ENTERPRISES, LLC LOCATED AT 1041 CROWN PARK CIRCLE, WINTER GARDEN, FL 34787, DATED 13 OCTOBER, 2019.

ZONING:			
IND - INDUSTRIAL			
	REQUIRED	PROVIDED FOR LOT 1	PROVIDED FOR LOT 2
LOT AREA:	20,000 SF MIN.	85,474 SF (1.96 AC)	82,982 SF (1.91 AC)
LOT WIDTH:	100' MIN.	258.8±'	315.5±'
BLDG. HEIGHT:	75' MAX.	--	40±'
GREEN SPACE:	35% MIN.	36.3%	44.5%
BASE COMMERCIAL DENSITY:	18,000 SF/AC	N/A	N/A
SETBACKS:			
FRONT:	50' MIN.	84.1'	84.5'
SIDE:	20' (50' TOTAL BOTH SIDES)	93' (LEFT), 85.8' (RIGHT)	21.0' (LEFT), 102.2' (RIGHT)
REAR:	15' MIN.	109.5'	18.0'

PARKING STATISTICS FOR LOT 2

MINI-WAREHOUSE / SELF-STORAGE FACILITY = 1 SPACE PER 40 STORAGE UNITS
545 PROPOSED STORAGE UNITS / 40 STORAGE UNITS = 14 SPACES

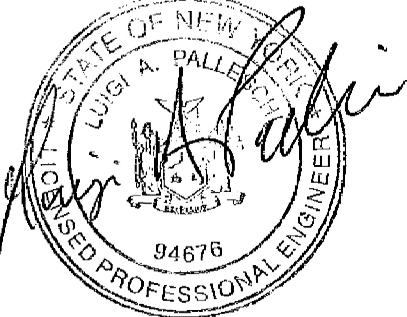
TOTAL REQUIRED= 14 SPACES
TOTAL PROVIDED= 14 SPACES

PROPOSED COVERAGE STATISTICS	LOT 1		LOT 2	
BUILDINGS:	8,000± SF	09.4%	30,867± SF	37.2%
PAVEMENT:	46,442± SF	54.3%	15,135± SF	18.2%
GREEN SPACE: 35% MIN.	31,031± SF	36.3%	36,980± SF	44.6%
TOTAL	85,474± SF (1.96± AC)	100%	82,982± SF (1.91± AC)	100%
TOTAL	168,456± SF (3.87± AC)			

OWNER/APPLICANT:
TONY CASALE
CASALE NEW KARNER, LLC
1641 ROUTE 9
CLIFTON PARK, NY 12065
TAX MAP #: 29.3-1-25.1
AREA: 168,456 SF (3.87 AC)

TOWN OF COLONIE PLANNING BOARD

NO.	REVISION	BY	DATE	ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL	SKETCH PLAN SELF STORAGE FACILITY 340 NEW KARNER ROAD							
					TOWN OF COLONIE COUNTY OF ALBANY							
					STATE OF NEW YORK							
					ENGINEERS, LLP 411 Union Street Schenectady, NY 12305 518-377-0315 Fax 518-377-0379 www.abdeng.com							
DATE: NOVEMBER 6, 2019					SCALE: 1" = 30'		DWG. 5187A-S3					
							SHEET OF 1 1					

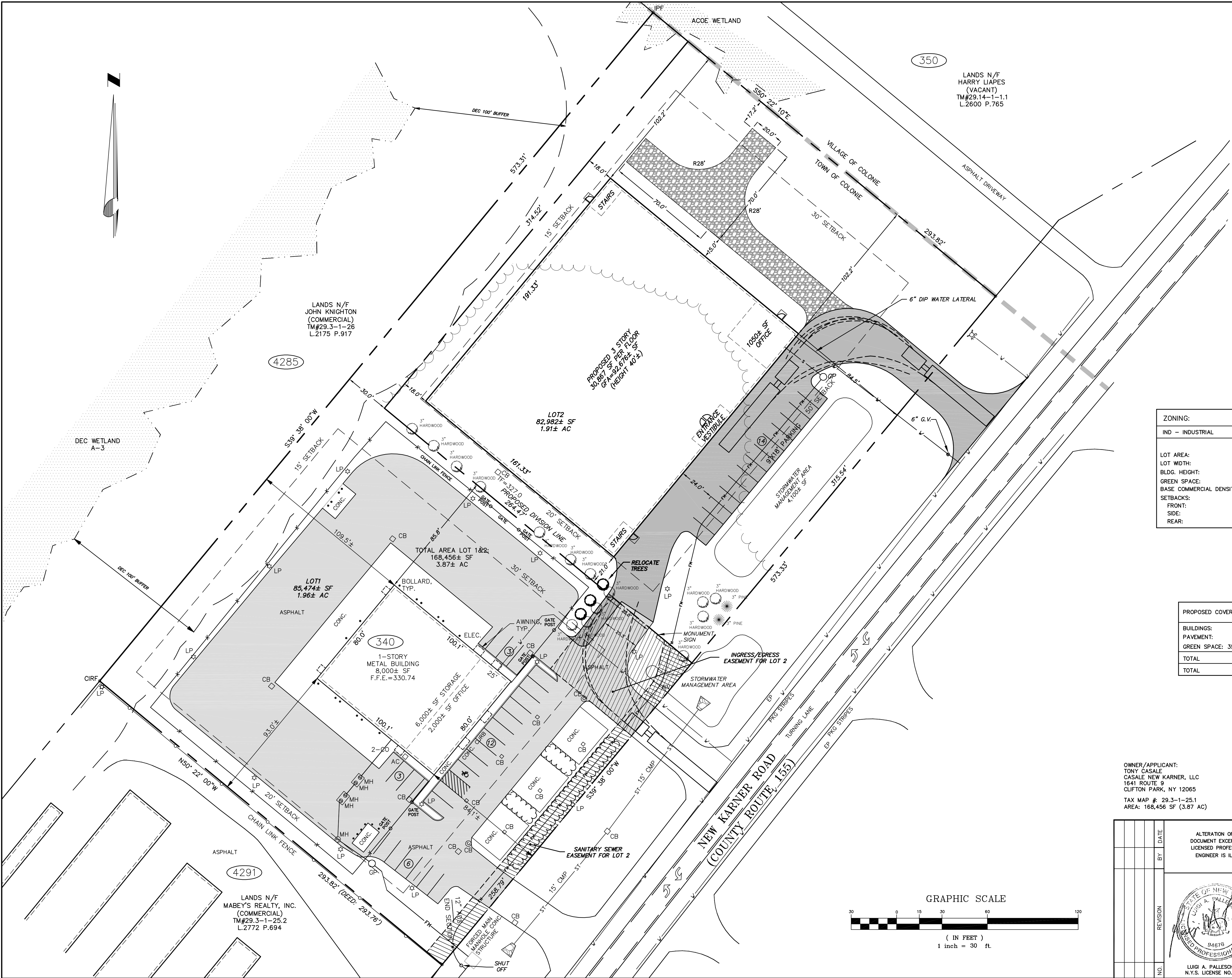


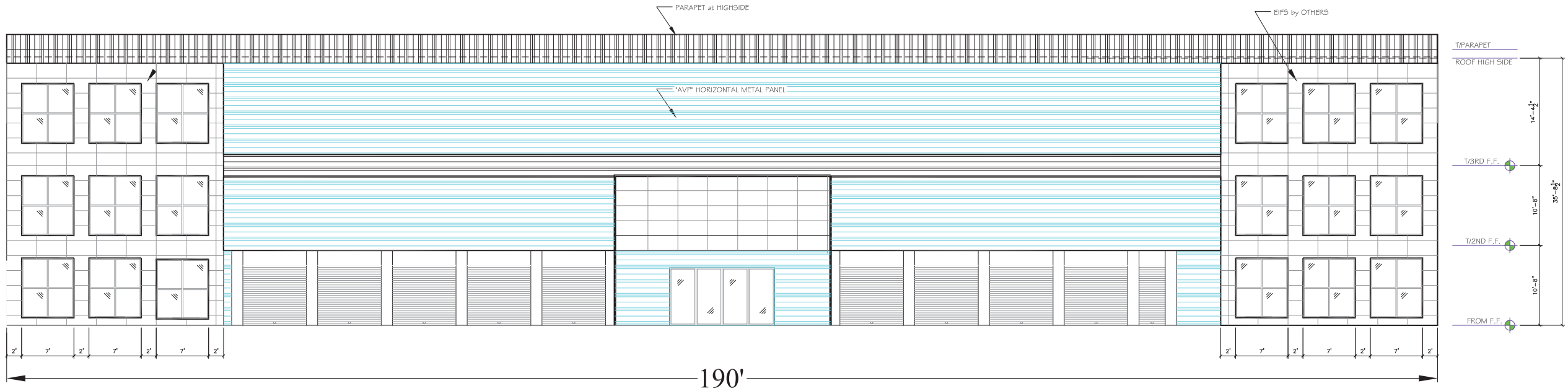
LUIGI A. PALESCHI, P.E.
N.Y.S. LICENSE NO. 94676

GRAPHIC SCALE

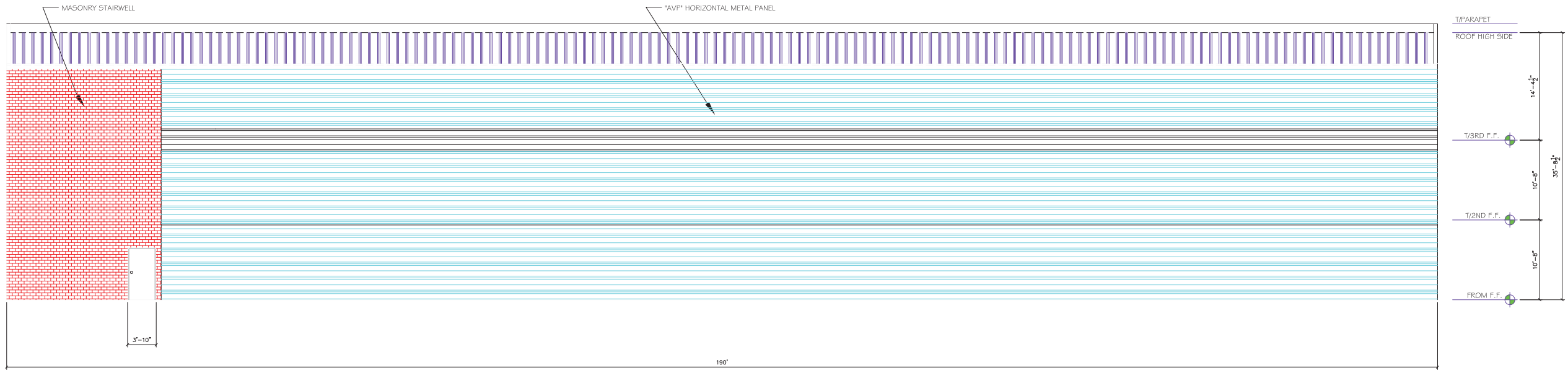


(IN FEET)
1 inch = 30 ft.





SOUTH ELEVATION
REFERENCE ONLY



NORTH ELEVATION
REFERENCE ONLY

NOTE:
ALL DIMENSIONS MUST BE VERIFIED
BY CERTIFIED CIVIL ENGINEER

ELEV1

JOB #:
R5815PH1

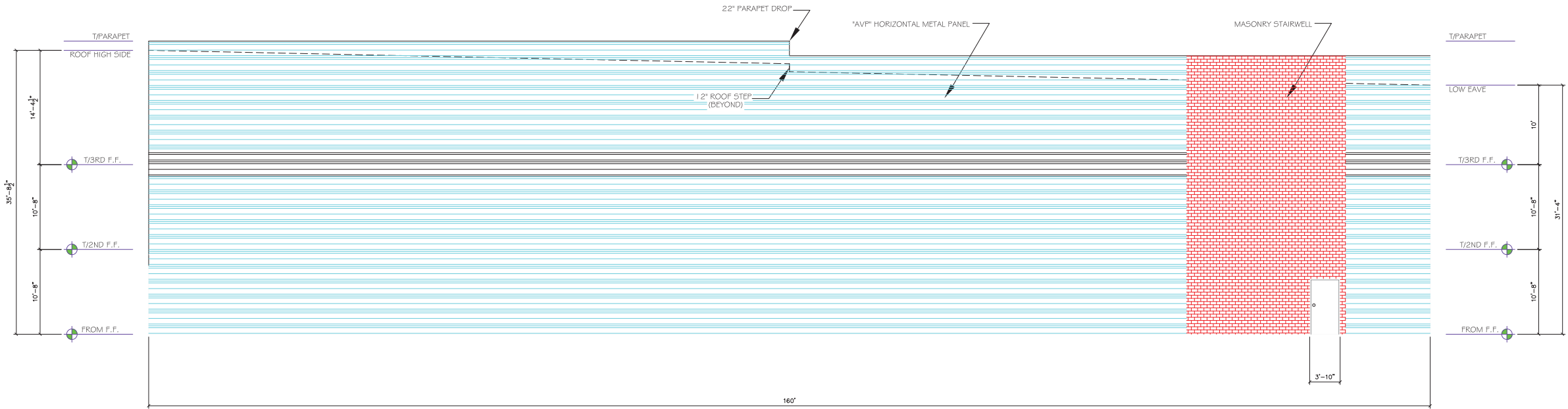
RABCO ENTERPRISES, LLC
1041 CROWN PARK CIRCLE • WINTER GARDEN, FL 34787
800/989-0220 • CB 04/7783 • FAX: 407/877-9065

340 NEW KARNER RD.
COLONIE, NY

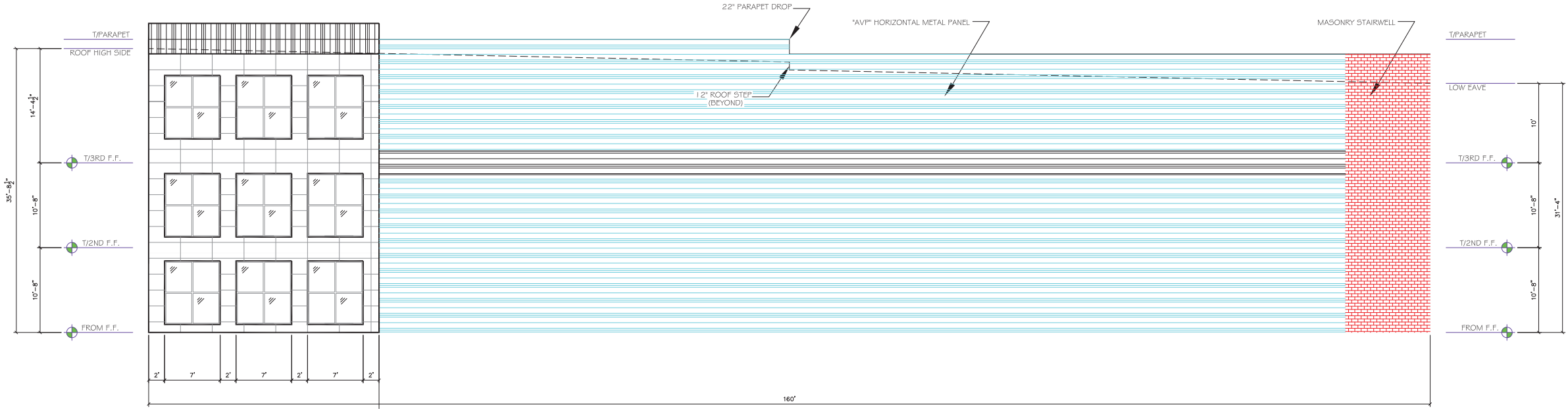
DRAWN BY:
JPH

DATE
3/2/2020

NOTE:
ALL DIMENSIONS MUST BE VERIFIED
BY CERTIFIED CIVIL ENGINEER



WEST ELEVATION
REFERENCE ONLY



EAST ELEVATION
REFERENCE ONLY

ELEV2

JOB #:
R5815PH1

RABCO ENTERPRISES, LLC
1041 CROWN PARK CIRCLE • WINTER GARDEN, FL 32787
800/989-3220 • CB 047783 • FAX: 407/877-9065

340 NEW KARNER RD.
COLONIE, NY

DRAWN BY:
JPH

DATE
3/2/2020