

1259 Western Avenue
Albany, New York 12203
June 9, 1978

Town of Guilderland
Planning and Zoning Boards
McCormack's Corners
Guilderland, New York 12085

Attention: Mr. Amato, Planning Board
Mr. Wiebe, Zoning Board

Gentlemen and Members of the Board:

This letter is written to express my strong opposition to the proposed Mexican fast-food "restaurant" proposed for the area of Western Avenue and Arcadia Avenue, McKownville.

I presently live directly across the street from this proposed site. Over the past several years, the owners of this property have brought before the Zoning and Planning Boards several requests for fast food establishments on this site. In each instance, the Planning and Zoning Boards have carefully reviewed these presentations and have denied use for these fast food businesses. Among the reasons stated were environmental concerns; deterioration of the residential homes in the immediate area; the trash and garbage which undoubtedly has to collect as a result of this type of business; the rodent problem which attracts to this type of venture, and the safety factors for this particular area. All of these same factors exist now as they did initially; in fact, they are compounded by other establishments which have been permitted here since these applications were made!

The corner of Western and Arcadia Avenues is a bus stop for the Guilderland school bus. Children congregate here for the bus; buses both pick-up and discharge children here. Who will guarantee the safety of these children as cars enter and exit from this establishment?

In addition, this location is adjacent to the McKownville Fire House. While a letter was written from one member of the fire company stating there was no objection or opposition to the proposed establishment, the writer led listeners in the audience (and, perhaps, Board members) to believe that this was the overall opinion and recommendation of the entire Board of Commissioners of the Fire Company. I do not believe this was the considered opinion of the membership of the Fire Company. It was only one person's opinion! The exiting of these emergency vehicles was a problem in the past, is currently a tremendous problem, and will continue to be a problem as long as there is increased traffic and use in this area. There is no reason to further complicate and add to the existing safety problems.

We have been informed that Mr. Fiato is currently RENTING the parking lot of the New Yorker Hair Shop to the management of "The Pub" for their use for "over-flow" parking. A quick look any evening quickly confirms this! Mr. Fiato has stated that the Hair Shop parking lot could be used for excess parking which would be generated from this proposed "restaurant". It's current overflow use by "The Pub" patrons just cannot accommodate further additional parking.

Since it is obvious that the major business generated by a "restaurant--fast food" establishment will occur in the late afternoon-evening hours, the currently-existing parking and traffic problems will greatly complicate an already-existing and apparently irreversible problem. The obvious "spill-over" parking will have to occur in the immediate residential area, on the side-streets, Western Avenue, and perhaps, even the parking lot of the Fire House. Certainly, the Board of Commissioners of the Fire Company will not condone this type of use of their lot. What will happen in an emergency situation when the fire trucks and rescue unit have to leave? Are not the lives and properties of people more important than the whim of a "fast-food" speculator? Mr. Fiato has also purchased a residence (house) adjacent to this lot. Does he have ulterior motives for this site? Over the past eight years, Mr. Fiato has done little, if nothing, as far as upkeep of his property is concerned...not even the grass has been cut! Can we really believe that this will change overnight!!

It was also stated at a previous Zoning Board meeting that the expanded enrollment of the University will lend itself to increased business for this establishment. A check of University enrollment projections indicates that the University is NOT going to expand appreciably to generate business for this type of venture. Further, if this business is permitted, the residents of the North side of Western Avenue in McKownville will have to insist that the Town of Guilderland construct a high fence barrier along the entire area between the University property and the residential property and Town property, from the City Line to Fuller Road area. Students and others are constantly using this open barrier as access to Western Avenue, damaging the properties of residents, cluttering the area with garbage, bottles and refuse, and creating problems associated with over-indulgence. Is the budget of the Town of Guilderland prepared to bear the cost of construction of a closed (fence) barrier, and will it construct such a barrier?

Also, please consider the problems associated with snow removal in the winter. Snow banks in recent years along Western Avenue have been four to five feet high. It is impossible to see pedestrian and vehicular traffic. How will cars enter and exit from this area without a major safety problem and where will the snow from this area--which has not previously been removed--be put? This will add tremendously to parking problems and traffic movement. The parking problems in winter appear to be insurmountable.

This particular area of Western Avenue is already over-subscribed to problem-causing establishments. Residents have fought hard to limit the increased commercialization here. Neighborhood blight is constantly invading our area and property-owners are trying hard to maintain the residential character of our neighborhood. While it can be said that Mr. Fiato is being denied use of his property, surely the residents in this area would not object to a reasonable business use--but, please, not another fast-food, high-traffic volume use or gas station! We are already constantly plagued by the abuses from "The Pub" and are living with the consequences of this horrible mistake. A reasonable business use could surely be put here.

The owners/managers of this proposed establishment are not residents of either the Town of Guilderland, or the area; thus, they are not in a position to care for the quality of the neighborhood or for anything beyond their own profit. As property owners and residents of this area, WE have to live with the consequences of the decisions made by the Zoning and Planning Boards.

I urge that that Planning and Zoning Board members, once again act consistently with their past wisdom and deny this use request, and, further, prevent the expanded use of surrounding properties for this fast-food establishment. Please do not encourage and permit another disaster to begin at this location.

Please enter this letter in the minutes of the Planning and Zoning Board meetings.

Respectfully,



Alice Torda
1259 Western Avenue

cc: Mr. Carl Walters, Supervisor
→ Mr. Donald Reeb, McKownville Improvement Assoc.
Mr. Paul Empie, Building Inspector