

**TOWN OF GUILDERLAND
ZONING BOARD OF APPEALS
NOVEMBER 7, 2012**

Members Present: Peter Barber, Chairman
Sharon Cupoli
Mike Marcantonio
Tom Remmert
Nicole Ventresca-Cohen, Alternate
James Sumner
Janet Thayer, Counsel

Chairman Barber opened the meeting and pointed out the emergency exits in the event they were needed.

NEW CASES:

RICKY RAMSEY – 4773 WESTERN AVENUE

Sharon Cupoli read the legal notice:

"Notice is hereby given that the Zoning Board of Appeals of the Town of Guilderland, New York, will hold a public hearing pursuant to **Article V Section 280-41** of the Zoning Law on the following proposition:

Variance Request No. 4357

Request of **Rick Ramsey** for a Variance of the regulations under the Zoning Law to permit: **the elimination of a required fire sprinkler system in a previously approved self-storage facility.**

Pursuant to **Chapter 239** of the Code of the Town of Guilderland

For property owned by **RJR Units LLC**

Situated as follows: **4773 Western Turnpike Altamont, NY 12009**

Tax Map # **26.00-3-36.1** Zoned: **IND**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **7th of November, 2012** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **October 29, 2012"**

The file consists of the mailing list to 12 neighboring property owners, the Town's required forms for an area variance, Albany County Planning Board's notification of 10-18-12, a letter from Donald Albright, Chief Fire Inspector, correspondence from Plank Construction regarding the scope of work for the fire detection system, special use permit #15-12, and plot plan.

Albany County Planning Board's notification of 10-18-12 was to defer to local consideration.

Tom Andres of ABD Engineering presented the case. Mr. Andres stated that they have cleared access around the site with the exterior drive lanes for trucks and equipment allowing for easy access in and around the site. Also included is a fire alarm system which is designed to meet all of the requirements of the Town of Guilderland Fire Prevention Department. There are various zones in each building, not to exceed 20 self-storage units. On the exterior of the building are strobes which will aid the fire department and direct them to the building and zone. Mr. Andres stated that if Mr. Ramsey decides to put in the gates, the alarm system will be connected to the gates and at any time that an alarm is activated, the gates will open. Mr. Andres stated that they would also be installing a knox box.

Chairman Barber asked if they had any problems complying with the conditions set forth by Mr. Albright in his letter.

Mr. Andres replied he did not.

Chairman Barber asked Mr. Andres how expensive a sprinkler system would be.

Mr. Andres replied at least \$100,000.

Tom Remmert had concerns with building 3 and the long corridor with no fire exits.

Mr. Andres stated that they could eliminate some of the center units and create an additional emergency exit.

Chairman Barber asked if there were any questions or comments from the residents. There were none. Chairman Barber made a motion to close the public hearing. Motion seconded by Sharon Cupoli. Vote 5 – 0.

Chairman Barber made a motion for approval of:

Variance Request No. 4357

Request of **Rick Ramsey** for a Variance of the regulations under the Zoning Law to permit: **the elimination of a required fire sprinkler system in a previously approved self-storage facility.**

Pursuant to **Chapter 239** of the Code of the Town of Guilderland

For property owned by RJR Units LLC
Situated as follows: 4773 Western Turnpike Altamont, NY 12009
Tax Map # 26.00-3-36.1 Zoned: IND

In rendering this decision, the Board makes the following findings of fact:

A public hearing was duly noticed and held this evening. No residents provided either written or oral comments regarding the application.

This is a Type II Action under SEQRA, not requiring SEQRA review.

The Albany County Planning Board deferred to local consideration.

This comes to the Zoning Board under Town Code Chapter 239 which enables the Zoning Board to grant variances from the requirement for the installation of an approved fire sprinkler system in certain buildings including a storage building such as this. Section 239-9 of that chapter allows the Board to grant variances from this requirement where there is either practical difficulty or unnecessary hardship and a determination by the Fire Prevention Office that an alternative means of providing the same protection can be provided. The applicant has indicated that the installation of a fire sprinkler system would be very expensive and that the protection afforded by such a system could be met by other means.

In a letter dated September 6, 2012 Donald Albright of the Town of Guilderland Fire Prevention Office wrote that Grant Roberts, Chief of the Guilderland Center Fire Department stated that a sprinkler system was not required and recommended a fire alarm system with smoke detectors, an alarm panel and additional requirements set forth in his letter.

The Board determined this evening that an additional entrance/exit in building #3 of the facility would be appropriate to assist firefighters and others who may be responding to calls at that facility.

Based on this collective evidence and the letter provided by Donald Albright, the Board finds that the requirements of Section 239-9 of the Town Code have been met and the variance should be granted as long as the following conditions are met:

Adherence to the requirements set forth in Mr. Albright's letter dated September 6, 2012 and any other recommendations provided by the Guilderland Center Fire Department.

With respect to Building #3, that given the length of the hallway and the distance needed for firefighters to access the internal spaces within the building, we need fire department review and approval with an appropriate alternative such as a third entrance/exit or fourth if deemed necessary by the fire department to meet the needs.

The Zoning Administrative Office is hereby authorized to issue the permits necessary to implement this decision.

Motion seconded by Sharon Cupoli. Vote 5 – 0.

SIGNS:

The Board approved the relocation of Guilderland Chamber of Commerce sign at Star Plaza. Vote 5 – 0.

The meeting adjourned at 7:50pm.