



STOCKADE SPY

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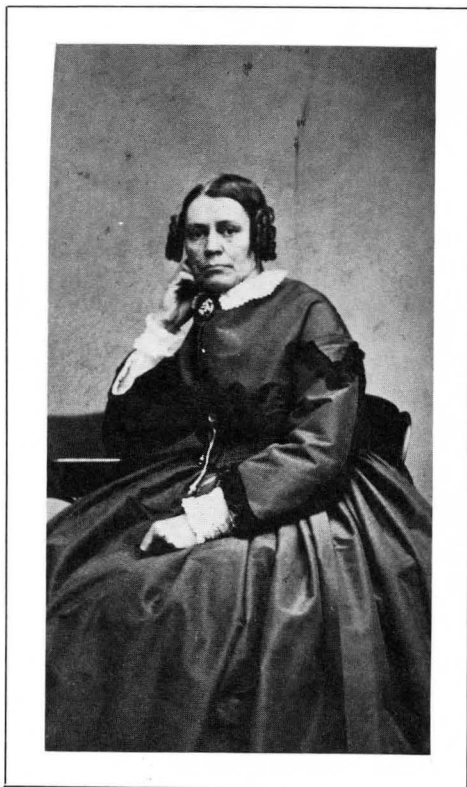
Any letters, articles, poems, or other contributions may be sent or dropped off either at 250 Green St. or 43 Washington Ave. #6. That way you may use the location nearest to you if delivering in person. All items will be considered for future issues - with a big thank you.

Extra copies of the Spy may be obtained at Arthur's Market and the Schenectady County Historical Society on Washington Avenue.

Letter from the Editor

Dear Readers:

This seems to be a month for anniversary celebrations, but lest we lose sight of more serious concerns, you will find considerable space devoted to issues that should be important to all Stockaders: who keeps the Stockade as an historic area, and how is that done? At the Association meeting on March 30, we heard presentations from Mary Bee (Urban Cultural Park), and Susan Staffa. Each sees the Stockade as needing development to attract tourist trade, and it was difficult to determine where one began and the other ended in the separate yet seemingly similar proposals. Perhaps residents should be asking more questions so that a fait accompli will not cause regrets for opportunity lost nor for action taken. In another case we should all take note of the amicus curiae to be presented, for the decision could have **long-term repercussions** for Zoning in Schenectady. I am grateful to all who contributed to this issue and hope that there will be many others who have news about Stockade happenings that they want to share. Deadline for typed contributions for May is Monday, May 2nd. As in the past, there will be no Spy during June, July, and August.



Michaela: "Well, just what **do** you people want?"

The Historic District Commission: A Test

The Stockade Association, along with The Schenectady Heritage Foundation and the Realty Plot Association have recently filed a brief "amicus curiae" with the Supreme Court, Appellate Division, in the matter of Arthur and Patricia Salvatore vs The City of Schenectady, et al. I represent the three community organizations in arguing amicus curiae (as friend of the Court) a most significant legal case in both Schenectady and the State of New York.

In June of 1986 without a building permit Dr. and Mrs. Arthur Salvatore began constructing an above ground swimming pool, wooden deck, rails and stairs. Larger than their garage and one-half the size of their home at 1255 Lowell Road, the swimming pool was originally intended by the owners to be surrounded by a chain link fence.

A stop work order was issued on June 9, 1986 directing the Salvatores to apply for a building permit and submit plans to the Historic District Commission, an arm of the City's building inspector. The City alleges that construction continued and the pool was completed and put in use. The Historic District Commission offered certain advice to the Salvatores but denied their application for a building permit. They then appealed to the City's Board of Zoning Appeals which upheld the decision of the Historic District Commission. Thereafter the Salvatores went back to the Commission with revised plans, but the Salvatores objected to the planting of a landscape screen consisting of 38 Arborvitae trees around the 41' x 37' structure. Another appeal was taken to the Board of Zoning Appeals which again upheld the Commission.

Thereafter the Salvatores took their case against the City and the Board to the Supreme Court, Schenectady County where the Hon. James N. White in a six page Decision declared Article VIII of our Zoning Ordinance, entitled Historic Districts, to be constitutional, holding that the law is not unconstitutionally vague and "that the City's objective of preserving historic areas is a legitimate governmental goal."

The Court sanctioned the Historic District Commissions' right to approve subject to conditions, "provided they are reasonably related to some legitimate objective of the zoning ordinance." Judge White further held "that the Commission made its decision in a timely fashion; maintained a record of its proceedings and set forth its reasons for imposing conditions upon its approval of plaintiffs' application."

The case is now to be heard at the Appellate Division level of the Supreme Court. On appeal counsel cites a U.S. Supreme Court case affirming preservation laws, and several New York cases upholding local zoning laws.

The Salvatores and counsel in the amicus curiae brief both refer to the book, **An Enclave of Elegance** by Bruce Maston, M.D., an in-depth study of the architecture of the Realty Plot. Counsel also points to two cases reviewing the Vieux Carre Commission in New Orleans and the Beacon Hill Architectural Commission in Boston, which uphold the constitutionality of historic district legislation subject to the federal and state courts' mandates under the principle of due process of law.

While this is not the place to restate the entire ordinance, a portion of Article VIII of the City of Schenectady's zoning law follows:

Sec. 264-43. Duties and powers of Commission.

A. "The Commission . . . shall give consideration to any factors it may deem pertinent, including:

- (1) The historic, cultural or architectural value and significance of any building or structure.
- (2) The appropriateness and authenticity of the exterior design, arrangement, texture, material and fenestration proposed.
- (3) The relationship of the proposed exterior design and design features to the historic value and architectural style and character of buildings and structures in the surrounding area.
- (4) . . .
- (5) The relationship of the building or structure to open spaces. . .

Code of Ordinances, Schenectady, New York, Sec. 264-43(A).

In my opinion, the Ordinance is sound and we should be grateful for the opportunity to have our local legislation tested at the appellate level.

Respectfully submitted,
Richard W. Brown
Attorney-at-Law

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Letter from the President,

Dear Neighbors,

It is wonderful to have our centerpiece Lawrence back and I would like to thank the city and the many other folks who stuck with the very difficult project thru to the end of a successful rejuvenation. I have solicited Mayor Johnson's help with 2 issues that many of you are concerned about, namely, the condition of Amity Hall and some lighting for many of you who increasingly park in Little Park. I will let you know the city's response as soon as I have it. While on the issue of Little Park it occurs to me that a great many of us use it daily for parking and dog recreation and that the debris around is awful. It's mostly car maintenance and fast food refuse. I've started taking a bag with me when I'm down there and picking up trash a little at a time and if lots of us share the policing of that land it would not look like a dump.

Thank you for the great turn out at the general meetings. It is a great forum for the many issues that impact on us all. If any of you have friends in the Barney Development, please bring them along next time. They are residents of the Stockade and belong in our group.

Susan Bokan

St. George's Church Celebrates

St. George's Church will celebrate its Patronal Festival on Sunday afternoon, April 24th. At 4:00 p.m. Solemn Evensong will be offered in the Church. Included as part of the Liturgy will be "The Kirkin' o' the Tartan", the blessing of the Tartans: a reaffirmation of the traditional values and spirit of Scotland as symbolized in the many designs and colors of the Tartans.

Immediately following the Blessing, a procession of clergy, choir, worshippers and pipers will take place through the streets of the Stockade. A Reception hosted by the Episcopal Church Women of St. George's will conclude the afternoon's activities.

The Schenectady Pipe Band together with St. Andrew's Society of Schenectady will provide pipers, drummers and dancers. Father Marshall J. Vang, Rector, invites you and the Stockade Community to join him and the congregation in the festive celebration as they honor the martyrdom of St. George.

Since this is April, the month of foolery to some, we introduce the staff of the Spy as they might have looked in yesteryear.

We hope you enjoy them.

Support The Neighborhood Watch

Call Martin Manley, evenings, 381-5551 for information about the program, including operation ID. Let us never become a neighborhood where we stand by doing nothing to prevent crime. All the Watch asks is that if you notice any suspicious activities **REPORT** them to the police. It's **their** job to follow up and handle any crooks.

Purchase and carry sufficient travelers checks.

Record and leave credit card and travelers check numbers in a safe place apart from luggage, or with someone you can contact easily.

Suitcases should have locks and be identified with indelible ink.

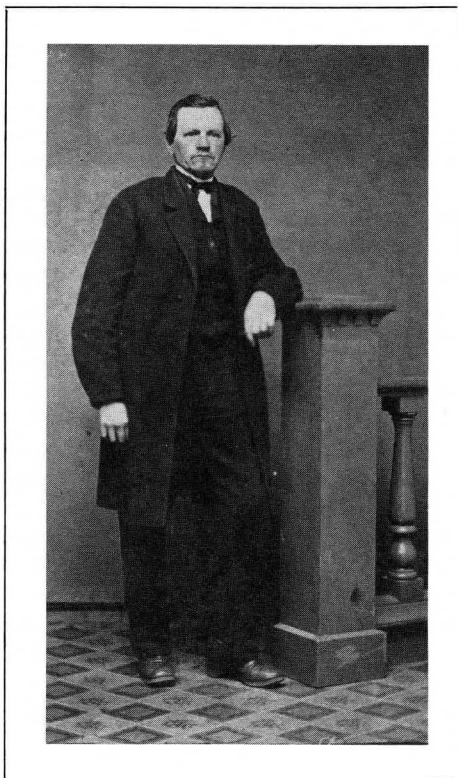
Check your homeowners insurance policy for coverage provided while staying in a hotel. If insufficient, consult your insurance company.

Remove valuables from your automobile when it is parked.

Carry only those items you will use on the trip. Leave your valuables at home. If you do carry valuables, use the hotel safe.

Know your surroundings. Ask local residents about "problem" areas in their city and avoid them if possible.

Never open your door until you are certain who is outside and that the person has a valid reason for entering your room.



Dawson: "Did I ever tell you about . . . ?"

Memorial Day Picnic

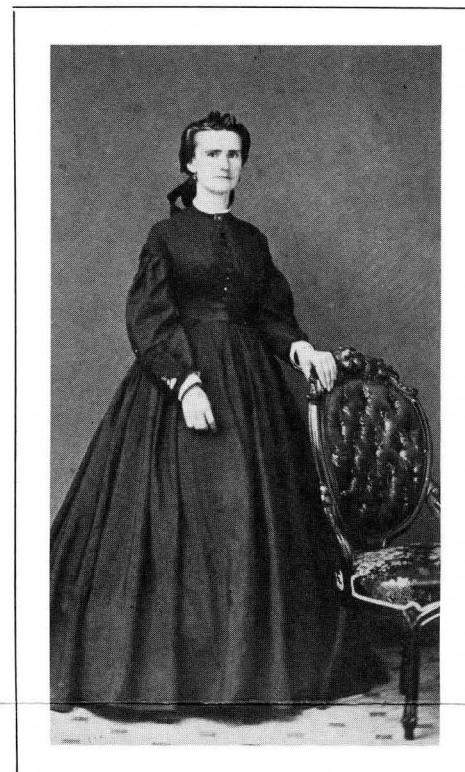
Spring has arrived and once again plans are underway for the Annual Stockade Memorial Day Picnic. This year's date is Saturday, June 4, from 11 a.m. - 4 p.m.

Meet your neighbors, talk with old friends, introduce new friends and neighbors, enjoy the music, participate in games, but most of all, lend your talent and energy to make this affair happen! Volunteers (YOU) are needed to help.


Just one, maybe two, hours of your time are needed to set-up, serve food, sell tickets, serve refreshments, help with games, or clean up. It's not hard work, it's fun work. **REMEMBER!** Many hands will make this work light.

You can help by calling 382-1809 (9:00 a.m. - 9:00 p.m.) and volunteering your effort.

Picnic chair, Will Rogers



Wendy: "You want me to print that?"



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Tidings

From good Indian to bad Indian. Lawrence is back!! Notice he's gazing down North Ferry Street, probably wondering who that Tire Man was on his pedestal. The imposter deserves a newly polished arrow in his gluteus maximus. Does anybody know who did it??

Along with our beloved bronze native, other denizens have returned on heels of Spring. Katie Van Eps says she spotted a robin in the back yard. She also saw the first opossum of the season (where **do** they go for the winter), but he got bored and left after 15 minutes.

Steve and Jessica Spacil went vacationing in St. Croix and Domenica, presumably to escape all the excitement around here and to change the color of their complexion to that of Lawrence. Right here at home Carol Ramundo is movin' on up -- she is now Manager at Arthur's grocery store.

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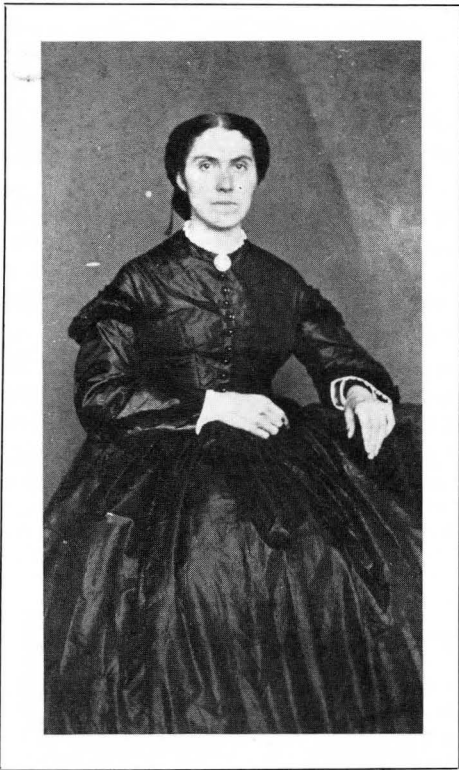
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Diane: "Where's that dictionary?"

Schenectady Civic Players 60th Season

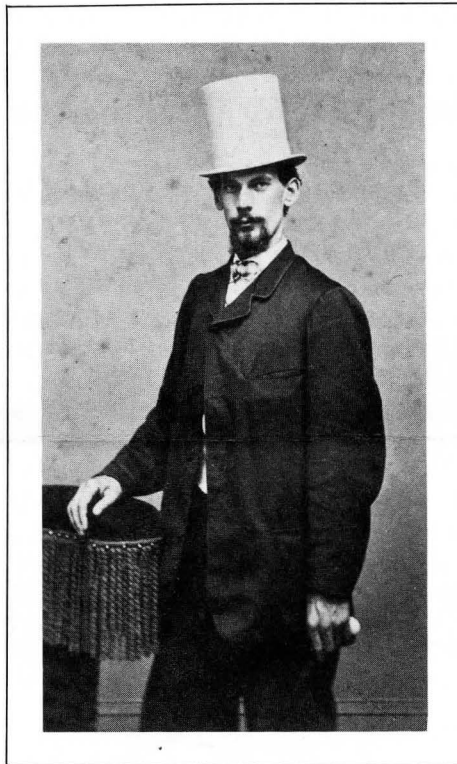
The Schenectady Civic Players complete their celebration of 60 seasons of community theatre with yet another promise of fine entertainment, **Sabrina Fair**. It was in 1929 that Raymond M. Herrick introduced the idea of a local theatre group and began the search for permanent facilities. Stockade real estate owners will sigh when told that the Masonic Temple on So. Church St. was bought for \$16,000.00! Problems have beset the Players from time to time, yet despite the Depression, W.W.II oil rationing (which made winter months an unwelcome hiatus), and an outside offer to buy the building, the Players not only survived, they hold the honor of being the oldest continuously functioning theatre in the area. The Players are now under the direction of their youngest president, Stockade resident, Mathew Moross, who is always looking to improve the quality of performance. Renovations, new equipment, and comfortable seating for the audience are clearly linked to subscriptions. We are fortunate to have such a fine theatre group within walking distance of our homes. Congratulations to the Players as they justly celebrate these 60 seasons. May they have many reasons to celebrate in the future.

Schenectady YWCA is 100 Years Old!

One hundred years old and getting better all the time—that might sum up what has happened since 1888 when the YWCA was first organized. It is one of the oldest YW's in New York, and a look at their catalog of events each season lets you know that it is a lively and growing part of the Stockade. For this special centennial year the Y will offer **Mother, I'm Here**, a musical celebration, at Proctor's Theatre on May 7th., Mother's Day Eve. Written by Maria Riccio Bryce, the musical looks at the courage and force of womanhood as they move through critical life stages. Various musical styles, excerpts from women writers such as Doris Lessing and Virginia Woolf, and fine vocalists, are brought together under Ms. Bryce's direction and promise an evening to remember. A champagne party will follow the performance. Further information may be obtained from the YWCA on Washington Avenue or call 374-3394.

Jazz Jottings

Another feature sure to be missed is Tim Oakley's piece on jazz. It has been great to have an easy check on the performances at the Van Dyck, especially when they have a special touch from a special Stockader. Tim will be back (so the editor hopes) next month to fill us in for the summer.



Hal: "Look what I did with the March issue!"

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