

# The McKownville Improvement Association

---

MCKOWNVILLE  
ALBANY 3, NEW YORK

May 9, 1975

TO: Mr. Carl Walters, Town Supervisor  
Guilderland Zoning Board  
Guilderland Planning Board  
Guilderland Town Board

At a special meeting on Tuesday, May 6, 1975, the Officers and Board of Directors of the McKownville Improvement Association agreed unanimously to reaffirm their strong opposition to the application of Dr. Anthony Mastrianni for a Special Use Permit, with variances, for his office at 1461 Western Avenue. While holding in highest regard the reputation and dedication of the applicant, we wish to recall for your consideration the referendum of May 23, 1974, at which time the McKownville residents, by a vote of 377 to 97, expressed their determination that the Zoning Law must be enforced. Further, we call your attention to this as a clear mandate to preserve and protect the integrity of the residential zone bounded by the north side of Western Avenue.

It is our understanding that the subject application is based on an interpretation of a definition in Section II of the Zoning Law describing a "hospital" as including "a sanitarium, sanitorium, ..." etc. This group finds it incredible that the Town of Guilderland would give standing to a motion which is in direct contravention of the intent of the Law and the goals of the Town Master Plan. However, if this motion is to be entertained, then we ask that you refer to the obvious constraints of the Zoning Law pertaining to hospital requirements, viz. Section VI-B-4-a. "...required parking spaces shall be provided on a portion of the same lot..." -- or--Section VI-J which states that a hospital/clinic "... shall have a minimum lot area of 5 acres..."

In summary, the McKownville Improvement Association asks that this application be denied, and respectfully insists that the Town of Guilderland:

- a.) take official notice of the still outstanding 1972 citation for Zoning Law violation;
- b.) vigorously pursue enforcement of the law without further digression or delay; and
- c.) make every effort in the future to avoid such needless harrassment of both the applicant and our neighborhood, by conscientiously and diligently upholding the Town Master Plan.

Very truly yours,

John K. Esler  
President

JKE:at