

**TOWN OF GUILDERLAND  
PLANNING BOARD**

**Wednesday, February 13, 2008**

Minutes of meeting held Guilderland Town Hall, Route 20, Guilderland, NY 12084 at 7:30 P.M.

PRESENT: Stephen Feeney, Chairman  
Paul Caputo  
Michael Cleary  
James Cohen  
Lindsay Childs  
Thomas Robert

Richard Sherwood, Counsel  
Jan Weston, Planning Administrator

ABSENT: Terry Coburn

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Chairman Feeney called the meeting to order at 7:30 p.m. He noted the exits for the sake of the audience in the event they were needed.

Chairman Feeney made the motion to approve the minutes of November 14, 2007, December 12, 2007 and January 9, 2008 minutes with few minor corrections. The motion was seconded by Paul Caputo and carried by a 6-0 vote by the Board.

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**MATTER OF STEWARTS – Route 155**

Chairman Feeney announced that this was a concept presentation of a proposed 2-lot subdivision to cut a 1.9 acre parcel from the remaining site. Zoned PUD. Tom Lewis presenting.

Jan Weston, Town Planner, read the comments from the Planning Department as follows:  
Stewarts - Route 155 & Mill Hill Ct.

Stewarts Corp. Has applied for concept approval to separate a 1.9 acre parcel from the remaining PUD site. This land was to be leased by Stewarts for their convenience store. The only change is that they would now like to own the land and therefore, subdivision is necessary. Except for the ownership of land, no other changes are being requested from the originally approval PUD. No objection to concept approval.

Tom Lewis gave an overview of the Stewart's proposal. He agreed that Stewart's would install the light.

Chairman Fenney asked about what infrastructure will be installed.

Chairman said the basic pedestrian accommodations and intersection improvements would have to be in place.

Mr. Lewis stated that the Department of Transportation has approved the light, even if the remaining PUD is not in place.

Chairman state: All improvements should be shown on the final plat.

Chairman made a motion to approve the concept presentation of the proposed 2 lot subdivision. The motion was seconded by Thomas Robert and carried by a 6-0 vote by the Board.

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### **MATTER OF THOMAS – 4770 Western Turnpike**

Chairman Feeney announced that this was a concept presentation of a 2 lot subdivision of 29 acres. Zoned IN. Jim Besha presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
Thomas - 4770 Western Tpk

The applicant would like to cut a 4.8 acre parcel from this site in order to build a single-family home. The site is zone Industrial and has a rather unique history. In 1988 the site was approved for a complex that was to house a regional engineering office. There is one existing structure on site along with a building foundation. The septic system for this earlier proposal also exists.

The current applicant would like to use the foundation to construct a house and also use the existing septic system. I have the following comments:

- The Industrial zoning district does not allow for single family homes and the applicant would have to secure a use variance before obtaining final subdivision approval.
- The plot plan shows the required 20 ft. of access to Western Turnpike but the applicant will use the existing driveway for access.
- The existing septic is a little over 500 ft. from the reservoir. It was originally sized and approved by the Health Department for an office building but their approval should be revisited for this use.

No objection to concept approval.

Jim Besha gave the Board an overview of his proposal.

The Board discussed the merits of requesting a use variance.

Chairman Feeney questioned why there was land left between the subdivision and the reservoir.

The Board determined that the applicant should go to the Zoning Board for the use variance first.

The concept of a 2 lot subdivision of 29 acres was not approved pending the applicant's application for a use variance.

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**ARMSTRONG – 3417 Gari Lane**

Chairman Feeney announced that this was a site plan review to allow a customary home occupation for food products vending machine business. Zoned R15. Scott Armstrong presenting.

Jan Weston, Town Planner, read the comments of the Planning Department as follows:  
Armstrong – 3417 Gari Lane

The applicant has requested a special use permit to conduct a customary home occupation at this address. The business entails storing food products for vending machine sales. No customers come to the site and no additional traffic is generated and no additional parking required. My only question is whether the business requires the parking of a commercial vehicle on site, which is not permitted in residential districts. No objection to site plan approval.

Scott Armstrong explained the nature of his home occupation.

The applicant stated that no commercial vehicles are parked on site.

Chairman Feeney made a motion to approve the site plan review with the following condition:

- No deliveries to be delivered to that address

The motion was seconded by James Cohen and carried by a 6-0 vote by the Board.

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MEETING ADJOURNED: 8:30 P.M.

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STEWARTS - Route 155

THOMAS - 4770 Western Tpke

ARMSTRONG - 3417 Gari Lane