

A regular Meeting of the Town Board of Guilderland was held at the Town Hall, Route 20 McCormick's Corners, Guilderland, NY, on the above date at 7:30 pm. The meeting was opened with the Pledge of Allegiance to the flag. Roll call by Rosemary Centi, Town Clerk, showed the following to be present:

- Councilman Redlich
- Councilwoman Slavick
- Councilman Pastore
- Councilman Grimm
- Supervisor Runion

**ALSO PRESENT:** Richard Sherwood, Town Attorney

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Supervisor Runion welcomed everyone to the evening's meeting and asked for a motion accepting the minutes of the June 21, 2011 Town Board meeting.

**MOTION #113** Councilwoman Slavick moved to **ACCEPT THE MINUTES OF THE JUNE 21, 2011 TOWN BOARD MEETING.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Abstained
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**PUBLIC COMMENT PERIOD: No public comment**

**PUBLIC HEARINGS:**

**7:30 PM – Local Law Regulating Temporary Storage and Disposal Containers.**

Town Clerk, Rosemary Centi, read the legal notice.

Please take notice that a public hearing will be held on July 5<sup>th</sup>, 2011 at 7:30 PM on a Local Law regulating temporary storage and disposal containers.

Dated: June 7<sup>th</sup>, 2011

By Order of the Town Board of the Town of Guilderland

Rosemary Centi, RMC  
Town Clerk

Supervisor Runion stated that this was a local law submitted by the building department. The storage containers being discussed were similar to PODs. Discussion also concerned roll off dumpsters or disposal containers.

**MOTION #114** Councilwoman Slavick moved to **CLOSE THE 7:30 PM PUBLIC HEARING ON A LOCAL LAW REGULATING TEMPORARY STORAGE AND DISPOSAL CONTAINERS.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

Councilwoman Slavick asked how the size of the containers was determined. Rodger Stone, Zone Code enforcement Officer stated that the PODS were normally the size mentioned in the law. The dumpsters varied in size.

Councilman Redlich asked if there had been a number of complaints and Mr. Stone stated that there were.

It usually depended on the amount of time that the containers were on site.

Councilman Pastore stated that there should be limitations on time and asked what would happen if the resident needed it for more than the allotted time.

Mr. Stone stated that the resident could come in for a building permit.

Further discussion was held regarding the issuance of a building permit for a storage unit and time limitations.

The local law was sent back for further review by the Zoning Review Committee.

**PUBLIC HEARING:**

**7:45 – Re-zone request of James Besha, Sr. to re-zone property located at 4770 Western Turnpike (tax map # 26.00-3-36.21) from Industrial to RA-3.**

Town Clerk, Rosemary Centi, read the legal notice.

Notice is hereby given that a Public Hearing has been scheduled for **July 5<sup>th</sup>, 2011 at 7:45 PM** at the Guilderland Town Hall, Rte. 20 Guilderland, N.Y. at the request of James Besha, Sr. on a proposed Local Law for re-zone of a property located at 4770 Western Turnpike (tax map # 26.00-3-36.21) from Industrial to RA-3.

All those wishing to be heard will be heard.

DATED: June 21, 2011

BY ORDER OF THE TOWN BOARD OF THE TOWN OF GUILDERLAND.

Rosemary Centi, RMC  
Town Clerk

Supervisor Runion read the memo from Town Planner, Jan Weston, approving the re-zone request.

She stated that this rezone would offer further protection for the Watervliet Reservoir. He also read a memo from Planning Board Chair, Stephen Feeney, approving the rezone. Mr. Bessa stated that his son would be building a single family home on the site. They would also be doing minimal farming, such as hay baling.

**MOTION #115** Councilwoman Slavick moved to **CLOSE THE 7:45 PM PUBLIC HEARING ON A LOCAL LAW REGARDING A REZONE OF 4770 WESTERN TURNPIKE (TAX MAP # 26.00-3-36.21) FROM INDUSTRIAL TO RA-3.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION # 116** Councilman Redlich moved that **BASED ON THE SHORT ENVIRONMENTAL ASSESSMENT FORM, THIS ZONING ACTION WOULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**Motion #117** Councilman Pastore moved to **ADOPT LOCAL LAW #2 OF 2011 REGARDING A REZONE OF 4770 WESTERN TURNPIKE (TAX MAP # 26.00-3-36.21) FROM INDUSTRIAL TO RA-3.** Councilman Redlich seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

#### **AGENDA ITEMS:**

Item #1 on the agenda concerned the request of Platform Realty Group to extend the sunset provision for the Planned Unit Development commonly known as Glass Works Village from November 17, 2011 to November 17, 2014.

James Schultz, attorney for the applicant, stated that the project requires substantial up-front money, which in these economic times was difficult to obtain. Platform Realty Group still wants to develop the site.

Discussion was held by the Board regarding the length of time for the extension. Questions were raised regarding the possibility of increased traffic in the future. Mr Schultz stated that the original traffic study went out to 2017 or 2018. He further stated that Platform Realty Group has a vision for the site and was committed to see it through.

**MOTION #118** Councilwoman Slavick moved to **APPROVE THE REQUEST OF PLATFORM REALTY GROUP TO EXTEND THE SUNSET PROVISION FOR A PLANNED UNIT DEVELOPMENT COMMONLY KNOWN AS GLASSWORKS VILLAGE FROM JULY 5, 2011 TO JULY 5, 2014.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**PUBLIC HEARING:**

**8:00 PM – Request of Living Resources to establish a group home between 8 & 10 Wendom Road.**

Town Clerk, Rosemary Centi. Read the legal notice.

Please be advised that the Town of Guilderland will hold a Public Information Hearing on July 5<sup>th</sup>, 2011 at 8:00 PM at Town Hall, McCormack's Corners, Guilderland, N.Y. in regard to a request received from Living Resources to establish a Group Home between 8 and 10 Wendom Road. A copy of the request provided to the Town by Living Resources is available in the Town Clerk's office and may be viewed during normal business hours.

Dated: June 21, 2011

By Order of the Town Board of the Town of Guilderland

Rosemary Centi, RMC  
Town Clerk

Mr. Frederick W. Erlich, Chief Executive Officer of Living Resources, gave an overview of the project.

(See attached information sheets)

He stated that the home would house six adults with developmental disabilities and asked for the Town's support.

Mr. Erlich answered questions from Board members regarding staffing, size of the home and traffic.

Supervisor Runion explained that the laws the Town worked under stated that the only issue the Town could look at would be if there was a saturation of group homes in the area.

Karen Harris, Wendom Road, asked a number of questions regarding size of the home, traffic and number of residents.

She questioned why access could not go out from Ardsley to Johnston Road.

Mr. Erlich stated that the architects designed the home with Wendom Road as the access street but that he would send her suggestion to them.

David Szary, Westmere Fire Department Chief, made a number of comments and suggestions regarding the safety concerns of the fire department.

Helen Hale, Wendom Road, expressed her concerns with the possibility of an increase in traffic on their street.

Supervisor Runion asked that Mr. Erlich discuss these concerns and the suggestion of an alternate route from Johnston Road with the architects.

**MOTION #119** Councilman Redlich moved to **CLOSE THE 8:00 PUBLIC HEARING ON A REQUEST OF LIVING RESOURCES TO ESTABLISH A GROUP HOME BETWEEN 8 & 10 WENDOM ROAD.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #120** Councilman Redlich moved to **APPROVE THE REQUEST OF LIVING RESOURCES TO ESTABLISH A GROUP HOME BETWEEN 8 & 10 WENDOM ROAD.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #121** Councilwoman Slavick moved to **ACCEPT THE AUDIT REPORT OF THE TOWN OF GUILDERLAND JUSTICE COURT PERFORMED BY THE TOWN COMPTROLLER'S OFFICE PURSUANT TO THE REQUIREMENTS OF THE NY STATE OFFICE OF COURT ADMINISTRATION.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #122** Councilwoman Slavick moved to **APPROVE THE TRANSFERS AS RECOMMENDED BY THE TOWN COMPTROLLER'S OFFICE.** Councilman Pastore seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

**MOTION #123** Councilman Redlich moved to **APPROVE WAIVING THE BUILDING PERMIT FEES FOR PREMISES LOCATED AT 11 RUTH TERRACE DUE TO DAMAGE SUSTAINED BY FIRE.** Councilwoman Slavick seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye

Supervisor Runion                      Aye

**MOTION #124** Councilwoman Slavick moved to **ADJOURN THE JULY 5<sup>TH</sup>, 2011 TOWN BOARD MEETING AT 9:02 PM.** Councilman Redlich seconded the motion and it was carried by the following roll call vote:

Councilman Redlich	Aye
Councilwoman Slavick	Aye
Councilman Pastore	Aye
Councilman Grimm	Aye
Supervisor Runion	Aye

Supervisor Runion and Board members wished Councilman Redlich good luck as he would be moving to Florida and that this would be his last Town Board meeting.

Councilman Grimm thanked Councilman Redlich for the good work that he had done for the residents of Guilderland and also wished him luck.

**Respectfully submitted,**

**Rosemary Centi, RMC  
Town Clerk**