

**NOTES FROM PUBLIC HEARING ON ZONING CODE AND LAND USE  
SCHEDULED MARCH 15, 2016 – 8:00PM**

The Public Hearing Legal Notice was read by the Town Clerk

Supervisor Barber invited Ken Brownell to come up to the microphone.

Ken introduced himself and advised for the past seven years he has been the Chairman of the Zoning Review Committee. His other Committee members included our Supervisor Peter Barber, Steve Feeney, Kathy Burbank, Marty Kehoe, Ted Danz, Regina DuBois, Joe Abbruzzee, Gary Robinson and Bruce Sherwin. They presented before the Board last year and they are back with the final findings for the modification of the Local Law 280. Steve Feeney is also here and we are here to answer any questions.

Supervisor Barber shared they were before the Town Board in June 2014. Since then there were some changes that were discussed involving solar energy, planned unit development and very large shopping centers. So the latest version is dated February 7, 2016 which incorporates all of those changes. It was a collective work and thank you to Martha Harauz for finding some typos. What he'd like to do unless the Board has any questions for Ken or Steve, is to open the public comment to see what people have to say and think about the code.

Councilman Pastore thanked the members of the committee as they have spent a tremendous amount of time and effort and it certainly shows with the final proposed project. Thank you for all of your time and efforts. It clearly is a marquee volunteer effort and we appreciate it.

Councilwoman Slavick shared the diagrams were very helpful. Ken Brownell gave credit to Steve Feeney for them. Councilwoman Centi also shared the diagrams were one aspect of the draft that a number of people commented on. She was Town Clerk when it started and a number of people commented to her on the diagrams. Thank you.

Supervisor Barber shared there will be an Index and a Table of Contents in the final code. There are a number of highlights. The Board received a memo back in June of 2014 that talked about a number of the highlights among them being not only the diagrams and whatnot the design guidelines but lighting provisions, dealing with abandoned and discontinued properties. It really streamlined the process by creating site plan uses that only have to go to the Planning Board and not to a Planning Board and the Zoning Board. Providing additional environmental protections, there were seven years of changes and we found that

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the last version was updated to the most up-to-date solar provisions that are out there. He wants to thank Ken Brownell and, Steve Feeney, who played a large, perhaps the largest role in developing this code.

Supervisor Barber invited anyone who would like to step forward and please state your name and address and please address your comments to the Board.

John Haluska, 3135 Lone Pine Road – Thank you for allowing us to speak tonight. He gave the Board a menu of the things he's going to speak to tonight. He continued that the Supervisor spoke about including an Index and Table of Contents will be included.

In the definitions the Abandonment clause is not 280-33, it is 280-32. 33 is construction trailers and stuff like that.

Would you be kind enough to footnote an explanation of EAS, DEIS, SEQRA, which is briefly mention later. He thinks it would help clarify things.

There is no definition of drones or robots. It sounds very science fiction but it's really not because this is a document that is going to last about 20 to 25 years and you may want to consider whether or not information on those particular items be included for reference by the people in our Town. There is motorized aircraft as explained on page 97 of the draft, so it should have been included back there.

Is there a pre-application process for coming before the Boards? Supervisor Barber responded there is a pre-application in terms of a PUD, but no there is no pre-application process for either the Zoning or Planning Board. His though is before the Applicants get involved, as we have 116 pages of regulations, can we not make it a little more welcoming, a little more friendly by having a concept presentation, they can use tax maps, sketches and just get a conceptual understanding as to what the various Boards are going to say to the Applicant prior to expenditure of monies, which as we know is going to be considerable for surveys and the like.

There should be informal hearing procedures where a general overview of the proposed project is presented by the applicant to the various decision-making boards. If it appears to be generally sound, legal and doable then the applicant can proceed with expenditures to support his or her positions. It's just a thought instead of a whole pile of restrictions given to the applicant and this is what you have to deal with.

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You did a good job on manufactured housing. You would want to do an explanation as how that is not modular homes. Just a thought. When he appraised real estate, you do not appraise apples and oranges, modular homes and manufactured homes together. They are two entirely different things.

Religious institutions. The use of real property for the purpose of religious exercise. What constitutes the exercise of religion. (Ceremonies, Services, Care provided to indigent, homeless, sick people, hospice?) What does RLUIPA say? This should be detailed in the footnotes. He did look up RLUIPA. The Religious Land Use and Institutionalized Persons Act is vague and seems to have little meaning for us in Guilderland. I suggest that Structures of Worship be substituted and expanded upon. In terms of buildings, it might be more helpful.

On page 14 there are plenty of sign definitions. There is no definition for Sign, Political, which will be expanded upon later.

There are no definitions for Noise or Odor levels. Should these items be discussed in the text of this law?

On page 19 in the definitions for Zoning Inspector there are 21 different references to the term Zoning Inspector. The Town of Guilderland does not have a “Zoning Inspector”. Which we don’t have, we have Building Inspectors. Supervisor Barber advised we have a Zoning Inspector. It’s Jackie. Mr. Haluska referred to the Town Website not listing a Zoning Inspector. He feels it needs to be brought out as to who exactly is the Building Inspector and specifically charged with enforcing this law. Supervisor Barber advised the Zoning Inspector plays the role of , under the old code, the Chief Zoning Administrator. It has now been replaced with the Zoning Inspector, which is Jackie. She is like the gatekeeper, the person the applications go to. Mr. Haluska continued can you rev up the specifications of that in that particular section? Include it in because it’s important. There is the person you would work with in terms of complaints and things like that. Mr. Haluska included a copy of a letter he got from Rodger Stone who identified himself as the Zoning Enforcement Officer/Stormwater Management Officer. He sent him an email on September 14, 2011 and received a reply on September 15, 2011 which was really nice. Mr. Haluska said we need to specify the person who is the Zoning Inspector, not by name but by title in the code. Supervisor Barber replied in Section 280-41 it notes the Zoning Inspector shall have the power to enforce this chapter and shall be appointed and may be removed by the Town Board. Mr. Haluska said that is good.

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Page 35 in Manufactured housing community the term asphalt concrete is referred to. What is asphalt concrete? How about asphalt or concrete? That's a driveway, you may want to tweak that a little bit.

Wineries, Distilleries and Breweries are becoming more and more popular and add to a community. (See the March 2014 issue of The Atlantic). This is a neat issue as it talks about what makes communities work. It talks about movers and shakers and community colleges and all sorts of things. At the end of the article it says they have craft breweries. It adds that a Town that has craft breweries have a certain kind of entrepreneur. These people come in with bright ideas. Not as an idea of restriction, but as an idea of encouragement. This may work really well.

280-26 Signs. What is a representation sign? Supervisor Barber said he believes it's basically a pictorial sign. Looking for pictures not words. You might want to work with that in the terminology portion. Page 64 (b) The word "may" is in here. Nice job of presentation on this. Mr. Haluska read excerpts from the code on page 64. In no case shall the size of a political sign exceed 12 square feet in area or per side if double-faced. The Zoning Inspector shall cause the removal of such offending sign no later than 2 days upon receiving a valid complaint. He continued the Amedore sign down in Carman Plaza was a particularly egregious violation of this sign. It was a 25 foot by 7 sign, it was a full sign in one of the windows. He filed a complaint on this sign as well as the Governors Motor Inn sign in October of 2014 as that sign was removed. The Amedore sign complaint was not enforced and not removed. Ken mumbled something about freedom of speech and I said O.K. I know where this is going and just let it ride. That needs to be strictly enforced. Otherwise you are going to have that in duplicate throughout the Town.

280-30 Angle of repose is mentioned in detail. This section is replete with vague language. For example, what is a steep slope area, it's in 280-30, page 67. Supervisor Barber asked if he was reading under Purpose. The purpose of this section is to prevent the improper alteration of steep slope area. Then the steep slope area is explained under the area of repose which talks about 12 degrees at the toe of the slope. Supervisor Barber continued that he liked this as Steve Feeney came up with a very nice diagram to explain it. Mr. Haluska questions how steep is a slope. The Supervisor responded what he thinks it is basically saying is once you do the mathematical calculation, the 12%, yes the angle of repose. Mr. Haluska commented he thinks the 12% is good in Iowa or Kansas but it is not good here. He continued that it is way too restrictive. We have engineering techniques

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that can work around it. Thinking of the Bohl property down Route 20 and Foundry Road, if you are going to do an angle of repose of 12 degrees, that property may just as well be designated as useless. It has all the ugly buildings there and you're just about condemning it here. Supervisor Barber commented this is why the old code and the new code provide that you can still receive a variance from it by providing us with an Engineer's report. Mr. Haluska commented this leads him to the Engineer's report in review. The number should be looked at in greater clarity because each property as we are aware of is unique, each of the soil content is unique and he is afraid of what that little section is going to do is really preclude a lot of things that could be happening here in a positive way. People are not going to come in and commit themselves, that's why I went with the pre-conference idea, to spend a lot of money then get blindsided by angle of repose.

Councilman Pastore commented you are not concerned that a number is contributed to the amount of degrees of the slope, you just don't like the number 12? Councilman Pastore continued you have to have some number. Mr. Haluska has some number but you really have to look at that, and not to be glib, that almost reeks of Iowa or Kansas, ground levels are flat. In the context of getting things done, that would help the community, he thinks the Town might be too restrictive.

Mr. Haluska commented on the wording the Town may retain experts or consultants at the applicant's expense to review and provide comments on the application and engineer's report submitted by the applicant. In other words, the applicant is paying for both and that you may want to look at too. He feels that's another way of slam dunking a project, finishing it off.

280-32 Page 70. Would you please add "dangerous and derelict structures". I included Portland, Oregon's regulations. Dangerous is dangerous, derelict is derelict. I think we can do well to include portions of this in ours. Along with this I would like to include the 2015 Local Law #2 in its entirety in this code. Simply the idea that what we were talking about in 2015 can certainly easily be included with what we are dealing with here. This is pretty complete. We would need to change the enforcement terminology in Local Law #2 and the title of the person responsible for enforcement to be consistent with the code we are now working with right here.

280-37 Page 80. This speaks to the concept of a dump and dumping of garbage. Please add references to Construction and Demolition Debris. Please refer to 110 N. Reineman. This condition was allowed to fester since 2011 when there was no debris on this site. He knows this because he looked up the Google Map Street

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Scene and there was the house with no debris on the site. Four years later the place is a mess. The Town permitted this situation to occur. It happened on Reineman which is over near the Bethlehem border, it can happen anywhere in this township. You might want to really put some teeth into this particular section.

There is a section on motorized aircraft. This section would be a good place to address the issue of drones. Locations of use, hours of operation etc. He knows they are very popular around Christmas and they are just going to get better and more sophisticated.

Article V (Administration and Enforcement) He thinks this is now mute. Mr. Haluska asked what Ms. Coons title is. Supervisor Barber advised Zoning Inspector and Building Inspector.

Last, Penalties. Jail? Mr. Haluska commented the people who raped us in 2008, with the financial shenanigans, the leaders of the banks, who were fined multi-billions of dollars, not one of them spent an hour in jail. He suggested raising the financial penalties and enforcing them on a week-by-week basis. If they do not pay, put it on their tax bill. Supervisor Barber believes the penalties may be limited by what New York State Town law says. This parrots what New York State Law allows for zoning violations. Although he is not sure, he has it marked down to check.

Chuck Klaer, Meadowdale Road. He's been waiting for this for a long time. Regarding the angle of repose comment, while on the Zoning Board he asked the Engineer whether the issues related to slope collapse that is trying to be avoided with the angle of repose issue, in addition to wildlife corridors, he said these collapse issues apply to steep slopes in general. He thought there was some belief the angle of repose issue particularly since we have the whole edge of the escarpment settling along over there, that the angle of repose concerns are going to be applied to all steep slopes as opposed to those that abut the watercourse. I noticed my notes at one time said we had an agreement that in-law apartments which were prohibited in AG zones would be, since they've been approved by variances, there was no reason why AG zones shouldn't have the opportunity to have an in-law apartment like any other part of Town. Since then AG zones have had RA2, 3 and 5. I think that is something that we might want to look for in-law apartments for ag zones as well. Supervisor Barber advised it is in there 280-11B.

He noticed that there is an open space district. But not a single one deals with concepts of open space, it all has to do with other kinds of things.

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Open space districts are listed as a district where there appears to be no regulations associated with the district. Is there no longer a place for additional open space districts that are related to the mission statement to preserve the natural beauty and ecology of watercourses, water bodies, water, wetlands and natural areas to add value to the community. Open space seems to have six different definitions but no definition of its own. Both Supervisor Barber and Councilwoman Centi said it is defined. Building attached, a building defined as open space on the same lot. Then the Building Group, a group of two or more principle buildings and buildings accessories thereto, occupying a lot in common ownership and having a yard in common. He is not sure of the distinction. Supervisor Barber pointed out for County Hamlet there is a specific requirement for open space and in that context open space is defined. Mr. Klaer continued that is simply related to Country Hamlet and does not apply to any other part. Supervisor Barber added there are provisions throughout, but he believes the concept of Open Space is carried throughout and in other provisions, but they will take a look at it.

Mr. Klaer did not know where they were going with a construction company in a contractors backyard. In which it appears for contractors there was going to be some ability to store some equipment in the yard. But if we look at developers they are denied the opportunity to have any equipment in their yard in regard to development. It appears there was a discrimination which he was unable to ascertain the purpose thereof.

Mr. Klaer continued we have an alleyway of 30 feet but right-of-way has been removed as a term and he thinks particularly which his driveway is one of them had to have a minimum of 20 feet. He's curious as to why that was removed.

His veterinarian is the Albany Animal Hospital and he is aware people come to pick up pets as though they've gone on vacation. I didn't know if that was a non-conforming use or one that would be prohibited. He couldn't understand why someone who has gone away for the weekend and there was a tradition of using the animal hospital as a weekend kennel, I don't know why that would be prohibited.

Billboards are down and he has this advertising structure a whole wide variety of things related to depots and that sort of thing. Does it address and permit now the electronic signs that were proposed for Stuyvesant Plaza? Supervisor Barber said he thinks it is defined as a flashing sign. It has to have a constant intensity and color. The Fire Department is gold colored all of the time. The Library, which is not subject to local zoning, is close but not quite there. Supervisor Barber

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concurrent the Town doesn't have control over the Library. Mr. Klaer asked because they do it, is it worth having all over Town? Mr. Klaer said he realizes they are a jurisdiction beyond control, but because they do it, is it a good idea for us to do. Supervisor Barber said we've been in contact with the Library, they understand the concerns.

Mr. Klaer continued Country Hamlet is like a PUD kind of concept. He noticed we went to an awful lot of effort to create the Guilderland Hamlet and he wonders why that concept doesn't have anything that is not worthy of being put in the Zoning Code.

Mr. Klaer is pleased that dumps and all the things that were going to go into them was prohibited elsewhere.

On the issue of mining he asked, has the Jurisdiction over mining been usurped by the Department of Environment Conservation or does the Town have no input other than suggestions? Supervisor Barber said it has not been usurped, it is his understanding we have review to the extent of insuring a lack of impact on our streets and whatnot. Again it is governed to a large extent by the New York State Conservation Law.

Mr. Klaer continued one of the issues before us over the years has been Crossgates. Is it true that Crossgates is not larger than 250,000 square feet? Supervisor Barber said he doesn't know but it sounds right. If it is, is he to understand it is now a non-conforming use? Supervisor Barber said it is not a non-conforming use. There is a definition of regional shopping center. Mr. Klaer read he's reading it right now where the combined use of all retail and services has a gross floor area exceeding 250,000 square feet. So he asked if we've chosen not to put a cap on that ever. Supervisor Barber replied the cap is driven by other bulk requirements such as green space, parking needs.

Mr. Klaer advised the Board that he'll put his notes together and send them an email.

Carol Fraser, 5616 Depot Road – She has a very brief question/comment. Although she follows the work of the Town Board, she did not realize that the zoning law was being revised until very recently. Her concern, although it's personal, it also affects other Town residents. Something she saw that was not changed deals with non-conforming uses. Non-conforming structures in industrial zones. That has been interpreted to mean that if you want to purchase a home,



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you're unable to get a mortgage. If the home is in an industrial zone, which her's was, when she purchased it here five years ago, she was unable to obtain a mortgage. Luckily, the seller's of the home, we're able to hold the mortgage for her. Now she is not able to sell her home. She's worried not only about that issue, and how this is interpreted, but neighbors of her's particularly elderly people who might not know about this until they go to sell their home. Perhaps when they are downsizing and they find out about this, if it's a residence, that's located in an industrial zone, it is considered right now under the language and the current code right there, as a non-conforming use and you cannot rebuild. If it burned down, for example, the bank will not give you the mortgage because if it burns down, you can't rebuild it as a home. She would like some thought for maybe an exemption for residences on small acreage. She doesn't think the intention of that clause was to target the residences so that people would be unable to sell their homes. She would be willing to put forward some language that would resolve the issue and write to the Board and appreciate your consideration.

Councilman Pastore asked Ms. Fraser what is the specific issue? Is it with the designation that it is non-conforming, it's a non-conforming use? Ms. Fraser replied it says that any structure in a non-conforming industrial zone, if something happens to that structure, you cannot rebuild it. She understands the intention originally was probably for big warehouses, and you had something non-conforming, it was grandfathered in and the Town would say if something happens to that structure that it is not taken care of or it falls down or burns down you shouldn't rebuild because it was non-conforming. The problem is that when that is applied to residences, and right now the banks have tightened up in recent years and they will not issue a mortgage. We did extensive research, both attorneys on both side checked with many different banks and now the real estate market is aware of this issue. She does not know how many homes are effected, she's imagining there could be many. This is why she is bringing it to the Board's attention.

Supervisor Barber asked if she could send him more information on this matter. Ms. Fraser agreed to do so and thanked the Board for their time.

Sue Green, 6655 Route 158 – She'll make this brief. She has no copy of the paperwork and as she worked on these at the Altamont Elementary School 25 years or more ago, she should be much more familiar. They had sessions where they were thinking of fencing in the creeks that they would not be disturbed because they all emptied into the reservoir. Then someone had the idea how are you going to fence out the deer. They scrapped the idea. She continued that she has lived 41

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years where she is and has seen dramatic changes in the creeks that enter into the reservoir, mainly because both of them end up behind her house. She knows when they are building in the hill towns and all over because the creeks are the harbingers. They show those changes, there is a lot more run off, it doesn't smell the same, you have different algae, you have less fish, the herrings not there. Betty Day who is not here watched the damn behind her house, which is up from mine, disappear during a storm. She's watch this evolution and she is very concerned about it. She thinks water is going to be a dramatic issue in this world let alone our little corner of it. She doesn't know what her zoning currently is as it's been changed a couple of times on Route 158, but she is very concerned about excessive building. She bought her property and property around it, as her children are aware, she is going to be talking to the Nature Conservancy and anyone who will hold it in perpetuity, forever she hopes, as wild. It distresses her to see more and more of the wild in Altamont and in Guilderland disappear. She's never been against business. Years ago at the Altamont school, we talked about putting lite businesses at the corners, Route 158 and 20, Route 158 and Route 146, but she thinks we've gotten away from her concept of lite businesses. She wants to make you cognizant of it. Some neighbors have moved away, but it has been a dramatic change. She's seen it over the years and it has gotten dramatically worse because of the climate. When Steve Wilson can canoe down her creek when there usually hasn't been any water in it, but he got in his canoe and headed for Altamont. She would like to get a copy of the code. She said it's interesting this came out as she saw a big article in the Enterprise about a big development going on or the possibility of a big development going on. She's wondering, with the Town's revision, isn't there going to be a rush of everybody who had ideas to built, or put in a number of houses on property, to get it in before there is going to be a change again. Which is also something she's experienced in 41 years, like promises it's always going to be a condominium and then someone comes back a couple of years later and says we can't do it. We've all seen a number of zoning changes over the years. Is this the final draft, is this it? Someone spoke to say it's going to last 25 years, is that it?

Supervisor Barber said that's what the track record has been but over the years it has been amended. He believes the document will be amended a year from now and until there are so many amendments, it's time for a new one.

Jerry Houser, 184 Pine Ridge Drive – Given the lateness of the night, he'd like to leave some documentation for each of them to look at regarding the support of the pet hen section of the code. He'd like to reserve the opportunity to speak again, he assumes it's going to be extended as a Public Hearing, he knows Lee wanted that.

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He mentioned it at the Board meeting. If you have any questions at the next Public Hearing, he will be glad to be here.

Kelly Simeone, 114 Fox Run Drive - We got our permit for our chickens just last year. We got our 6 girls and life just hasn't been the same since then. It's been a heck of a lot better. She just wants to praise the Board for the guidelines they've set forth in the Code. She feels the guidelines are very easy to follow and, they are dummy proof. If you want chickens, the guidelines make sense, there are no roosters, you can only have 6 hens, keep your coup clean, keep the pen clean, don't let them run around at night, tuck them in. The guidelines are great. If people want pet chickens, follow the guidelines.

Audrey of Klink Road – It's a small road off of Johnston Road, a dead end street. She's owned the house she lives in since 2005. From 2005 until approximately 2015, she has complained, bitterly, about 6133 Klink Road, which is now an absentee owner, who basically operates a public garage. It's a large piece of land with several structures that hold back and front semi tractor trailer trucks. There has been a cherry picker with a crane back there. You can enter the back garages from the back and you can enter the front, from the front. For those 10 years she continued to call, write, complain, send pictures and basically was told that the owners had a commercial license, like manufacturing or something. So they could do what they wanted to do. In fact a Guilderland Police Officer visited her home one day, as it turns out he owns some of the limousines that were operating out of the front of those garages. He basically told her they can do whatever they want to do, they have a license to do that. In kind words he told me I need to lay off. She also had two of her windows broken. She complained to Mr. Runion because she saw run-off being let off the property. She can see the back of the property very well from her kitchen window. She was watching this effluence running off and coming off of these gigantic trucks. The beginning of last year, though, when Mr. Barber came in, she was able to now send her videos and pictures to this new Board and certainly it has changed. However, the reason she is here before the Board tonight, because she knows with this new zoning, she too, hasn't read through the whole document, she is hoping for all of us who are in this situation where there is commercial activity going on, in a residential neighborhood, especially like Klink Road which is a small street and there is this massive business going on, that the Zoning Board can help them. To get rid of the junkyard, to stop the public garage activity, to hold owners, jail might seem harsh to some people, but obviously to the owners of 6133 the fines mean little next to nothing. Up until last Sunday morning, (March 13) 7:00 in the morning someone is out there backing up their trailer truck. The road is so small the trucks can't

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even make the turn to go back onto Johnston Road. They have to go onto her neighbor's property because they cannot make the turn, which has caused damage, then they had to go to the Guilderland Police to complain about it. School buses, we don't have sidewalks, people walking their dogs, children, there is a family with 3 Down Syndrome children down the road. We have to look out for these tractor trailer trucks. Yes it has gone down and it has decreased, but what hasn't decreased is that she cannot still look out to her back yard without seeing a massive pile of tires, which she has been told they can have as many tires as they want out there, there's one of those gigantic trailers where you put garbage, it's been there about a year. The front of the garage just to look at the property, a derelict property, two of the garages do not close, broken windows, you can see them right from the road. No secret, she's had retaliation both from him putting up signs and stuff, only because it's very difficult having a tractor trailer go through, and your windows and your building starts to shake. Your home starts to shake. She came here tonight to make you aware that, first of all, she's thankful that with the new Supervisor and the group, that attention has been made to it. She is hoping that the Zoning Laws do become more restrictive, and that we single out, call it what it is, if it smells like a duck and looks like a duck, it is one. There's commercial activity going on, please help us single out those people and try to get them out of our residential communities. Thank you.

Gautan Aitch, 6 Ildra Lane off Johnston Road – I want to thank you all. He is the second permitted backyard hen keeper in the Town. Some of you were on that Board and supported my plea and allowed me to keep them. After four years not only are we happy our neighbors are happy too. Thank you for the clause that you included there.

Susan Mosher, 332 W. Highland Drive – I wasn't aware of this document and confess that I haven't read it. But she does know there is clause about the hens. She doesn't have chickens but she sees no reason why people shouldn't be allowed to have chickens. It makes all the sense in the world, they are great pets, they provide food, they allow sustainability, they give organic fertilizer, they're wonderful animals to have around. They eat all the ticks and fleas and bugs. No one has to ask her permission if they put pesticides on their lawn, yet we could have hens that eat all that stuff so why bother to do all those other things. It makes all the sense in the world and I am in total support of it.

Charlton Peterson, Bozenkill Road – His family farms almost 43 acres on Route 158. He farms 300 acres here in Guilderland. Almost all the corn and beans you see are probably his. He just wants to address about the solar projects people are

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doing. The major ones it says you can do about 60% of the acreage on a parcel. Some parcels in the Town of Guilderland are very large, a couple hundred of acres. Is the Town of Guilderland ready to have 40-50 acres of solar panels on these properties? Are there going to be restrictions, acreage wise or it is going to be percentage wise? He also saw there is a prevision if they are not going to be used anymore they must be removed. But what happens 15 years down the road when the company sees that these units are no longer viable and they declare bankruptcy and walk away. Is the property owner going to be stuck with these and the cost of removal?

Chuck Klaer, 829 Meadowdale Road – He seems to have missed some expansion of how long, hopefully, this process is not going to come to closure too quickly.

Supervisor Barber explained his intention, with the Board's support, would be to extend this Public Hearing for another month. Weather it goes beyond that next hearing, we are just going to have to see what the comment is at that point. There have been a number of comments provided both in the written form and tonight. With the testimony just this evening, the Zoning Review Committee might just want to regroup and consider some of these changes.

Mr. Klaer was wondering why there hasn't been a side-by-side, what's the same and what has changed. He understood that was a major effort beyond.

Supervisor Barber replied he thinks everything has changed to a certain extent. By the time you do a compared document, red-lined document or whatever you want to call it, instead of being a hundred some odd pages, it could be over 200 pages. Everything has been moved in some regard. With the exception, maybe of, definitions.

Mr. Klaer said there was a rumor that there would at least be a summary.

The Supervisor replied there was a summary that was given to the Town Board back in June of 2014. It was about seven pages that really just highlighted the more significant changes, things that might gender some public comment so that people weren't surprised. We had hoped that all Board members would read the entire document, but this is sort of the little cheat sheet to provide some guidance.

Mr. Klaer asked if there was any chance that might be available to someone who wouldn't have to sit down and go through 116 pages. Supervisor Barber replied it is part of the public file so he will email it to Mr. Klaer.

**NOTES FROM PUBLIC HEARING ON ZONING CODE AND LAND USE  
SCHEDULED MARCH 15, 2016 – 8:00PM**

Stephen Wilson, 6626 Stitt Road – His apologies for coming in so late. He, too, was marshaling chickens. Just wanted to comment with respect to this hearing, having been in some of those earlier discussions, informally as an observer, you've come a long way and he congratulates the Board on the progress they've made. Irrespective of the fact that it has taken a terribly long time, but speed isn't important as you really consider those things. He, too, joins with Sue Green with concern about affects on watercourse. The stormwater program is really helping a lot to control that. But as she questioned, as I do, the upcoming fairly significant development, proposed for the junction of Route 146 and State Route 158, Phillips Hardware proposals, probably portends of the putting down of a huge amount of blacktop which means that there will probably be a lot of water that has to be dealt with which goes into Black Creek which feeds into the Watervliet Reservoir. I am sure you will all be mindful of that as will the Boards when Phillips comes in. But there certainly are ways to mitigate some of the impacts, hopefully, those will be looked at. As with everyone here, and Chuck, I look forward to moving to the next steps and seeing what else comes forward. He, too, would like a copy of the Summary.

Supervisor Barber said there will be another opportunity for public comment at our second meeting in April. If for some reason you cannot make it for that meeting, there is always a chance that we may continue it into May. I hope, though, that we do not want to get to an eighth year anniversary of this effort. He explained that public comment is always welcome but written comment, whether it be by email or by letter is certainly appreciated. In many ways it is actually better as we can have it in front of us, keep track of it and make sure it is being considered by the Zoning Review Committee and this Board at the appropriate time.

The Supervisor continued that he can assure you that they will continue this Public Hearing. It was decided the Public Hearing will continue to May 3, 2016 at 7:45pm as there are already two hearings for April 19.

Councilman Carman urged that the Board not vote on May 3, as how would the people have a chance to review those changes? Supervisor Barber agreed.