

Guilderland Serves Up Permit for Burger King

By CARLO WOLFF
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GUILDERLAND — The town Zoning Board of Appeals voted

5-to-2 to approve a special-use permit for a Burger King at Fuller Road and Western Avenue.

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Stan Ross, Burger King spokesman, said the decision means his company will buy the former King's BP gasoline station, raze it and build a 106-seat Burger King in its stead.

Asked the purchase price, Ross said, "enough." Asked when the fast-food franchise will be open, Ross said by May 14.

Last night's decision in, effect, reverses one made March 3, when the board voted 3-to-2 to approve the special-use permit. But that decision amounted to a denial of the request, because a majority of the board was needed to approve it, and two members didn't attend.

Board attorney William Sheehan said last night that he and co-counsel Paul Wein had looked into the complex legal issues and determined that the March 3 action was actually no action, since a majority of the board would have been needed to deny the request.

So the Burger King hearing continued last night, with board member Kaye Philips speaking in favor of the request, other board members voicing reservations about traffic and McKownville Improvement Association President Donald Reeb repeating his concerns about traffic and a compromise about the quality of life in McKownville.

Ultimately, however, the board approved the request.