

**TOWN OF GUILDERLAND  
ZONING BOARD OF APPEALS  
AUGUST 3, 2016**

Members Present: Thomas Remmert, Chairman  
Jacob Crawford  
Sharon Cupoli  
Gustavos Santos  
Laura Barry, Alternate

Absent: Sindi Saita

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Chairman Remmert noted the fire exits in the event they were needed.

**CONTINUED CASES:**

**MATTER OF NINO ALIBERTI – 3356 CARMAN ROAD**

Sharon Cupoli read the legal notice:

“Notice is hereby given that the Zoning Board of Appeals of the Town of Guilderland, New York, will resume public hearing pursuant to Articles **III & V** of the Zoning Law on the following proposition:

Special Use Permit/Use Variance Request No. **4587**

Request of **Nino Aliberti** for a Use Variance of the regulations/ Special Use Permit under the Zoning Law to permit: **the conversion of office space to a dwelling unit at an existing mixed use building in a LB zone. A Use Variance is requested to permit the last remaining office space to be converted to a dwelling unit in an LB zone.**

Per Articles **III & V** Sections **280-15, 280-51 & 280-52** respectively

For property owned by **Aliran Realty LLC**

Situated as follows: **3356 Carman Road Schenectady, NY 12303**

Tax Map # **15.14-3-26** Zoned: **LB**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **3<sup>rd</sup> of August, 2016** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **July 25, 2016**”

Chairman Remmert stated that this is a continued case which involves a use variance which is rather rare, most variances are area variances. A use variance involves someone

asking to use a property for something that is not allowed in that particular zone. Chairman Remmert stated that the Zoning Board did grant a use variance for this several years ago. Historically the Zoning Board has just amended those variances. This request involves a use variance and a special use permit.

Chairman Remmert stated as discussed at the last meeting, there are 8 units in this building. Several years ago the Zoning Board granted a use variance to convert two of the office spaces to apartments. There is one office space left and the applicant would like to convert that space to an apartment. Chairman Remmert stated that is allowable without going through the use variance process again which makes it much easier.

Chairman Remmert asked if there were any questions or comments from the residents. There were none. Chairman Remmert made a motion to close the public hearing. Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

Chairman Remmert made a motion of non-significance in this Unlisted Action under SEQRA:

“This Board has conducted a careful review of the application to determine whether the amendment of the Special Use Permit/Variance #09-99 with amendment #28-82 to convert the one remaining office to an apartment would have a significant negative impact upon the environment. In conducting this review, the Board has considered comments provided to us by the applicant, the Town Planner, the Town Planning Board and our review of the application. Based upon this collective record, I move that a negative declaration be issued.” Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

Chairman Remmert made a motion for approval of:

Special Use Permit/Use Variance Request No. 4587

Request of Nino Aliberti for a Use Variance of the regulations/ Special Use Permit under the Zoning Law to permit: the conversion of office space to a dwelling unit at an existing mixed use building in a LB zone.

Per Articles III & V Sections 280-15, 280-51 & 280-52 respectively

For property owned by Aliran Realty LLC

Situated as follows: 3356 Carman Road Schenectady, NY 12303

Tax Map # 15.14-3-26 Zoned: LB

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

A public hearing was duly noticed and held on July 6, 2016 and continued to 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 had no planning objections to the granting of this request.

The property will no longer be mixed-use but will be solely residential.

There will be no change in the character of the neighborhood.

Based on these findings, I move that the Board grant the amendment to the variance/special use permit with the following conditions:

Adherence to the plans and application as submitted and all representations made here tonight to the Board and at the previous public hearing.

The Zoning Administrator is authorized to take necessary actions to implement this decision.

Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

**MATTER OF HAVZI IPEK – 21 VAN WIE TERRACE**

Jake 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. 4589**

Request of **Havzi Ipek** for a Variance of the regulations under the Zoning Law to permit: **a previously installed combination of metal and stockade fencing exceeding 4’ in height to remain in a front yard.**

Per Articles **IV & V** Sections **280-27 & 280-51** respectively

For property owned by **Selman & Nadide Ipek**

Situated as follows: **21 Van Wie Terrace Albany, NY 12203**

Tax Map #**51.12-1-26** Zoned: **R15**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **3<sup>rd</sup> of August, 2016** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **July 20, 2016**”

The file consists of the mailing list to 60 neighboring property owners, the Town’s required forms for an area variance including a project narrative, pictures of current conditions, picture of the already installed fence, a diagram of the fence placement, a satellite view of the property and the Town Planners comments.

The Town Planner had the following comments: “The applicant has applied for an area variance for an existing fence located in a required front yard of a corner lot. No planning objections.”

Havzi Ipek, applicant, presented the case. Mr. Ipek stated that there is no back yard to this house and they want to provide a play area with a fence.

Chairman Remmert stated that this is a corner lot, so there are two front yards. Chairman Remmert stated that these are very common applications.

Chairman Remmert asked if there were any questions or comments from the residents. There were none. Chairman Remmert made a motion to close the public hearing. Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

Chairman Remmert made a motion for approval of:

**Variance Request No. 4589**

Request of **Havzi Ipek** for a Variance of the regulations under the Zoning Law to permit: **a previously installed combination of metal and stockade fencing exceeding 4’ in height to remain in a front yard.**

Per Articles **IV & V** Sections **280-27 & 280-51** respectively

For property owned by **Selman & Nadide Ipek**

Situated as follows: **21 Van Wie Terrace Albany, NY 12203**

Tax Map #**51.12-1-26** Zoned: **R15**

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 SEQRA action whereby a SEQRA approval is not required.

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

The fence will be installed on a corner lot facing Van Wie Terrace.

The house is situated on the lot such that there is little or no back yard, thus the side yard serves this function.

There are other similar fences in the area.

There will be no change in the character of the neighborhood.

Based on these findings, I move that the Board **grant** the variance with the following conditions:

Adherence to the plans and application as submitted and all representations made here tonight to the Board.

The Chief Building/Zoning Inspector is hereby authorized to take the necessary actions to implement this decision.

Motion seconded by Gus Santos. Vote 5 – 0. (Saita absent, Barry alternate)

**NEW CASES:**

**MATTER OF JUSTYNA ZIEBA – 102 MCKOWN ROAD**

Laura Barry 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:

**Variance Request No. 4593**

Request of **Justyna Zieba** for a Variance of the regulations under the Zoning Law to permit: **the conversion of a carport to living space that was permitted within the required side yard setback. A 15ft setback is required, 10ft is proposed.**

Per Articles **III & V** Sections **280-24 & 280-51** respectively

For property owned by **Justyna Zieba**

Situated as follows: **102 McKown Road West Albany, NY 12203**

Tax Map # **63.07-2-23** Zoned: **R15**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **3<sup>rd</sup> of August, 2016** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **July 20, 2016**”

The file consists of the mailing list to 30 neighboring property owners, the Town’s required forms for an area variance including a project narrative, a plot plan of the property, a copy of Variance #28-06 and the Town Planners comments.

The Town Planner had the following comments: “The applicant has applied for an area variance to convert a carport in the required side yard into living space. The structure encroaches 5’ into the setback. No planning objections.”

Robert Zieba of 102 McKown Road presented the case. Mr. Zieba stated that his family has expanded and they would like to convert this garage into living space for his family.

Chairman Remmert stated that the house footprint would not increase; the garage would just be turned into living space.

Jake Crawford asked if they would be using the entire space for living space.

Mr. Zieba replied he would only be using part of it for living space; the other part would still be used for storage.

Sharon Cupoli stated that if the Board grants the variance to convert the entire carport to living space now, it would give him the flexibility to use more of the carport for living space down the road and he would not have to come back before the Board.

Jackie Coons stated that once the building permit is issued then the variance is forever.

Chairman Remmert asked if there were any questions or comments from the residents. There were none. Chairman Remmert made a motion to close the public hearing. Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

Chairman Remmert made a motion for approval of:

**Variance Request No. 4593**

Request of **Justyna Zieba** for a Variance of the regulations under the Zoning Law to permit: **the conversion of a carport to living space that was permitted within the required side yard setback. A 15ft setback is required, 10ft is proposed.**

Per Articles **III & V** Sections **280-24 & 280-51** respectively

For property owned by **Justyna Zieba**

Situated as follows: **102 McKown Road West Albany, NY 12203**

Tax Map # **63.07-2-23** Zoned: **R15**

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 SEQRA Action whereby a SEQRA approval is not required.

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

Variance #28-06 was previously granted by this Board to allow the construction of a carport within the side yard setback.

The carport was constructed such that it is part of the main structure.

The structure is at an angle to the property line such that the variance is at its maximum at the rear corner of the house and is minimal at the front corner of the house, closest to McKown Road West.

There will be no change in the footprint of the structure; thus there will be no reduction in the current existing setback.

There will be no change in the character of the neighborhood.

Based on these findings, I move that the Board grant the variance with the following conditions:

Adherence to the plans and application as submitted and all representations made here tonight to the Board.

The Chief Building/Zoning Inspector is authorized to take necessary actions to implement this decision.

Motion seconded by Gus Santos. Vote 5 – 0. (Saita absent, Barry alternate)

**MATTER OF CATHERINE BROWN – 100 ELIZABETHFIELD WAY**

Gus Santos 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. 4592**

Request of **Catherine Brown** for a Variance of the regulations under the Zoning Law to permit: **the placement of an in ground pool in a side/front yard.**

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

For property owned by **Catherine Brown**

Situated as follows: **100 Elizabethfield Way Altamont, NY 12009**

Tax Map # **39.00-2-55.4** Zoned: **R20**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the **3<sup>rd</sup> of August, 2016** at the Guilderland Town Hall beginning at 7:30pm.

Dated: **July 20, 2016**”

The file consists of the mailing list to 19 neighboring property owners, the Town’s required forms for an area variance, a project narrative, a plot plan of the property, and the Town Planners comments.

The Town Planner had the following comments: “The applicant is asking for an area variance to install an in ground pool in the required front yard of a corner lot. No planning objections but the Board should determine whether a variance will also be needed for the proposed fence.”

Catherine Brown, applicant, presented the case. Ms. Brown stated she would like to install a fiberglass in ground pool in her back yard which because she is on a corner lot is considered her front yard. Ms. Brown stated that the only location that is feasible in her yard is that section due to a propane tank and a deck that was built by the previous owners. Ms. Brown stated that there is a 35' setback from the road so she will only need a 10' variance and that would also include the decking and fence that is required.

Chairman Remmert stated he had checked with counsel regarding the comment from the Town Planner regarding a variance for the fence and he advised that the variance for the pool would cover any variance needed for the fence.

Ms. Brown stated that the fence would only be surrounding the pool; the yard itself would not be fenced. They would like to have low fencing so that they can still enjoy their yard.

Chairman Remmert stated that it seems that pools are pretty common in that neighborhood.

Ms. Brown stated that there are approximately 5 or 6 other people in the neighborhood with pools.

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

Kevin Burke of 107 Elizabethfield Way stated that this pool in the front yard would definitely change the nature of the neighborhood. The other pools in this neighborhood are all in back yards. Mr. Burke stated that this house is on the corner of the cul-de-sac and the first thing you are going to see is a pool in the front yard of someone's house. Mr. Burke felt that this would change the character of the neighborhood. Mr. Burke also felt that an undesirable change would be produced in the character of the neighborhood and felt that the pool could be put in behind the house if the deck was removed so it is not in the front yard.

Mr. Burke also felt that that the variance is a substantial change to the neighborhood, will have an adverse impact on values of the homes and the look of the neighborhood.

Chairman Remmert stated that he had driven through the cul-de-sac and the first thing that he saw was the house on the other corner lot which has a huge privacy fence to screen their yard.

Jackie Coons stated that this is the first ZBA meeting since the new Zoning Code went into effect and some of the definitions of yards and fences have changed a bit and some of the requirements related to them have changed a bit also. Jackie stated that in the past they have always considered the required front yard to be the required front yard setback that the applicant indicated was 35' but for aesthetic effects they use the definition in the Code that said the front yard was actually up until the front portion of the house. Jackie stated that was why this variance was applied for because the pool does extend slightly

past that wall of the house where the garage is. The fence actually was not an issue up until the new code went into effect because decorative fences were allowed in a front yard up to 6' high. With the implementation of the new code, decorative fencing in front yards is now reduced to 4'. If the fence was reduced to 4', the Board would not have to consider that as part of the variance requested; it would only be the portion of the pool which is between the front wall of the garage parallel to Elizabethfield Way.

Chairman Remmert asked what the height requirement for a fence around a pool was.

Jackie Coons replied it was 4'.

Mr. Burke stated that the pool sticks out almost half the length of the driveway which is approximately 25' past the edge of the house into the front yard.

Jake Crawford replied that the pool does not necessarily stick out that far, but possibly the pool area does.

Lynn Welles of 102 Elizabethfield Way stated that Mrs. Brown is meticulous with her yard and glad that she is keeping up the tree lines. Ms. Welles did have concerns regarding the placement of the pool and would like to see it moved over into the back yard. Ms. Welles stated that she is also on a corner lot so she had to think about the position of her pool and where it ended up.

Catherine Brown stated that the pool that they have chosen is 12' x 25', slightly smaller than stated in the application. Ms. Brown stated that the pool is within the setback, it will only be the decking and the fence that would be beyond the setback. Ms. Brown stated that the previous homeowners were also planning on putting a pool in the location she is requesting.

Jake Crawford asked if the pool could be moved closer to the house.

Ms. Brown stated that it would only be the decking and fencing that would be beyond the setback.

Laura Barry stated that there is a significant amount of greenspace between where the fence will end and the roadway. Laura asked if there is any potential for a planting of some privacy trees.

Ms. Brown stated that they could do some planting; but they did not see the need to.

Chairman Remmert stated that the only time anyone would see this pool would be when they are driving in and out of the cul-de-sac.

Jake Crawford stated that he would like to see the pool shifted further into the house portion of the lot rather than the side portion of the lot.

Ms. Brown stated that she wanted to place the pool up to the setback because there are other considerations such as bilco doors for ingress and egress that keep her from moving it closer to the house. She also stated that the deck is another consideration.

Jake Crawford asked the applicant if she was standing at the corner of her garage, what did she envision; half of the pool to the right and half to the left, 1/3 to the left and 2/3 to the right?

Ms. Brown stated that she was not really sure; probably most of the pool is beyond the garage. Ms. Brown stated that she would like to keep the end of the pool at the setback.

Sharon Cupoli suggested actually staking out where she wanted to put the pool, decking and fencing so she could get a sense of what she really wants to do.

Ms. Brown stated that they have done a lot of work with the pool company with a template to see exactly how everything will look.

Chairman Remmert stated that it would really help the Board to have a visual sense of what the pool is going to look like on the lot. Chairman Remmert stated that the Board could also have a chance to review the new code and the changes in the new code.

Allen Vogel of 106 Elizabethfield Way also had concerns with the fence and the placement of the pool.

Chairman Remmert made a motion to continue this case to August 17, 2016 leaving the public hearing open for additional comments. Motion seconded by Jake Crawford. Vote 5 – 0. (Saita absent, Barry alternate)

**MATTER OF STEPHAN HAIMOWITZ – 5555 GARDNER ROAD**

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

**Variance Request No. 4594**

Request of **Stephan Haimowitz** for a Variance of the regulations under the Zoning Law to permit: **the installation of 6’ high privacy fencing in a front yard.**

Per Articles **IV & V** Sections **280-27 & 280-51** respectively

For property owned by **Stephan Haimowitz**  
Situated as follows: **5555 Gardner Road Altamont, NY 12009**  
Tax Map #**60.00-1-18** Zoned: **RA3**

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the 3<sup>rd</sup> of August, 2016 at the Guilderland Town Hall beginning at 7:30pm.

Dated: July 20, 2016”

The file consists of the mailing list to 14 neighboring property owners, the Town’s required forms for an area variance including a project narrative, pictures of current conditions, a description of the proposed style of fencing, a plot plan showing a diagram of the fence placement and the Town Planners comments.

The Town Planner had the following comments: “The applicant has applied for an area variance for a fence in the required front yard of a corner lot. No planning objections.”

Stephan Haimowitz, applicant, presented the case. Mr. Haimowitz stated that a storm took down about 7 trees on the side of their house. Mr. Haimowitz stated that they are looking to place a fence to reduce noise from Rt. 156; approximately 70’ which will be parallel to the house. The fence will be obscured by mature trees and shrubs.

The Board found no problem with the fence.

Mr. Haimowitz stated that it is an attractive fence; it looks like stone and is solid and 6’ high.

Chairman Remmert asked if there were any questions or comments from the residents. There were none. Chairman Remmert made a motion to close the public hearing. Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

Chairman Remmert stated that this is a Type II SEQRA action therefore no SEQRA motion is necessary.

Chairman Remmert made a motion for approval of:

**Variance Request No. 4594**

Request of **Stephan Haimowitz** for a Variance of the regulations under the Zoning Law to permit: **the installation of 6’ high privacy fencing in a front yard.**

Per Articles **IV & V** Sections **280-27 & 280-51** respectively

For property owned by **Stephan Haimowitz**

Situated as follows: **5555 Gardner Road Altamont, NY 12009**

Tax Map #**60.00-1-18** Zoned: **RA3**

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 SEQRA Action whereby a SEQRA approval is not required.

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

The fence will be installed on a corner lot with one side of the lot facing Rt. 156.

The fence is being installed to abate noise from Rt. 156.

This is a heavily wooded area and as such visibility of the fence will be limited.

There will be no change in the character of the neighborhood.

Based on these findings, I move that the Board grant the variance with the following conditions:

Adherence to the plans and application as submitted and all representations made here tonight to the Board.

The Chief Building/Zoning Inspector is hereby authorized to take necessary actions to implement this decision.

Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

**MATTER OF CHRISTOPHER BECKMANN – 580 RT. 146**

Jake 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. 4591**

Request of Christopher Beckmann for a Variance of the regulations under the Zoning Law to permit: **the relocation of an existing structure to 35ft from a watercourse where 100ft is required.**

Per Articles IV & V Sections 280-29 & 280-51 respectively

For property owned by Gerhard & Laurie Beckmann  
Situated as follows: 580 Route 146 Altamont, NY 12009  
Tax Map #38.00-2-42 Zoned: RA3

Plans open for public inspection at the Building Department during normal business hours. Said hearing will take place on the 3<sup>rd</sup> of August, 2016 at the Guilderland Town Hall beginning at 7:30pm.

Dated: July 20, 2016”

The file consists of the mailing list to 28 neighboring property owners, the Town's required forms for an area variance, the Town Planners comments, a plot plan and a narrative.

The Town Planner had the following comments: "The applicant is requesting an area variance to place a structure 65' into the 100' setback from the Black Creek. The applicant states that this structure may eventually become a residence and should be aware that any septic systems would have to be placed at least 250' from the stream.

The 100' setback from watercourses is required for many reasons, most importantly to improve stream health and water quality by providing a buffer between streams and human activities. This buffer allows for the filtering out pollutants and limiting stream erosion. The buffer also reduces flooding by allowing vegetation to soak up water and these areas also protect important aquatic and wildlife corridors.

The Black Creek is a DEC classified stream and also feeds our reservoir. Unless there is an overwhelming argument to support the variance, I would recommend against it."

Christopher Beckmann, applicant, presented the case. Mr. Beckmann stated that they are saving a 175 year old barn and would like to place it on this property. Mr. Beckmann stated it would be placed on high ground well above the 100 year flood plain. Moving the structure to the 100' setback from the creek encroaches on some buildable space on their 30 acre land. Within that 30 acres, roughly 1/3 or more is wetlands. This spot where they want to place the barn is about 8' above water level. Mr. Beckmann also stated that there are numerous 60' or 70' trees that line the water's edge at the high bank and if he moves further back it will totally block the view of the creek.

Chairman Remmert asked if they would be moving an existing barn.

Mr. Beckmann stated that it was a disassembled barn that would be rebuilt.

Chairman Remmert asked where the barn was before.

Mr. Beckmann replied it was in Rotterdam.

Jake Crawford asked if there was a reason why the structure could not be placed more to the left so it would not be as close to the Black Creek.

Mr. Beckmann replied that there are 30 acres and if moved to the left it would kill any potential subdivision.

Jake Crawford asked if they could move the structure closer to Rt. 146.

Mr. Beckmann replied that the grade definitely gets a little lower there and where they would like to put it is a higher dryer spot.

Chairman Remmert asked if there was a house on the property now.

Mr. Beckmann replied there was not, there is not even a paved driveway, just a stone access to the land.

Laura Barry asked what the purpose of the barn was.

Mr. Beckmann replied that that his dream is to turn it into a house one day; right now it would just be personal storage/garage space.

Jake Crawford asked Mr. Beckmann what his plan would be for the septic system.

Mr. Beckmann replied that he hopes that by the time he can afford to convert it, there would be sewer available on Rt. 146.

Chairman Remmert stated that it is one thing to be close to a creek, it is another to be close to a creek that feeds the Town reservoir.

Sharon Cupoli stated that this is not something that the Zoning Board has approved in the 15 years that she has been on the Board.

Chairman Remmert stated that the entire structure is going to be within the setback from the creek.

Jake Crawford stated that he would like to see the building moved a little closer to Rt. 146 or to the left.

Chairman Remmert asked the applicant if he would give the Board members permission to drive back into his property and walk around.

Laurie Beckmann stated that some of the old oak trees might have to be removed if the barn was moved elsewhere on the lot.

Gerd Beckmann stated that the location spot where his son wants to place the barn comes up quite high. Mr. Beckmann discussed the property and the barn.

Chairman Remmert asked if they could put stakes where the corners of the building were going to be so the Board members could also see them when they visit the property.

Chairman Remmert made a motion to continue the hearing until the next meeting on August 17, 2016; the public hearing will remain open. Motion seconded by Sharon Cupoli. Vote 5 – 0. (Saita absent, Barry alternate)

**MINUTES:**

The Board approved the minutes of 7-06-16 with minor changes. Vote 5 – 0. (Saita absent, Barry alternate)

**SIGNS:**

The Board approved a replacement sign for **St. Boniface Church** pending location of property line. Vote 5 – 0. (Saita absent, Barry alternate)

The Board approved sign replacements for **Sleepys** to **Mattress Firm** at 2027 Western Avenue. Vote 5 – 0. (Saita absent, Barry alternate)

The Board approved signs for **Citizens Bank** at Hamilton Square. Vote 5 – 0. (Saita absent, Barry alternate) (Saita absent, Barry alternate)

The Board approved replacement signs for **Stuyvesant Plaza.** Vote 5 – 0. (Saita absent, Barry alternate)

The Board approved new signage for **Fridays** at Stuyvesant Plaza. Vote 5 – 0. (Saita absent, Barry alternate)

**OTHER:**

The Board reviewed a revised site plan for **Mill Hollow** updating the configuration of actual parking spaces they now know they can fit. Chairman Remmert made a motion for approval of the slightly revised site plan for Mill Hollow with the understanding that some of this was unforeseen and the changes are minor in nature. Chairman Remmert stated that they have made presentations to the Town and the neighbors and as such the Zoning Board has no objection to the substitution of the revised site plan. Vote 5 – 0. (Saita absent, Barry alternate)

Jackie Coons stated that Crossgates now has an overabundance of parking and they need to abandon some spaces for CDTA and before they can do any land transfers that will be associated with this they need to take a portion of the parking lot off of one of the parent parcels. They need something in writing from the Town saying they can do that and would prefer that it come from the Zoning Board. The Zoning Board approved the release of the out parcel from the Crossgates Mall site. Vote 5 – 0. (Saita absent, Barry alternate)

The meeting adjourned at 9:45 pm.

