

**TOWN OF GUILDERLAND  
ZONING BOARD OF APPEALS  
OCTOBER 1, 2014**

Members Present: Peter Barber, Chairman  
Mike Marcantonio  
Thomas Remmert  
Sindi Saita  
Janet Thayer, Counsel  
Jacob Crawford, Alternate

Members Absent: Sharon Cupoli

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

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**CONTINUED CASES:**

**MICHAEL EARLY – WALGREENS - 2061 WESTERN AVENUE**

Michael Early and Eric Larner from Schuyler Companies presented the continued case.

Chairman Barber asked if they had contacted the Guilderland Hamlet Association regarding the sign.

Mr. Early stated that they had met on the site and talked about the sign and it was very productive.

Hiram Eberlein of the Guilderland Hamlet Neighborhood Association stated that nobody had a problem with the proposed sign. Mr. Eberlein stated that this sign would be a welcome improvement.

Chairman Barber stated that his only concern about the sign is the size of the sign and the fact that it is internally lit and going away from the traditional sign that was there.

Mr. Eberlein stated that a couple of their members did have a concern with the sign being internally lit but they are still in favor of the sign. Mr. Eberlein felt that the internally lit sign would be better than ground lighting on the sign.

Chairman Barber stated that the wording was also being changed on the sign and thought that it left the wrong impression as to who was doing the welcoming.

Mr. Eberlein replied that he did not think it was a big deal; he understands that they are running a business there.

Mr. Early stated that Walgreens was one of the first to adhere to all the architectural designs.

Chairman Barber discussed the ground lighting vs. the internal lighting.

Chairman Barber had concerns about the size of the sign.

Mr. Early replied that they with all the trees and the shrubs on site it was difficult to see the smaller sign.

Chairman Barber stated that the sign was also six feet in height, and this site is already elevated.

There was discussion regarding the design of the sign.

Mr. Early stated that he felt that the sign was not big for the site.

Chairman Barber asked if there was a location in Town with a similarly sized sign that the Board could take a look at.

Mr. Larner felt that the Sleepys sign was much larger than this sign.

Mr. Early stated that he would make the sign smaller if that is what the Board wanted.

Mr. Larner stated that all the other signage in this area was commercial and boxy.

Tom Remmert stated that he felt that this sign commercialized the Welcome to the Hamlet of Guilderland too much. He felt that a separate sign would be more appropriate; similar to the sign there now.

Mr. Larner asked if the Board was willing to consider approving a separate monument sign specifically for Walgreens itself.

Tom Remmert replied that he did not have a problem with that.

Mr. Early stated that he is willing to reduce the size of the sign by a percentage. Mr. Early stated that the tenant was struggling; they made a big investment in the community and they are part of the Hamlet.

Jacob Crawford asked if they would be open to changing the colors of the sign.

Mr. Early stated that they would be willing to reduce it by 20% and is open to a color change.

Chairman Barber asked if they were comfortable proceeding with the application the way it was or do they want to come back in two weeks.

Mr. Early replied they agree to reduce the sign by 20% and to change the color, but he would prefer to have a decision tonight.

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 Sindi Saita. Vote 5 – 0. (Cupoli absent, Crawford alternate)

Chairman Barber made the following motion regarding

**Variance Request No. 4477**

Request of **Michael H. Early** for a Variance of the regulations under the Zoning Law to permit: **the installation of a monument sign. Variances are requested for the following: 1) to permit a total of three signs, two are permitted and 2) to permit a total of 82sf of signage, 50sf is permitted.**

Per Articles **IV & V** Sections **280-26 & 280-51** respectively

For property owned by **155 & 20 of Albany LP**

Situated as follows: **2061 Western Avenue Guilderland, NY 12084**

Tax Map # **51.02-1-8** Zoned: **LB**

The Board makes the following findings of fact:

A public hearing was duly noticed and held. The Board did receive comments at the public hearing from the Guilderland Hamlet Association in favor of the application.

The existing special use permit allows for a third sign at the corner of the property which is located at the intersection of Rt. 20 and Rt. 155. The existing sign measures 2' x 3' and reads; "Welcome to the Hamlet of Guilderland. Settled 1785". The lettering is white against a colonial red colored background. The existing sign is a monument single-faced unlit sign.

The proposed new sign is 6' x 3' per side and reads: "Walgreens Welcomes you to the Hamlet of Guilderland Est. 1785." The word "Walgreens" is in white cursive lettering with a red background which matches the building mounted signs, with the remaining words in black with a white background. The new sign is box-styled sign monument sign and will be internally lit.

The modestly sized existing sign was intended as a welcome sign and apparently designed in a colonial style and color, without lighting. And while that small sign has been obscured by overgrown landscaping, the new sign should remain consistent with the scale and the primary purpose as a welcome sign, with the commercial use as a secondary purpose.

The variance should be granted to allow a 4' x 3' sign at a maximum height of 54" to reduce, as required by law, the variance to the maximum extent possible. The new sign should be consistent with the original sign by using white lettering and a colonial red

colored background. The original sign was intended as a welcome sign on behalf of the Town and the new sign should match keeping that purpose. The lettering should read “Walgreens” in cursive white color lettering, and proportional in size caused by reducing the sign from 6’ x 3’ to 4’ x 3’ and height from 72” to 54”. The remaining lettering shall use the same wording as the existing sign with white lettering reading “Welcome to the Hamlet of Guilderland. Settled 1785.” The sign should be similar in construction to the existing sign and not boxed-style, and shall be ground lighted and not internally lit.

The Board finds that the granting of this variance to allow a 4’ x 3’ foot sign will not impact upon neighboring properties, will not cause an undesirable change in the character of this commercial area, and that the variance should be granted.

In ***granting*** this request, the Board imposes the following conditions:

The street number shall be added to the sign.

Adherence to the plans as modified by this decision.

The Zoning Administrator review and approval of the new sign, including the lighting.

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

Motion seconded by Sindi Saita. Vote 4 – 1. (Cupoli absent, Crawford alternate, Remmert in the negative)

#### **MATTER OF PINE BUSH SENIOR CENTER – KARNER ROAD**

Chairman Barber stated that this was a continued case and since the last meeting the Board has received notification from the Albany County Planning Board which reads: “Defer to local consideration with advisory note: If the town considers an approval for the variance it should consider a second geotechnical engineering report for the proposal by a firm chosen by the town. The applicant should be encouraged to redesign the placement of buildings and parking lots. Buildings should be set back further than parking lots from the steep slopes. If an approval is given by the town the applicant will need to consult with ACDPW Engineering for the proposed access points to CR 157. Changes may be needed to what is shown on the preliminary plan.”

Chairman Barber stated that the Board also received some revised plans that are intended to address the angle of repose and setback from the angle of repose. Chairman Barber stated that this application only deals with the angle of repose.

Dan Hershberg of Hershberg and Hershberg & Hershberg presented the case. Mr. Hershberg stated that since the last meeting they have redesigned the buildings and the encroachment into the 30’ setback from the 12° angle of repose has been reduced significantly. Mr. Hershberg stated that from the angle of repose all of the buildings clear the top of the 12° slope.

Mr. Hershberg discussed the size of the infiltration basin and their plans for stormwater design.

Mr. Hershberg stated that they still need to have a proposed driveway within the setback.

Chairman Barber asked about parking needs.

Mr. Hershberg stated that the major parking needs would be in the independent living building and the resource center.

Tim Cassidy stated that the independent living building has been moved up away from the ravine as well. Mr. Cassidy stated that as far as parking needs, the assisted living residents and memory care residents do not drive. Mr. Cassidy stated that there would be a staff of 42 over three shifts. Mr. Cassidy stated that some of the staff would be using public transportation. The independent living facility has fewer employees and only a portion of the residents would be driving.

Mr. Hershberg stated that they would be willing to provide a more detailed parking study.

Mr. Hershberg stated that they have talked to people at the shopping center and perhaps share the driveway and eliminate a curb cut.

Chairman Barber asked if there was any possibility of sharing a driveway to the north.

Mr. Hershberg replied that they have not explored that possibility.

Ken Johnson of Delaware Engineering stated that he does not have any problems with the angle of repose but they do have to adjust the seismic on the safe build.

Chairman Barber asked if there were any questions or comments from the residents.

Neil Gifford, Conservation Director of the Albany Pine Bush Preserve Commission stated that the project is in an area recommended for full protection in the Commissions 2010 management plan. Mr. Gifford stated that with the concepts provided the Commission does not support development in full protection areas in general. Mr. Gifford stated, however, that the Commission appreciates that in this early stage of the concept the applicant has included the potential donation of 38 acres for inclusion into the preserve. Mr. Gifford stated that the Commission looks forward to the project review and to evaluate the application in its entirety as it goes thru the process.

Chairman Barber asked Mr. Gifford asked if the Commission had a view on the application regarding the angle of repose.

Mr. Gifford stated that they do not have the expertise to be able to comment on the angle of repose and the setbacks.

Mr. Hershberg stated that they had hoped to delay the seismic study until later in the process.

Chairman Barber made a motion to continue this application for two weeks.

Motion seconded by Jacob Crawford. Vote 5 – 0. (Cupoli absent, Crawford alternate)

**MATTER OF LINDSAY SULLIVAN – 644 TOP RIDGE DRIVE**

Jacob Crawford 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 Articles **IV & V** of the Zoning Law on the following proposition:

**Variance Request No. 4490**

Request of **Lindsay Sullivan** for a Variance of the regulations under the Zoning Law to permit: **the placement of an 8’ x 12’ storage shed in a side yard.**

Per Articles **IV & V** Sections **280-34 and 280-51** respectively

For property owned by **Lindsay Sullivan**

Situated as follows: **644 Top Ridge Drive Albany, NY 12203**

Tax Map # **63.12-7-28.3** Zoned: **TH**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **1<sup>st</sup> of October, 2014** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **September 22, 2014**”

The file consists of the mailing list to 69 neighboring property owners, the Town’s required forms for an area variance, a depiction of the proposed location of the shed, the Town Planners comments, an e-mail from Lisa Frazzetta, the Woodscape Homeowners Association Board President, expressing opposition to the request and a Woodscape Homeowners Association Exterior Change Request Form completed by Ms. Sullivan.

The Town Planner had the following comments: “The applicant is requesting an area variance to place a storage shed in a required side yard on this irregularly shaped lot. No planning objections.”

Brett Ferris, representing Lindsay Sullivan, presented the case. Mr. Ferris stated that the variance is for an 8’ x 12’ shed in the side yard due to the irregular shape of the yard. Mr. Ferris stated that there is a drainage issue in the rear of the yard. A French drain has been installed in the back yard to try and correct the water issue. Mr. Ferris stated that there was opposition from the Homeowners Association as far as the placement of the shed.

Chairman Barber asked about the drainage issues and if the neighbors had similar problems or if this was unique to their property.

James Sullivan replied that he did not think the neighbors had drainage issues because the neighbor's properties are flowing onto the applicant's property.

Chairman Barber asked if the Homeowners Association had given the applicant an official decision yet.

Mr. Ferris replied that the Homeowners Association had denied the application.

Chairman Barber stated that neither the Zoning Board nor the Homeowners Association as far as he knows has veto authority over the other one. Chairman Barber stated that this is a legal question that the Board will have Counsel Thayer take a look at.

Chairman Barber asked if there was any reason that the shed could not be placed further back on the property.

Mr. Ferris stated that it is cannot go further back because of the drainage pipe.

Chairman Barber asked if there would be landscaping to buffer the view of the shed.

Mr. Ferris replied that there is landscaping in the front yard but he did not propose any landscaping with the shed.

Mr. Sullivan stated that they would be willing to work with the Board. Mr. Sullivan stated that they want to place the shed as far back as possible but because of the French drain they cannot move it back further.

Chairman Barber asked if there were any questions or comments from the residents.

Jean Lindholm of 606 Top Ridge Drive spoke on behalf of the Homeowners Association. Ms. Lindholm stated that the placement of the shed in a side yard is contrary to the Homeowners Association rules and guidelines. Ms. Lindholm stated that if this shed was allowed to be placed in the side yard it would be the most prominent and most forward shed in the development. Ms. Lindholm stated that every shed except one that she saw in the neighborhood was in the back of the property. Ms. Lindholm stated that the problem with this shed is that it primarily visually affects the immediate neighbors and does not visually affect the applicant at all.

Jean Sovinsky of 245 Woodscape Drive stated that the back of their property does face the applicant's yard. Ms. Sovinsky stated that the proposed shed would be the only thing that she would see out the back of her house.

Chairman Barber asked if the Homeowners Association requirements were in a manual or a pamphlet or are they recorded in the Albany County Clerk's office.

Ms. Lindholm replied that she could not answer that.

Chairman Barber stated that it may have a legal significance on what bearing the Board has to take on reviewing the application.

Jeanette Altarriba of 513 Townwood Drive was opposed to the application and stated that the neighborhood had guidelines and felt that this would set a precedent if approved.

Barbara Carney of Townwood Drive was opposed to the application.

Mr. Sullivan stated that ever since he moved in, he has followed the rules and continue to do so. Mr. Sullivan stated that the fence he put in was approved by the Homeowners Association.

Chairman Barber made a motion to close the public hearing. Motion seconded by Sindi Saita. Vote 5 – 0. (Cupoli absent, Crawford alternate)

Chairman Barber made a motion to adjourn the hearing until October 15, 2014 for decision only to give Counsel Thayer a chance to give the Board a legal opinion about the relationship between the Homeowners Association Covenants and how the ZBA has to consider that in their decision. Motion seconded by Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

#### **MATTER OF YMCA OF THE CAPITAL DISTRICT – 3714 CARMAN ROAD**

Tom Remmert 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 Articles **III & V** of the Zoning Law on the following proposition:

#### **Special Use Permit Request No. 4487**

Request of the **YMCA of the Capital District** for a Special Use Permit under the Zoning Law to permit: **the operation of a pre-school/child care program at an existing church facility. No changes are proposed for or required to the building.**

Per Articles **III & V** Sections **280-14 & 280-52** respectively

For property owned by **Lynnwood Reformed Church**

Situated as follows: **3714 Carman Road Schenectady, NY 12303**

Tax Map # **27.00-1-25** Zoned: **R40**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **1<sup>st</sup> of October, 2014** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **September 2, 2014**



The file consists of the mailing list to 37 neighboring property owners, the Town's required forms for a special use permit, a Short Environmental Assessment Form, the Town Planners comments, Albany Planning Board's notification, Town Planning Board's site plan review, a project narrative, diagrams of the proposed location of the preschool program at the church.

The Town Planner had the following comments: "The applicant is requesting a special use permit to extend their preschool program from 8:30 to 1:00pm. The program is run out of two classrooms at the Lynnwood Reformed Church and will be licensed with NYS. There is ample parking and no other site changes are anticipated. No planning objections."

Albany Planning Board's notification of 09-22-14 was to modify local approval to include: review by and any necessary permits from the NYS Office of Children and Family Services. Advisory note: Any outdoor play areas should be fenced due to the location along SR 146.

The Town Planning Board's site plan review was to recommend with the following condition: issuance of license by NYS Office of Children & Family Services.

Ryan Venter of the Guilderland YMCA presented the case. Mr. Venter stated that this would be a preschool for 3 and 4 year olds. Mr. Venter stated that they have been operating a preschool leasing space from Lynnwood Reformed Church for seven years. Mr. Venter stated that they are looking to extend the hours from 11:30 until 1 pm based on the needs of the parents with children in the program. This would be on Monday, Wednesday and Friday.

Chairman Barber asked if this was because the State Office of Children and Family Services required this.

Mr. Venter replied that it was.

Chairman Barber stated that it appears that the 3 year old classroom had a maximum of 14 and the 4 year old program had a maximum of 16 students, for a total of 30 students.

Chairman Barber asked if there were any buses involved in this program.

Mr. Venter replied that there were not; parents drop their children off.

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 Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

Chairman Barber made a motion of non-significance in this Unlisted Action: "This Board has conducted a careful review of the application to determine whether extending the hours of a preschool/childcare program at the Lynnwood Reformed Church

would have a significant negative impact upon the environment. This review consisted of the comments provided to us by the Albany County Planning Board, the Town Planning Board, the Town Planner and the review of the application this evening. The Board further notes that this would be an extension of an existing program by 1.5 hours on three days a week. Based upon the collective review, I move that a negative declaration be issued.” Motion seconded by Tom Rimmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

Chairman Barber made a motion for approval of:

**Special Use Permit Request No. 4487**

Request of the **YMCA of the Capital District** for a Special Use Permit under the Zoning Law to permit: **the operation of a pre-school/child care program at an existing church facility. No changes are proposed for or required to the building.**

Per Articles **III & V** Sections **280-14 & 280-52** respectively

For property owned by **Lynnwood Reformed Church**

Situated as follows: **3714 Carman Road Schenectady, NY 12303**

Tax Map # **27.00-1-25** Zoned: **R40**

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.

The Board adopted a negative declaration under SEQRA by a unanimous vote.

The Town Planner commented the need to have the matter reviewed by the state.

Albany County Planning Board recommended approval by the NYS Office of Children and Family Services.

The Town Planning Board recommended approval by the NYS Office of Children and Family Services also.

The Board further notes that this proposed accessory use of the property as a preschool and childcare program at the Lynnwood Reformed Church is an allowed use in this district. The use has been at this site for quite some time. This request is to simply extend the hours of operation to Monday, Wednesday and Friday from 8:30am to 1:00pm. There have been no reported issues regarding the use of the property, the parking lot is large and appears to be more than adequate space for ingress and egress for safe arrival and departure of the children from this site.

For these reasons, the Board finds that the special use permit should be granted.

In **granting** this request, the Board imposes the following conditions:

Adherence to the plans as submitted.

The hours of operation shall be as set forth in the application – Monday, Wednesday and Friday from 8:30am to 1:00pm.

Approval by the NYS Office of Family Services.

Provide notice of this approval to the local fire department.

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

Motion seconded by Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

**MATTER OF TSL ADVENTURES – 1500 WESTERN AVENUE**

Counsel Thayer 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 Articles **III & V** of the Zoning Law on the following proposition:

**Special Use Permit Request No. 4483**

Request of **TSL Adventures @ Christ Lutheran** for a Special Use Permit under the Zoning Law to permit: **the operation of an afterschool/child care program at an existing church facility. No changes are proposed for or required to the building.**

Per Articles **III & V** Sections **280-19 & 280-52** respectively

For property owned by **Christ Lutheran Church**

Situated as follows: **1500 Western Avenue Albany, NY 12203**

Tax Map # **52.19-3-1** Zoned: **BNRP**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **1<sup>st</sup> of October, 2014** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **August 29, 2014**”

The file consists of the mailing list to 53 neighboring property owners, the Town’s required forms for a special use permit along with a Short Environmental Assessment Form, a project description, the Town Planner’s comments, the Town Planning Board’s site plan review, Albany County Planning Board’s notification, a diagram of the property and the proposed location of the facility.

The Town Planner had the following comments: “The applicant is seeking a special use permit to allow a portion of the church building to be used for an afterschool/childcare

program for 40 children. The program will run from 2:30pm to 6:00pm with school buses dropping the children off and the parents picking them up. The existing parking should be more than adequate and no site changes are anticipated. No planning objections.”

The Town Planning Board’s site plan review was to recommend approval with the following condition: issuance of a license by the NYS Office of Children and Family Services.

The Albany County Planning Board’s notification was to modify local approval to include: review by and any necessary permits from the NYS Office of Children and Family Services. Advisory note: any outdoor play areas should be fenced due to the location along Route 20.

Tom Stiles, one of the program owners, presented the application.

Chairman Barber asked if they operated any other childcare programs.

Mr. Stiles replied that they operate six other licensed childcare programs.

Chairman Barber asked if any of them were in the Town of Guilderland.

Mr. Stiles replied that one of them was, on Schoolhouse Road.

Chairman Barber asked about the arrival of school buses on the property.

Mr. Stiles replied that they will take the side road in and drop them off in the lot right at the door. Mr. Stiles stated that there was a residential area that the bus might go through.

Chairman Barber asked what the age group of the children would be.

Mr. Stiles replied that they would be from age 5 to 11.

Chairman Barber asked if they would come from both the elementary and middle school.

Mr. Stiles replied that they would be coming from just the elementary school.

Mr. Stiles stated that there would probably be three to four buses, coming from each of the elementary schools.

Chairman Barber stated that he assumed that the children coming from other schools in the Guilderland school system would not be arriving in a big bus, they would be arriving in a small vehicle.

Mr. Stiles stated that he has seen both; small buses and larger buses dropping the children off.

Tom Remmert stated that he did not think that the school buses would have any problem maneuvering in the parking lot.

Chairman Barber asked if there were any questions or comments from the residents.

Reverend Russ Craig, pastor of Christ Lutheran Church, stated that during the operations of this program, there are no other programs or activities going on at the church.

Debbie Trees of 8 Ayre Drive, a member of the McKownville Neighborhood Association, had concerns regarding the increased traffic and the buses.

Chairman Barber made a motion to close the public hearing. Motion seconded by Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford absent)

Chairman Barber made a motion of non-significance in this Unlisted Action:  
“This Board has conducted a careful review of this application to determine whether the granting of a special use permit to allow an after school childcare program at Christ Lutheran Church at 1500 Western Avenue would have a significant negative impact upon the environment. This review consisted of the comments provided to the Board by the Albany County Planning Board, the Town Planning Board, the Town Planner and the review of the application and the conducting of the public hearing this evening. Based upon this collective record, I would move that a negative declaration under SEQRA be issued.” Motion seconded by Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

Chairman Barber made a motion for approval of:

**Special Use Permit Request No. 4483**

Request of **TSL Adventures @ Christ Lutheran** for a Special Use Permit under the Zoning Law to permit: **the operation of an afterschool/child care program at an existing church facility. No changes are proposed for or required to the building.**

Per Articles **III & V** Sections **280-19 & 280-52** respectively

For property owned by **Christ Lutheran Church**

Situated as follows: **1500 Western Avenue Albany, NY 12203**

Tax Map # **52.19-3-1** Zoned: **BNRP**

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

A public hearing was duly noticed and held this evening. Comments were received this evening regarding potential traffic impacts in the neighborhood.

This is an Unlisted Action under SEQRA and the Board adopted a negative declaration by a unanimous vote.

The Town Planner had no objections to the granting of this request.

Albany County Planning Board recommended approval by the NYS Office of Children and Family Services.

The Town Planning Board also recommended approval by the NYS Office of Children and Family Services.

The proposed use of the property as an afterschool childcare program at the Christ Lutheran Church is an allowed use in this district.

The program will take place in part of the church and will hold up to 40 children and will run from 2:30pm to 6:00pm on a daily basis during the school year.

The parking area is sufficient to drop off children via school buses and for arrivals and departures of the children in a safe manner.

For these reasons, the Board approves the special use permit

In ***granting*** this special use permit, the Board imposes the following conditions:

Adherence to the plans as submitted.

The hours of operation shall be as set forth in the application.

Approval by the NYS Office of Children and Family Services.

Albany County Planning Board recommends that any outdoor play areas should be fenced due to the location along Route 20.

Provide notice of this final approval to the local fire department.

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

Motion seconded by Tom Remmert. Vote 5 – 0. (Cupoli absent, Crawford alternate)

The Board approved the minutes of September 3, 2014 with slight modifications.

Vote 5 – 0. (Cupoli absent, Crawford alternate)

**SIGNS:**

The Board approved a sign for **Lilac Blossom at Westmere Plaza**. Vote 5 – 0. (Cupoli absent, Crawford alternate)

The Board approved a building mounted temporary banner for the **UPS Store at 1971 Western Avenue** for two weeks only. Said banner shall be secured in a way deemed appropriate by Jackie Siudy. Vote 5 – 0. (Cupoli absent, Crawford alternate)

The Board approved a freestanding temporary banner for Jimmy Johns conditioned upon it being located on mall property and not negatively impact sight distance along Rt. 20 and the exit from the mall (to be determined by Jackie Siudy). Vote 5 – 0. (Cupoli absent, Crawford alternate)

The meeting adjourned at 9:25pm.