

The Town Board  
Town of Herland  
McCormick Corners  
Guilderland, New York

ATT: Mr. Carl Walters, Supervisor

Gentlemen:

The undersigned own properties surrounding the property at 1257 Western Avenue, owned by the recently deceased Mr. George Garrison.

When investigating the desirability of being residents of McKownville before investing our money, we were aware of a "701 plan," which the zoning office of McKownville was using as a guideline to preserve the historical beauty and ecological values of the so-called old McKownville section.

Now we understand that a Mr. John Quadrini has made application for a change of zoning on the Garrison property.

In a check of the records, it is apparent that no legal transfer has taken place or has been filed to show that he is the owner of the property.

After checking with Picotte Realty Co., we have been advised that a contract has been signed with Mr. Quadrini, but apparently no money has been exchanged. We are therefore assuming that the purchase depends on obtaining a zoning change for commercial or professional use.

Therefore, we who surround this property are asking the Town to defer any public hearing on a rezoning of the property, at this or any future time, except upon application of the actual owners of the property.

We are well aware that the heirs of Mr. George Garrison have the right to apply for such a zoning variance. Our point is that the Town would be aiding a speculative attempt by an individual, to the disadvantage of people who in good faith have invested their money in McKownville, if it held the hearing requested by Mr. Quadrini.

It is possible that in the past there have been certain cases of this type, where non-owners or land speculators have been given a hearing without being the legal owners. However, we have decided that, in the present case, if a hearing is allowed before such time as legal ownership has been established, we intend to make a court test of the legality of such practice.

New York

Our reasons are not only to protect against depreciation of our own properties, -but to bring fully to the attention of all residents and buyers considering the area, - the pitfalls of a Board practice that would allow quick depreciation of their investments to the projected gain of investors not yet legal owners, but acting as commercial speculators.

In conclusion, we list the reasons why a court test would be necessary:

First, we feel that new buyers are not aware of what can happen due to changes that will amount to quick depreciation of their properties.

Second, it is a very dangerous precedent for the Town Board to allow a man to speculate on commercial change without an investment.

Third, a large commercial change has already been approved, for the Ramada Inn, which will increase the already dangerous traffic on Western Avenue. Farther out, there has been an approval of a shopping center that will also worsen the dangerous traffic situation.

Fourth, we wish to be on record as not accepting the re-zoning of the Garrison property, which we call spot-zoning, to the deterioration of all the homes in the area. Should this property be re-zoned, we would then be forced to request that all properties touching the Garrison property, including the East side of Knowles Terrace up to and including 10 Knowles Terrace, be given commercial zoning at the same time.

Fifth, it is a well known fact that the drainage system has proven inadequate to the houses along Western Avenue and side streets in this area for the past few years. Therefore, we feel that, before the town can correctly and fairly make changes in the zoning, a further study of all ecological factors should be commenced.

Yours truly,

John H. Benson, Frances E. Benson  
1255 Western Avenue

Kenneth G. Johnston, Opal B. Johnston  
2 Knowles Terrace

Daniel L. McKinley, Margaret A. McKinley  
10 Knowles Terrace

Alice Torda  
1259 Western Avenue

CC: Mr. Fred Abele, Guilderland Historical Society  
Guilderland Zoning Board

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From Johnston  
2 Knowles Terrace, Guildford, NY

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Town Hall, McConnes Corner, Westside Ave, Guildford, NY



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2

Meredith Wise

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7-19-72

3