

# HNA REPORTER

## HELDERBERG NEIGHBORHOOD ASSOCIATION

ACADEMY STATION, P.O. BOX 8841, ALBANY, NY 12208

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**Next HNA Membership Meeting:  
WEDNESDAY, January 18, 2006**

**7:00 PM**

**Sage College, Campus Center, Room 224**

**Guest: Dr. Ansel Weiss**

**Jewish Family Services**

**HNA's designation as a Naturally Occurring Retirement Community (NORC)**

**And Erin Tobin Bearden, Director ,**

**Preservation Services at Historic Albany Foundation**

**HNA Now a NORC**

A NORC is a "Naturally Occurring Retirement Community." Neighborhoods that have a high percentage of retired seniors who have lived in a particular neighborhood most of their adult life, and stay after retirement, may receive this designation by the state Office for the Aging. Along with the designation often comes grant money to establish senior support networks to assist these seniors.

In the HNA area, more than 42 percent of residents are 60 or older, compared to a citywide average of 16 percent. That has earned the NORC designation, the only one so far in the Capital Region, for the area between Academy Road and upper Whitehall Road. Jewish Family Services has received a \$144,000 state grant to hire a program director and an outreach worker to assist seniors with health care management, shopping assistance, visits by volunteers, exercise programs and basic home care. Services will be available regardless of religion, race or income level.

Jewish Family Services will partner with Senior Services of Albany, St. Peter's Hospital Home Care and Choices program, Catholic Charities, United Jewish Federation and the University at Albany Center for Mental Health and Aging in delivering these services.

Dr. Ansel Weiss, an HNA neighbor, was one of the major proponents spearheading the effort to bring the grant money to this area. At the January 18 HNA meeting, Dr. Weiss will discuss the grant and the benefits of being a NORC.

*Information taken from "Those Golden Years," article in the Times Union, December 20, 2005*

**DEAR NEIGHBORS:**

Over the years I have tried to take a generally light yet informative tone in my little portion of our neighborhood newsletter. But, there are big issues to discuss at our next meeting on January 18, 2006. First, we will elect our next Board of Directors who will lead the organization through 2006. Second, our designation as a Naturally Occurring Retirement Community (see next column) will have benefits for our senior citizens. Finally, the article written by Board member Kim Alvarez (page 4) regarding the Holland Ave Spot Zoning issue is so important and complex that I felt it deserved added space in the newsletter. This article shows there are challenging times for our City and our Community but they are challenges we can meet...together. I know it's cold outside, but I urge everyone to come to the January meeting at Sage College. I look forward to seeing you as we "resolve" to continue the process of keeping our Neighborhood the best in the City.

*Craig Waltz, Chair*

**2006 Board Elections**

At the January 18 meeting we will be electing officers for the 2006 Helderberg Neighborhood Association Board. The current Board was re-nominated at our last meeting. Those board members are: Craig Waltz, Chair; Jennifer Viggiani, Vice Chair; Kim Alvarez, Secretary; June Price, Treasurer; Susan VanDeventer, Membership; and Debra Schramek, Communications. Any additional nominations will be accepted from the floor during the meeting.

Also at the last meeting, it was decided to form a Planning/Zoning Committee to stay on top of all the changes in our community, and to have a presence at Zoning Board meetings. Jennifer Viggiani, Kim Alvarez and Cathy Fahey agreed to join the

*Continued on page 2*

**Congratulations** to the following people elected to city offices during the November 2005 elections: Shawn Morris, President of the Common Council; Cathy Fahey, 7<sup>th</sup> Ward Alderwoman; and Jim Sano, re-elected as 9<sup>th</sup> Ward Alderman.

*The Helderberg Neighborhood Association meets on the third Wednesday of January, March, May, July, September and November. Meetings are held from 7:00 to 9:00 pm at the Junior College of Albany, Campus Center. The remaining 2006 meeting dates are: March 15, May 17, July 19, September 20 (picnic) and November 15.*

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## NEIGHBORS IN THE NEWS

### Local Resident Returns Safely Home from Iraq

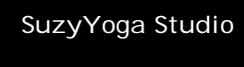
Zee is home. After serving 11 months in the U.S. Army in Iraq, Zinab ‘Zee’ Kitonyi, who was born and raised on Grove Avenue, is back in Albany. Zee, a member of the U.S. Army Reserves, was called to Iraq in November 2004. The 24-year old had to leave behind his recent bride, Jaime, who was pregnant at the time, and also leave the training he had begun with the Albany police force. He served in Balad, a city north of Baghdad, and his job was to oversee the placement of concrete safety walls that protected the dormitories that housed 22,000 soldiers and civilians at the base, the largest in Iraq. This work, protecting lives, earned him a Meritorious Service Medal. Zee also designed a course to train those at the base how to safely oversee the Iraqis who worked there.

“I learned to not take anything for granted,” Zee said of his time in Iraq. “Here, it’s a daily routine to wake up and go to work and come home. Iraqis, though, don’t know if they’ll make it home.”

Zee didn’t re-enlist because he wanted to return to his family, which now includes his 9-month-year-old daughter Madysen, as well as Jaime and his parents, Dr. Peter and Yolanda Kitonyi, who still live on Grove Avenue. “Home is the one place you want to get away from when you’re a kid,” he said, “but it’s the first place you want to come back to when you’re away.” He also returned to pursue his dream of becoming a police officer, and he hopes to get a position patrolling in his old Helderberg neighborhood.

“I appreciated all the love and support I got from my friends and family when I was away,” he said. “Ever since I was little, that hasn’t changed.”

*Dennis Gaffney*



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### B’yond Style Hair Studio

Do you want to try a new beauty shop in the neighborhood? A new hair studio just opened in June at 573 New Scotland Avenue, across the street from St. Peters Hospital—B’yond Style Hair Studio. Bridget Kelley is the Manager and this is the first shop she has owned, although she and the other stylists there have many years of experience.

They offer a wide range of services: haircuts, perms, coloring, extensions; manicures and pedicures; waxing, facials and massages. You can purchase beauty supplies as well. The hours are Monday, Tuesday, Thursday and Friday, 10 a.m. to 8 p.m.; Wednesday, 10 a.m. to 4 p.m.; and Saturday, 10 a.m. to 2 p.m. Call 454-0050 to make an appointment—or stop by and wish Bridget well in her new hair studio.

*Cyra Nealon*



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### Car Thieves Seize Opportunity

Several Helderberg Neighborhood residents have fallen victim to car thieves after allowing their cars to warm up unattended. To add insult to injury, car

owners were ticketed for leaving their vehicles running outside their homes. Police are reminding residents not to tempt car thieves. If you must warm up your vehicle, use a remote starter or use your spare car key to lock your keys in the car.

### Election, continued from page 1

committee. Additional people are welcome to be a part of this committee. If interested, you can sign up at the January meeting, or call 482-2775 and leave a message.



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**HNA Has a New Listserve!**

In an effort to further our mission of “bringing residents and businesses together to promote our community,” an “**HNAcommunity**” Yahoo group listserv has been developed to make it easier for everyone in the neighborhood to communicate. A listserv is like a community bulletin board. Any member may post a topic or their thoughts on an important issue, and it is sent to all the members who’ve registered to use the listserv. Readers may respond with their thoughts. We hope this listserv will be used to announce and inform community members about relevant city meetings, events or ideas on how to retain or improve the quality of life in our neighborhood. Please try to keep postings neighborly and positive. Keep in mind that all postings will go through a group moderator in order to keep them clean and friendly.

**HOW TO JOIN:** Go to the following link: <http://groups.yahoo.com/group/HNAcommunity> or send an e-mail to: [HNAcommunity-subscribe@yahoogroups.com](mailto:HNAcommunity-subscribe@yahoogroups.com).

*Kim Alvarez, HNA Secretary*

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**Albany Public Library now Offers Bookmobile Service**

The Albany Public Library now has a branch on wheels. The library’s new bookmobile will visit locations all over Albany. The location most convenient for HNA residents is the Sidney Albert Albany Jewish Community Center (JCC) at 340 Whitehall Road. The current schedule calls for the bookmobile to stop at the JCC from 3:15 to 4:30 pm every other Wednesday. Planned dates for this stop are January 18, February 1 and 15, March 1 and 15, April 5 and May 3 and 17. The schedule may change after the initial trial period. The library also accepts applications from community organizations for visits from the bookmobile.

For schedule updates and information for groups wishing to host bookmobile visits, go to the library’s website: [www.albanypubliclibrary.org](http://www.albanypubliclibrary.org) or call 427-4325.

**Opalka Gallery Exhibit on Schenectady’s Jewish Community**

The Opalka Gallery, located at 140 New Scotland Avenue, will host an exhibit on “Jewish History and Community in Schenectady” from January 23 through February 26, 2006. A reception will be held on January 29 from 1:00-3:00 pm and a panel presentation will take place on Sunday, February 12 from 2:00-4:00 pm. Gallery hours are Monday through Friday from 10:00 am to 4:30 pm, Monday through Thursday evening, 6:00-8:00 pm and Sundays from 12:00-4:00 pm. The gallery is generally closed between exhibitions and when classes at Sage College are not in session. For more information call 292-7742.

**Crime Victims Center Needs Volunteers**

The Albany County Crime Victim and Sexual Violence Center is seeking new volunteers to help staff the 24 hour hotline, and to assist crime victims in court. Hotline volunteers work from home, taking calls and meeting rape victims in the emergency room. Court Advocate volunteers are placed in Albany City Court on Morton Avenue, and have an opportunity to work with the Assistant District Attorneys. Training classes for both programs will be held on Tuesday and Thursday evenings and some Saturdays, beginning January 31. Call 447-7100 for more information.

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## Holland Avenue Zoning Change Raises Concerns

The road that has led us to the current state of the Holland Avenue Proposal and Zoning Change is a long and complicated one. At the May 2005 meeting, developer Tom Burke and his attorney Peter Lynch made a presentation on the proposed development of a 14,000 sq. ft Walgreen's Pharmacy and an adjacent 8,000 sq. ft. building to house a "take-out" restaurant or a bank. Mr. Burke explained he had a lease with Picotte Realty to develop the parcel of land known as 41-45 Holland Avenue located between the McDonald's and the VA Hospital. In order to build, however, Holland Avenue needed to be rezoned from C-O, "Commercial Office" to C-2, "Commercial-Highway." At that

same meeting, our membership voted overwhelmingly to oppose the zoning change. from C-O to C-2 requested by Mr. Burke.

As a result of discussion with the developer at the meeting, Mr. Burke & Mr. Lynch were asked to meet with HNA's new planning sub-committee formed to provide input into the project. The hope was that an improved project would be the result -- a development consistent with the existing zoning (C-O), that benefits the developer and the residents in the adjacent neighborhoods. Unfortunately, despite his repeated promises to do so, the developer never met with this sub-committee and he has continued to pursue a zoning change which is not consistent with the surrounding neighborhoods.

We have been careful to make it clear throughout this process that we are not anti-development - we support responsible development of this parcel with valuable & viable businesses that could serve our community and even offer nearby jobs. What we oppose is "Spot Zoning" which is illegal in New York State and provides an unfair market advantage or direct economic benefit to one developer or business over others existing in the neighborhood. Unfortunately, this is no straight-forward development project. The core issue is that the developer has requested the parcel be rezoned to "Commercial-Highway" (C-2) which allows a large number of uses without any limitations on size, including auto dealerships (used and new), service stations, department stores, hotels, lumber yards, parking garages and entertainment facilities, among others. Currently, Holland Avenue and the surrounding area is zoned under the City Zoning Law as "Commercial Office" (C-O) meaning that it is considered an "office district" with permitted uses including colleges, hospitals, museums, offices, religious buildings, etc. The Commercial-

*Continued on page 5*

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### Landmark Consulting Restoration Planning and Architectural Services

Landmark Consulting is a husband and wife team which specializes in restoration & architectural services for historic buildings. (This means homes built in the first half of the 20th century, too!) Jack Alvarez is a NYS registered architect, and Kimberly Konrad Alvarez is a historic preservation planner and architectural historian. Together they help owners of old homes research their properties, develop a restoration plan for their home, design renovations or additions, determine appropriate paint schemes, & assist in finding qualified contractors that have the skills for working on old homes.

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**HNA's membership year runs January to December. Make your New Year's Resolution right now to become a member of the Helderberg Neighborhood Association!**

#### MEMBERSHIP CATEGORIES:

Household: \$ 5.00

Business: \$10.00

Associate: \$10.00

Each household membership has one vote. Business members will receive one free ad in the HNA Reporter, and will have voting rights. Associate Members (not living within our boundaries) will have the HNA Reporter mailed to them.

Please enroll me as a member of the Helderberg Neighborhood Association. Enclosed is a check, made out to HNA, in the amount of \$\_\_\_\_\_ for a \_\_\_\_\_ membership. (Checks may be mailed to: HNA, Academy Station, P.O. Box 8841, Albany, NY 12208 OR brought to the next HNA meeting.) Date mailed: \_\_\_\_\_

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**Zoning Change, continued from page 4**

Office zoning also dictates that construction be consistent with other office or institutional buildings in the area with regard to lot coverage, setbacks and heights in order to keep with the urban character of the area.

It is important to note that nowhere else in the core neighborhoods that make up the city of Albany is there a parcel of land zoned C-2.

While this article is not meant to be a lesson in zoning law, it is important to understand what the City envisioned for this area when it created the zoning, particularly the vacant lots. Retail businesses such as a pharmacies or restaurants are allowed in a C-O district, but only as an accessory use (not a primary use) and if granted a "special use" permit. Unfortunately, Mr. Burke was advised by his attorney not to go this route, since it would be unlikely that the special use permit would be granted for the development he had planned. Instead they chose to pursue a change in the zoning law for this particular parcel - an action that is known in land use planning as "spot zoning." Spot-zoning is defined as the "rezoning of a single lot or parcel held by a single owner which would permit land uses not allowable for adjacent property owners or parcels." It is considered the antithesis of proper planned zoning and is illegal in most states, including New York if it does not advance the health, safety and welfare of a community (as in the construction of a public building).

Over the past two months, every neighborhood adjacent to the 41-45 Holland Ave parcel has clearly stated their objections to the proposed zoning change. During the two Common Council meetings in December the issue took center stage with more than seven hours of public comment in opposition to the zoning change from more than 50 individuals, including representatives of the Helderberg, Delaware, Woodlawn, Lincoln Park, Park South and Washington Park neighborhoods where small businesses in C-1\* districts continuously struggle and strive to win the support and patronage of the local residents.

Despite this overwhelming opposition led by sponsoring Councilmember (now President) Shawn Morris, on Dec. 19 the Common Council voted to allow the change to C-2 zoning for this parcel. Councilmembers McLaughlin, Brown, Curry-Cobb, Scalzo, Sano, Casey, Igoe and Fox voted for the zone change.

*\*C-1 refers to a "Neighborhood Commercial Zoning District" and typically limits retail to 5,000 sq ft.*

The issue is far from resolved, however. The silver lining is that HNA is working together with the other neighborhood associations surrounding the parcel -- Delaware Area, Woodlawn/New Scotland, Lincoln Park, as well as the Friends of the Madison, CANA, Historic Albany Foundation, Save the Pine Bush, and University Heights -- to reverse the illegal Spot Zoning passed by the Common Council. This is a city-wide issue which requires education and ultimately a reversal of the zone change, as the allowance of illegal spot-zoning in one area sets a dangerous precedent and opens the door for it to occur again and again throughout the city.

This coalition is currently evaluating its options including pursuing legislation to reverse the Common Council's decision, and if need be, litigation. There has never been a better time to become familiar with the way the City is run, to reach out and talk to your elected officials and get involved in what is happening around the corner from your world. Together we can keep what is wonderful about Albany and plan for an even better future.

*Kim Alvarez*

**Editors note:** The issue of re-zoning a parcel of land for use other than what was originally intended has many sides, and we'd like to hear yours. What are your thoughts on the changes happening on Holland Avenue? How do you feel about a large pharmacy such as Walgreens moving next door to McDonalds? How do you think it will affect some of the smaller pharmacies a short distance away, such as Lincoln (on Delaware Ave.), Chazen (New Scotland Ave.) or our newest pharmacy, Crestwood (Whitehall Road)? Do you feel another restaurant in that location is necessary? What about increased traffic on Holland Ave.? If the various bordering neighborhood associations are unsuccessful in reversing the Common Council's decision, how far should HNA's Board go? Should we hire an attorney? Seek litigation?

We'd love to hear from you before the January 18 meeting, which will help the Board decide how far to go to try to reverse the Common Council's decision. Contact HNA by e-mail (hna@hnaalbany.com) or phone (482-2775 or 446-1919). Call us even after January 18, as this will be an on-going issue and the Board will look to HNA's members for guidance and support.

**Spring is coming, and so is the Spring Spree!**

Help is essential for our second annual Spring Spree on New Scotland. If you're interested, come to the January 18 HNA meeting, or call Dennis Gaffney: 482-9813.

**SAVE THESE DATES!**

HNA members meet every other month, on the third Wednesday of the month, from 7:00-9:00 pm at the Sage Colleges, Campus Center.

**HNA's meeting dates for 2006:**

March 15, May 17, July 19, September 20 and November 15.