

## For Character of Neighborhood

The current character of the neighborhood has certain elements which identify the character of the neighborhood on Whitehall Road between South Main Avenue at New Scotland Avenue. One element is the setback of many of the institutions on the south side of Whitehall Road which have setbacks creating lawn or landscaped areas similar to that maintained at Congregation Beth Abraham Jacob, the subject site. See pictures below: The Applicant believes that the wide lawn areas established the character of the neighborhood to a much greater degree than the presence or absence of an 8-foot-high fence.



B'nai Sholom New Reform Congregation (420 Whitehall Road)



Holy Wisdom Senior Housing (426 Whitehall Road)



Saint Sophia Greek Orthodox Church (440 Whitehall Road)



Sidney Albert Albany Jewish Community Center (350 Whitehall Road)

Another element are fences in front yard. Pictures below identify fences higher than 4 feet with non-conforming opacity and materials.



Six-foot Chain-Link fence constructed by the City of Albany to secure a storm water basin constructed as part of improvement of Whitehall Road



6-foot privacy fence (100% opacity) on Whitehall Road side of 2-B Maxwell Street

## Alternatives Considered

Other solutions were reviewed and rejected for reasons listed below:

Hedges: Hedges would not deter invasion of the site.

Brick Wall: A brick wall would have an opacity of 100% and could be climbed easier than the picket style metal decorative fence

The Applicant has recently installed new doors and access control system.

The Applicant has added additional cameras to an existing system

The Applicant has recently installed exterior lighting

The Applicant has coated exterior windows and doors with a coating which makes them “shatterproof” but not “bulletproof”.

The Applicant has provided private armed security at every service and large event since October 2018.

## Fence Design Issues:

- Eight foot high Decorative Metal Fence has been proposed as the most attractive fence solution for the front yard.
- The change to 8-foot-high chain-link fence where permitted is made to make the cost of the fencing more affordable while maintaining the same level of security.
- Eight-foot-high privacy fence with 100% opacity is chosen for the playground area to prevent intruders observing children at play.
- The eleven (11) parking spaces are not fenced because that would bring the fence closer to South Manning Boulevard Extension. These parking spaces have no specific users.

## For Substantiality:

A request for incidents **locally** that create the hazard **for you**.

The Applicant has been the subject of a number of acts of vandalism including damaging tents used for outside events twice, dumping of garbage behind the building, intruders entering the building, shouting anti-Semitic epithets from passing cars, letters, e-mails and phone calls with threats, etc.

While none of these items rise to the level of bodily harm to members, guests or children, the incidents listed below occurred at locations which similarly had not been subject to previous incidents of physical attacks.

- 2014 - Overland Park Jewish Community Center shooting by a Neo-Nazi 3 Dead
- 2016 - 2016 Ohio restaurant machete attack. Islamist attack on a Middle Eastern restaurant displaying an Israeli flag. 4 Wounded
- 2018 - Pittsburgh synagogue shooting in Pittsburgh, Pennsylvania. 11 Dead 6 Wounded
- 2019 - Shooting at Chabad of Poway synagogue in Poway, California - 1 Dead, 2 Wounded
- 2019 - 2019 Jersey City shooting. Shooting at a Kosher supermarket in Jersey City, New Jersey 3 Dead and 3 wounded

For Substantiality (continued):

- 2019 - July 28, 2019, a member of synagogue in N. Miami Beach, FL, 68, was shot in the legs, as he was unlocking the front doors of the synagogue prior to a religious service. The suspect, Carlints St. Louis of Hallandale drove up in a black Chevrolet Impala, and shot him multiple times. 1 Wounded
  - 2019 - 2019 Monsey Hanukkah stabbing. Five people were stabbed during Hanukkah festivities at the home of a rabbi (which was being used as a synagogue) in Monsey, New York. 1 Dead, 4 Wounded
- If incidents similar to those with severe injuries or fatal consequences must be put forward to justify an area variance, that would not be a reasonable requirement.

Jews have recently been attacked on the streets and vandalism to the synagogues in Riverdale, NY.

Evidence of communication with City of Albany Police for calls to incidents

- A representative of the City of Albany Police Department will verify calls and reasons.

Security measures on the building could make sense instead of the fence. What do other synagogues do? This needs to be very evidenced....”

- The Applicant is aware of steps taken by other Jewish congregations but does not have permission to disclose what steps have been taken by each congregation. Access control is universally used. Cameras and exterior lighting have been increased based upon recent attacks.

Impact on Environment:

- The installation of the fence will have no impact on drainage, traffic, wetlands, drainage courses, sewer usage, water usage, endangered species, threatened species, species of special concern, critical environmental areas, noise, lighting or odors. Therefore, the statement that this project will have no negative impact on the environment is correct.