

'Grocery' Zoning

Rejected by Court

A Guilderland Zoning Board of Appeals decision to deny the construction of a grocery store near the Woodlake Apartments on Schoolhouse Road has been upheld by the state Supreme Court.

Supreme Court Justice James Larkin of Kingston has denied a petition for review from the Woodlake Apartments Inc., who had requested a special exemption from the zoning law.

WOODLAKE APARTMENTS had applied to the town zoning board earlier this year to allow the construction of an E-Z Shopping Inc. grocery store, a subsidiary and affiliate of Grand Union, across the street from the apartments on Schoolhouse Road.

Though Woodlake Apartments had a petition of 160 signatures in favor of the small grocery store and approval from the Albany County Health Department, Judge Larkin ruled that it had not been proved the store would benefit the "health, public welfare and safety" of the area, a factor necessary for a special exemption from the zoning law.

AFTER A PUBLIC hearing on the request from Woodlake Apartments, the town said the relatively short distance to Styvesant Plaza where two large grocery stores were located indicated the E-Z Shop was not neces-

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sary. The zoning board also pointed to the present traffic condition on the windy road and claimed that grocery stores tend to intensify traffic problems.

The zoning board said that the small grocery would mainly benefit the residents of Woodlake and not the general community.