

To: The Zoning Board, Town of Guilderland  
From: McKownville Improvement Association (contact Don Reeb, president, 489-3909)  
Subject: Mother-in-law Apartment—21 E. Highland  
Date: October 15, 2004

I was called recently by a concerned neighbor of 21 E. Highland speaking on behalf of herself and other neighbors.

The upcoming zoning hearing on the mother-in-law apartment causes some alarm.

Their questions focused on why—the apartment has been there for some years and once was occupied by a mother-in-law but she has since passed away: more recently the apartment was occupied by a woman and her adult son (non relatives of the 21 E. Highland owner). These illegal renters had three vehicles.

To gain approval now for something that had not been approved heretofore seems strange to the neighbors since there are not any likely relatives to occupy the apartment, if it is approved.

The neighbors, moreover, did not object to the apartment when it was occupied by the mother-in-law but fear that the aim is to have tenants rather than relatives.

Since the apartment is not presently occupied and the owner has no known relatives that might want to occupy the apartment, why would the owner seek permission now? What is passed is passed—it may have been illegal but it is now not occupied.

Is the aim to make it a legal mother-in-law apartment and then rent it---illegally to non relatives? How can the neighbors be assured that this is not what is happening?

Can the Board assure the neighbors that the owner's intentions are fully in keeping with the provisions in the Town ordinances? How is the Town going to enforce this?

It is not the intention of the McKownville Improvement Association to object to mother-in-law apartments. They serve a very important connection for caring families.

However, their potential for misuse—being rented rather than used by some relative—is of concern—partly because of increased traffic—partly because a change in tenancy from relatives to non relatives could change the neighborhood community without any open discussion of its desirability—but mostly because of neighbors' reluctance to notify the Town of possible violations.

Please note—1443 Western Avenue—a dentist—it was a residence for the dentist who had a dental practice in his residence—then he moved out, rented the upstairs but kept his dental practice in the home. The Town had previously approved the residence/office use. Neighbors did not want to file a complaint though they spoke openly about him being in violation of the Town ordinance. An ordinance that depends upon neighbors filling complaints just does not work very well. While I am sure that you suspect that there are many such problems, you might appeal to residents to become more involved in enforcement. Please note—this is a formal complaint about the dentist at 1443 Western Avenue.