



United Bank
New York

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Harry P. Meislahn
Vice President and General Counsel

July 22, 1980

Mr. Richard Wiebe, Chairman
Town of Guilderland
Zoning Board of Appeals
Guilderland Town Hall
McCormacks Corner
Guilderland, New York 12084

Dear Mr. Wiebe:

On June 27, 1980, the Guilderland Town Board of Zoning Appeals denied the application of United Bank Corporation of New York (UBNY) for a parking variance for 1450 Western Avenue. Corresponding applications by State Bank of Albany and UBNY for (1) a special use permit for a free-standing branch bank of the State Bank of Albany on the 1450 Western premises, (2) an additional curb cut in the middle of the 1450 Western Avenue premises and (3) a traffic signal at the middle of the 1450 premises, were considered withdrawn as these applications were contingent on the granting of the parking variance.

UBNY respectively requests that the Board grant UBNY and the State Bank the opportunity for a rehearing on its variance application and its application for special use permits for (1) the construction of the free-standing bank branch and (2) a traffic light, based upon substantial revisions to the proposals on which the June 27, 1980 applications were based.

The substantial revisions, which are shown on an architects plan submitted with this letter, can be summarized as follows:

- (1) The request for a permit for a third curb cut has been withdrawn and the third entrance/exit has been eliminated from the proposal. This modification, which we consider substantial, reduces traffic congestion on Western Avenue by restricting the proliferation of entrances and exits from 1450 Western. It also increases the number of parking spaces on our premises and reduces the size of the parking variance request.
- (2) The site for the proposed traffic signal has been shifted from the center of the 1450 Western premises to the eastern end of said premises. This modification, which we consider substantial, has several advantages. It is further removed from Fuller Road and thereby reduces the Board's concern that the 1450 light and the Fuller Road light might be closer than desirable. It is located

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directly in front of Parkwood Street which would permit excellent ingress and egress to and from that street at all hours and satisfies the Board's concern and the concern of local residents that a traffic light on the 1450 premises would add to the already substantial problems of Parkwood Street residents.

- (3) UBNY has reached agreement in principal with the owners of the Tom Sawyer Motor Inn immediately east of the 1450 premises for an exchange of privileges. A cut would be made in the boundry (shown on the attached proposal) which would permit motel patrons to enter the 1450 premises for the purposes of exiting to Western Avenue at the new traffic signal. In exchange, Tom Sawyer Motor Inn would provide 30 spaces of back-up parking for 1450 Western during the hours of 8 a.m. to 5 p.m., at which time the parking at the motel is under-utilized. This proposal, which we consider substantial, has several advantages. First, it provides proper access from the motel to Western Avenue for left hand turns at all hours and satisfies concerns made by the motel owner at the June 27 hearing. Second, it provides additional parking for 1450 premises, thereby reducing the extent of the parking variance requested.

The attached drawing contains the opinion of UBNY that the portion of the premises unaffected by these proposals, namely the side and rear parking, need not be changed from its prior nonconforming pattern in view of the fact that it is currently a separate and distinct area unaffected by the new proposals. According to the zoning code, the parking needs for 1450 consist of the 484 existing and lawful spaces plus 21 additional spaces for the proposed branch, a total of 505 spaces. The proposed plan indicates that there are 438 spaces available on the 1450 premises together with 30 spaces on the Tom Sawyer premises for a total of 468 spaces. Therefore, a variance for a reduction of 37 spaces from the maximum required number (505) is requested. This request is for a reduction of less than 10% of the 505 parking spaces, which we consider to be a substantial modification from the original parking variance requested (68 plus 21 spaces).

If a rehearing is granted, we intend to submit additional information to the Board prior to this hearing date. This information will include a drawing showing the total number of parking spaces which could be located on the 1450 premises with all existing spaces at their existing size and all new spaces conforming to code. We anticipate that this drawing will indicate that the premises could lawfully support more parking spaces than the 438 indicated on the drawing submitted with this letter. Therefore, the variance requested, if any, could be considered to be less than the 37 spaces referred to above.

We request that the Board consider this application for a rehearing at its meeting scheduled for Friday, July 25, 1980. We understand that the only meeting of the Board scheduled for the following month is for Friday, August 15. If our application is granted, we request that the Board permit the appropriate town officials to

Mr. Richard Wiebe

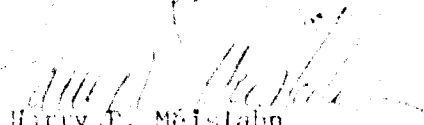
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authorize advertising of our applications for a variance and permits on Tuesday, July 29, which is the minimum time permitted for the August 15 hearing.

Your consideration is sincerely appreciated.

Yours truly,


Harry F. Meislahn
Vice President and General Counsel

HPM:mab
Enclosures