

Proposed McKownville Business Meets Neighborhood Opposition

By **BRYCE BUTLER**

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Guilderland Supervisor Kevin Moss recently defended a lengthy public hearing which he said had helped the board shape their decision.

Last Tuesday a large force of decision-shapers were on hand to oppose a planned park and business area combination near the east end of Schoolhouse Road, and to advise the board on several other matters.

Tuesday's hearing had been adjourned in April when the petitioner, architect Kenneth Reynolds, failed to show up. In the meantime, local opposition forces printed a leaflet about the project, and got a room full of residents out for the rescheduled hearing.

Mr. Reynolds began by detailing the project. The 14.3 acre parcel, currently zoned R-15, would be rezoned B-1, and divided into two parts. Michael Samel, the owner, would sell 7.19 acres of the property, the part away from the Thruway, for \$70,000 to the town as a park. He would build six to eight two-story buildings, with professional offices on the main floor and up to three apartments apiece above them.

Zachary Wellman, an attorney who lives on Schoolhouse Road, opened fire for the opposition. He began by questioning a routine environmental impact statement in which Reynolds denied that the project would have any effect on the local environment.

"You said in your environmental statement that the project wouldn't have any traffic impact," Wellman said. "Did you do a study?"

"No," said Reynolds, "we didn't do a study."

"Did you ask people about the impact on the neighborhood?"

"No, we visualized it."

"Except for Dr. Mastriionni's office and the bank, did you see any businesses?"

"No, the offices of Westlake, nothing else."

"Are you thinking of (putting in) stores?"

"At this time, no."

"Are you planning single units or multiple apartments?"

"21 apartments in seven units."

This cross-examination received hearty applause, as did the next one, by Bob Luther, who asked about drainage problems if the land was filled.

The real majority concern, however, was raised by Joe Yavonditte, of Oak Drive. "Any intersection with Schoolhouse Road will be dangerous," he said. Even though the project would not connect with McKown Road, he said it would add to McKown Road traffic.

"People would take their kids to the park along McKown Road," Yavonditte said, "because the road isn't safe for pedestrians and bicycles."

The intersection was much discussed. One speaker, who said

he had been with the National Safety Council for 10 years, said he didn't see how the intersection with Schoolhouse Road could be made safe.

At this early stage, people were making hostile speeches. When Vincent Wolanin, owner of the 21st Point Club, rose to say he thought the leaflet had falsely involved his business in the development, and then mildly defended the proposal, he was booed. Several times Mr. Moss had to ask people to be more polite.

Moss also pointed out that the plan proposed to save seven acres permanently from development. He said Mr. Samel could put houses on the piece as it was presently zoned.

"Right now," Moss said, "business is coming into Guilderland. Let's say a few years from now times get bad. Another board might want the tax revenue, and zone the piece for a gas station or something to increase the tax base."

Bernard Reilly said he had no objection to the plan itself. He believed that a man had a right to make money with his land. He objected to the procedure.

Mr. Samel had already said he wouldn't sell the park land to the town at the price named if the rest couldn't be zoned for business. To Reilly, this was not the way the town should do business; it seemed coercive.

Reilly reminded the board that Guilderland has full-value assessing, and asked if Samel's land was assessed at \$10,000 per acre—the figure he had asked from the town for the parkland.

Moss said it isn't, but to take it up with the tax assessor. It isn't board business, Moss said.

As well as traffic, local residents were most concerned about a potential domino effect. As one put it, "I do not believe preserving seven acres and exposing the rest of the area to a precedent is a help."

After a recess, Mr. Moss said the board would decide the matter later. He said he was surprised at the reaction of local residents, and would have to consider their priorities.

Later in the meeting, Moss introduced Dennis Moore, superintendent of parks and recreation, and said he would describe the proposed park. This didn't mean it would be built, Moss said, but Moore might as well describe it since he was at the meeting.

Moore said the park would have 25 parking spaces, a picnic area and a playing field suitable for baseball or soccer but not large enough for both at once. He said there was also room for a tennis court. Mr. Wellman suggested that the area was well supplied with tennis courts, and that a basketball court might be more suitable.

The next business was an eminent domain hearing, and a

stenographer was present to record every word as the law demands.

The town proposes to build a gravity sewer line from the site of a pumphouse where Schoolhouse Road crosses the Thruway to an existing line on McKown Road. The proposed line would cross the land of Frank Campione, Jr., and replace the pump, which was installed by the Woodlake developers.

Jim Green of Standard Engineering said a gravity feed system is always preferable to a pump because it is cheaper to operate, and more reliable. He said the Schoolhouse Road pump has no backup electrical system and in the case of a power failure might fill up and flood before the town could get there with a mobile generator.

The project will cost \$77,000, said Mr. Green and save \$120,000 over the next 20 years. Mr. Green said that if the business project discussed in the first hearing were built, Mr. Samel would have to bear much of the cost of the sewer

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County Burn Unit Will Benefit By Auxiliary Sale

The ladies auxiliary of the Guilderland Fire Department will hold a garage sale and bake sale on Saturday June 9, from 9 a.m. to 4 p.m. Food and balloons will also be sold. Profits will go to the burn unit at Albany Medical Center Hospital.

Mother's Day Concert Sunday

At 3:00 P.M. at the

Neighborhood Opposition. . .

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project, as he would be a major user.

John Tabner, the town attorney for water projects, said Dr. Campione had not been willing to sell an easement to the town. He emphasized that an eminent domain proceeding aims at negotiation, and forcing a settlement was a last resort.

Mr. Moss said enforcement of zoning provisions is difficult. He said the planning board is supposed to encourage development, and it puts planning board members in a difficult position to make them police it as well. He said the town also lacked enough personnel to do the enforcing.

Robert Ditton, a state trooper

due for retirement in June, was suggested for the job. The board voted to appoint him at the end of June for the rest of the year at \$6,000 per year. He will be paid for half a year in 1984, and be subject to renewal in January.

Supervisor Moss said Ditton would report to him, and would be required to attend planning board meetings to learn what stipulations the board had made on projects they had approved.

Lewis Demanico of Altamont provided most of the remaining citizen input.

During consideration of purchase of a second transfur trailer for the landfill, he complained that the charges for use of the demolition area discriminate against people who take trash to the dump in their own trucks. He said he would end up paying \$30 or more this year, simply because there was no place in front of his property to put trash out for the town to pick up on trash days.

He said the town should distinguish between professional haulers and those carrying their own trash in trucks. He said a fee ceiling could be set, at \$10 per year, and when a private citizen had reached it, he wouldn't have to pay any more.

Supervisor Moss said that landfill users are paying for space, and the town is running out of it at the landfill.

Demanico also had a recommendation about the off road vehicle law. He said a trespass law is almost impossible to enforce, and is subject to varying interpretation by police.

He suggested making ORV users responsible for knowing whose land they are on, and whether they are welcome on it. Then, he claimed, if they came off a trail

and onto a road, they could be stopped by police at the road and prosecuted; it wouldn't be necessary for property owners to catch them in the act.

Lynnwood Church To Host 'Witness' This Friday Night

"The Witness," a Christian musical, will be presented at 8 this Friday evening at Lynnwood Reformed Church, 3700 Carman Road, Guilderland, by Christian Music Ministries of Feura Bush. The production includes a choir of over 100 voices representing about 35 area churches. The public is invited.

Announce Birth

Mr. and Mrs. Roger Kennedy of Hite Court, Guilderland, announce the birth of a son, Steven Leininger, on April 5 at Bellevue Hospital, Schenectady.

Mrs. Kennedy is the former Lisa Leininger, daughter of the late Mr. and Mrs. Glenn Leininger of Guilderland. Paternal grandparents are Mr. and Mrs. John Kennedy of Knolls road, Niskayuna.

St. Boniface Church

Rev. Alfred N. Tuttle

Sunday, April 13:

9 a.m. Worship and church school; coffee hour follows.

Tuesday, May 15:

Afternoon crafts meetings at Esther Mabie's, Altamont.

Monday, May 21:

7:30 p.m. Women's group.

Saturday, May 19: