

February 5, 1974

Mr. Carl Walters, Supervisor  
and Members of the Town Board  
Town of Guilderland  
Town Hall  
Guilderland, New York

Dear Mr. Walters and Board Members:

RE: McKownville Doctors Committee

We, members of the majority opinion of the subject committee, would like to present this as an addendum to the Chairperson's letter report of December 18, 1973, as we do not believe (feel) that it adequately represents our conclusions.

It was the consensus of the majority that the (illegal) non-conforming use of a residence by a doctor or group of doctors, was untenable in consideration of the following conditions (caused by this use):

1. Parking problems that could not be satisfactorily alleviated.
2. The conflict with the intent of the Master Development Plan.
3. The availability in the vicinity of McKownville of suitable office space and appropriately-zoned properties.
4. The existing deed restriction against business uses is meant to afford continued protection from certain types of uses which tend to down-grade a residential area.
5. The conditions necessary for the granting of a variance could not be met (ref. Local Law No. 1, Section IX-B-Variations).
6. The inconvenience to adjacent residences and the attendant traffic hazards as evidenced by the present practice.

We have explored many solutions for the various problems and alternatives. We have consulted with the Town Attorney, Frank Williams, and Zoning Board of Appeals Attorney, Ralph Mancini; with Town Planning and Zoning Coordinator, Harold Crouse; and Planning Consultant Matthew Delaney. We reconsidered the myraid of possible solutions that had been discussed previously by the Planning and Zoning Boards.

Finally, we were able to conclude, in consideration of these and other reasons that the response to the question at hand, i.e. the existence of doctors practicing in McKownville in violation of the Zoning Law, is to enforce the Zoning Law.

Respectfully submitted,