

Hearing Date Set in Guilderland Zoning Dispute

A recommended change in minimum lot size, which would permit construction of high-rise apartments in the Town of Guilderland, will be aired at a public hearing at 8 p.m. Monday, Jan. 11 in the Town Hall.

Guilderland Town Board last night named the hearing date on the change recommended by the Town Planning Board.

The McKownville Improvement Association announced yesterday it will investigate the possibility of incorporating the McKownville Fire and Water Districts as a separate village to escape high-rise apartments.

The Planning Board

Recommendation involves lowering the present requirement of 7,000 square feet per dwelling unit to 1,350 square feet in areas where both water and sewage facilities are available, and to 2,350 square feet in areas where water alone is available. If neither facility exists, minimum lot size would remain at 7,000 square feet.

At present, there is no area of the town with sewage facilities.

At the hearing interested persons may discuss the impact of the lot-size changes, as well as apartment construction. No discussion on a specific apartment complex under consideration by Louis Swyer, builder of Stuyvesant Plaza, and real estate man Philip E. Roberts, will be permitted, said Supervisor Gordon Robinson, because the men have filed no application to build with the town.

Should the men later file such application, a separate hearing

on their specific project would be conducted, Mr. Robinson said.

The town's present lot requirement was enacted before water facilities existed in the town, and was necessary to allow room for septic sewage systems. Under the existing law, a builder needs nearly an acre of land to erect five apartment units under a single roof.

IN RESPONSE to a request last night that the Town Board publish a newsletter setting forth the facts about the recommended lot size increase, Mr. Robinson remarked, "We can't give you the facts before the hearing because we don't have them either."

"A lot of misconceptions and distortions are going around," Mr. Robinson said. One, he said is that McKownville is the only area of the town with water and the only place real estate developers would eye for high-rise construction.

In the town are four other water district: Guilderland Fort Hunter, Birchmont and Altamont.

One resident of the town who attended last night's meeting, John Haven of McKownville, revived the question of silt in the McKownville reservoir, currently being dredged and enlarged.

The Town Board "was bamboozled" by the State Thruway Authority, which emphasized the need to get Thruway construction completed and asked that any legal action be deferred, Councilman James Choules told Mr. Haven.

The statute of limitations has since expired, and the town is



MAKING A DATE — Guilderland Supervisor Gordon Robinson, right, calls for a resolution fixing Jan. 11 for a public hearing on changing lot size requirements in the town. The change recommended by the Town Planning Board would permit high-rise apartment construction. Looking on are, from left, are: Frank Williams Jr., town attorney, and Councilmen Harold Hughes, Robert Johnstone, Cadwell Magley and James Choules.

no longer able to bring action against the authority for failure to protect the reservoir's watershed. Storms subsequently washed silt and dirt into the reservoir.

"But we learned from the experience," said Mr. Choules, who was not a member of the board before the statute of limitations expired. The board notified the state that it expected protection for the reservoir during construction of the Northway. And protection was given.

IN OTHER ACTION last night Councilman Cadwell Magley exhorted the board to make way for industry in the Town of Guilderland.

"The Town of Colonie and the Town of Bethlehem have business and industry to help defray the tax burden. Guilderland is mainly residential," he said.

He called for Guilderland to: Set aside land for an industrial tract.

Rezone Western Avenue, Karner Road and Carman Road for business use.

Arrange monthly meetings of the Town Board with chairmen of the planning, zoning and water advisory boards.

"As a businessman," said Mr. Magley, "I know that business wants to be able to plan ahead. They should know with some

certainty whether they can locate in Guilderland without numerous hearings and delays. With the confusion in our zoning laws they cannot predict this.

"With the absence of any up to date zoning map, they cannot tell what areas permit business. The same street may have three zonings side by side. These practices discourage business from locating here. If they are not corrected we will be bypassed by the tremendous economic growth that should be coming our way."

In his resolution, the councilman referred to an address by Gus Koscherreck, manager of Dun & Bradstreet, describing

Guilderland's location at the crossroads of the state, with superhighways, railroads, waterways and a nearly-complete university all around.

The board referred to its attorney the State Department of Public Works offer to pay \$40 for a patch of McKownville Water District land on which a Northway sign stands. The department's offer is based on land value established during a 1956 transaction.

The board also authorized Mr. Robinson to withdraw Guilderland Water District funds from a savings account with Albany Savings Bank and reinvest the money in certificates of deposit, as required by law.

The Knickerbocker News Photo by Bud Hewitt