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Rezoning expected to enliven hearing

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GUILDERLAND — The recent rezoning of developer Vincent Wolanin's property from business to residential is expected to enliven Wednesday night's Zoning Board public hearing on a proposed office building.

Wolanin, who presented plans to the board for a two-story, 16,000-square-foot office building on McKown Road last month, is likely to be told Wednesday the land is not suited for business use.

When Wolanin first proposed his plans April 17, the site was properly zoned. However, when the Town Board met Saturday, 19 town parcels were rezoned, including Wolanin's.

William Sheehan, the Zoning Board attorney, said last week that if the parcel were rezoned, "I would expect to meet on the 15th to take up the fact it is no longer properly zoned."

Sheehan said the Zoning Board lost jurisdiction to grant a special-use

permit once a site was deemed not properly zoned for the intended purpose.

Wolanin and his attorney, Louis Dempf, could not immediately be reached for comment.

Dempf has said he would consider taking legal action against the town if the parcel were rezoned while his client's proposal was being considered.

Wolanin currently is suing the Zoning Board for denying his Market Square shopping center proposal. Although the state Supreme Court has ruled Guilderland did not have sufficient grounds to turn down the request, the town has appealed the decision.

The Appellate Division of state Supreme Court has since agreed to a motion by the developer to force the town to file court papers by May 24. That means arguments will be held in June.

Wolanin's proposed office building was opposed by nearby residents, as was the Market Square proposal.