



CITY OF SARATOGA SPRINGS ZONING BOARD OF APPEALS

CITY HALL – 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
PH) 518-587-3550 FX) 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

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Keith Kaplan, *Vice Chair*
Adam McNeill, *Secretary*
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James Helicke
Susan Steer
Cheryl Grey
Oksana Ludd, *alternate*
Brad Gallagher, *alternate*

ZBA Meeting – Monday, December 11, 2017

City Council Chambers – 7:00 p.m.

AGENDA

6:00 P.M. **Workshop**

Salute The Flag

Roll Call

New Business

1. #2953 STATION PARK MIXED-USE DEVELOPMENT

Washington Street and Station Lane, area variance for a proposed multi-use development containing a 110 room hotel, 88 senior housing units, 41 assisted living units, 90 townhouses, and 28,060 sq. ft. of retail; seeking relief from the frontage build-to and build-out, minimum two-story and maximum building height requirements in the Transect-5 district.

Documents:

[2953 STATIONLANEMIXEDUSE_COUNTYRESPONSE.PDF](#)
[2953 STATIONLANEMIXEDUSE_APP_REDACTED.PDF](#)
[2953 STATIONLANEMIXEDUSE_REVISEDAPP11-30-17_REDACTED.PDF](#)

Old Business

1. #3005 CONNORS RESIDENCE

87 Ludlow, area variance for renovation including increasing roof height to an existing single-family residence; seeking relief from the minimum front yard setback requirement in the Urban Residential – 3 District.

Documents:

[3005 CONNORSADDITION_APP_REDACTED.PDF](#)
[3005 CONNORSADDITION_PARLIMANCORR11-27-17_REDACTED.PDF](#)
[ZBI DENIAL.PDF](#)

2. #2984 SONG & WANG SUBDIVISION

21 Murphy Lane, area variance for a two-lot residential subdivision; seeking relief from the minimum average lot width (for lots 1&2) and minimum lot area, minimum side yard and minimum total side yard setback requirements for lot 2 in the Urban Residential – 2 District.

Documents:

[2984 SONGWANGSUBDIVISION_APP1_REDACTED.PDF](#)
[2984 SONGWANGSUBDIVISION_REVISEDAPP7-31-17_REDACTED.PDF](#)
[2984 SONGWANGSUBDIVISION_ADDTLINFO10-16-17_REDACTED.PDF](#)
[2984 SONGWANGSUBDIVISION_PBADVISORYOPIN.PDF](#)
[2984 SONGWANGSUBDIVISION_LOTCOMPARISONS.PDF](#)

Adjourned Items

1. #3001 ZIMMERMAN SUBDIVISION

139 Grand Avenue, area variance associated with a two-lot residential subdivision; seeking relief from the minimum average lot width and minimum lot size (lot 1) and minimum lot area (lot 2) and minimum total side yard setback for existing residence on proposed lot 1 in the Urban Residential — 3 District.

Documents:

[3001 ZIMMERMANSUBDIVISION_APP_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_PAGE6.PDF](#)
[3001 ZIMMERMANSUBDIVISION_SEAF_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_VARIOUSCORR10-16-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_RENDERING10-19-17.PDF](#)
[3001 ZIMMERMANSUBDIVISION_APPLTRTONEIGH_10-20-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_FCAF10-23-17F_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_CAPONECORR10-24-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_NONCONFORMPROPS10-26-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_WOODWORTHICORR10-27-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_ZIMMERMANCORR10-27-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_SCHNURRCORR10-27-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_BOKANCORR10-27-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_NOUDCORR10-27-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_WOODWORTHICORR10-27-17.PDF](#)
[3001 ZIMMERMANSUBDIVISION_HAYESCORR10-29-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_ZUCHHINOCORR10-29-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_MCDONALDCORR10-29-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_BOKANCORR10-29-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_HANSONCORR10-29-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_ARTSDISTRICTCORR10-30-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_POLITCORR10-30-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_AMYOTCORR10-30-17_REDACTED.PDF](#)
[3001 ZIMMERMANSUBDIVISION_TOTINOCORR11-6-17_REDACTED.PDF](#)
[3001 ZBI DENIAL.PDF](#)

2: #2817.1 ADELPHI HOTEL EXPANSION

19-23 Washington Street, deferral of Lead Agency status to the Planning Board associated with construction of a hotel and spa; seeking relief from the frontage build to and build-out requirements in the Transect — 6 District.

Documents:

[2817.1 ADELPHIEXPANSION_SITEPLAN APPF_REDACTED.PDF](#)
[2817.1 ADELPHIEXPANSION_PLANS.PDF](#)
[2817.1 ADELPHIEXPANSION_PUBLICCORR_REDACTED.PDF](#)
[2817.1 ZBI DENIAL.PDF](#)

3: #2991 CARUSO GARAGE

565 Grand Avenue, area variance to maintain an existing residential garage; seeking relief from the minimum side yard setback requirement in the Rural Residential District.

Documents:

[2991 CARUSOGARAGE_APP_REDACTED.PDF](#)
[2991 CARUSOGARAGE_PHOTOS9-6-17.PDF](#)
[2991 CARUSOGARAGE_LAROCHECORR9-8-17_REDACTED.PDF](#)
[ZBI DENIAL - CARUSO.PDF](#)

4: #2969 PEEK CARRIAGE HOUSE

34 York Avenue, area variance to demolish an existing barn/garage and rebuild a new garage with habitable space; seeking relief from the maximum accessory building coverage requirement and to permit habitable/finished space in an accessory structure (residential) in the Urban Residential — 3 District.

Documents:

[2969 PEEKCARRIAGEHOUSE_APP_REDACTED.PDF](#)
[2969 PEEKCARRIAGEHOUSE_SURVEY.PDF](#)
[2662.1 PEEK MODIFICATION RESOLUTION.PDF](#)

5: #2988 KOSIBA GARAGE APARTMENT

5 Beekman Street, area variance to construct a detached garage with dwelling unit; seeking relief from the minimum lot size requirement for a second single-family residence, to permit more than one principal building on a lot and minimum rear yard setback requirements in the Urban Residential — 3 District.

Documents:

[2988 KOSIBARESIDENCEGARAGE_APPF_REDACTED.PDF](#)

[2988-KOSIBARESIDENCEGARAGE_VARIANCECHARTREVISED7-17-17.PDF](#)
[2988-KOSIBARESIDENCEGARAGE_REVISED PLOT PLAN 7-17-17.PDF](#)
[ZBI DENIAL.PDF](#)

6: #2989 PEPPER'S CORNER MARKET

173 Lake Avenue, area variance to demolish the existing structure and construct a new 1,960 sq. ft. market for two retail tenants and two wall signs; seeking relief from the minimum parking requirement and to permit two wall signs in the Urban Residential – 3 District.

Documents:

[2989-PEPPERSCORNER_APP-REDACTED.PDF](#)
[2989-PEPPERSCORNER_TRAFFICANALYSIS-REDACTED.PDF](#)
[2989-PEPPERSCORNER_ELEVATIONS-REDACTED.PDF](#)
[2989-PEPPERSCORNER_ZBI LETTER.PDF](#)
[2989-PEPPERSCORNER_COUNTYRESPONSE.PDF](#)
[2989-PEPPERSCORNER_TYCHOSTUPCORR-REDACTED.PDF](#)
[2989-PEPPERSCORNER_DIXONCORR7-20-17.PDF](#)
[2989-PEPPERSCORNER_SUPPORTPETITION7-21-17.PDF](#)
[2989-PEPPERSCORNER_MORANCORR7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_DIXONPETITION7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_HANAWAYCORR7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_BROPHYPHOTOS7-24-17.PDF](#)
[2989-PEPPERSCORNER_DIXONCORR7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_CIPOLLOCORR7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_BROPHYCORR7-24-17-REDACTED.PDF](#)
[2989-PEPPERSCORNER_BROPHYCORR7-17-17-REDACTED.PDF](#)

7: #2932 DEVAL CARRIAGE HOUSE

59 Franklin Street, area variance for construction of a three-car carriage house with second story dwelling unit; seeking relief from the minimum front yard setback (Cherry St.) and minimum side yard setback requirements in the Urban Residential – 4 District.

Documents:

[2932-DEVALLCARRIAGEHOUSE_APP-REDACTED.PDF](#)
[2932-DEVALLCARRIAGEHOUSE_1986 SITE PLAN.PDF](#)
[2932-DEVALLCARRIAGEHOUSE-DEVALLCOR11-30-16-REDACTED.PDF](#)

8: #2957 MANEY MULTI-FAMILY

18 Cherry Street and 38 Marvin Alley, discussion and consideration for Coordinated SEQRA Review for two residential condominium buildings and associated site work in the Urban Residential – 4 District.

Documents:

[2957-MANEYMULTIFAMILY_APP-REDACTED.PDF](#)
[2957-MANEYMULTIFAMILY_REVISEDAPP8-20-17-REDACTED.PDF](#)
[17-036.1-MANEYMULTIFAMILY_UPDATES9-27-17-REDACTED.PDF](#)
[2957-MANEYMULTIFAMILY_COUNTYRESPONSE.PDF](#)
[2957-MANEYMULTIFAMILY_COUNTYRESPONSE2.PDF](#)
[2957-MANEYMULTIFAMILY_SSPFCORR.PDF](#)
[17-036.1-MANEYMULTIFAMILY_SSPFCORR9-26-17.PDF](#)

9: #2931 LAKE LOCAL

550 Union Avenue, consideration for Coordinated SEQRA Review for expansion and construction of eating and drinking establishment, marina and docks and tourist accommodations in the Water-Related Business and Rural Residential Districts.

Documents:

[2931-LAKELOCAL_APP-REDACTED.PDF](#)
[2931-LAKELOCAL_2NDSUBMISSIONRECVD3-28-17-REDACTED.PDF](#)
[2931-LAKELOCAL_PHASE2ARCHAEOLOGY10-12-17-REDACTED.PDF](#)

10: #2992 NORTHBURG CAMPGROUND

62 Muldowney Road, initiation of Coordinated SEQRA Review associated with a use variance for a campground; seeking relief from the permitted uses in a Rural Residential District.

Documents:

[2992-NORTHBURGCAMPGROUND_APP-REDACTED.PDF](#)
[2992-NORTHBURGCAMPGROUND_FEAF-REDACTED.PDF](#)

[2992NORTHBURGCAMPGROUND_NYSDOHSUBPART7-3.PDF](#)
[2992NORTHBURGCAMPGROUND_WETLANDINFO.PDF](#)
[NORTHBURG-COST.PDF](#)
[ZBI-DENIAL - NORTHBURG.PDF](#)
[2992NORTHBURGCAMPGROUND_COUNTYRESPONSE.PDF](#)

11. #2997 ED'S GARAGE

~~578 Lake Avenue, appeal of the Zoning and Building Inspector's determination that the existing automobile garage is not a lawful pre-existing non-conforming use in the Rural Residential District.~~

~~Documents:~~

[2997-DIEHLGARAGE_APP-REDACTED.PDF](#)

OTHER BUSINESS:

- a. Caravan: TBD
- b. Approval of Draft Meeting Minutes: Oct. 30 and Nov. 13
- c. Next ZBA Meeting: Dec. 18

Note: This agenda is subject to change up until the time of meeting. Updates will be reflected here as they arise. Check posted agenda here to verify the actual agenda prior to the meeting.



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

May 8, 2017

Susan Barden, Senior Planner
City of Saratoga Springs
City Hall 474 Broadway
Saratoga Springs, NY 12866

RE: SCPB Referral #17-66-Area Variances-Giardino/Station Lane Mixed Use Development

Various variances associated with construction of a mixed-use development in a T5 District:

1. max. bldg height (Lot 1, Bldg A)
2. build-out, build-to along principal frontage (Lot 2, Bldg F)
3. 0-12' build-to frontage (Lot 2, Bldg B; Lot 3, Bldg C; Lot 4, Bldg 4; Lot 5, Bldg F)
4. Lot width on all lots from 18' to 144'
5. Designation of an alternative principal frontage from Washington Street for Lot 3, Bldg C.

Washington Street (NYS Rt. 29) and Station Lane

Received from the City of Saratoga Springs Zoning Board of Appeals on March 16, 2017.

Reviewed by the Saratoga County Planning Board on April 20, 2017.

Decision: No Significant Countywide or Intercommunity Impact

Comment:

The property/tax parcel associated with the proposed development is 165.0-2-70 and is located within the city's T5 zoning district. This board recognized there to be no countywide impact(s) associated with the listed area variances, but had initial comments for consideration under later site plan review, such as: the extent and location of wetlands, considerations for development of the site as a community for senior housing units that might consider providing asphalt/concrete sidewalks throughout (particularly along back of parking areas/curbline), lighting of walkways/common areas, and providing benches along walkways.



Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.



Landscape Architects, Architects,
Engineers, and Planners, P.C.

Transmittal

To: City of Saratoga Springs.
City Hall
474 Broadway
Saratoga Springs, NY 12866

From: Don Minnery
Date: March 3, 2017

Project Name: Station Park
Project #: 16012.10

Attn: Sue Barden, ZBA
Phone: 587-3550

☐ Postal ☒ Hand Deliver ☐ Email
☐ Next Day AM ☐ Next Day PM ☐ 2nd Day

☒ **We Transmit:** ☐ **We Acknowledge Receipt of:**
☒ Herewith ☐ Under Separate Cover Via ☐ In Accordance with Your Request

For Your:

☐ Signature ☐ Distribution to Parties ☐ Acknowledge Receipt of Enclosures
☐ Review & Approval ☐ Record/Information ☐ Return Enclosures to Us
☒ Use ☐ Other:

The Following:

☒ Drawings ☒ Prints/Copies ☐ Samples ☐ Specifications
☐ Reproducibles ☐ Product Literature ☐ Shop Drawings ☐ Other:

Copies	Date	Description	Action
1	03-03-17	Existing Conditions Plan	
1	03-03-17	Site Plan	
1	03-03-17	ZBA Application	
1	03-03-17	Long Form EAF	
1	03-03-17	Photographs	

Copies To:

Top Capital of New York

Project File: ☒

☒ With Attachments



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*

OWNER(S) (If not applicant)

ATTORNEY/AGENT

Name _____
Address _____
Phone _____
Email _____

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: _____ Tax Parcel No.: _____
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: _____ 3. Zoning District when purchased: _____

4. Present use of property: _____ 5. Current Zoning District: _____

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? _____ For what? _____)
☐ No

7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: _____

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☐ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☐ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☐ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional RequirementsFromTo

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☐ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Community Mixed Use designation (not parcel-specific) ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ hotel, spa, mixed use, clubhouse, retail ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____ _____</p>		
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p>_____ Square feet or _____ acres (impervious surface)</p> <p>_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____ _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No pending traffic engineer study</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet (over 80" per NRCS/USDA soil survey)	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet (per NRCS/USDA soil survey)	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ _____	
h. Surface water features. <ul style="list-style-type: none"> i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <ul style="list-style-type: none"> iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <ul style="list-style-type: none"> i. Name of aquifer: _____ 	

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

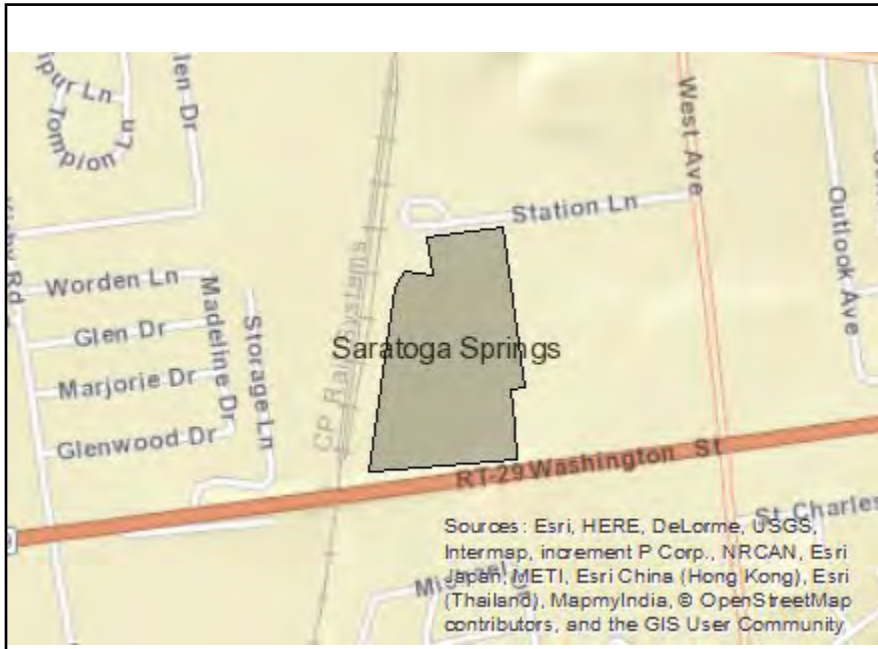
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



Western View Toward Washington Street Overpass and Railroad Tracks



Site Vegetation Character



Slope at Washington Street



Site Vegetation Character

STATION PARK AT SARATOGA

Saratoga Springs, New York





View from Northwest Corner of Property



Train Station North of Property



View along Western Edge of Property



View along Station Lane from Eastern End



View along Station Lane from Western End



STATION PARK AT SARATOGA

Saratoga Springs, New York





View looking West along Washington Street toward Railroad Overpass



View looking North from Washington Street of Proposed Entrance Location and Existing Adjacent Residence



TOP CAPITAL OF
NEW YORK

STATION PARK
STATION LANE
SARATOGA SPRINGS, NY

REVISIONS				
NO	DATE	DESCRIPTION	DRAWN	CHK

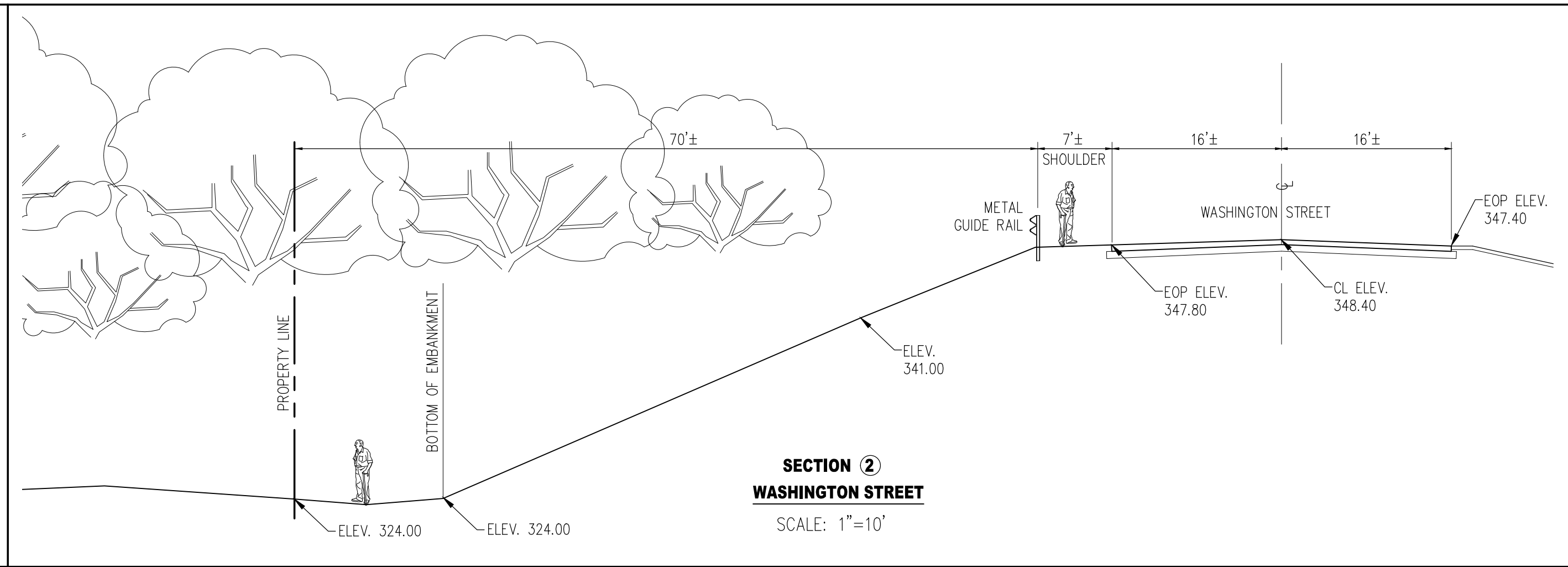
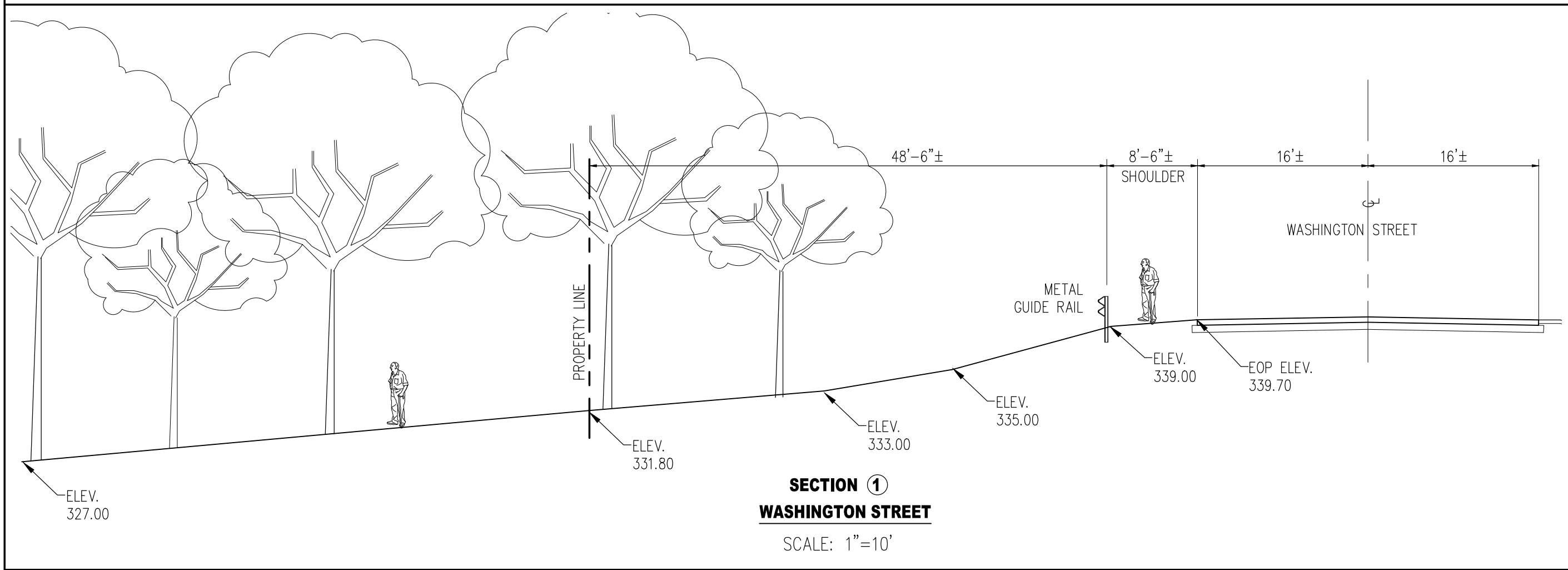
SARATOGA ASSOCIATES PROJECT # 16012.10M

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SARATOGA ASSOCIATES

DATE: 03.03.2017
DRAWN BY: RJM
CHECKED BY: DFM
PHASE: SKETCH PLAN

EXISTING
CONDITIONS
PLAN

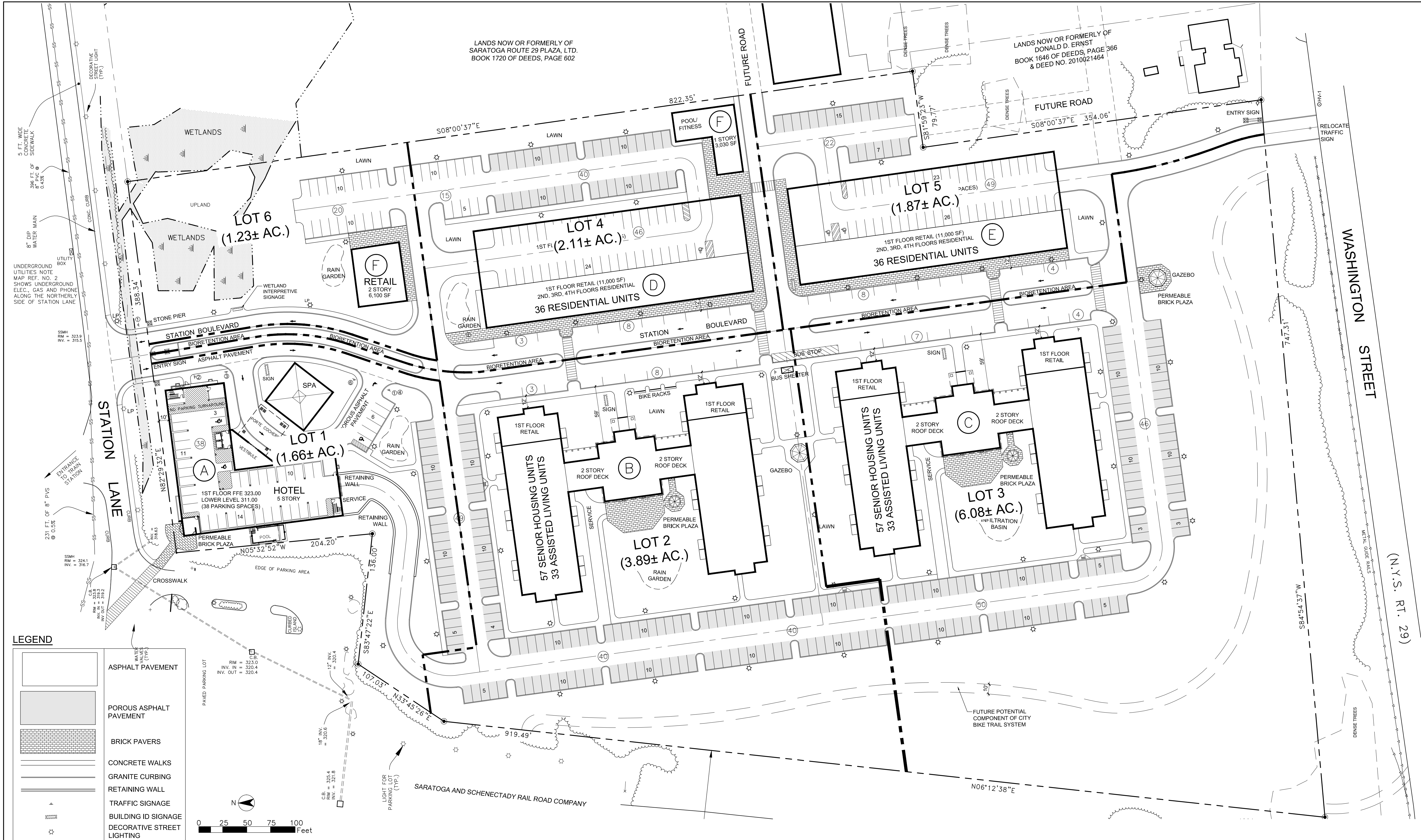
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TOP CAPITAL OF
NEW YORK

STATION PARK
STATION LANE
SARATOGA SPRINGS, NY



PARKING SCHEDULE			BUILDOUT ALONG ROAD FRONTAGE			ZONING (PARCEL ID 165-2-70)		
LOT 1 - BUILDING A			LOT 1 - BUILDING A			TRANSECT-5: NEIGHBORHOOD CENTER		
USE:	REQUIRED:	PROVIDED:	USE:	REQUIRED:	PROVIDED:	PRINCIPAL PERMITTED	PERMITTED WITH SITE PLAN APPROVAL	PERMITTED WITH SPECIAL USE PERMIT AND SITE PLAN APPROVAL
HOTEL/MOTEL (110 UNITS)	1 PER UNIT (110 SPACES)	59 SPACES	STATION LANE ROAD FRONTAGE	1.5 PER UNIT (54 SPACES)	68 SPACES	NONE	NONE	ALL EXCEPT PERMITTED ACCESSORY AND PROHIBITED USES
20 EMPLOYEES +/-	PLUS 1 PER 2 EMPLOYEES (10 SPACES)	10 SPACES	198 LF	1 PER 300 SF OF SALES AREA (37 SPACES)	37 SPACES			RESIDENTIAL ACCESSORY STRUCTURES, HOME OCCUPATION
	TOTAL 120 SPACES	TOTAL 69 SPACES	507 LF	PLUS 1 PER 2 EMPLOYEES (5 SPACES)	5 SPACES			
LOT 2 - BUILDING B			LOT 2 - BUILDING B			AREA AND BULK:		
USE:	REQUIRED:	PROVIDED:	STATION BLVD. ROAD FRONTAGE	REQUIRED:	PROVIDED:	MAX. BLDG. HEIGHT	MIN. % BUILD OUT ALONG FRONTAGE	BUILD-TO DISTANCE FROM FRONT LOT LINE
SENIOR HOUSING (57 UNITS)	1 PER UNIT (57 SPACES)	81 SPACES	368 LF	MIN. % BUILD OUT ALONG FRONTAGE	70%	2 STORY MIN. 50' MAX. HEIGHT	70%	0' TO 12'
SENIOR ASSISTED CARE FACILITY (33 UNITS)	1 PER 4 UNITS (9 SPACES)	9 SPACES		MIN. % BUILD OUT ALONG FRONTAGE	70%			0' MINIMUM
30 EMPLOYEES +/-	PLUS 1 PER EMPLOYEE (30 SPACES)	30 SPACES						
	TOTAL 96 SPACES	TOTAL 120 SPACES						
LOT 3 - BUILDING C			LOT 3 - BUILDING C			GUIDELINES:		
USE:	REQUIRED:	PROVIDED:	STATION BLVD. ROAD FRONTAGE	REQUIRED:	PROVIDED:	LOT WIDTH	MAX BLOCK PERIMETER	PARKING LOCATION
SENIOR HOUSING (57 UNITS)	1 PER UNIT (57 SPACES)	68 SPACES	360 LF	MIN. % BUILD OUT ALONG FRONTAGE	77%	36' TO 72'	1400'	2" & 3" LAYER
SENIOR ASSISTED CARE FACILITY (33 UNITS)	1 PER 4 UNITS (9 SPACES)	9 SPACES		MIN. % BUILD OUT ALONG FRONTAGE	70%			
30 EMPLOYEES +/-	PLUS 1 PER EMPLOYEE (30 SPACES)	30 SPACES						
	TOTAL 96 SPACES	TOTAL 107 SPACES						
LOT 4 - BUILDING D			LOT 4 - BUILDING D			GUIDELINES (CONTD):		
USE:	REQUIRED:	PROVIDED:	STATION BLVD. ROAD FRONTAGE	REQUIRED:	PROVIDED:	FRONTAGE TYPE		
RESIDENCES (36 UNITS)	1.5 PER UNIT (54 SPACES)	41 SPACES	360 LF	MIN. % BUILD OUT ALONG FRONTAGE	77%	PORCH	STOOP	FORECOURT
RETAIL (11,000 SF)	1 PER 300 SF OF SALES AREA (37 SPACES)	37 SPACES		MIN. % BUILD OUT ALONG FRONTAGE	70%	TERRACE	SHOP FRONT & AWNING	GALLERY & ARCADE
10 EMPLOYEES +/-	PLUS 1 PER 2 EMPLOYEES (5 SPACES)	5 SPACES				PERMITTED	PROHIBITED	PERMITTED
	TOTAL 96 SPACES	TOTAL 83 SPACES						
LOT 5 - BUILDING E			LOT 5 - BUILDING E					
USE:	REQUIRED:	PROVIDED:	STATION BLVD. ROAD FRONTAGE	REQUIRED:	PROVIDED:			
RESIDENCES (36 UNITS)	1.5 PER UNIT (54 SPACES)	41 SPACES	517 LF	MIN. % BUILD OUT ALONG FRONTAGE	54%			
RETAIL (11,000 SF)	1 PER 300 SF OF SALES AREA (37 SPACES)	37 SPACES		MIN. % BUILD OUT ALONG FRONTAGE	70%			
10 EMPLOYEES +/-	PLUS 1 PER 2 EMPLOYEES (5 SPACES)	5 SPACES						
	TOTAL 96 SPACES	TOTAL 83 SPACES						
LOT 6 - BUILDING F			LOT 6 - BUILDING F					
USE:	REQUIRED:	PROVIDED:	STATION LANE ROAD FRONTAGE	REQUIRED:	PROVIDED:			
RETAIL (6,100 SF)	1 PER 300 SF OF SALES AREA (21 SPACES)	17 SPACES	165 LF	MIN. % BUILD OUT ALONG FRONTAGE	36%			
10 EMPLOYEES +/-	PLUS 1 PER 2 EMPLOYEES (5 SPACES)	5 SPACES						
	TOTAL 26 SPACES	TOTAL 22 SPACES						
BUILDING F			BUILDING F					
USE:	REQUIRED:	PROVIDED:	USE:	REQUIRED:	PROVIDED:			
POOL/FITNESS ACCESSORY USE	NONE	0 SPACES	USE:	REQUIRED:	PROVIDED:			

SARATOGA ASSOCIATES PROJECT # 16012.10M

DATE: 03.03.2017
DRAWN BY: RJM
CHECKED BY: DFM
PHASE: SKETCH PLAN

SITE PLAN

L200



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name Lou Giardino, Top Capital of NY/Isla Way	West Avenue Property, LLC c/o	
Address 400 Andrews Street	Markwood Enterprises, Inc.	
Rochester, NY 14604	8383 Wilshire Blvd.	
Hollywood, CA 90211		
Phone [REDACTED] /	/	/
Email [REDACTED]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☒ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: NYS Route 29/Station Lane Tax Parcel No.: 165 0 2 70
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: NA 3. Zoning District when purchased: NA

4. Present use of property: vacant 5. Current Zoning District: Transect 5: Neighborhood Center

6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? March 2017 For what? Area variance)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☒ Architectural Review District
☒ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
Proposed is a mixed-use development containing a hotel, senior residences, assisted living, residential-over-retail, and townhomes, following the guidelines of the T5 district. The development incorporates Complete Streets principles and will be incorporated into CDTA bus route and bike share program. The project provides recreational space, incorporates a segment of the Greenbelt Trail, and provides public access to a wetland area.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim “unnecessary hardship” if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Area and Bulk - Transect

The applicant requests relief from the following Zoning Ordinance article(s) Zones (Table 3)

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
1. Maximum building height, Lot 4, Building C - Hotel	50'	56'-1"
2. Build-out requirement, Lot 2, Building A	70%	11.9%
3. Build-out requirement, Lot 3, Building B	70%	10.3%
4. Build-out requirement, Lot 4, Building C	70%	44.4%
5. Build-out requirement, Lot 7, Buildings G; H, I	70%	G:37.1% H&I:19%
6. Build-out requirement, Lot 8, Building J	70%	4.5%

Other: _____

7. Build-to, Building D, from 12' to 205'-8" 8. Build-to, Building J, from 12' to 183' 9. Minimum building height, Lot 7, Buildings G,H,I - to single story 10. Minimum building height, Lot 8, Building J - to single story 11. Minimum building height, Lot 6, Building F - to single

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

1. Due to site constraints, the building footprint cannot be expanded at the proposed location in a way that allows for the maintenance of the proposed program. The height of the hotel is significantly lower as perceived from Washington Street, the primary frontage for the building.

2 & 3. The overall widths of Buildings A and B meet the build-out requirement, but the portions within the 12' maximum setback are small (entry points), and do not satisfy the requirement.

4. Though access to Building C is via Cottage Lane, and the building would meet build-out for this frontage, the frontage for analysis is a 547' long boundary along the more highly-trafficked Washington Street, so the building does not meet the build-out requirement.

5. Though access to Building G is via Station Boulevard, and the building would meet build-out for this frontage, the frontage for analysis is the existing Station Lane. The overall building width is wider, but the portion within the 12' maximum setback is small, and does not meet the build-out requirement.

6. Lot 8 contains a small wetland. In order to provide a buffer for the wetland as requested by the Planning Board, development has been minimized and build-out is not met.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Of the significant buildings proposed on site, the height variance for the hotel does not vary significantly from the character of the proposed overall development. The overall building structures, if considered, would generally meet the build-out requirements.

The overall character, scale and massing established by this proposed development will follow the requirements of the Transect-5 Neighborhood Center zone.

The development will be pedestrian and bicycle friendly, with complete streets characteristics and recreational components.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The hotel building, as seen from Washington Street, will not appear to be taller than the 50', due to the site topography. As seen within the site, it is only one story taller than adjacent buildings and 6'1" taller than the allowed height.

The less than full build out of the buildings is due to the small portions of the buildings (entryways, access) that fall within the 12' setback area. The location of the buildings allows for wide sidewalks, tree plantings, and site furnishings along the streetscape. Each of the buildings will have a well articulated facade and will not appear as big box structures. As mentioned above, the overall building structures, if considered, would generally meet the build-out requirements. The only exception to this is building J, which is kept small in order to avoid impacting the on-site wetland.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The property is currently undeveloped, with adjacent commercial developments, a state road, and a train station. There are no currently existing neighborhoods adjacent to the site. The eastern boundary of the site is comprised of a single lot containing a shop and residence. The majority of the boundary is comprised of an undeveloped property containing mostly wetland. The northern boundary of the property is Station Lane. The western boundary is property owned by the railroad with the train station located to the north west. The southern boundary of the property borders on the Washington Street overpass.

The closest neighborhood to the site would center on the intersection of West Avenue and Washington Street. The intersection is approximately 1,200 feet from the south east corner of the proposed development. The northeast corner of the intersection is occupied by a single-story Mobile gas station and convenience store. The southeast corner is occupied by a new retail building currently under construction. The southwest corner is occupied by a single-story Stewarts gas station and convenience store and a contiguous dry-cleaning/laundromat. The northwest corner of the intersection is occupied by a single-story vacant retail building (formerly a liquor store).

The overall character, scale and massing established by this proposed development will follow the requirements of the Transect-5 Neighborhood Center zone.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The build-out for Building J is restricted by the presence of the wetland. Though this wetland is an ACOE wetland, and has no setback required, the Planning Board requested a protective buffer at a minimum of 50 feet.

The proposed programming and layout meet the intention of the T-5 Zone. The overall size of the buildings would meet the build-out for the internal frontage, but, due to Complete Streets pedestrian and streetscape accommodations, the portions of the buildings within the maximum set-back area do not meet the requirements. Buildings A and B also include recessed portions of the buildings, resulting in less building length within the build-out area.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE



TOP CAPITAL OF
NEW YORK

STATION PARK
STATION LANE
SARATOGA SPRINGS, NY

REVISIONS				
NO	DATE	DESCRIPTION	DRAWN	CHK

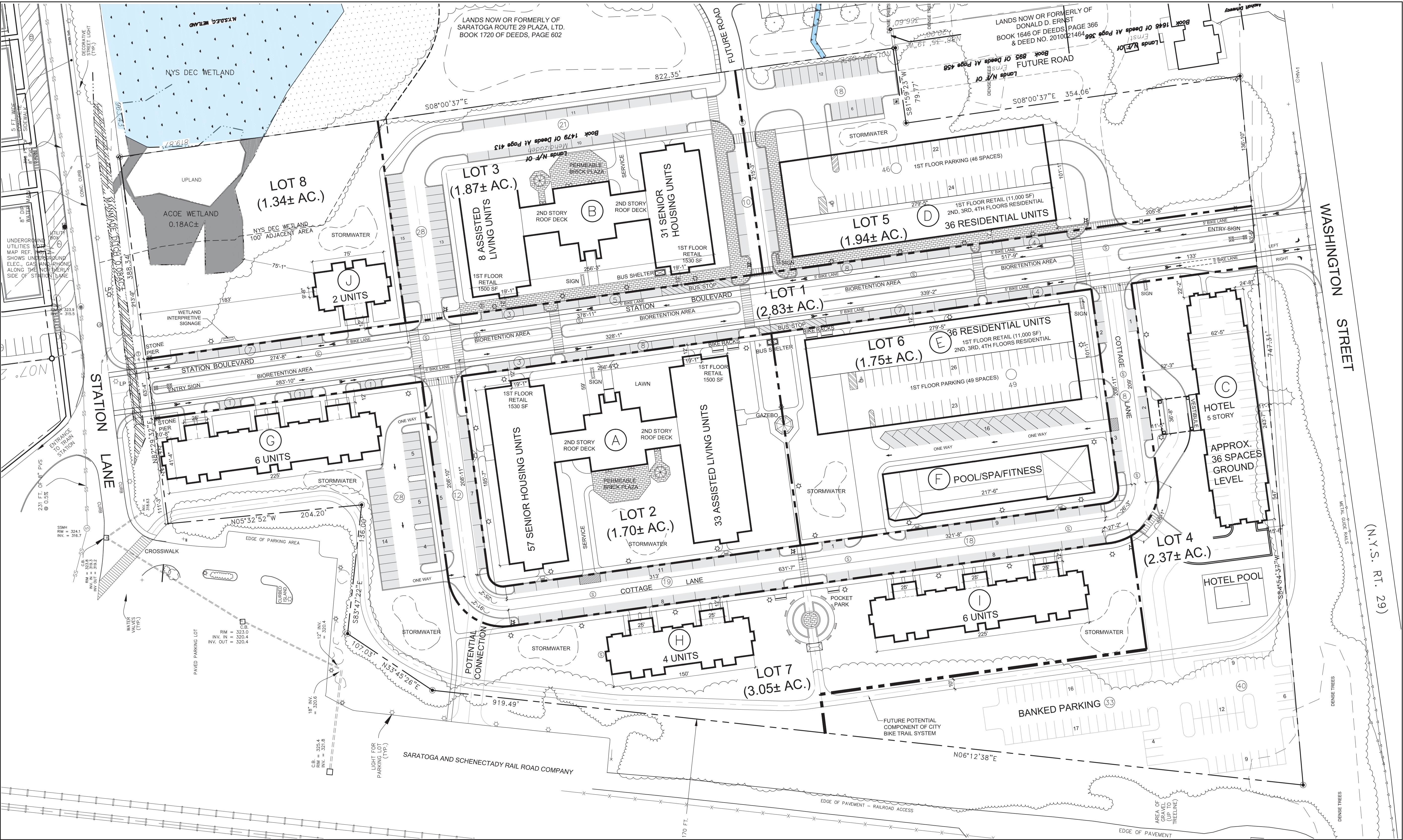
SARATOGA ASSOCIATES PROJECT # 16012.10M

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SARATOGA ASSOCIATES

DATE: 11.27.2017
DRAWN BY: RJM/ELG
CHECKED BY: DFM
PHASE: ZBA/SUBDIVISION

SUBDIVISION
PLAN

L302



LEGEND

ASPHALT PAVEMENT

POROUS ASPHALT PAVEMENT

BRICK PAVERS

CONCRETE WALKS

GRANITE CURBING

RETAINING WALL

TRAFFIC SIGNAGE

BUILDING ID SIGNAGE

DECORATIVE STREET LIGHTING

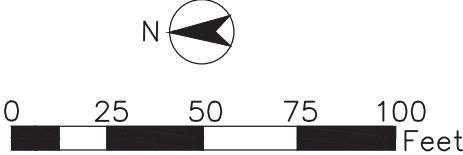
BUILD-OUT AND BUILD-TO ANALYSIS				
LOT 2 - BUILDING A				
STATION BLVD. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
328'-1"	39'-2"	70%	11.9%	12'
LOT 3 - BUILDING B				
STATION BLVD. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
378'-11"	39'-2"	70%	10.3%	12'
LOT 4 - BUILDING C				
WASHINGTON ST. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
547'	243'	70%	44.4%	11'-1" AT CENTER
LOT 5 - BUILDING D				
WASHINGTON ST. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
136'-10"	101'-1"	70%	73.9%	205'-9"
LOT 6 - BUILDINGS E,F				
STATION BLVD. / COTTAGE LN. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
BLDG. E: STATION BLVD. 339'-2"	279'-5"	70%	82.4%	12'
BLDG. F: ACCESSORY USE	217'-6"	N/A	----	----
LOT 7 - BUILDINGS G,H,I				
STATION BLVD. / COTTAGE LN. FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
BLDG. G: STATION LANE, 111'-3"	41'-4"	70%	37.1%	12'
BLDG. H,I: COTTAGE LN. 658'-9"	125' (50' + 75')	70%	19%	12'
LOT 8 - BUILDING J				
STATION LANE, FRONTAGE	BUILDING LENGTH	MIN. REQ.	PROVIDED	DIST. TO LOT LINE
213'-9"	9'-8" LF	70%	4.5%	183'

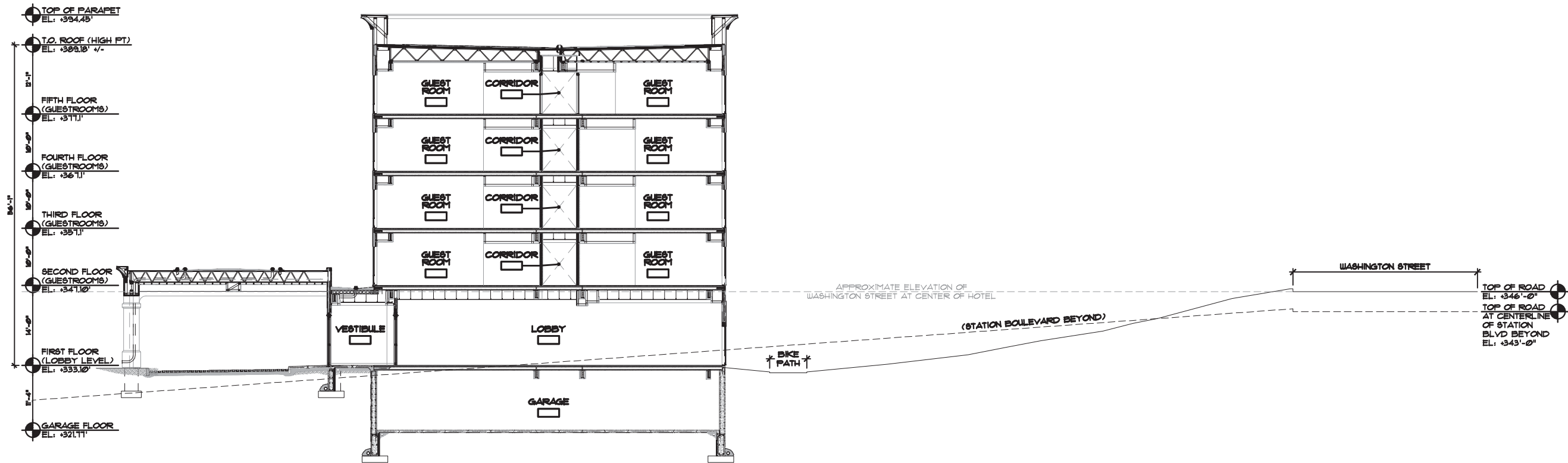
PARKING ANALYSIS					
LOT	BLDG	USE	SF/UNITS/ # EMPL.	CODE REQ.	SPACES REQ. SHOWN
1		STREET/PARKING			109 ON-STREET PARKING
2	A	SR. HOUSING	57 1 PER UNIT		57
		ASSISTED LIVING	33 1 PER 4 UNITS		8.25
		RETAIL	3030 1 PER 300 SF		10.1
		EMPLOYEES	3 1 PER 2 EMPL.		1.5
		DINING	102 seats 1 PER 4 SEATS		25.5
		EMPLOYEES	30 1 PER EMPL.		30
3	B	SR. HOUSING	31 1 PER UNIT		31
		ASSISTED LIVING	8 1 PER 4 UNITS		2
		RETAIL	3030 1 PER 300 SF		10.1
		EMPLOYEES	3 1 PER 2 EMPL.		1.5
		DINING	102 seats 1 PER 4 SEATS		25.5
		EMPLOYEES	30 1 PER EMPL.		30
4	C	HOTEL	110 Rooms 1 PER UNIT		110
		EMPLOYEES	20 1 PER 2 EMPL.		10
5	D	RESIDENTIAL	36 1.5 PER UNIT		54
		RETAIL	11000 1 PER 300 SF		36.67
		EMPLOYEES	10 1 PER 2 EMPL.		5

6	E	RESIDENTIAL	36 1.5 PER UNIT	54	
		RETAIL	11000 1 PER 300 SF	36.67	
		EMPLOYEES	10 1 PER 2 EMPL.	5	
		ACCESSORY			
	F	POOL/FITNESS	10490 USE - NONE	0	65
7	G	RESIDENTIAL	6 1.5 PER UNIT	9	
	H	RESIDENTIAL	4 1.5 PER UNIT	6	
	I	RESIDENTIAL	6 1.5 PER UNIT	9	
	J	RESIDENTIAL	2 1.5 PER UNIT	3	
TOTAL				570.78	373

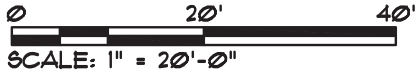
30% of available parking may be shared, at discretion of Board

Parking shown with 30% share (379 x 1.3) = 492.7
Possible parking with 30% share (452 x 1.3) = 587.6
Also: Potential to share parking with Amtrak station





1 SITE SECTION AT HOTEL
A-1 SCALE: 1"=20'



DRAWING NO.: **A-1**

© 2017 DANIEL E. MOSSIEN

PROJECT NO.: **2016-014**

DATE: **11/27/2017**

DRAWN BY: **JAB**

STATION PARK

STATION LANE
SARATOGA SPRINGS, NY

MOSSIEN
ASSOCIATES
ARCHITECTS, P.C.



Western View Toward Washington Street Overpass and Railroad Tracks



Site Vegetation Character



Slope at Washington Street



Site Vegetation Character



STATION PARK AT SARATOGA

Saratoga Springs, New York





View from Northwest Corner of Property



Train Station North of Property



View along Western Edge of Property



View along Station Lane from Eastern End



View along Station Lane from Western End



View looking West along Washington Street toward Railroad Overpass



View looking North from Washington Street of Proposed Entrance Location and Existing Adjacent Residence



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name	Jennifer Connors	Same	Robert L. Flansburg, P.E.
Address	[REDACTED]		Dreamscapes Unlimited
			6 Meghan Court, Saratoga Springs, N.Y.
Phone	[REDACTED]	/	[REDACTED]
Email	[REDACTED]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 87 Ludlow Street Tax Parcel No.: 166 53 2 52
(for example: 165.52 - 4 - 37)
2. Date acquired by current owner: _____ 3. Zoning District when purchased: UR-3
4. Present use of property: Multi-Family 5. Current Zoning District: UR-3
6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? _____ For what? _____)
☒ No
7. Is property located within (check all that apply): ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?
8. Brief description of proposed action: _____
Applicant wishes to replace the entire roof structure and raise the existing exterior walls approximately 3 ft. to accomplish the desired ceiling heights within the structure. An addition is planned as well, and the entire interior floor plans are being reworked.
A front yard setback variance is required in order to raise the height of the existing front wall .
9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional Requirements

Front Yard Setback

From

10 ft.

To

7.8 ft. (existing)

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The front wall of the existing house is within the required 10 ft. setback, and as such is an existing non-conforming situation. As this wall is not moving, or being removed, a variance must be sought in order to raise this wall 3ft in elevation at the second floor level as is being done with all other existing walls. Although this is an ambitious project, the applicant desires to replace the roof structure with a new trussed roof. In order to accomplish this cost effectively, all walls must be brought to the same elevation. Therefore, no other feasible alternatives exist.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The existing structure is a two-family rental property and has an exterior staircase and numerous other exterior elements associated with this use. The entire structure will be renovated, it's appearance improved, and it will be used as a single family residence. Both items will have a positive effect on the neighborhood and will be keeping within it's character. Granting this variance will in no way produce any undesirable effects.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

This variance is not substantial. The front setback (existing condition) will not be worsened in any way. We are simply identifying and existing non-conforming situation. The variance being sought is necessary only to extend the existing front wall upward by 3ft.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

This variance will have no physical or environmental effects on the neighborhood. The front wall of the home has existed in this location for over a century, and it's location will not change as a result of this variance. This variance is for an existing condition.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

This variance is prompted by our desire to extend the existing wall upward 3 ft and replace/reconfigure the roof structure over the existing structure. The location of this existing wall requires that a variance be obtained to accomplish this work.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: 

Date: 10/25/17

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: Jennifer Connors TAX PARCEL NO.: 166 53 2 52
PROPERTY ADDRESS: 87 Ludlow Street ZONING DISTRICT: UR-3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s) _____ . As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

Dimensional Requirements

Minimum Front Yard Setback

From

10 ft.

To

7.8 ft.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

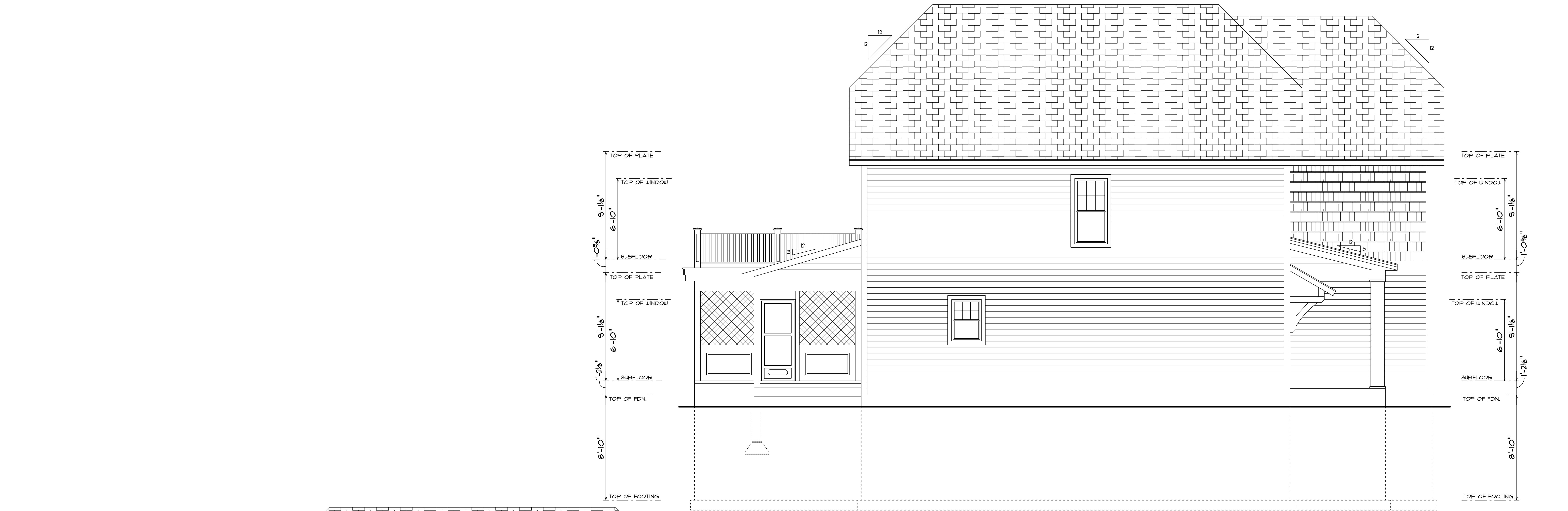


FRONT ELEVATION
SCALE: 1/4" = 1'-0"



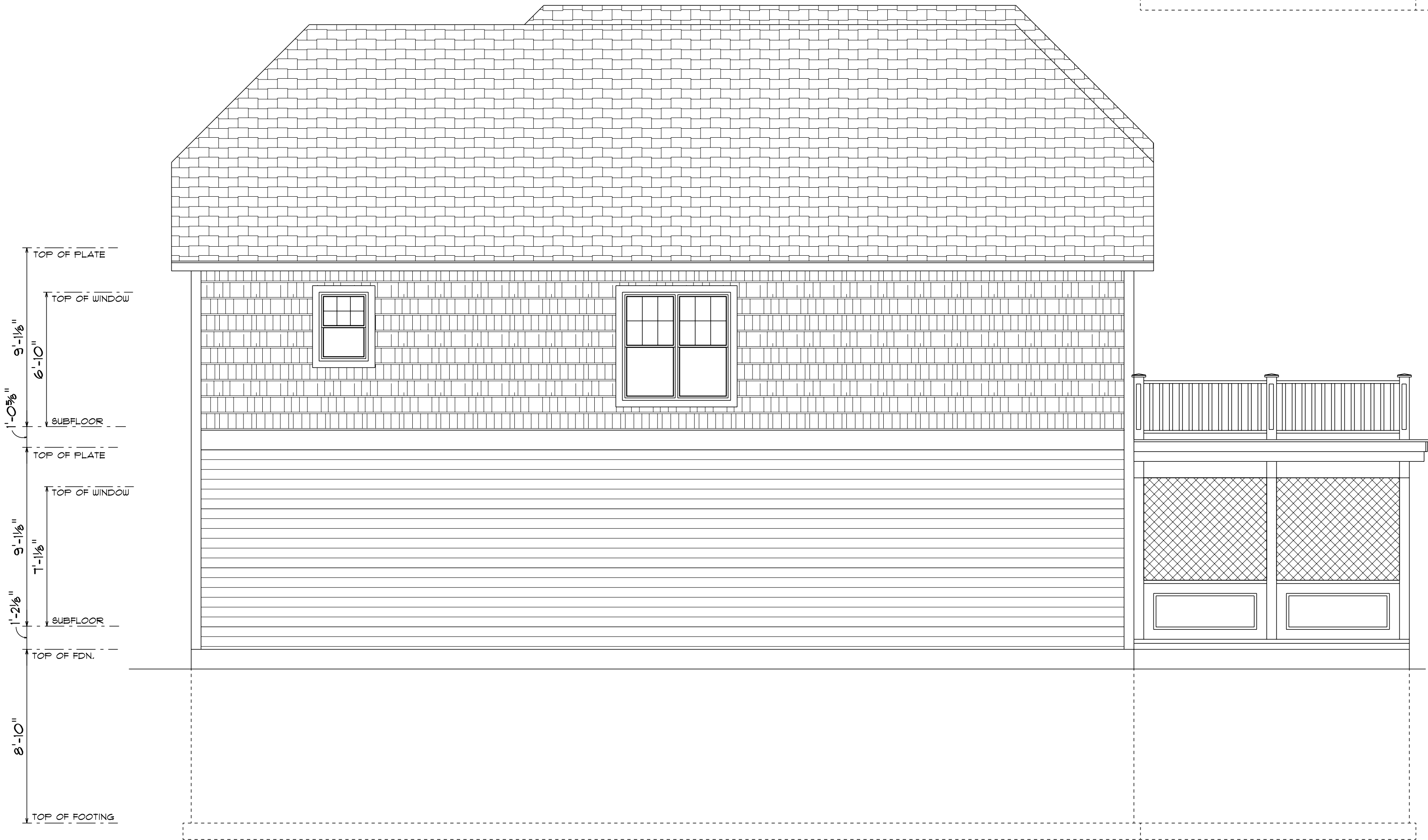
REAR ELEVATION
SCALE: 1/4" = 1'-0"

DATE				DREAMSCAPES UNLIMITED	DESIGN WITH A NEW POINT OF VIEW	6 MEGHAN COURT SARATOGA SPRINGS NEW YORK 12866	FRONT & REAR ELEVATIONS CONNORS RESIDENCE	DATE	SCALE	DRAWING NO.	SHEET NO.
REVISION				DESIGNED BY:							
				DRAWN BY:							
				CHECKED BY:							
NO.				PROJECT NUMBER:	2017025			NOV. 1, 2017	AS SHOWN	EL-1	1



LEFT ELEVATION

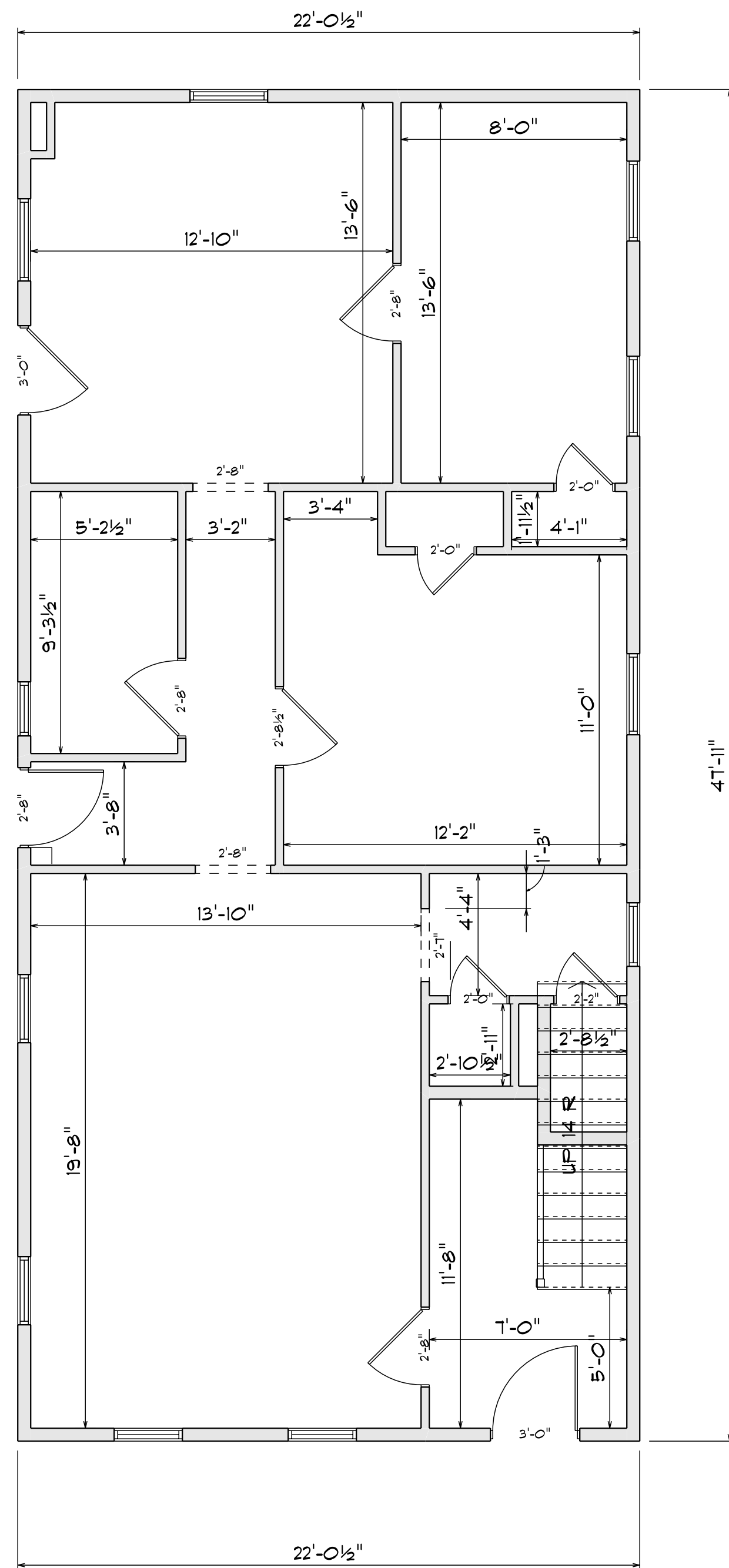
SCALE: 1/4" = 1'-0"



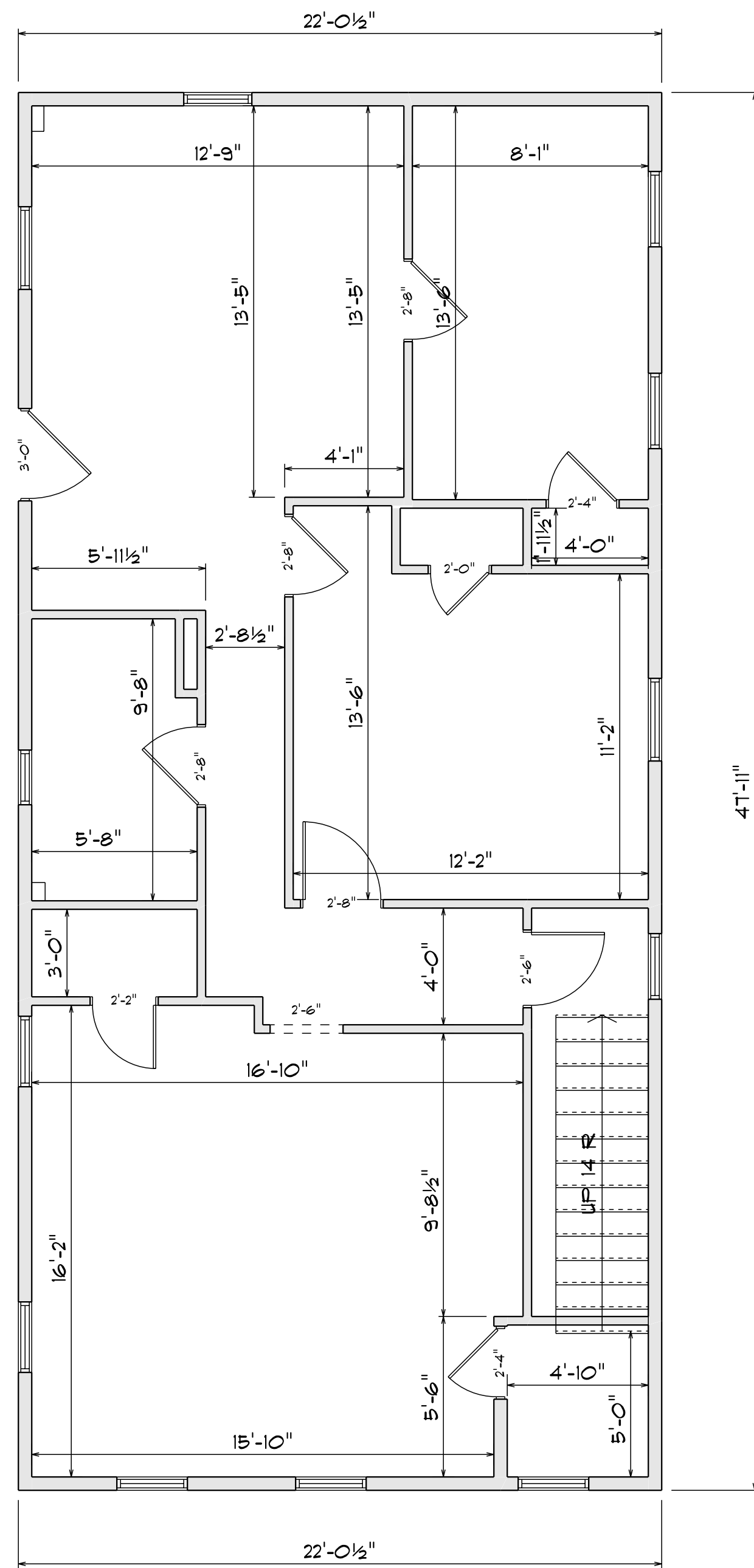
RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

DATE				<div>DREAMSCAPES UNLIMITED</div> <div>DESIGN WITH A NEW POINT OF VIEW</div> <div>6 MESHAN COURT SARATOGA SPRING6 NEW YORK 12866</div> <div>LEFT & RIGHT ELEVATIONS CONNORS RESIDENCE</div>	
	REVISION				
				DESIGNED BY:	
				DRAWN BY:	
				CHECKED BY:	
				PROJECT NUMBER:	
NO.				DATE	NOV. 1, 2017
				SCALE	AS SHOWN
				DRAWING NO.	EL-2
				SHEET NO.	2
					2017025

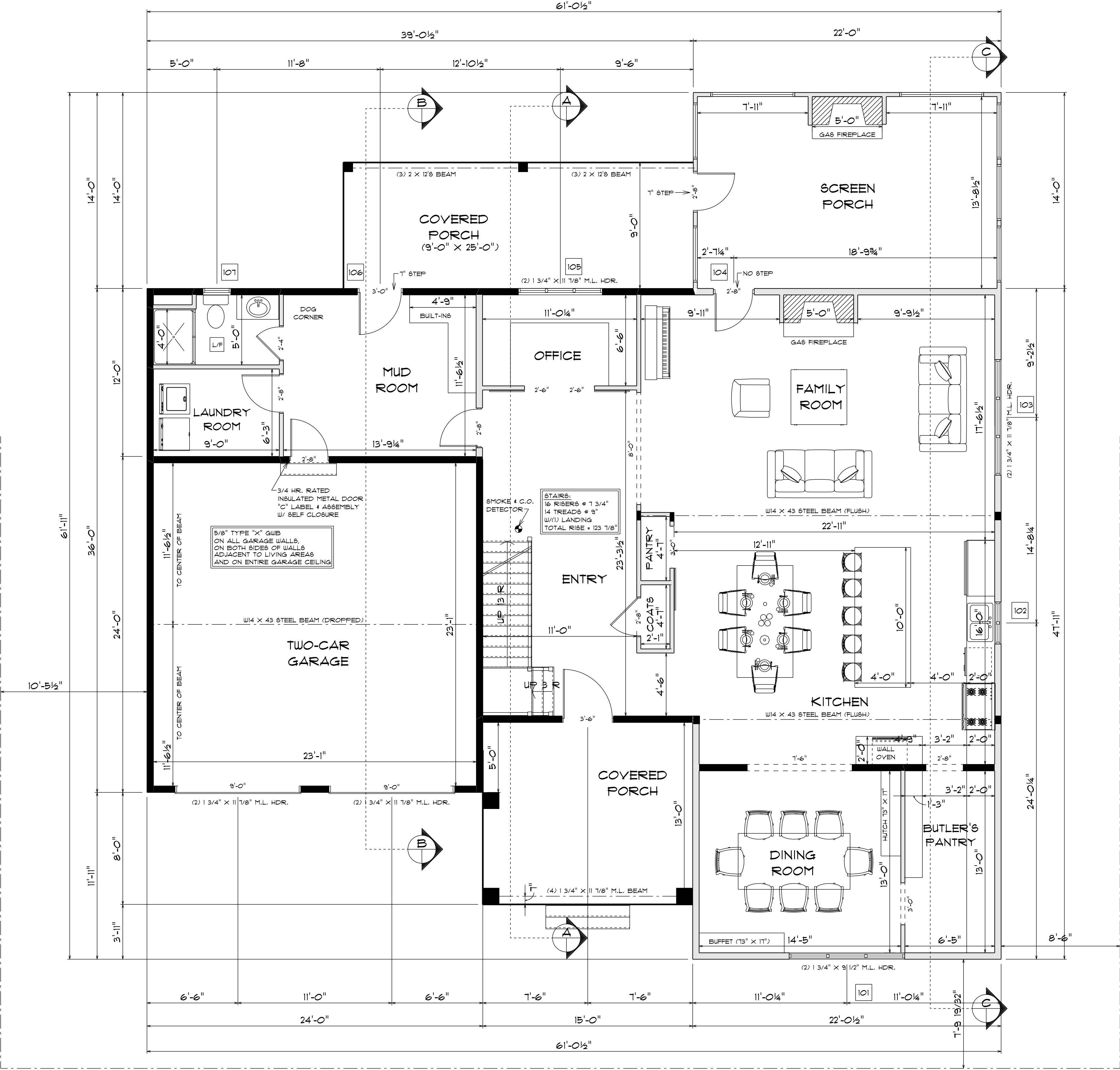


EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



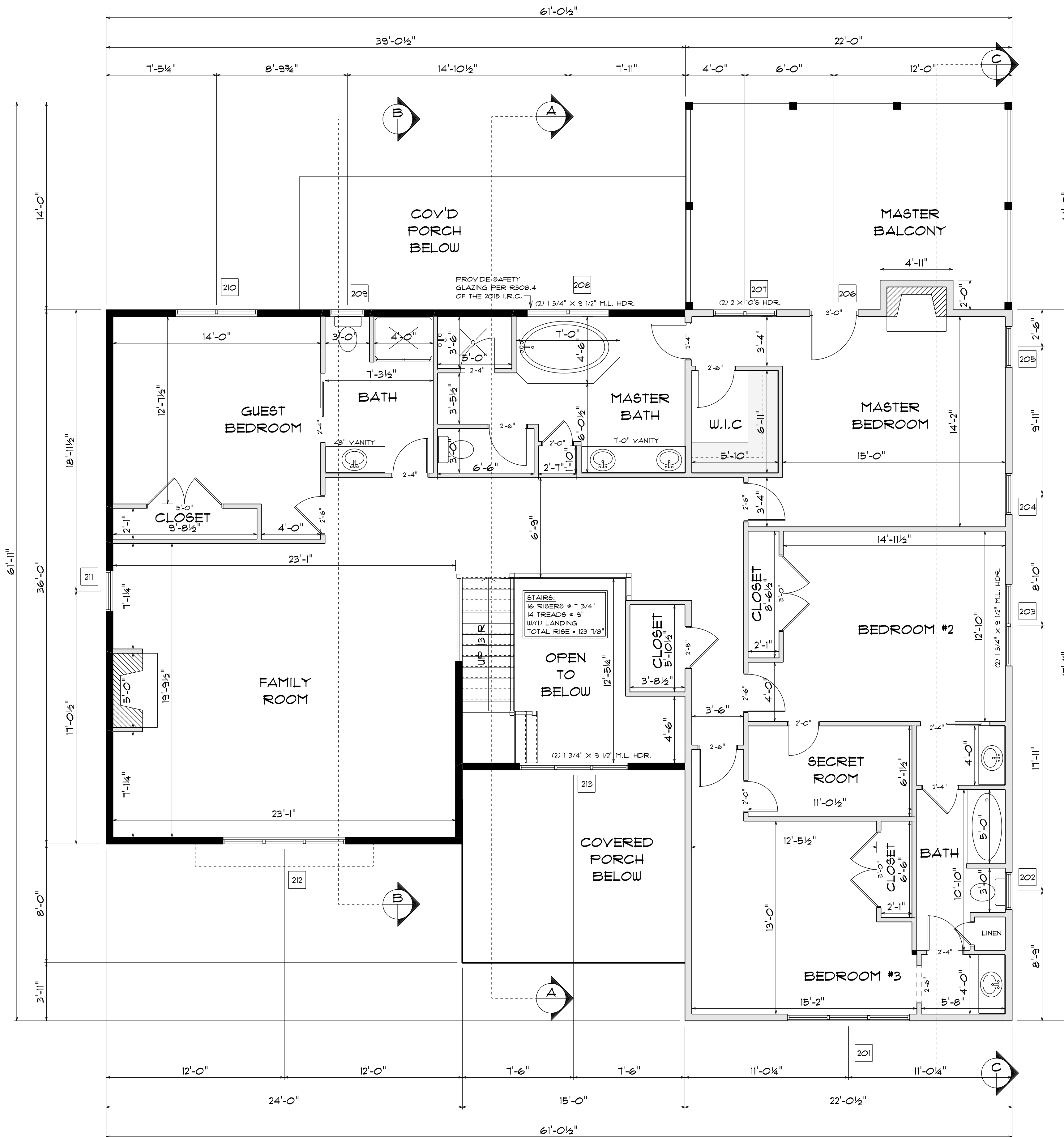
EXISTING SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE	<p>DREAMSCAPES UNLIMITED DESIGN WITH A NEW POINT OF VIEW</p> <p>6 MESHAN COURT BARATOGA SPRINGS NEW YORK 12866</p> <p>EXISTING FLOOR PLANS CONNORS RESIDENCE</p>			
			DESIGNED BY:		PROJECT NUMBER:	20110025
			DRAWN BY:		DATE:	OCT. 12, 2011
			CHECKED BY:		SCALE:	AS SHOWN
					DRAWING NO.:	EFP-1
					SHEET NO.:	1



NEW FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE	DESIGNED BY:		<div>DREAMSCAPES UNLIMITED</div> <div>DESIGN WITH A NEW POINT OF VIEW</div> <div>6 MESHAN COURT BARATOGA SPRINGS NEW YORK 12866</div> <div>NEW FIRST FLOOR PLAN CONNORS RESIDENCE</div>						
			DRAWN BY:								
			CHECKED BY:								
			PROJECT NUMBER:								
			2011025	DATE	NOV. 1, 2017	SCALE	AS SHOWN	DRAWING NO.	FFP-1	SHEET NO.	4




NEW SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

NO.	REVISION	DATE	DESIGNED BY:		PROJECT NUMBER: 2011025		DATE: NOV. 1, 2017		SCALE: AS SHOWN		DRAWING NO.: SFP-1		SHEET NO.: 5	
			DRAIN BY:											
			CHECKED BY:											
DREAMSCAPES UNLIMITED DESIGN WITH A NEW POINT OF VIEW 6 MESHAN COURT BARATOGA SPRINGS NEW YORK 12866 NEW SECOND FLOOR PLAN CONNORS RESIDENCE														

Tax Parcel #166.53-2-52 area variance concern

From : Mary Parliman [REDACTED]

Mon, Nov 27, 2017 12:12 PM

Subject : Tax Parcel #166.53-2-52 area variance concern **To :** lindsey connors <lindsey.connors@saratoga-springs.org>

Dear Ms. Gonzalez,

Thank you for speaking with me this morning and verifying that the Jennifer Connors Tax Parcel #166.53-2-52 referenced in a Public Hearing Notification Letter (undated but received just prior to Thanksgiving) refers to 87 Ludlow--and not 67 Ludlow as specified in the notice. The area variance for renovation including increasing roof height to an existing single-family residence within the Urban Residential 3 District is scheduled to be heard tonight, Nov. 27 at 7 p.m. I am not able to attend the meeting.

My residence is next door at [REDACTED] Ludlow Street, and I have concerns that raising the roof height at 87 Ludlow will affect the lovely southern exposure of our home because of the close proximity of our houses. Last year we invested in and renovated our kitchen to capitalize on this beautiful feature and do not want to be left in shadows now. Additionally, I fear that any significant change in the neighboring roof height could affect our ability to install solar panels.

Can you please bring my concerns about this application to the Zoning Board of Appeals meeting which is scheduled to review it tonight?

Very truly yours, Mary Parliman

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: JENNIFER CONNORS

TAX PARCEL NO.: 166.53-2-52

PROPERTY ADDRESS: 87 LUDLOW STREET
ZONING DISTRICT: URBAN RESIDENTIAL -3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed renovation including increasing roof height to an existing single-family residence.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

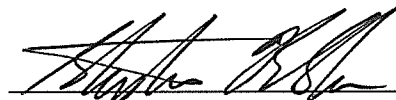
☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Minimum front yard setback:	10 ft.	7.8 ft.

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board



ZONING AND BUILDING INSPECTOR

11/21/17

DATE



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Renji Song Qiong Wang		Michael J. Toohey, Esq.
Address			Snyder, Kiley, Toohey, Corbett & Cox 160 West Avenue, P.O. Box 4367 Saratoga Springs, New York 12866
Phone		/	
Email			

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 133 Lincoln Avenue & 21 Murphy Lane
Saratoga Springs, New York 12866 Tax Parcel No.: 166.77 - 1 - 31
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 9/15/2003 3. Zoning District when purchased: UR-2

4. Present use of property: Residential 5. Current Zoning District: UR-2

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:

Property is currently one parcel with an existing single family home. The owners wish to subdivide the property to create a second single family parcel.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) Area and Bulk Schedule

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
LOT 1: Mean Width (existing)	60 feet	45 feet
LOT 2: Mean Width (existing)	60 feet	46 feet
Minimum Lot Size	6,600 sq feet	4,643 sq feet
One side (existing)	8 feet	7.7 feet
Total side (existing)	20 feet	14.6 feet

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

There are no alternatives to the "mean width" request as this is the historic width of these lots. The lots to the east and west are developed. The size and configuration of the new "Lot 1" is designed to limit the number of area variances that would be needed. For "Lot 2" the "one side" and "total side" set back area variances are based on the pre-existing placement of the existing home.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The house on Murphy Lane although it has a Lincoln Avenue address, pre-exists modern zoning. Lot 2 is a legal size. Lot 1 will be larger than Tax Parcels 166.77-1-34, 35, 27, and 22 in this neighborhood. (see attached Tax Map and description) These lot configurations are consistent with the other lots that exist within this neighborhood. As a result, there will be no undesirable change to the neighborhood.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variances are not substantial in the context of the existing neighborhood. As an example, of the sixteen parcels on the north side of Lincoln Avenue from Stratton Street to Nelson Avenue, thirteen do not meet the minimum width requirement and thus it is assumed they do not meet the side yard setback requirements. Note that the Brodwin residence to the immediate west of the subject parcel only has a 7.8 foot side yard which is consistent with the side setback for the existing house on Lot 2.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The requested area variances will not have any adverse physical or environmental effect on the neighborhood as the placement of the home to be constructed on the site, as the lots would be subdivided, is consistent with what already exists in the neighborhood.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The difficulty is self-created, but the action that is requested including the ultimate subdivision of the parcel will not create any residential or structural inconsistency in the neighborhood.

DISCLOSURE

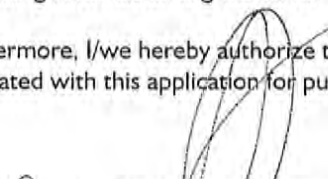
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

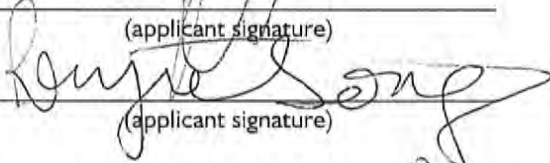
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I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)


(applicant signature)

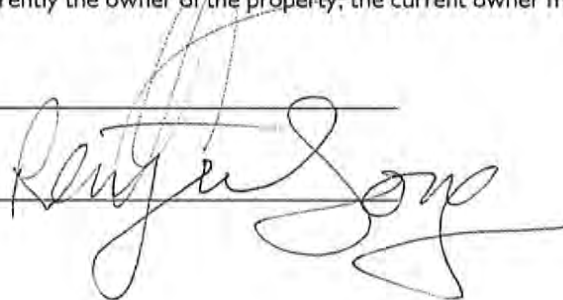
Date: 5/31/2017

Date: 5/31/2017

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: 5/31/17

Owner Signature:  _____

Date: 5-31-2017

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

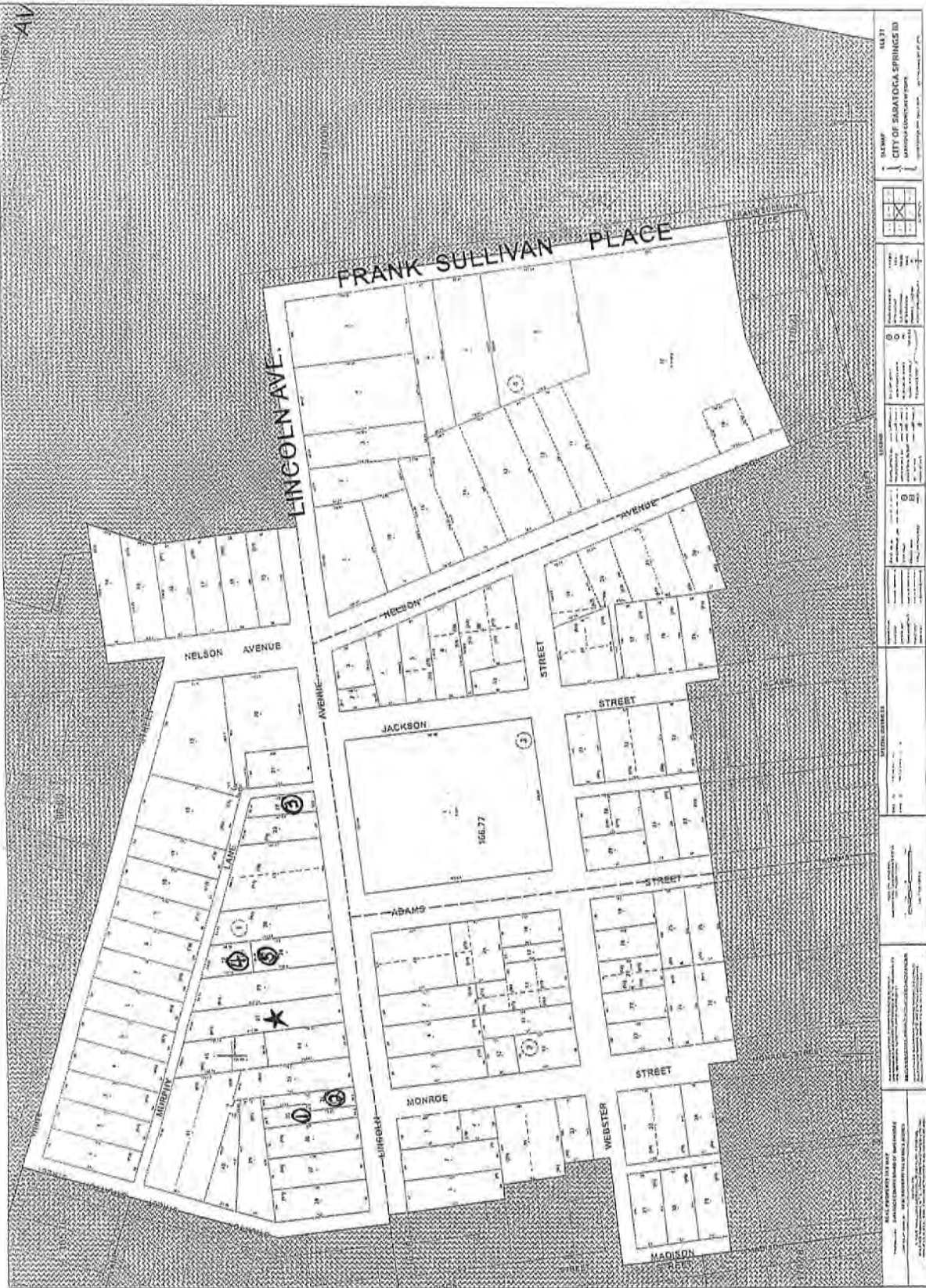
Part 1 - Project and Sponsor Information			
Name of Action or Project: 133 LINCOLN AVENUE & 21 MURPHY LANE			
Project Location (describe, and attach a location map): SARATOGA SPRINGS, NEW YORK PARCEL NO. 166.77-1-31			
Brief Description of Proposed Action: TO OBTAIN A SERIES OF MINOR AREA VARIANCES TO ALLOW THE SUBDIVISION OF THE SUBJECT PARCEL SO THAT TWO SINGLE FAMILY RESIDENCES CAN BE PLACED ON THE SUBDIVIDED PARCELS.			
Name of Applicant or Sponsor: RENJI SONG & QIONG WANG		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: CITY OF SARATOGA SPRINGS PLANNING BOARD			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.27 acres	
b. Total acreage to be physically disturbed?		0.17 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.27 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

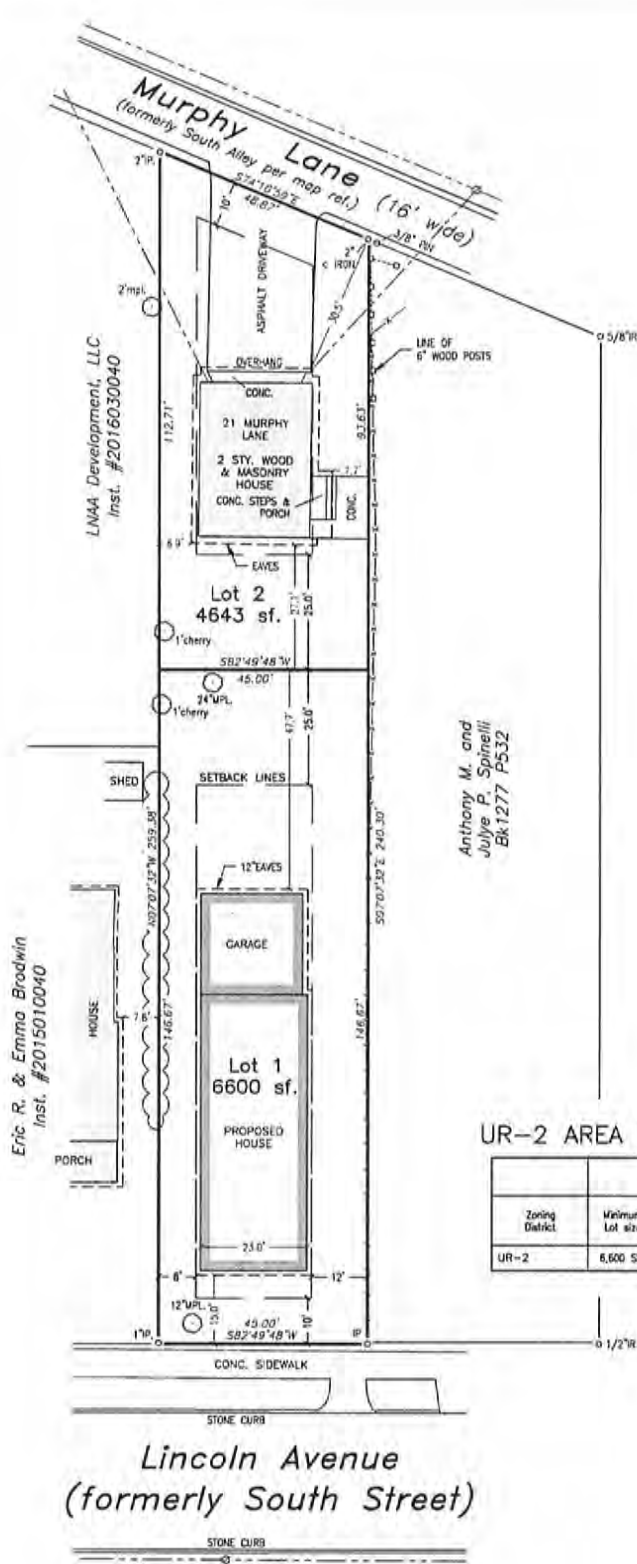
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>RENJI SONG AND QIONG WANG</u> Date: <u>5.31.17</u> Signature: _____		

Tax Parcel No.	Address	Use	Size	Owner
166.77-1-35	125 Lincoln Avenue	2-Family	3,920 sf	Hewitt
166.77-1-34	127 Lincoln Avenue	2-Family	3,920 sf	Hewitt
(Although owned by the same people, these properties are on separate tax parcels, have separate tax identification numbers and were conveyed to the present owner by two separate deeds.)				
166.77-1-22	147 Lincoln Avenue	Single family	3,484 sft	Medeiros
166.77-1-27	17 Murphy Lane	Single family	3,920.40 sf	Daley
166.77-1-28	137 Lincoln Avenue	Single family	6,600 sf	Grassi
(With regard to 17 Murphy Lane and 137 Lincoln Avenue, it appears that the City allowed exactly what is being requested in this application. A lot was created on Lincoln Avenue that in size (6,600 sf) but not in width (50 ft v. 60 ft) complied with the Zoning Code Bulk Schedule. This left a smaller parcel (3,920 sf) on Murphy Lane upon which a single family residence exists)				

- ★ SUBJECT PARCEL
- 1 125 LINCOLN AVENUE
- 2 127 LINCOLN AVENUE
- 3 147 LINCOLN AVENUE
- 4 17 MURPHY LANE
- 5 137 MURPHY LANE





- Map Legend**
- o marker found, labeled
 - o utility pole
 - overhead wires
 - x-x-x- wire fence
 - /-/-/- wood fence

- Map References:**
- See map for A.S. Maxwell by Schofield dated 1854 filed in the Saratoga County Clerk's Office as card 2, pocket 3, folder 2.
 - Lot Line Adjustment of Lands of Eric R. Brodwin dated Dec. 1, 2014 last revised 7/1/15 by Thompson-Fleming Land Surveyors and filed in the Saratoga County Clerk's Office as Map M2016124.

Deed Reference:
 Qiong Wang and Renjie Song dated Sept. 15, 2003 filed in the Saratoga County Clerk's Office in Book 1660 of Deeds, page 368.

UR-2 AREA REQUIREMENTS

Zoning District	Minimum Lot Size	Maximum Percent of Lot to be Occupied			Minimum Yard Dimensions				Principal Buildings		Accessory Building Minimum Distance In				
		Mean Width (feet)	Principal Building	Accessory Building	Front (feet)	Rear (feet)	One Side (feet)	Total Side (feet)	Minimum First Floor Area (square feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Minimum Percent of Lot to be Permissible
UR-2	6,600 SF	60	30	10	10	25	11	20	1 Story=900 2 Story=700	60	5	10	5	5	25

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's Seal is a violation of Section 2209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.

<div style="display: flex; justify-content: space-between;"> <div> <p>DATE</p> <p>REVISION</p> </div> <div> <p>Scale: 1" = 20'</p> </div> </div>		<p align="center">Subdivision Map of Lands of Qiong Wang and Renjie Song Situate at 133 Lincoln Avenue City of Saratoga Springs, Saratoga County NY</p>	
		<div style="display: flex; justify-content: space-between;"> <div> <p>12 Lincoln Avenue Saratoga Springs, NY 12866</p> </div> <div> <p>THOMPSON FLEMING LAND SURVEYORS, P.C.</p> </div> <div> <p>DATE: Jan. 4, 2017 TAX MAP: 156.77-1-31 SURVEYED BY: WMT JOB NUMBER: S16-190.17</p> </div> </div>	

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- 3 147 LINCOLN AVENUE
- 4 17 MURPHY LANE
- 5 137 MURPHY LANE



AMENDED
CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Renji Song Qiong Wang		Michael J. Toohey, Esq.
Address	[REDACTED]		Snyder, Kiley, Toohey, Corbett & Cox 160 West Avenue, P.O. Box 4367 Saratoga Springs, New York 12866
Phone	[REDACTED]	/	[REDACTED]
Email			[REDACTED]

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 133 Lincoln Avenue & 21 Murphy Lane
Saratoga Springs, New York 12866 Tax Parcel No.: 166.77 - 1 - 31
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 9/15/2003 3. Zoning District when purchased: UR-2

4. Present use of property: Residential 5. Current Zoning District: UR-2

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply): ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:

Property is currently one parcel with an existing single family home. The owners wish to subdivide the property to create a second single family parcel.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

Date _____

Improvement

Cost

Abstract

.....

Downloaded from <http://ajphaphysocpharm.sagepub.com> at 10:41 11 July 2015

.....

3) Annual maintenance expenses: \$_____

4) Annual taxes: \$

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$_____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

☐ Yes If "yes", for how long? _____
☐ No

If listing price was reduced, describe when and to what extent: _____

If yes, describe frequency and name of publications: _____

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard sheet of stationery. There is no handwriting or other markings on the page.

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

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To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

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There are no alternatives to the "mean width" request as this is the historic width of these lots. The lots to the east and west are developed. The size and configuration of the new "Lot 1" is designed to limit the number of area variances that would be needed. For "Lot 2" the "one side" and "total side" set back area variances are based on the pre-existing placement of the existing home.

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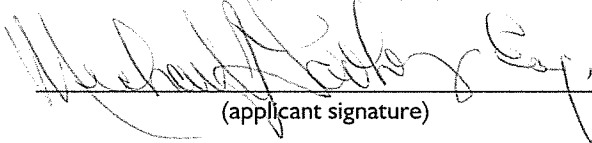
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☐ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.


(applicant signature)

Date: 07/24/2017

(applicant signature)

Date: 07/24/2017

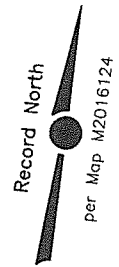
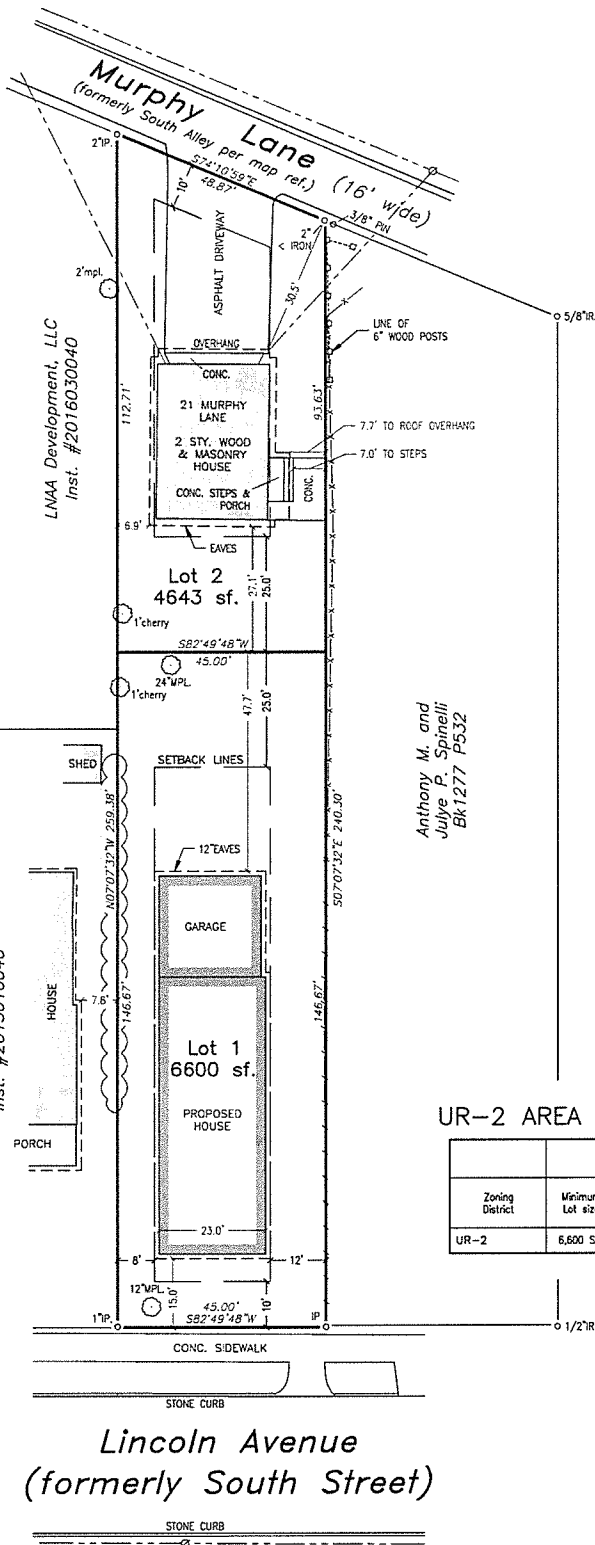
If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: 07/24/2017

Owner Signature: _____

Date: 07/24/2017



Map Legend

- o marker found, labeled
- o utility pole
- overhead wires
- x-x-x- wire fence
- /-/-/- wood fence

Map References:

- See map for A.S. Maxwell by Schofield dated 1854 filed in the Saratoga County Clerk's Office as card 2, pocket 3, folder 2.
- Lot Line Adjustment of Lands of Eric R. Brodwin dated Dec. 1, 2014 last revised 7/1/15 by Thompson-Fleming Land Surveyors and filed in the Saratoga County Clerk's Office as Map M2016124.

Deed Reference:

Qiong Wang and Rengie Song dated Sept. 15, 2003 filed in the Saratoga County Clerk's Office in Book 1660 of Deeds, page 368.

UR-2 AREA REQUIREMENTS

Zoning District	Minimum Lot size	Maximum Percent of Lot to be Occupied		Minimum Yard Dimensions				Principal Buildings		Accessory Building Minimum Distance to					
		Mean Width (feet)	Principal Building	Accessory Building	Front (feet)	Rear (feet)	One Side (feet)	Total Side (feet)	Minimum First Floor Area (square feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)	Minimum Percent of Lot to be Permeable
UR-2	6,600 SF	60	30	10	10	25	8	20	1 Story=900 2 Story=700	60	5	10	5	5	25

Lincoln Avenue
(formerly South Street)

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.

7/24/17		SIDE SETBACK		Scale: 1" = 20'		Subdivision Map of Lands of Qiong Wang and Renjie Song Situates at 133 Lincoln Avenue City of Saratoga Springs, Saratoga County NY		Tel: [REDACTED] Fax: [REDACTED] 12 Lake Avenue Saratoga Springs, NY, 12866		THOMPSON/FLEMING LAND SURVEYORS, P.C.		DATE: Jan. 4, 2017 TAX MAP: 166.77-1-31 SURVEYED BY: WMT JOB NUMBER: S16-190.17	
DATE		REVISION											

AMENDED NARRATIVE
133 LINCOLN AVENUE & 21 MURPHY LANE
QIONG WANG & RENJI SONG

This amended Application is submitted to adjust the request for the east side setback Area Variance for the existing residence on Lot 2. In the original application, we requested a variance to 7.7 feet which was to the east side roof overhang. The existing stairs on that side of the building extend farther to the east than the roof overhang. Both the surveyor and I thought that the set back is not measured to the stairs extending from the structure. We were informed that for a front yard setback, the stairs do not count, however on the side of the structure they do. As a result, on page “6” of the Amended Application we amended the request for a “side yard setback” variance from 7.7 feet to 7 feet.

HARRY D. SNYDER
MICHAEL J. TOOHEY
KATHLEEN A. CORBETT
JAMES G. SNYDER
JAMES S. COX

SNYDER, KILEY, TOOHEY, CORBETT & COX, LLP
ATTORNEYS AT LAW
PLEASE REPLY TO:
P.O. BOX 4367
SARATOGA SPRINGS, N.Y. 12866
STREET ADDRESS: 160 WEST AVENUE

LOREN N. BROWN*
1994-2016
*RETIRED JUSTICE
NEW YORK STATE
SUPREME COURT

TELEPHONE
FACSIMILE

Sharie T. Walerstein
Paralegal

October 16, 2017

HAND DELIVERED

Ms. Susan Barden
Senior Planner
Office of Planning and Economic Development
City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, New York 12866

Ms. Kate Maynard
Principal Planner
Office of Planning and Economic Development
City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, New York 12866

Mr. Timothy Wales
City Engineer
City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, New York 12866

**Re: Wang/Song: 133 Lincoln Avenue, Saratoga Springs, New York (21 Murphy Lane)
Subdivision**

Dear Susan, Kate and Tim:

Several months ago, at the last meeting, when the above specified subdivision was discussed, it was suggested that we explore extending potable water and sewer lines down Murphy Lane as opposed to continuing to have those utilities extended from Lincoln Avenue, as they presently do, to the residence that is on this parcel. It appears that this structure was constructed in the

Ms. Susan Barden
Ms. Kate Maynard
Mr. Timothy Wales
October 16, 2017
Page 2

1940's and we are left to assume that the utility lines have always been extended from Lincoln Avenue.

We have investigated the location of the existing municipal potable water and sanitary sewer lines in this area. According to the Department of Public Works these utility lines exist in Lincoln Avenue, directly to the south of this site and in White Street which is north of Murphy Lane. The utilities in White Street are being used to service the residences south of White Street which are north of this section of Murphy Lane. The other location, for these services, appears to be in Stratton Street which is west of our clients' property and runs in a general north/south direction between White Street and Lincoln Avenue. There are no municipal services extending through Murphy Lane.

As a result, the closest public water and sewer would be located approximately 300 feet to the west in Stratton Lane. Skipping over the estimated \$80,000 cost to extend the water and sewer, in a general easterly direction from Stratton Street, through the public alley, which is Murphy Lane, to this site, such an extension would serve no public purpose.

As specified above parcels on the north side of Murphy Lane, east of Stratton Street, Tax Parcels 166.77-1-1, 2, 3, 4, 5 and 6 (see attached Tax Map) are already serviced by the public utilities that exist in White Street. The residence on the southeast corner of Stratton Street and Murphy Lane, Tax Parcel 166.77-1-41, is serviced by public utilities in Stratton Street. There is only one other parcel that lies on the south side of Murphy Lane between Stratton and our clients' parcel, that parcel, designated as 23 Murphy Lane and Tax Parcel No. 166.77-1-45, is serviced by existing potable water and sanitary sewer lines that extend in a general northerly direction from Lincoln Avenue by means of a permanent easement through Tax Parcel No. 166.77-1-44, 131 Lincoln Avenue. As indicated above, our clients' home that exists on Murphy Lane is already connected to the City of Saratoga Springs system on Lincoln Avenue. If this subdivision is approved then there is no logical reason that the existing connection to Lincoln Avenue should be changed. The new home that we are proposing will be built immediately adjacent to Lincoln Avenue, not Murphy Lane and have a water and sewer lateral extended directly from the service that exists in Lincoln Avenue (see attached photos).

This method of servicing lots, that exists or are created on Murphy Lane also seems to be the pattern of development for this area. Please look at Tax Parcel No. 166.77-1-27 and 28. The potable water and public sewer line for Tax Parcel No. 166.77-1-27 (17 Murphy Lane) also extends northerly from Lincoln Avenue through a permanent easement through Tax Parcel No. 166.77-1-28 (137 Lincoln Avenue). As a result, requiring our clients to extend a set of City service lines through Murphy Lane is neither reasonable from a financial point of view nor necessary for the purpose of serving this or other existing lots.

So that the Board understands the significant difference in the cost in doing this, I enclosed D.M. Wardell Inc.'s estimate for shifting the existing utility lines on our clients' site to the east so that they would then proceed through the setback for what we hope is a newly created residential

Ms. Susan Barden
Ms. Kate Maynard
Mr. Timothy Wales
October 16, 2017
Page 3

parcel. That cost is \$10,200. A much more reasonable price and a less destructive method for extending these utilities than by placing them through a public right of way.

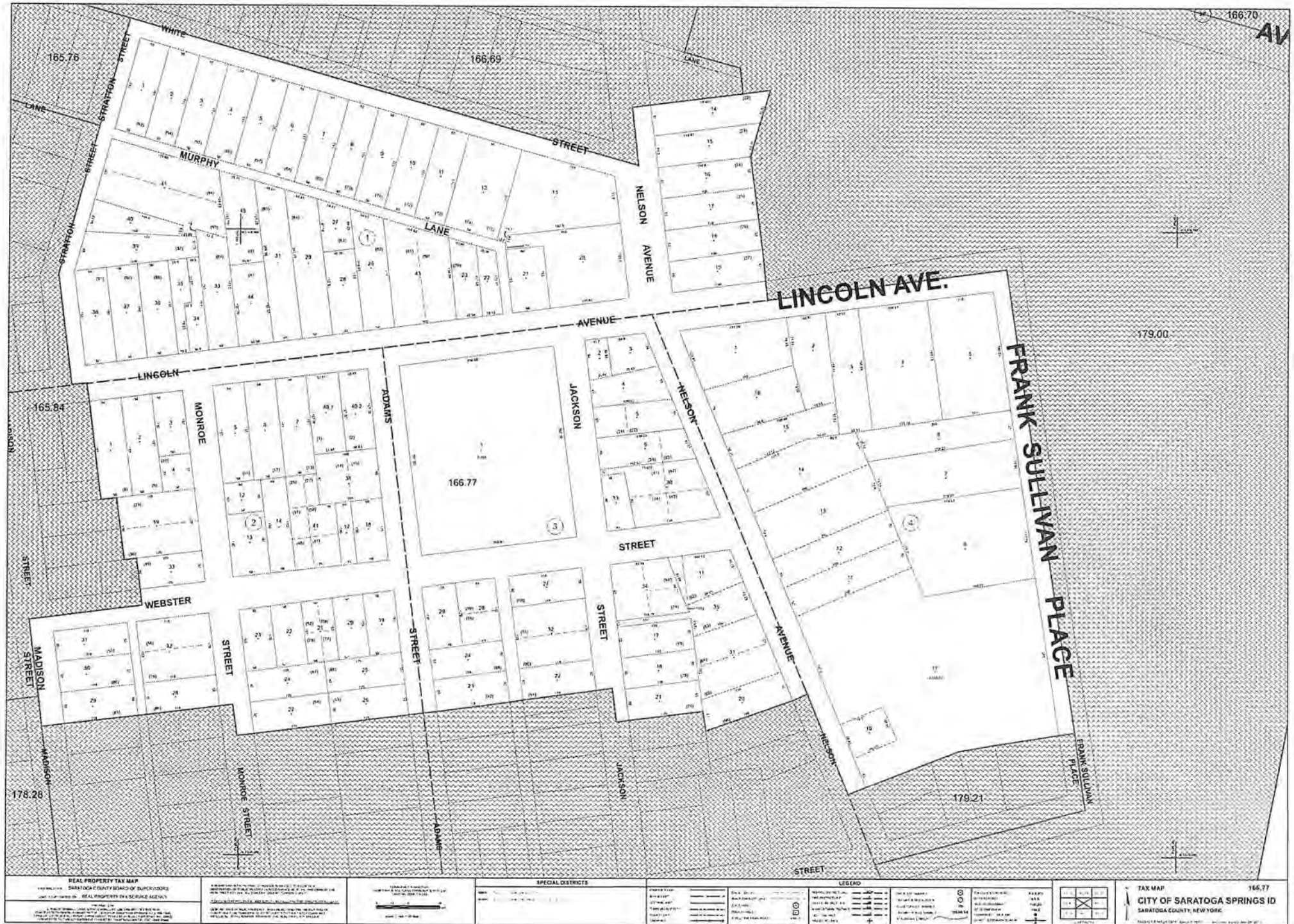
We would appreciate being placed back on the agenda for the next available meeting so that we can proceed with our requested area variance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mike", written over a horizontal line.

Michael J. Toohey

MJT:tlp
Enclosures



Cost Estimates: **A**: from Lincoln, \$10,000

B: from Stratton or **C**: from Lincoln/Murphy Lane, \$80,000 or much more



A: our existing house 21 Murphy lane, B: Our proposed house, C: 131 Lincoln Ave, D: 23 Murphy Lane



E: Our proposed water/sewer line extended from Lincoln Ave

F: How 23 Murphy (D) extended water/sewer line from Lincoln Ave via 131 parcels (C)

A: our existing house 21 Murphy lane, B: Our proposed house, C: 131 Lincoln Ave, D: 23 Murphy Lane



Murphy Lane has no water or sewer lines.

Houses north of Murphy Lane get sewer service from White Street

Houses south of Murphy lane get sewer from Lincoln Ave

A: our existing house 21 Murphy lane, B: Our proposed house, C: 131 Lincoln Ave, D: 23 Murphy Lane



Murphy Lane has no water or sewer lines.

Houses north of Murphy Lane get water service from White Street

Houses south of Murphy lane get water from Lincoln Ave



CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480
www.saratoga-springs.org

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RUTH HORTON, Alternate
ABIGAIL WOLFSON, Alternate

December 4, 2017

RECEIVED

DEC 11 2017

ACCOUNTS DEPARTMENT

Bill Moore, Chair
Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, New York 12866

**RE: Area Variances Advisory Opinion to the ZBA
21 Murphy Lane/133 Lincoln Avenue- Song Wang proposed Two Lot
Subdivision PB Project #17.050.1**

Dear Bill,

Pursuant to your letter of June 28, 2017 the Planning Board has reviewed your request for an advisory opinion on the above noted project. Your request was reviewed at our November 30, 2017 meeting. The Planning Board understands that the applicant proposes to subdivide the existing parcel into two lots that would likely result in the construction of one additional home on the newly established lot fronting on Lincoln Avenue, while retaining the existing structure on a separate lot fronting on Murphy Lane.

The Planning Board noted the following considerations with the application:

1. Although a non-conforming lot would be created along Murphy Lane, it is also noted that the lot fronting on Lincoln Avenue will provide an additional structure appropriate with the adjacent homes. The Board feels the request is not out of character with the existing homes/lots in the neighborhood.
2. The Planning Board recognizes that the water and sewer services for both lots will come from Lincoln Avenue. If public utilities become available in the future along Murphy Lane, that the applicant and future lots will be required to tie in to those utilities within a certain amount of time.

With the above consideration, a **favorable** advisory opinion was supported by a 7-0 vote of the Planning Board (In favor: Torpey, Totino, Bristol, Van Wagner, Durland, Casey, Fabozzi). The Planning Board also accepted SEQR lead agency status and issued a SEQR negative declaration for the project- passed 7-0 (In favor: Torpey, Totino, Bristol, Van Wagner, Durland, Casey, Fabozzi).

Sincerely,



Mark Torpey
Chair

cc: Mike Toohey, Applicant, File.

Lots smaller than the created Lot 9

Lots smaller than the remaining Lot 4

Lots smaller than required Use 11

21 Murphy Neighborhood Lot Comparison

<u>Street Address</u>	<u>Tax Parcel</u>	<u>Frontage</u>	<u>Lot Size</u>	<u>Sq Ft</u>	<u>Lot Usage</u>
90 White	166.77-1-1	50'	.17	7,405.20	3 Family
96 White	166.77-1-2	50'	.17	7,405.20	2 Family
100 White	166.77-1-3	50'	.17	7,405.20	Single Family
102 White	166.77-1-4	50'	.17	7,405.20	Single Family
106 White	166.77-1-5	50'	.17	7,405.20	Single Family
110 White	166.77-1-6	50'	.17	7,405.20	Single Family
116 White	166.77-1-7	50'	.17	7,405.20	Single Family
118 White	166.77-1-8	50'	.17	7,405.20	Single Family
122 White	166.77-1-9	50'	.17	7,405.20	Single Family
126 White	166.77-1-10	50'	.17	7,405.20	2 Family
130 White	166.77-1-11	50'	.17	7,405.20	Single Family
136 White	166.77-1-12	88'	.30	13,068	Single Family
147 Nelson	166.77-1-13	155' White 74.5' Nelson	.42	18,295.20	2 Family
141 Nelson	166.77-1-20	122' Nelson 127.67' Lincoln	.41	17,859.60	Single Family
149 Lincoln	166.77-1-21	60'	.14	6,098.40	Vacant
147 Lincoln	166.77-1-22	33.3'	.08	3,484.80	Single Family
145 Lincoln	166.77-1-23	42'	.14	6,098.40	Single Family
141 Lincoln	166.77-1-43	100'	.34	14,810.40	Single Family
139 Lincoln	166.77-1-26	50'	.22	9,583.20	Single Family
17 Murphy	166.77-1-27	54.41	.09	3,920.40	Single Family
137 Lincoln	166.77-1-28	50'	.15	6,534	Single Family
135 Lincoln	166.77-1-29	50'	.27	11,761.20	Single Family
Lincoln Avenue	166.77-1-30	5'	.03	1,306.80	Res. Vac. Land
21 Murphy	166.77-1-31	45'	.27	11,761.20	Single Family
23 Murphy	166.77-1-32	50'	.32	13,939.20	Single Family
129 Lincoln	166.77-1-33	50'	.20	8,712.00	Single Family
127 Lincoln	166.77-1-34	30.8'	.09	3,920.40	2 Family

125 Lincoln	166.77-1-35	19.2'	.09	3,920.40	2 Family
123 Lincoln	166.77-1-36	50'	.17	7,405.20	Single Family
121 Lincoln	166.77-1-37	50'	.17	7,405.20	2 Family
117 Lincoln	166.77-1-38	50'	.17	7,405.20	Single Family
10 Stratton	166.77-1-39	65'	.21	9,147.60	Single Family
12 Stratton	166.77-1-40	54.42'	.12	5,227.20	2 Family
14 Stratton	166.77-1-41	100'	.47	20,473.20	2 Family
124 Lincoln	166.77-2-1	50'	.18	7,840.80	2 Family
126 Lincoln	166.77-2-2	50'	.18	7,840.80	Single Family
128 Lincoln	166.77-2-3	50'	.11	4,791.60	Single Family
130 Lincoln	166.77-2-5	50'	.18	7,840.80	Single Family
132 Lincoln	166.77-2-6	50'	.18	7,840.80	Single Family
134 Lincoln	166.77-2-7	50'	.18	7,840.80	Single Family
136 Lincoln	166.77-2-40	100'	.29	12,632.40	Single Family

**21 Murphy Neighborhood
Lot Comparison**

Tax Parcels: 41

UR-2 Zone: 13 Lots

UR-3 Zone: 28 Lots

Lots that don't comply with Minimum Average Width Requirement: 33

Lots that do comply with Minimum Average Width Requirement: 8

Total Lots: 41

Percentage of Lots that do not comply with

Minimum Average Width Requirement 80.48%

Square footage of the two (2) lots to be created from 21 Murphy Lane (Zoning Code Requirement 6,600 sq ft)

Parcel A (Frontage Lincoln Avenue) 7,150 sq ft

Parcel B (Frontage Murphy Lane) 7,757 sq ft

Within 41 Lot neighborhood, based on the public record, 11 Lots or 26.82% do not comply with Lot size requirements

2/ Murphy Neighborhood Lot Comparison

Tax Parcels: 41

UR-2 Zone: 13 Lots

UR-3 Zone: 28 Lots

Lots that don't comply with Minimum Average Width Requirement: 33

Lots that do comply with Minimum Average Width Requirement: 8

Total Lots: 41

Percentage of Lots that do not comply with

Minimum Average Width Requirement 80.48%

Square footage of the two (2) lots to be created from 23 Murphy Lane (Zoning Code Requirement 6,600 sq ft)

Parcel A (Frontage Lincoln Avenue) 7,150 sq ft

Parcel B (Frontage Murphy Lane) 7,757 sq ft

Within 41 Lot neighborhood, based on the public record, 11 Lots or 26.82% do not comply with Lot size requirements



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name Michael Zimmerman		
Address [REDACTED]		
Phone [REDACTED] /	/	/
Email [REDACTED]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 139 Grand Avenue Tax Parcel No.: 165.66 - 2 - 73
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 7/3/1998 3. Zoning District when purchased:

4. Present use of property: Residence 5. Current Zoning District: UR - 3

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply)? ☒ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:

Area variance to create two non-conforming lots from the current lot. Both properties will have a new lot size of approximately 75' x 55' which does in fact conform to most of the properties surrounding the parcels.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) 2.3 B and Table 3 (UR - 3)

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>UR - 3: 6600 lot size 1 unit; 60' width 1 unit</u>	<u>6600 square feet</u>	<u>4125 square feet</u>
<u>Setbacks: Front 10', Back 25', sides 4'</u>		
<u>1 Story - 1,200 square feet</u>		

Other: _____

The area variance will allow a house to be built that would follow minimum guidelines and setbacks requirements. We are NOT seeking to build. We are only hoping to create a lot for another party to build on according to city rules and regulations.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Because of the unique placement of the current home (139 Grand Avenue) and it's nearest neighboring home (132 Washington Street), there is overly ample room to create breathing space between the two properties (25' on each side). A new home on

Beekman Street will enhance the neighborhood and create a more complete city block. The current property was originally two city lots and we hope to return it to that status. This can not be achieved by any other means than an area variance.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Creating this lot and the subsequent home that someone will build will fill the "missing tooth" on Beekman Street that currently exists. The Beekman Street lot will have 75' of frontage (more than many neighboring lots). Adding a home on the east side of Beekman Street will balance the west side of the street which already has three homes. It will also add visual interest to the main route between the Beekman Light Commercial District and the West Side Recreation Field and the new townhomes being built on Division Street near Allerdice Lumber.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

139 Grand Avenue was originally a double city lot. The founders of the city wanted two homes to be built on this site. By granting this variance, the properties created will actually be CONFORMING to the original city plan. This proposed variance fits in with the density and character of the neighborhood. Many homes in the neighborhood are built on similar or smaller lots.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

This variance will have no adverse physical or environmental impact on the neighborhood because it will be completely consistent with the rest of the lots in the neighborhood. It will reduce street parking by providing its own off street parking and will remain residential UR -3 in size and scope. 112, 114, 116 and 118 Washington Street have similar sized lots and this variance will create the possibility for two ample sized homes on ample sized lots with plenty of space for each (more than the three story building at 142 Grand Avenue which encroaches on every setback of its small lot).

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

This is not a self created situation. 139 Grand Avenue is an historic property built on one corner of an original double city lot which is difficult to maintain. In the past, potential buyers expressed a fear of taking on the large property and its extensive maintenance. This variance will create two manageable lots to alleviate this burden for both properties. It is our belief that the current lot requirements were created to keep builders and their subdivisions from creating too dense a development. That is not the case here, as most of the homes in the immediate area are built on lots similar to those that would be created. These two lots will actually be returning to their originally planned size and should be "grandfathered" in as such. Most importantly, the new lot and home would enhance the neighborhood and the city itself by creating a more friendly street experience for residents and visitors to enjoy.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)

Date: 9/15/2017

Date: _____

(applicant signature)

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

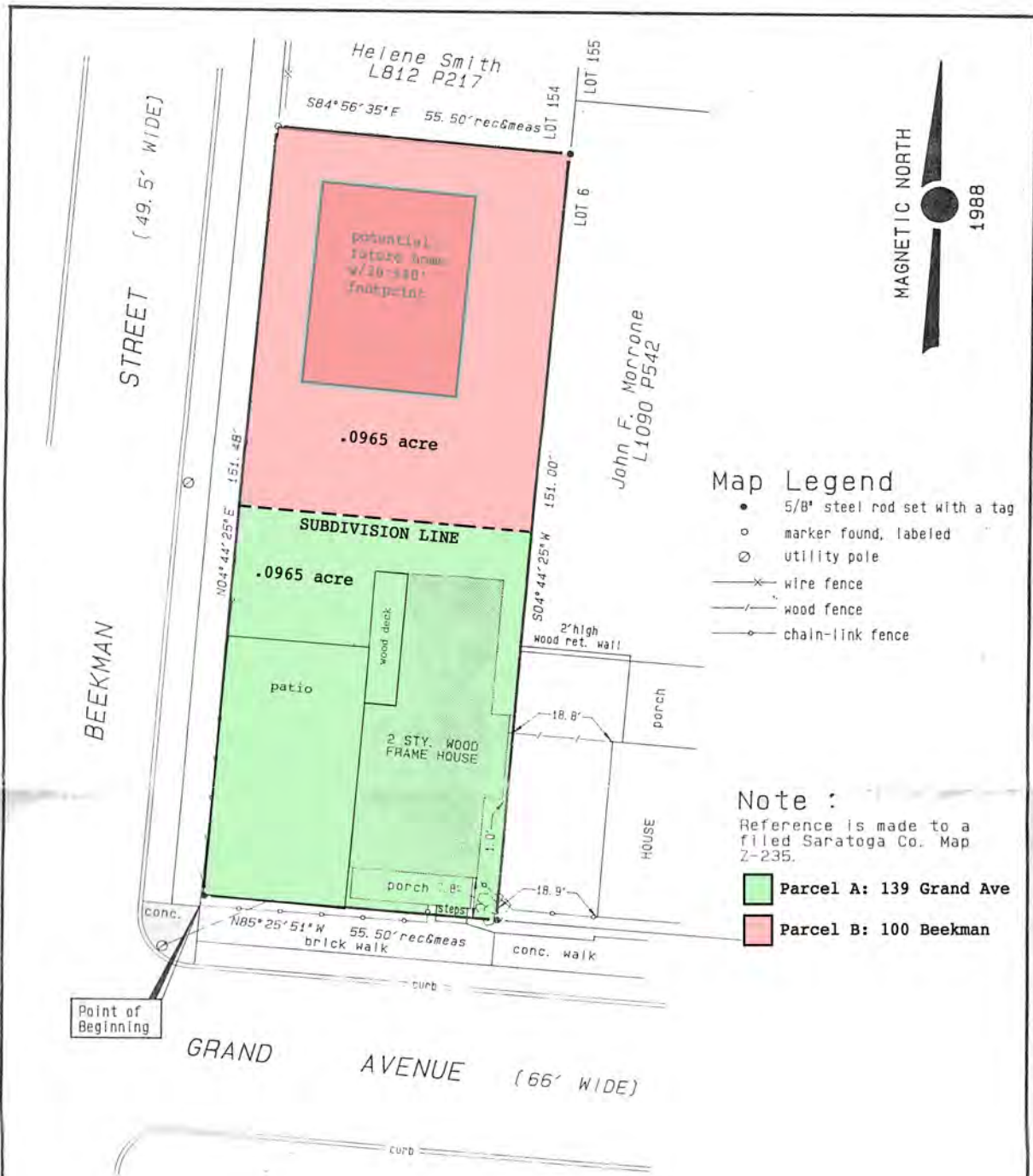
Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE



Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's Seal is a violation of Section 1209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.



Bruce R. Fleming

Scale: 1" = 20'

Map of Property of
Ruth Smith
Liber 438 Page 516

Situate at
139 Grand Avenue
City of Saratoga Springs, Saratoga County, N. Y. S.
Tax Map Number 165.66-2-73 (10) Date: Nov. 14, 1991

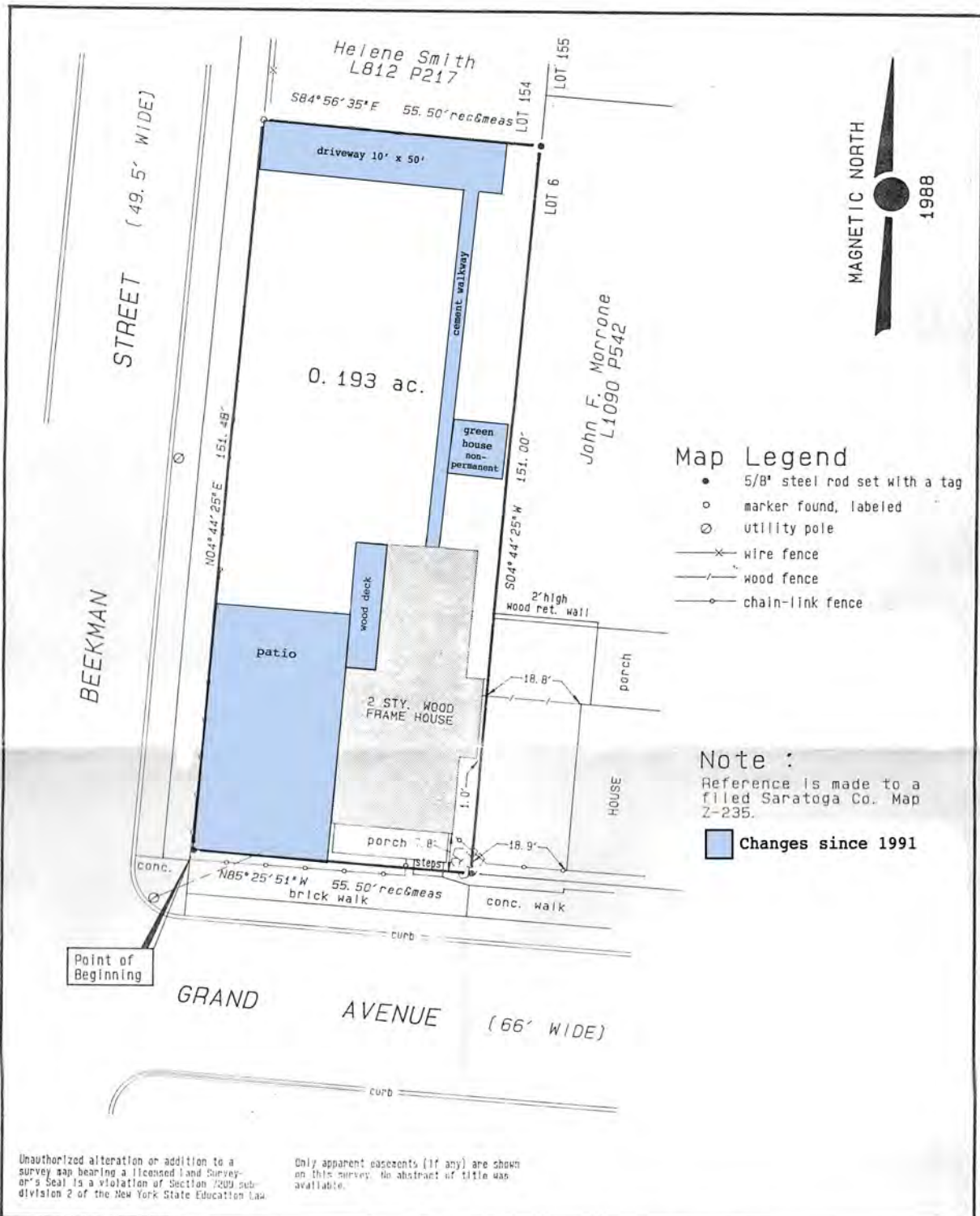
RHINEVAULT SURVEYORS, P.C.

P.O. BOX 44
27 WEST MAIN STREET
NORTH MAIN STREET
10 LAKE AVENUE
P.O. BOX 2805

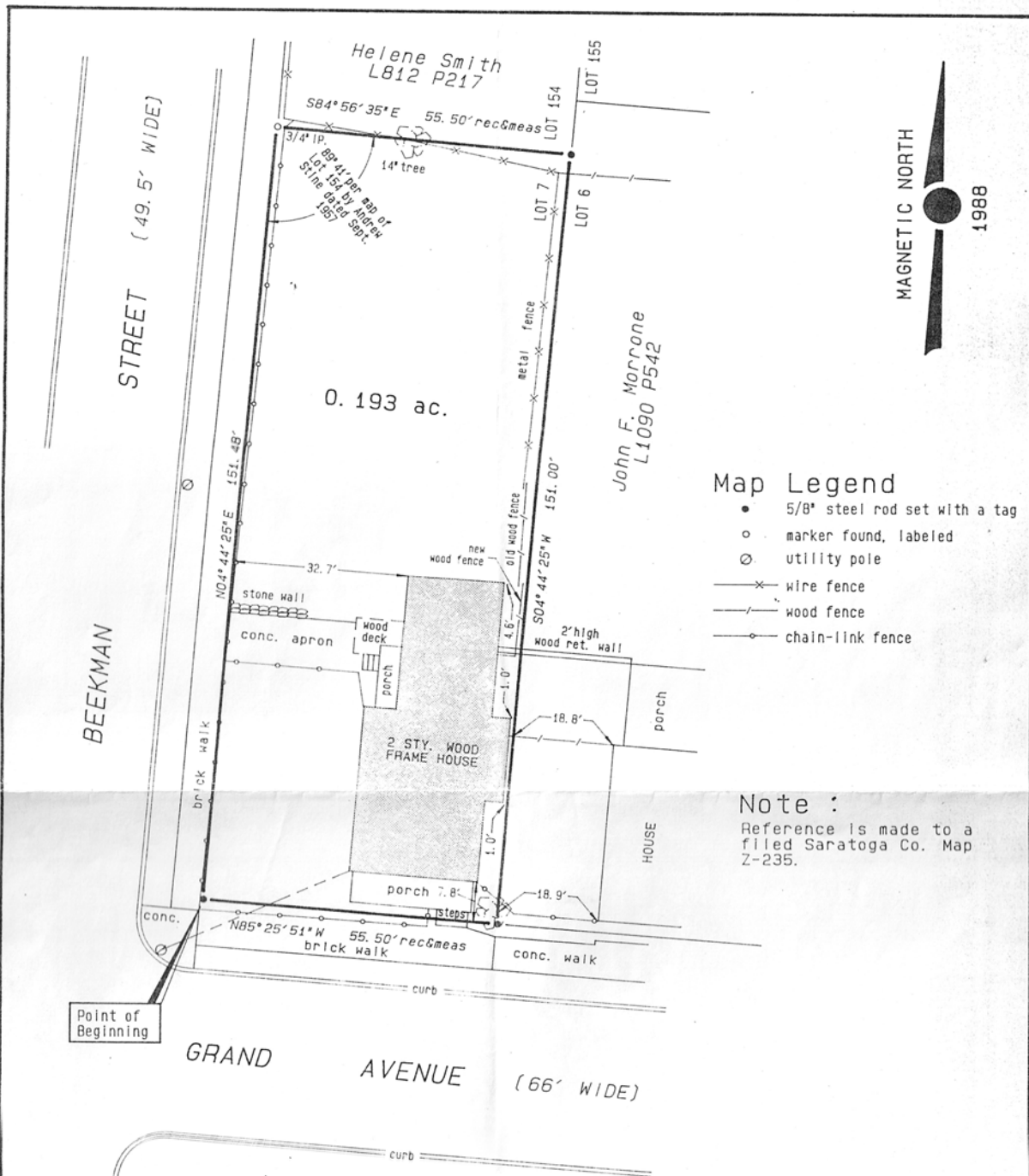
CLINTON, NEW YORK 13323
NORWICH, NEW YORK 13815
EARLVILLE, NEW YORK 13332
SARATOGA SPRINGS, NEW YORK 12866
KINGSTON, NEW YORK 12401

PHONE (315) 853-8357
PHONE (607) 334-2631
PHONE (315) 691-2511
PHONE (518) 587-5885
PHONE (514) 339-1946

DATE REVISION



		Map of Property of Ruth Smith Liber 438 Page 516	
		Situate at 139 Grand Avenue City of Saratoga Springs, Saratoga County, N. Y. S. Tax Map Number 165.66-2-73 (10) Date: Nov. 14, 1991	
DATE REVISION	Bruce R. Fleming 	RHINEVAULT SURVEYORS, P.C. P.O. BOX 44 27 WEST MAIN STREET NORTH MAIN STREET 10 LAKE AVENUE P.O. BOX 2805	CLINTON, NEW YORK 13323 NORWICH, NEW YORK 13815 EARLVILLE, NEW YORK 13332 SARATOGA SPRINGS, NEW YORK 12866 KINGSTON, NEW YORK 12401 PHONE (315) 853-8357 PHONE (607) 334-2631 PHONE (315) 691-2511 PHONE (518) 587-5885 PHONE (514) 339-1946



Unauthorized alteration or addition to a
survey map bearing a licensed Land Survey-
or's Seal is a violation of Section 7209 sub-
division 2 of the New York State Education Law.

Only apparent easements (if any) are shown
on this survey. No abstract of title was
available.



Bruce R. Fleming

Scale: 1" = 20'

Map of Property of
Ruth Smith
Liber 438 Page 516

Situate at
139 Grand Avenue
City of Saratoga Springs, Saratoga County, N. Y. S.
Tax Map Number 165.66-2-73 (10) Date: Nov. 14, 1991

RHINEVAULT
SURVEYORS, P.C.

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PHONE (518) 587-5885
PHONE (914) 339-1946

DATE REVISION

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) 2.3 B and Table 3 (UR - 3)

Dimensional RequirementsFromTo

UR - 3: 6600 lot size 1 unit; 60' width 1 unit

6600 square feet

4125 square feet

Requesting additional relief from the minimum total side yard setback requirements for the existing house on its new lot and the *potential* house to ultimately be built on the newly created lot on Beekman Street.

The existing house at 139 Grand Ave was sited in the corner of its lot back in 1853. The side facing the new lot line would be approx 15' from the new requested lot line. The eastern and southern sides of the house do not conform to current setback requirements and require relief. Additionally the existing house may require relief from the 30% coverage on the newly formed 56'x75' lots as the footprint would be approximately 31% of the new lot size (4125 sf).

I am also seeking relief from future setback requirements on the newly created lot to allow for an approximate 30'x40' footprint on an eventual house there (which would still maintain 30% coverage). With current setback requirements a newly constructed house on 56'x75' would render a footprint of ~15'x55', or 825sf, which isn't worthwhile.

The relief from setbacks for both the existing house and the newly created lot's "potential" house would still conform to other properties in this particular neighborhood.

Other:

The area variance will allow a house to be built that would follow minimum guidelines and setbacks requirements. We are NOT seeking to build. We are only hoping to create a lot for another party to build on according to city rules and regulations.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Because of the unique placement of the current home (139 Grand Avenue) and it's nearest neighboring home (132 Washington Street), there is overly ample room to create breathing space between the two properties (25' on each side). A new home on

Beekman Street will enhance the neighborhood and create a more complete city block. The current property was originally two city lots and we hope to return it to that status. This can not be achieved by any other means than an area variance.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Creating this lot and the subsequent home that someone will build will fill the "missing tooth" on Beekman Street that currently exists. The Beekman Street lot will have 75' of frontage (more than many neighboring lots). Adding a home on the east side of

Beekman Street will balance the west side of the street which already has three homes. It will also add visual interest to the main

route between the Beekman Light Commercial District and the West Side Recreation Field and the new townhomes being built on Division Street near Allerdice Lumber.

Short Environmental Assessment Form

Part 1 - Project Information

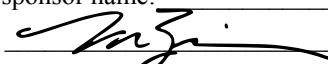
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information Michael Zimmerman				
Name of Action or Project: Subdivision of 139 Grand Avenue into Two Lots				
Project Location (describe, and attach a location map): 139 Grand Avenue, Saratoga Springs, NY 12866				
Brief Description of Proposed Action: To create an area variance and subdivide 139 Grand Ave into two non-conforming lots (from a historical "double" city lot). Both of the new lots will have a size of approximately 75'x55' which is similar to many parcels in this antebellum neighborhood. Ultimately a new home on Beekman Street (between Washington and Grand) would be built (not by us) and this home would enhance the neighborhood, creating a more complete city block. It will also create more off-street parking. Currently the opposite side of the street (West) has three homes and ample parking while the East side of Beekman has two properties.				
Name of Applicant or Sponsor: Michael Zimmerman		Telephone: [REDACTED]		
		E-Mail: [REDACTED]		
Address: [REDACTED]				
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.193 acres		
b. Total acreage to be physically disturbed?		.193 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.193 acres		
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: Michael Zimmerman Date: 10/4/2017 Signature: 		

Ms Barden,

This is to register opposition to the subdivision of the property at 139 Grand Avenue, Saratoga Springs.

The new lots created would be significantly substandard as required in our UR-3 zoning district affecting the density of our neighborhood.

Beth DellaRocco

Beekman Street

Forwarded message

From: "Colleen M." [REDACTED]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, October 16, 2017 12:25:31 PM
Subject: 10/16/17 ZBA Meeting

To the Zoning Board of Appeals:

I oppose the subdivision of the lot at 139 Grand Ave Saratoga Springs.

Thank you,

Colleen Morgan

[REDACTED] Dublin Square Lane Saratoga Springs

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From: "Marika Murray" [REDACTED]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, October 16, 2017 9:54:41 AM
Subject: 139 Grand Ave

To the Zoning Board of Appeals:

I oppose the subdivision of the lot at 139 Grand Ave.

Thank you,

Marika Murray, [REDACTED]

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From: "c dena contompasis" [REDACTED]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, October 16, 2017 10:27:41 AM
Subject: 139 Grand Avenue opposition

To the Zoning Board of Appeals:
We oppose the subdivision of the lot at 139 Grand Ave.
Thank you,

Constance Contompasis
[REDACTED] Dublin Square Lane
Saratoga Springs, NY 12866

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Forwarded Message
From: "C Kyle Bentley" [REDACTED]

To: "Susan Barden" <susan.barden@saratoga-springs.org>

Sent: Monday, October 16, 2017 11:52:57 AM

Subject: 10/16/17 ZBA Meeting

To the Zoning Board of Appeals:

I oppose the subdivision of the lot at 139 Grand Ave Saratoga Springs.

Thank you,

C. Kyle Bentley

[REDACTED] Dublin Square Lane

Sent from my iPhone

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From: "Manny Contompasis" <[REDACTED]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, October 15, 2017 7:28:48 PM
Subject: Zoning appeals

To the Zoning Board of Appeals:

We oppose the subdivision of the lot at [139 Grand Ave.](#)

We could make the meeting so that is why I'm sending email.

Thank you,

Emanuel and Mary Ellen Contompasis

Sent from my iPhone
Manny Contompasis
[REDACTED]

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From: "Maureen Curtin" [REDACTED]

To: "Susan Barden" <susan.barden@saratoga-springs.org>

Sent: Sunday, October 15, 2017 5:31:28 PM

Subject: Opposition to 139 Grand Ave proposal for subdivision on Agenda for 10/16/17

To the Zoning Board of Appeals:

I am opposed to the proposal to subdivide [139 Grand Avenue](#) into two lots. This would create two 4,125 square foot lots. The UR-3 Zoning District requires 6,600 square feet for each lot. This would leave each "new" lot short by 2,475 square feet, or 37.5%.

The applicant claims there is "overly ample room to create breathing space between the two properties." A house on a "new" lot would have to face Beekman Street. However, the current [139 Grand Ave](#) lot is only 55.5 feet wide, so there would not be "ample" room for a house and the required 25 foot backyard setback, along with a front yard setback. Rather, the "new" house would have to sit almost on top of the neighboring backyard at [135 Grand Ave](#).

Second, a house on Beekman Street on this proposed lot would not "fill in the missing tooth." [139 Grand Ave](#) has a nice backyard, almost identical to the house next to it at [135 Grand Ave](#). Both are located in the Historic District of Saratoga Springs.

The applicant claims that "[139 Grand Ave](#) was originally a double city lot." He says, "the founders of the city wanted two homes to be built on this site." The applicant doesn't provide additional historic information, but it should not matter anyway, since today's Zoning Ordinance requires 6,600 square feet for a building lot in a UR-3 Zoning District.

The house next door to [139 Grand Ave](#), [135 Grand Ave](#), has the same acreage, .19 acres, or 8,276 square feet. Cramming a house into the current backyard of [139 Grand Ave](#) would not fit in with the character of the neighborhood. It would not be "completely consistent with the rest of the lots in the neighborhood," as the applicant has stated. The examples he uses, 112, 114, 116, and [118 Washington Street](#) are not next to or within 100 feet of [139 Grand Ave](#). The other property the applicant uses for his justification of his proposal is [142 Grand Ave, The Local Pub](#).

This is the applicant's self created situation. He claims that "potential buyers expressed a fear of taking on the large property and its extensive maintenance." The applicant purchased this property in 1998 for \$68,000. In 2015, he asked \$745,000. He lowered the price to \$649,000 later that year, but still did not sell the property. Last month, in September 2017, the property next door at [135 Grand Ave](#) sold for \$625,000. This was a substantially larger home (3,052 square feet compared to 2,418 square feet) and has been modernized. It also contains a rentable apartment. If [139 Grand Ave](#) were priced correctly, it would most likely sell very quickly. The current back yard should be a great selling point.

It should not be incumbent on the neighbors to have the owner of [139 Grand Avenue](#) potentially make substantially more profit on his current property, than should be expected, by subdividing it into two substandard lot sizes.

Several neighbors have purchased homes that adjoin or are nearby this property. After studying Zoning maps and the Zoning Ordinance before purchasing, they understood that there were no building lots surrounding their homes. They should not be penalized now because of the desire of another neighbor to realize greater profits on their backs.

Several neighbors and I strongly oppose approval of the subdivision of [139 Grand Ave](#).

Thank you.

Maureen Curtin
[REDACTED] Grand Avenue
Saratoga Springs, NY

Sent from my iPad

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CURRENT



FUTURE

Michael Zimmerman & Jon Galt
139 Grand Ave, Saratoga Springs, NY 12866
[REDACTED]

October 20th, 2017

Re: 139 Grand Ave Subdivision Proposal

Dear Neighbors,

We are writing regarding comments made at the Planning Board meeting on October 16th. We believe that those in opposition to our proposal for a variance to subdivide 139 Grand Ave into two non-conforming lots were voicing their opinions on one key misunderstanding.

As homeowners, there are two choices available to us:

- 1) Obtain a variance to subdivide our property allowing a new resident to build a suitable modest home on the newly created lot and opening the fence and lot to the neighborhood or
- 2) The fence remains intact and we build a much larger structure on the lot without subdivision.

Leaving the land in its current state as a large yard is not an option we are willing to entertain.

Legally, we have the right to build up to 30% of the current lot without Planning Board, Zoning Board, Neighborhood input or approvals of any sort. A new structure would not be connected to the current home and as long as it follows the required setbacks it need not go through historic or design review. The current home occupies only 15% of the 8,450 square foot lot which leaves room for a structure that can conceivably be a five car garage with a full two story guest house and attic above it.

In other words, the unusually large lot at 139 Grand Avenue provides us the legal right to build a relatively obese structure simply with an application for a building permit.

It is naive to think that this yard will remain undeveloped. That is not the issue here; the issue is what will be built on the land. For the good of the neighborhood, we are trying to make sure that a smaller home will be built on this site and the only way to ensure that is to be granted a variance and subdivision that will police the size and style of the structure to be built. Without the variance we are ready to begin the relatively easy process of erecting the aforementioned garage and guest house which would increase the property's value much more than having it on a smaller lot with a home next door.

On a much more personal and surprising note we were accused of trying to monetize our property at the expense of the community. This is the exact opposite of what would be achieved with this variance and subdivision. Real estate is the number one investment in the nation and every homeowner has a right to increase that investment as much as they are able. To accuse us of exploiting this situation merely for personal gain is insulting.

We championed this neighborhood at a time when it was rundown and dangerous. We were the first to buy and renovate a home on the West side and many have knocked on our doors thanking us because they were so happy we blazed that trail and gave them the courage to do the same. 139 Grand Ave w

on the market for 540 days before we made an offer on it and nearly everything we earned for almost twenty years went into the house, while the neighborhood slowly followed suit.

We were here before Tom's Lodge became Dublin Square (a property that legally should have only been four or five homes, but because of a variance was built as a dense 13 unit town home community). These structures share walls and have no views on the sides, and most windows face Grand, Washington, a parking lot, or the fence at 135 Grand Ave. The very concept of Dublin Square is in direct opposition to the standards its current residents are asking us to employ. The developers certainly maximized the potential of that property.

We were here when the lot that houses the Local Bar was a small ranch home (another building that needed a variance to be built to its borders) and truly changing the entire fabric of the neighborhood.

We were here when the former owners of 135 Grand Avenue nearly doubled their footprint and put in an illegal driveway that butts up to our home causing water to seep into our basement which we remediated at our own expense.

We were here before there was even a notion of the Beekman Arts District.

In short, we were here before every single one of our current neighbors and that is certainly a long haul to be an opportunist. We were the first, so any mention of opportunistic motives should be examined closely before they are voiced.

As to the views, there are already four large Bradford Pear trees strategically planted in front of the windows of Dublin Square by the owners of 135 Grand Avenue. There are two large cherry, one large nectarine and one large pear planted in our yard, and there are two six foot fences. All of this affects perhaps four or five of the thirteen units of Dublin Square, and the views would not be altered much at all by a small home. They would be altered by the much larger structure that can now be built.

Our first meeting with the Planning Board on October 16 was a private meeting and we were told that no comments would be made and no letter needed to be sent, but the newspaper ad was mistakenly published. Unfortunately it turned into a public forum for dissent and we were not afforded an opportunity to comment (nor were we given a chance to contact supporters).

*For the record, **the public hearing is scheduled for October 30th at 7pm** and you are receiving the correct notification with this letter and it will be published again in The Saratogian. We fully invite your commentary at this public meeting. We are not trying to "pull one over on our neighbors"; we support your right to express your points of view.*

We understand our neighbors' qualms, fears and opposition to over-development and we share this apprehension. Thus the need for limits and controls, which can only be enacted through the use of subdivision and variances to control the size and scope of what can actually be built on this vacant land. Because eventually something will be built.

In actuality this subdivision PROTECTS the character of the neighborhood against what could and will be built without planning or zoning board approval.

Applying the new standard of 6600 ft.² lots is noble, however it may be impractical in a neighborhood that dates back before the Civil War. As one walks through Dublin and the Beekman Arts District it is readily apparent that its inherent charm is the actual *lack* of conformity to today's standards. Every parcel is utterly unique, and most occupy more than 30% of their lots and have little or no setbacks. It's refreshing that there are no high-rise condos or six-story structures.

It must again be made clear that we are attempting to PROTECT this property and this special neighborhood by seeking strong limitations on the type of structure that can be imposed. We are not attempting to squeeze in a series of row houses or build a three-story bar. We want to allow for a space where a modest two-story single-family home can exist on a limited scale.

It is our hope that you can understand that we are simply continuing the pattern of visionary thinking in this vibrant and unusual neighborhood.

It should also be noted that we stand corrected when it was pointed out that our application indicated that this was not a self-imposed hardship. I didn't understand the determination, but I now recognize that this hardship is, in fact, self-imposed. My apologies.

That the yard is a hindrance to the property is based in fact. We are both professional realtors with over 20 years of experience and when 139 Grand was on the market the consistent comments were, "What would we do with such a large yard? How much does it cost you to maintain that? We're moving into the city so we can avoid the maintenance of a large property." Personally, the yard has been consistently beyond our control to maintain and as we grow older has become too much of a burden. We spend our outdoor time on the side patio. The suggestion that the yard is a selling point is simply untrue.

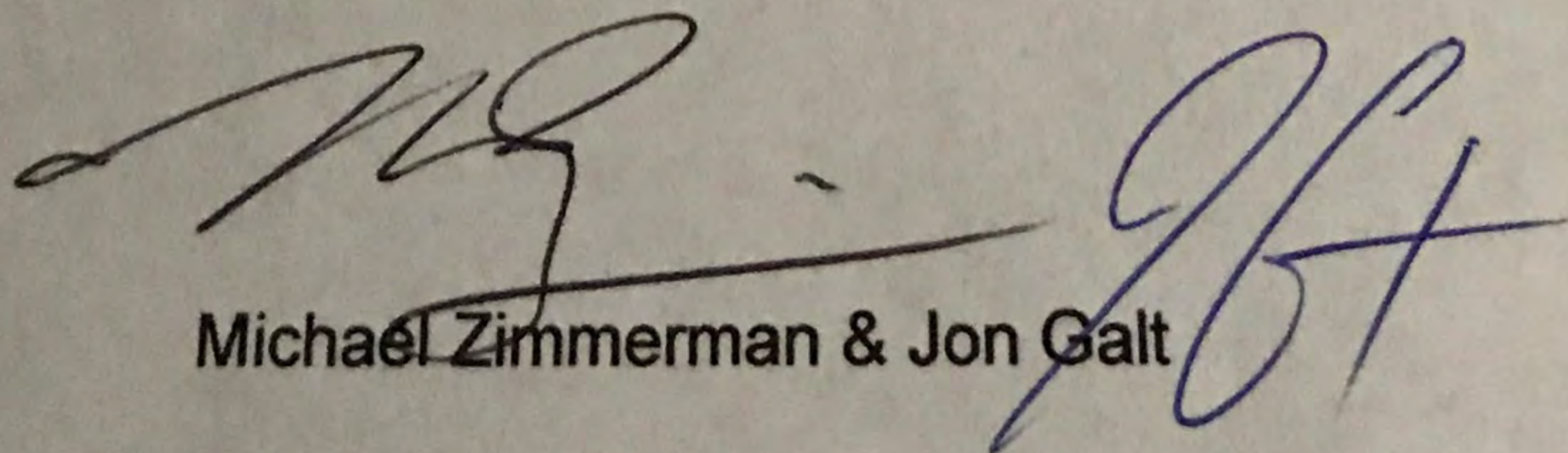
So that's the actual situation we are all facing here.

The choice for this land is a four or five car garage with a guest house above which would be approximately the height of the current home OR a subdivided lot with a modest home that is restricted by subdivision requirements.

We hope anyone currently opposed to this variance and subdivision can now see how much more appealing it is than the alternative.

Thank you for your time, thoughtful consideration, and care for your neighborhood.

Respectfully,



Michael Zimmerman & Jon Galt

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 139 Grand Ave Subdivision		
Project Location (describe, and attach a general location map): 139 Grand Avenue, Saratoga Springs NY 12866; Northeast corner of Grand Ave and Beekman Street.		
Brief Description of Proposed Action (include purpose or need): Area variance to create two nonconforming lots from the current lot. Both properties will have a new lot size of approximately 75'x55'. The purpose is to create a city lot that can be used to build a modest single-family home. Without a subdivision and variances the current lot could potentially be used to build a much larger garage/guest house with fewer controls.		
Name of Applicant/Sponsor: Michael Zimmerman	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Saratoga Historic District

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

UR-3

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Saratoga Springs, NY

b. What police or other public protection forces serve the project site?

Saratoga Springs Police

c. Which fire protection and emergency medical services serve the project site?

Saratoga Springs Fire Department

d. What parks serve the project site?

The nearest parks are West Side Recreation Field (2 blocks away) and Congress Park (five blocks away).

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential only

b. a. Total acreage of the site of the proposed action? _____ .19 acres

b. Total acreage to be physically disturbed? _____ .19 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .19 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential subdivision

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 55' Maximum 75'

e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	1	_____	_____
At completion of all phases	1	1	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ six (6) gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: City of Saratoga Springs
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 6 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Normal household sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: Saratoga Springs Treatment Plant
- Name of district: Saratoga Springs
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

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<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site																																							
<p>a. Existing land uses.</p> <p>i. Check all uses that occur on, adjoining and near the project site.</p> <p> <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) </p> <p> <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ </p> <p>ii. If mix of uses, generally describe:</p> <p><u>Some buildings in the neighborhood are mixed use residential and light commercial (restaurants, textile shops, etc).</u></p>																																							
<p>b. Land uses and covertypes on the project site.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Land use or Covertypes</th> <th style="width: 15%;">Current Acreage</th> <th style="width: 25%;">Acreage After Project Completion</th> <th style="width: 20%;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td>• Roads, buildings, and other paved or impervious surfaces</td> <td>0% building</td> <td>30% building</td> <td>minus .0285 acres</td> </tr> <tr> <td>• Forested</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Agricultural (includes active orchards, field, greenhouse etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Wetlands (freshwater or tidal)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Non-vegetated (bare rock, earth or fill)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Other Describe: _____</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces	0% building	30% building	minus .0285 acres	• Forested				• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)				• Agricultural (includes active orchards, field, greenhouse etc.)				• Surface water features (lakes, ponds, streams, rivers, etc.)				• Wetlands (freshwater or tidal)				• Non-vegetated (bare rock, earth or fill)				• Other Describe: _____			
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<p>c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i> _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i. Identify Facilities:</i> <u>Shelters of Saratoga, Walworth Street (not sure of the exact distance, maybe more than 1500 feet)</u> _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____ _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: _____</p> <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> _____ _____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____ _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> _____ _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div style="width: 50%;"> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____ _____ _____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i> _____ _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ 													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ (unknown) feet													
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Standard</td> <td style="width: 40%; text-align: right;">100 %</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____ %</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">_____ %</td> </tr> </table>		Standard	100 %	_____	_____ %	_____	_____ %						
Standard	100 %												
_____	_____ %												
_____	_____ %												
d. What is the average depth to the water table on the project site? Average: <u>unknown</u> feet													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 70%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	100 % of site	<input type="checkbox"/> Moderately Well Drained:	_____ % of site	<input type="checkbox"/> Poorly Drained	_____ % of site						
<input checked="" type="checkbox"/> Well Drained:	100 % of site												
<input type="checkbox"/> Moderately Well Drained:	_____ % of site												
<input type="checkbox"/> Poorly Drained	_____ % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	100 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input checked="" type="checkbox"/> 0-10%:	100 % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____ _____													
h. Surface water features.													
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name _____	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____													
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:													
i. Name of aquifer: _____													

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ squirrels and birds _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>Saratoga Historic District</u>	
iii. Brief description of attributes on which listing is based: <u>House on the property was built in 1853 and has a plaque from the Saratoga Preservation Foundation</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Saratoga Spa State Park</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State Park</u>	
iii. Distance between project and resource: <u>Three (3)</u> miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Zimmerman Date 10/21/2017

Signature  Title Owner

From: "frank capone" [REDACTED]
To: "susan barden" <susan.barden@saratoga-springs.org>, "kate maynard" <kate.maynard@saratoga-springs.org>
Sent: Tuesday, October 24, 2017 2:31:24 PM
Subject: NEIGHBORS OPPOSED TO SUBDIVIDING 139 GRAND AVE INTO TWO SUBSTANDARD LOTS.

October 24, 2017

TO: THE ZONING BOARD OF APPEALS and THE PLANNING BOARD

FROM: NEIGHBORS OPPOSED TO SUBDIVIDING 139 GRAND AVE INTO TWO SUBSTANDARD LOTS.

Nearby neighbors of 139 Grand Ave oppose subdividing 139 Grand Ave into two substandard lots. This property is located in a UR-3 Zoning District and in one of the eight designated Historic Districts of the city.

In making its determination, the ZBA shall consider the five following Evaluation Criteria, which we would like to address here.

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance:**

We believe subdividing 139 Grand Ave into two substandard lots would produce an undesirable change in the character of the neighborhood. Both the lot to the right

and the lot to the left of 139 Grand Ave, along with 139 Grand Ave itself, are .19 acre lots.

The lot across the street at 128 Grand Ave = .21 acres and 136 Grand Ave = .17 acres. 140 Grand Ave is smaller at .11 acres. Before the current Zoning Ordinance existed, the back of this lot may have been split off. It is used now as a parking lot for an apartment building on Beekman Street.

Unfortunately, before our city's current Zoning Ordinance, some properties were subdivided into small lots. Thankfully, current zoning laws have helped to maintain and preserve our neighborhood and other neighborhoods throughout the city. Zoning laws exist, in part, to protect and maintain neighborhoods.

When the current Zoning Ordinance became law around 2001, our area of the city was designated a UR-3 Zoning District with a minimum lot size requirement of 6,600 square feet. This prevented many slightly larger lots, such as 139 Grand Ave with 8,276 square feet, from being cut up into smaller lots, as is being proposed here by the applicant.

Furthermore, this section of Grand Ave is in one of the eight designated Historic Districts of the city. What would happen if this lot were allowed to be subdivided? We would assume that the new lot on Beekman Street would remain part of the Historic District. As such, what would be the requirements to build a historic house on this awkward sized new lot? How would it fit in with the character of the other historic houses surrounding it? 135 Grand Ave was built in 1842 and 139 Grand Ave in 1850.

Subdividing this lot would produce a "detriment to nearby properties." Several of us purchased nearby properties with the understanding from the city's Zoning Ordinance that there were no new buildable lots in our backyards. Not only would our quality of life be negatively affected by reduced privacy and sunlight, but our real estate values also would be.

When people invest hundreds of thousands of dollars into purchasing their homes, they depend upon the zoning laws that exist to protect them, their families and their investments.

The defining characteristics of the current lot at 139 Grand Ave and the current historic house on this lot, along with the surrounding properties, all would be negatively affected by subdividing this lot.

2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance:

The apparent benefit sought by the applicant is to maximize profits by subdividing the lot and then selling the two properties separately.

The current owner has lived in CT for the past few years. The house at 139 Grand Ave has been rented during this time. The owner tried to sell 139 Grand Ave in 2015, but the price he was asking was way above market value. The owner states that prospective buyers didn't buy because the property was too big, but in fact the property was significantly overpriced.

The property next door, at 135 Grand Ave, with the exact same square footage property size, correctly priced, sold almost immediately this summer. Another similar property, 143 Washington St, on the corner of Washington St and Beekman St, correctly priced, also sold quickly this summer.

We do not believe that the character of our neighborhood or the value of our properties should be diminished to maximize profits for the owner of 139 Grand Ave.

3. Whether the requested area variance is substantial:

The requested area variances are substantial. First, not one, but two substandard size lots would be produced. Both would be 4,125 square feet rather than 6,600 square feet, or 2,475 square feet smaller, 37.5%, than required in a UR-3 Zoning District.

Next, many more variances would have to follow, including almost a complete elimination of the backyard setback of 25 feet for 139 Grand Ave. The side yard would become a driveway. A curb cut would be needed.

The new lot on Beekman Street would be 55 feet deep. With a 25 foot required backyard setback and a ten foot required front yard setback, only 20 feet would remain for the depth of the house. This is totally unrealistic. Therefore, more variances would be needed. And, since a lot in the UR-3 District requires the first floor of a new home being built to be 1,200 square feet, the house would need to be 40 feet wide, so even more variance requests would be expected.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

We do not have the knowledge to speak on this item, but we can see that trees would have to be cut down.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of an area variance:

The alleged difficulty was self-created by the applicant. The applicant claims that he is requesting this subdivision because he does not want to maintain the backyard and other people who might want to purchase the property won't buy it because they do not want to either.

We do not believe this to be correct or an adequate reason to change the character of the neighborhood, to decrease the value and desirability of surrounding properties, or to grant substantial variances in a UR-3 Zoning District and a designated city Historic District.

We ask that this property remain as one lot, and that variances not be granted that would allow for the subdivision of this property at 139 Grand Ave. We hope the ZBA and the Planning Board will "preserve and protect the character of the neighborhood."

Thank you,

Nearby Neighbors: (in alpha order), C. Kyle Bentley, [REDACTED] Dublin Sq Lane; Frank Capone, [REDACTED] Grand Ave, President of the Dublin Square Home Ownership Association; C. Dena Contompasis, [REDACTED] Dublin Sq Lane; Manny Contompasis, [REDACTED] Grand Ave; Mary Ellen Contompasis, [REDACTED] Grand Ave; Maureen Curtin, [REDACTED] Grand Ave; Beth DellaRocco, [REDACTED] Beekman St; Mat Digeser, [REDACTED] Grand Ave; Jenna Engelstein, [REDACTED] Grand Ave; Dave Hale, [REDACTED] Grand Ave; Bob Kelly, [REDACTED] Grand Ave; Colleen Morgan, [REDACTED] Dublin Sq Lane; Marika Murray, [REDACTED] Dublin Sq Lane; Stephan Parisi, [REDACTED] Washington St; Ali Railsback, [REDACTED] Washington St; David Railsback, [REDACTED] Washington St.

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Kate Maynard, AICP
Principal Planner
City of Saratoga Springs
474 Broadway, Saratoga Springs, NY 12866
518.587.3550x2517

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Michael Zimmerman & Jon Galt
139 Grand Ave, Saratoga Springs, NY 12866

West Side Non-Conforming Properties Analysis

Of the 65+/- houses within two blocks of 139 Grand Avenue, 45 (69%) are on lots smaller than 6600 sf². Of those 45 homes, 28 of them are smaller than the the new lot sizes being proposed (43% of the total analysis). Twelve of those 28 houses on the smaller lots are built over the 30% buildable threshold. Virtually none of the homes on any of these lots are in full compliance with current setback requirements.

There are two major projects within 100' of 139 Grand Ave that are anomalies in the neighborhood:

I did NOT INCLUDE the 13 units at Dublin Square in the main analysis. Eight of the units are smaller than $\frac{1}{3}$ of the lots we are creating, and five of them are smaller than $\frac{1}{2}$ of the new lot size. None of the thirteen appear to follow current setback requirements.

I did NOT INCLUDE The Local at 142 Grand Ave in this analysis. The lot is smaller than the lots we are proposing and it does not follow current setbacks.

Address		Lot Size	Building Footprint (approximate)	Percentage	percentage smaller than 6600 sf2
blue = properties under 6600 sf2					
orange = properties under 4573 sf2 (proposed post-subdivision lot sizes)					
81 Beekman		4792	1,384	28.88%	27.39%
82 Beekman		2178	0		67.00%
85 Beekman		3485	589	16.90%	47.20%
103 Beekman		1306	530	40.58%	80.21%
127 Beekman		4792	924	19.28%	27.39%
36 Franklin		4792	837	17.46%	27.39%
40 Franklin		4792	1,491	31.11%	27.39%
71 Franklin		1742	0		73.61%
120 Grand		4356	1,150	26.40%	34.00%
124 Grand		4356	992	22.77%	34.00%
140 Grand		5749	1,176	20.46%	12.89%
149 Grand		6534	854	13.07%	1.00%
152 Grand		6098	1,099	18.02%	7.61%
159 Grand		6534	952	14.57%	1.00%
5 Marvin Alley		2614	858	32.82%	60.39%
1 Oak		4356	2,259	51.86%	34.00%
10 Oak		3485	638	18.31%	47.20%
17 Oak		4356	987	22.66%	34.00%
53 S. Franklin		4792	1,498	31.26%	27.39%
59 S. Franklin		1742	601	34.50%	73.61%
66 S. Franklin		1560	493	31.60%	76.36%
68 S. Franklin		2613	562	21.51%	60.41%
72 S. Franklin		4356	861	19.77%	34.00%
78 S. Franklin		6534	1,374	21.03%	1.00%
13 Walworth		1742	579	33.21%	73.61%
15 Walworth		1742	456	26.18%	73.61%
20 Walworth		4356	992	22.77%	34.00%
103 Washington		6100	0		7.58%
109 Washington		6098	1,750	28.70%	7.61%
112 Washington		3485	1,505	43.19%	47.20%
114 Washington		1742	900	51.66%	73.61%
116 Washington		2178	812	37.28%	67.00%
117 Washington		2178	1,016	46.65%	67.00%
118 Washington		3049	900	29.52%	53.80%
119 Washington		2178	822	37.74%	67.00%
123 Washington		5663	1,001	17.68%	14.20%
127 Washington		5227	1,364	26.10%	20.80%
128 Washington		3485	0		47.20%
131 Washington		4792	780	16.28%	27.39%
132 Washington		4792	1,000	20.87%	27.39%
138 Washington		2178	1,250	57.39%	67.00%
140 Washington		3920	1,116	28.47%	40.61%
150 Washington		6534	1,480	22.65%	1.00%
154 Washington		6534	1,300	19.90%	1.00%
156 Washington		4356	1,104	25.34%	34.00%





139 Grand Avenue

From : Marc Woodworth [REDACTED]

Fri, Oct 27, 2017 04:53 PM

Subject : 139 Grand Avenue

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Dear City of Saratoga Springs Zoning Official —

As a long-time Saratoga Springs resident with an interest in historic preservation and maintaining the character of our neighborhoods, I support the Zimmerman subdivision being proposed for 139 Grand Avenue. While I understand that the current subdivision rules do not allow for a building as proposed by the owner, it's clear that a large addition and substantial outbuilding -- which are allowed -- would alter the site in a way that would be detrimental to the neighborhood. By instead proposing a site-appropriate 3 bedroom house design consistent with historical review guidelines, the owner would contribute to the aesthetic and community feel of the block. The added bonus of the Beekman Street sidewalk that would be a by-product of the subdivision along with a new, appropriate, and attractive house on this very large lot -- much larger than the many sub-standard already-built-upon lots in the vicinity, make the proposed subdivision a very desirable one which I hope you will approve.

Sincerely,

Marc Woodworth

Re: 139 Grand Ave Subdivision / Zimmerman

From : Michael Grant [REDACTED] >

Fri, Oct 27, 2017 06:03 PM

Subject : Re: 139 Grand Ave Subdivision / Zimmerman**To :** susan barden <susan.barden@saratoga-springs.org>,
Lindsey Connors <lindsey.connors@saratoga-springs.org>

TO: THE ZONING BOARD OF APPEALS

FROM: Michael Zimmerman, 139 Grand Ave

RE: The Letter of October 24th, 2017 from Frank Capone and the Nearby Neighbors

Dear ZBA,

I feel it is imperative to directly address some of the assertions made by Mr. Capone and his neighbors in their letter of 10/24/17 to the ZBA. I agree with Evaluation Criteria evoked, but their interpretations may benefit from more detail, clarification, and another point of view.

"Subdividing this lot would produce a "detriment to nearby properties." Several of us purchased nearby properties with the understanding from the city's Zoning Ordinance that there were no new buildable lots in our backyards."

This IS a buildable lot, whether it's subdivided or not. Up to 15% more of the land could be built on if it's a dwelling, and 10% of the total acreage can be built with a non-attached structure.

"Not only would our quality of life be negatively affected by reduced privacy and sunlight, but our real estate values also would be."

There is no precedent to state definitively that real estate values would be negatively affected. In fact, adding properties to the neighborhood has only increased the value for all properties since we moved in in 1998. If anything, building a new home would show that west side is still a vibrant area where people can renovate and create viable structures that add value to the community.

As for reduced privacy, the image of Dublin Square from our property clearly reveals that there are multiple trees between 139 and 135 Grand Ave and Dublin Square. The previous owners of 135 Grand Ave strategically planted four trees in front of the rear-facing windows of Dublin Square, effectively blocking out their views already. The the rest of Dublin Square faces a parking lot, Grand Ave, Washington Street, or each other. 135 Grand Ave has views of the back of Dublin square on one side and our house on the other side of the driveway. The sides of a house that could be built on the newly subdivided lot would be 25' from the fence, or at least three times the space of what 135 Grand Ave is currently afforded by Dublin Square to the East.

The privacy issues could be remediated through the design of a new house — for example it could incorporate clerestory windows for light to enter the home from the backside (facing

135 Grand). Sunlight shouldn't be an issue because we're *not* proposing a skyscraper or a black wall that would block out the sun in the evening hours. Plus with the 25' setback requirement it wouldn't affect 135 Grand Ave anywhere near as adversely as the existing structure of Dublin Square.

Currently our back porch overlooks no less than thirteen houses. We barely noticed when the garage behind 149 Grand Ave was built. Our proximity to that structure is similar to Dublin Square's proximity to our lot. It's absurd to think a house there would eliminate the sun or any conceivable privacy that isn't already significantly compromised by existing structures.

"The defining characteristics of the current lot at 139 Grand Ave and the current historic house on this lot, along with the surrounding properties, all would be negatively affected by subdividing this lot."

This is an opinion. It is not based on quantifiable or documented facts.

"The apparent benefit sought by the applicant is to maximize profits by subdividing the lot and then selling the two properties separately. The current owner has lived in CT for the past few years. The house at 139 Grand Ave has been rented during this time. The owner tried to sell 139 Grand Ave in 2015, but the price he was asking was way above market value. The owner states that prospective buyers didn't buy because the property was too big, but in fact the property was significantly overpriced. The property next door, at 135 Grand Ave, with the exact same square footage property size, correctly priced, sold almost immediately this summer. Another similar property, 143 Washington St, on the corner of Washington St and Beekman St, correctly priced, also sold quickly this summer. We do not believe that the character of our neighborhood or the value of our properties should be diminished to maximize profits for the owner of 139 Grand Ave."

Again, these are opinions, not claims based on truth or facts.

For the record, we split our time between Saratoga Springs and my parents' house in Connecticut. We have work in both areas and, like many residents of Saratoga, we are not in town full-time. This has absolutely no bearing on the issue at-hand as it is nobody's business where we rest our heads at night.

The claim that we overvalued the property in 2015 is also inaccurate. We were offered a fair price by a woman who later contacted the most expensive builder in town to create a garage structure that unfortunately made the total purchase price astronomical, so she backed out. Two other couples who seriously considered purchasing the house were fine with the price, but they were cowed by the maintenance of the yard.

We took the house off the market because the opportunity presented itself for us to have a place closer to NYC *and* to keep our house in Saratoga. We were able to pursue our careers while retaining our beautiful home in Saratoga, and continuing to make upgrades as we could afford them. I am a realtor and Jon is a real estate broker and we purchased and renovated numerous properties in and around Saratoga Springs over the years. We have concrete training and experience in the arena of home valuation. In our opinion the house on 143 Washington was underpriced, so of course it sold quickly, but it's also not a fair comp because houses on Washington are not worth the same as houses on Grand due the truck route — plus the house in question needed major renovations.

Anyway, 139 Grand Ave is not currently for sale and the issue here is not about perceived property values where everyone has a personal opinion. Any homeowner can price his home for anything he wants. The notion that we are attempting to maximize the profits by subdividing fails to recognize that it is actually *more difficult* and a longer road with more hoops than building a separate structure on an intact lot would be. We're not building because we firmly believe a modest, well-crafted historically connected home on the new lot will ADD to the character of the neighborhood and compliment the existing house at 139 Grand Ave.

"The side yard would become a driveway. A curb cut would be needed."

We're not proposing that our side yard would become parking — the side yard is part of the charm of the existing house. A 20'x20' section of the yard closest to the new property line is wild and it would be paved for off-street parking for two vehicles. Yes, it would require a curb cut that would conform with the legal distance required from the intersection of Grand & Beekman. Note that the curb cuts for 135 Grand Ave and 140 Grand Ave were not officially approved — the homeowners chipped away their curbs on weekends. We would get permission.

"The new lot on Beekman Street would be 55 feet deep. With a 25 foot required backyard setback and a ten foot required front yard setback, only 20 feet would remain for the depth of the house. This is totally unrealistic."

The current historic 1853 house at 139 Grand Ave is 20 feet wide and we live in it quite comfortably. All of the Dublin Square houses facing Grand Ave are less than 20 feet wide. Are we supposed to be held to a separate standard?

The footprint of the new house could be 20'x 60' and still conform to required setbacks *and* give space for a 25'x75' backyard. There is room to accomplish this on a smaller lot.

"We do not have the knowledge to speak on this item, but we can see that trees would have to be cut down."

Perhaps one tree, that we planted, might have to be removed for a new curb cut. We planted 21 trees on our property over the last 19 years.

"The applicant claims that he is requesting this subdivision because he does not want to maintain the backyard and other people who might want to purchase the property won't buy it because they do not want to either. We do not believe this to be correct or an adequate reason to change the character of the neighborhood, to decrease the value and desirability of surrounding properties, or to grant substantial variances..."

As we have gotten older it has become increasingly more difficult for us to maintain this property. Jon has had three ankle surgeries and a shoulder surgery and I require foot surgery and I have a problematic shoulder. It is a hardship for us to maintain this yard and the financial burden of paying someone else to maintain it in Saratoga is truly outrageous. But of course our burden (and the opinion of potential buyers who balked) only informed the idea that the lot should become another property. We agree that it is not reason-enough alone to change the zoning.

However, we disagree with the notion that *one house* can change the entire character of a neighborhood or that *one house* can decrease everyone's property values. That's ludicrous. 139 Grand Ave and its oversized yard are not a public park or a community center that is being taken away to accommodate something else. It is an empty yard, sized to be consistent with 69% of the lots in the nearby area.

It is also our deep belief that a historically-sensitive, design-reviewed home between 2100-2400 sf with ample breathing space on all four sides that conforms with the context of 69% of the lot sizes in the area would also be a tremendous value to the neighborhood and the city.

It is simply a difference of opinion.

Sincerely,
Michael Zimmerman

Zimmerman Subdivision

From : Britton Schnurr [REDACTED]

Fri, Oct 27, 2017 08:30 PM

Subject : Zimmerman Subdivision

To : lindsey connors <lindsey.connors@saratoga-springs.org>

I support the Zimmerman subdivision being proposed for 139 Grand Ave. I reside at [REDACTED] So. Franklin St and fully support this project.

Thank you.

--

Britton Schnurr, PsyD, NCSP
NYASP Conference Coordinator

Zimmerman Subdivision

From : Patricia Bokan [REDACTED] >

Fri, Oct 27, 2017 11:29 PM

Subject : Zimmerman Subdivision

To : lindsey connors <lindsey.connors@saratoga-springs.org>

I support the Zimmerman subdivision at 139 Grand Ave Saratogs Springs...

Sincerely Patricia Bokan
[REDACTED] Schuyler Dr
Saratoga Springs

Zimmerman subdivision

From : Simone Noud [REDACTED]

Sat, Oct 28, 2017 02:46 PM

Subject : Zimmerman subdivision

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Reply To : [REDACTED]

I support the Zimmerman subdivision being proposed for 139 Grand Ave.

[Sent from Yahoo Mail on Android](#)

139 Grand Avenue

From : Marc Woodworth <mwoodwor@skidmore.edu>

Fri, Oct 27, 2017 04:53 PM

Subject : 139 Grand Avenue

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Dear City of Saratoga Springs Zoning Official —

As a long-time Saratoga Springs resident with an interest in historic preservation and maintaining the character of our neighborhoods, I support the Zimmerman subdivision being proposed for 139 Grand Avenue. While I understand that the current subdivision rules do not allow for a building as proposed by the owner, it's clear that a large addition and substantial outbuilding -- which are allowed -- would alter the site in a way that would be detrimental to the neighborhood. By instead proposing a site-appropriate 3 bedroom house design consistent with historical review guidelines, the owner would contribute to the aesthetic and community feel of the block. The added bonus of the Beekman Street sidewalk that would be a by-product of the subdivision along with a new, appropriate, and attractive house on this very large lot -- much larger than the many sub-standard already-built-upon lots in the vicinity, make the proposed subdivision a very desirable one which I hope you will approve.

Sincerely,

Marc Woodworth

139 Grand Ave. subdivision

From : Donna Hays [REDACTED] >

Sun, Oct 29, 2017 11:30 AM

Subject : 139 Grand Ave. subdivision

To : lindsey connors <lindsey.connors@saratoga-springs.org>

I support the Zimmerman subdivision of lot at 139 Grand Ave. They have made their property so beautiful and would sell to similar mind future lot owners. I see this as a positive for this community.

Donna Hays

[REDACTED] Cottage Place

Saratoga Springs, NY 12866

Sent from my iPad

Subdivision proposed for 139 Grand Ave

From : nez nez [REDACTED]

Sun, Oct 29, 2017 03:42 PM

Subject : Subdivision proposed for 139 Grand Ave

To : lindsey connors <lindsey.connors@saratoga-springs.org>

I support the "Zimmerman" subdivision proposed for 139 Grand Ave.

Based on the descriptions, renderings and photos I've seen, I believe it is in keeping with and will enhance this lovely neighborhood.

Sincerely,
Nancy Zucchini

Zimmerman subdivision at 139 Grand Ave.

From : Dave McDonald [REDACTED]

Sun, Oct 29, 2017 05:22 PM

Subject : Zimmerman subdivision at 139 Grand Ave.**To :** lindsey connors <lindsey.connors@saratoga-springs.org>

Dear Lindsey,

I fully support the Zimmerman subdivision being proposed for 139 Grand Ave.

As a local resident familiar with the history and appeal of our beautiful community and with the city of Saratoga Springs at its centerpiece, I hold that it is important that we preserve the inherent aesthetics and architectural legacy passed down from those who came before us. Guardians of the development of our communities such as yourself and your colleagues stand as a very important check and balance on how property owners move forward with their investments.

Regarding the Zimmerman proposal, I would like to point out two things that form my affirmative position. First, I believe the components of the proposal coalesce into a result that fits elegantly into the surrounding neighborhood. The subdivision would allow for a building that would preserve the beauty and maintain the theme of the community. Second, Michael and Jon possess the highest integrity and character. They deeply care about a good outcome for all stakeholders. They understand that there is a core responsibility owed to the community of ensuring that quality and refinement are upheld.

I hope that you find that this action is in the best interest of the neighborhood and city. I truly believe that the results of the subdivision will yield further substance to why Saratoga Springs is held in such high regard.

Respectfully,

Jan McDonald

139 Grand ave

From : susan boka [REDACTED] >

Sun, Oct 29, 2017 08:37 PM

Subject : 139 Grand ave

To : lindsey connors <lindsey.connors@saratoga-springs.org>

External images are not displayed. [Display images below](#)

The plan to have 2 nice sized homes on this land sounds like a better plan then the possibility of one out of sized giant one.

Susan Bokan

--

139 grand Ave.

From : EMMA HANSON [REDACTED]

Sun, Oct 29, 2017 09:37 PM

Subject : 139 grand Ave.

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Dear Ms. Connors —

I have been a Saratoga Springs resident since the 1990s and have weighed in before on maintaining the historic character of our neighborhoods along with sensible and attractive development. I am in support of Michael Zimmerman's subdivision proposal for 139 Grand Avenue. His proposal of a non-standard but site-appropriate 3 bedroom house design that will accord with historical review guidelines will not only make sense as a solution for a very large lot that is itself rather out of character for its neighborhood, but will in my estimation increase the curb-appeal of the block and make that end of the heavily foot-trafficked Beekman Street district more inviting and consistent with its feel and flow. I hope you will approve this thoughtful and entirely appropriate design by granting the proposal.

Yours sincerely,

Emma Dodge Hanson

139 Grand Ave

From : Beekman [REDACTED] >

Mon, Oct 30, 2017 07:32 AM

Subject : 139 Grand Ave

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Cc : Michael Grant [REDACTED]

To the Planning Board of Saratoga Springs:

The Arts District on Beekman is in favor of **APPROVING** the application submitted by the owners of [139 Grand Ave](#) to subdivide their large lot into 2 lots. That block of Beekman between Grand Ave and Washington St would be enhanced with a small house to balance with the other side which has 3 buildings. Currently there is a long tall solid fence on that side for most of the block and no sidewalk. The addition of a small one-family house would give the block a more residential feel and be more welcoming to pedestrians heading to the Arts District.

Please approve this application which we regard as a beneficial addition to the neighborhood.

From:
Board of Directors
Arts District on Beekman Inc
[PO Box 162](#)
[Saratoga Springs NY 12866](#)

Proposed subdivision at 139 Grand Avenue

From : Denise Polit [REDACTED] >

Mon, Oct 30, 2017 07:40 AM

Subject : Proposed subdivision at 139 Grand Avenue

To : lindsey connors <lindsey.connors@saratoga-springs.org>

Dear Ms. Connors,

I am writing in support of the subdivision being proposed by Mr. Zimmerman for the property at 139 Grand Avenue. I live just a few blocks away at [REDACTED] Clinton Street. I believe that the neighborhood would be enhanced by the addition of an appropriately scaled single-family house. The lot size would be totally consistent with existing structures in the neighborhood.

Please feel free to contact me if you have any questions.

Sincerely,
Dr. Denise F. Polit

--

Dr. Denise F. Polit

[REDACTED]

[REDACTED]

Zimmerman subdivision

From : amejo amyot [REDACTED] >

Mon, Oct 30, 2017 12:10 PM

Subject : Zimmerman subdivision

To : lindsey connors <lindsey.connors@saratoga-springs.org>

I support the Zimmerman subdivision for Beekman Street. A small house will make that section of the street more neighborly and the new sidewalk makes the area more walkable.
amejo amyot

amejo amyot, phd

Never doubt that a small group of thoughtful, committed citizens can change the world.
Indeed, it is the only thing that ever has.
Margaret Mead

[REDACTED]
www.beekmanstreetarts.com
[REDACTED]

Zimmerman Subdivision

From : Jamin Totino [REDACTED] >

Mon, Nov 06, 2017 09:49 AM

Subject : Zimmerman Subdivision**To :** lindsey connors <lindsey.connors@saratoga-springs.org>

Hi Lindsey, could you please forward this to the members of the ZBA.

Dear ZBA Members,

I write as a community member (I am also the Vice Chair of the Saratoga Springs Planning Board) regarding the proposed Zimmerman subdivision at the corner of Grand Ave and Beekman Street. As you know, on October 26th the PB issued a negative advisory opinion to the Zoning Board of Appeals (ZBA) against the proposed subdivision. The reason was simple – as the applicant willfully recognizes, the proposal would result in the reduction of a historic single conforming lot to two nonconforming (substandard) lots. Though on some rare occasions the PB has supported the creation of nonconforming lots, in my 9+ years of experience on the PB (if memory serves) this has never included a historic lot. As such, I write to support the PB's opinion and urge you to vote against the proposal.

While there are numerous issues with the messages the applicant has sent to neighbors and community members, not the least of which is what they posit could be built as a matter of right, I personally I am not in support of the proposal for several additional reasons than the creation of two substandard lots. Most importantly, the applicant argues that they "...believe this is the best choice for the neighborhood because it will open up the property while controlling the scale of what can and will be built. It will also visually and literally open a path by creating a sidewalk and other various improvements to the east side of Beekman street between Washington and Grand."

In regard to the first sentence, I would argue that the best way to open up the property would be to tear down the stockade fence so that the historic home can be seen by the community. In regard to the second sentence, the fact is that a historic brick sidewalk already exists along the entirety of the existing property line along Beekman Street - you just can't see it because it is not maintained by the applicant who has allowed grass to completely overtake the sidewalk. If you'd like to know what it could look like, please look at the Snyder's lot at the north end of Beekman at West Circular.

The applicant also states, " We are considering changing the subdivision line to provide more acreage for the principal structure so it won't be exempted from building a garage." That, of course, would mean that the result could be both a new house on a substandard lot AND a new garage for the principal building lot which would require an additional curb cut on a substandard on Beekman Street. That would simply be too much infill for the property and the neighborhood.

Regardless of the applicants intent to "convert the confused" I think this is simply a matter of the ZBA focusing on the core issues of historic preservation and the City goal of doing its

best to create conforming lots when and wherever it can. Of course there are exceptions, but this shouldn't be one of them.

Thank you all for your service to the community.

Respectfully,

Jamin Totino
[REDACTED] Beekmamn Street

From: Michael Grant [REDACTED]
Sent: Sunday, November 05, 2017 4:42 PM
Subject: Mike & Jon's Zoning Board Followup

Dear Friends,

Forgive the mass email but a number of you asked "how'd it go?" and we wanted to fill you all in!

So I feel like I did an outstanding job on my book report but the teachers didn't feel like reading the whole thing so I got a C-. After a long night (over an hour on our proposal alone), two board members are for it, three couldn't wrap their heads around it (and therefore felt obligated to lean towards a no??) and two are outright opposed pending more information. However, from what I understand this is all considered progress for our out-of-the-box idea.


At the end of the meeting we decided to table the proposal instead of forcing a vote so we could provide new info (renderings, more data) in a few weeks and make another stab at converting the confused. We are considering changing the subdivision line to provide more acreage for the principal structure so it won't be exempted from building a garage — this was a major concern for a few board members. We're also thinking we may have more success if we partner with a builder who will present the new renderings and data on our behalf. We still have options and angles to pursue...

Anyway, we're SO THANKFUL for all of the support which really did help fight against the "Dublin Squares". The Beekman Arts District and other close neighbors are in favor of subdividing, which is awesome, and all of your letters helped to prove that we *are* long-time members of the community who give a damn about what happens in our lovely town! Yay!! Thank you!!

See you soon,
Michael Grant & Jon Galt

MichaelJaiGrant.com

From: Michael Grant [REDACTED]
Sent: Friday, October 27, 2017 6:39 PM
To: [REDACTED]



Subject: Mike & Jon Need Help

Dear Friends,

We're writing this because we need your help. We recently applied to the City to subdivide our large lot into two parcels so a second single-family house could be built in our unmanageable yard. We believe this is the best choice for the neighborhood because it will open up the property while controlling the scale of what can and will be built. It will also visually and literally open a path by creating a sidewalk and other various improvements to the east side of Beekman street between Washington and Grand. All Good Stuff for the Beekman Arts District...

Our alternative to subdivision is a 1200sf-footprint addition that could yield an attached residence similar in size to what currently exists, up to 60' high. This is a viable option following the Zoning rules and setbacks. We could also build an accessory building that isn't attached and it could be as large as a three car-garage with studio space above it and a 1/2 bath. It could have a footprint up to 24'x40' and also a height limit of 60'.

We proposed a subdivision to corral any building concept into a single-family house with a 25'x75' yard in the back for the good of the neighborhood. On the newly sized lot a house following appropriate setbacks would yield a 2100-2400sf, appropriately scaled, historic-design-reviewed "urban cottage" with 3-bed, 2-bath, one-car garage, attic and basement, fully consistent with the neighborhood.

Of course, subdividing would yield two lots that do not conform to today's standard. However, 69% of the houses within two blocks of 139 Grand Avenue are already on substandard lots and 43% are smaller than the lot sizes we are proposing! The new lots we're seeking are actually in sync with their context.

We're hoping you can write a quick email to the City (lindsey.connors@saratoga-springs.org) and say something like, "I support the Zimmerman subdivision being proposed for 139 Grand Ave". Feel free to provide more detail if you wish. If you feel further compelled to speak on our behalf, we will be at the Zoning Board Public Hearing on Monday, October 30th at 7pm at City Hall (and we would love to see you!).

Thanks in Advance,
Mike & Jon

PS: The application, surveys, photos, renderings etc. can all be seen at:
<https://www.dropbox.com/sh/fp60b023h34b2fe/AADBnQEsVEhSIcJiBJLQ9iKga?dl=0>

PS2: Feel free to share this!

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: MICHAEL ZIMMERMAN

TAX PARCEL NO.: 165.66-2-73

PROPERTY ADDRESS: 139 GRAND AVENUE

ZONING DISTRICT: URBAN RESIDENTIAL – 3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed two-lot subdivision.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

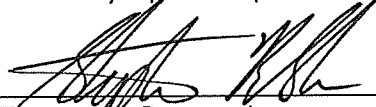
☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Minimum average lot width: Parcel A (139 Grand)	100 feet	55.50 feet
Minimum lot size: Parcel A (139 Grand)	6,600 sq. ft.	4,125 sq. ft.
Minimum total side yard setback: 139 Grand	12 ft.	10 ft.
Maximum principal building coverage: 139 Grand	30%	31%
Minimum lot size: Parcel B	6,600 sq. ft.	4,125 sq. ft.

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board



ZONING AND BUILDING INSPECTOR

10/10/17

DATE

Site Plan Review Application

19 Washington Street Hotel and Spa Saratoga Springs, NY

CHA Project Number: 28352-7002

Prepared for:

RBC Construction

8 Paddocks Circle

Saratoga Springs, NY 12866

Submitted to:

City of Saratoga Springs Planning Board

Ms. Kate Maynard, Principal Planner

Prepared by:



III Winners Circle

Albany, New York 12205

Phone: [REDACTED]

August 23, 2017



August 23, 2017

Ms. Kate Maynard
Principal Planner
City Hall
474 Broadway
Saratoga Springs, New York 12866

RE: 19 Washington Street Hotel and Spa Site Plan Review Application
CHA Project No.: 28352-7002

Dear Ms. Maynard,

CHA Consulting, Inc. (CHA) is pleased to provide this application for Site Plan Review for 19 Washington Street Hotel and Spa located at 19-23 Washington Street in Saratoga Springs, New York.

This submission includes 2 copies of the following:

- Project Narrative
- Application for Site Plan Review
- Site Plan Review Submittal Checklist
- Short Environmental Assessment Form
- Site Plans
- Architectural Plans and Elevations
- Site Plan Review application fee (\$6,756.70 check payable to Commissioner of Finance)

Thank you, and if you have any questions, please call me at [REDACTED]

Very truly yours,

Anthony P. Stellato, Jr. PE
Vice President

Attachments

cc: Jeff Ward, RBC Construction
Toby Mildé, Adelphi Hospitality Group
Michel Ducamp, Adelphi Hospitality Group
Jeremy Sherring, Mark Zeff Architecture

V:\Projects\ANY\K3\28352\Permitting\19 and 23 Washington St\Site Plan Application 170823.docx

Project Background

Adelphi Hotel Partners, LLC is the owner of property at 19/23 Washington Street in Saratoga Springs, New York, which it acquired in 2014 from Bethesda Episcopal Church. The property is comprised of two tax parcels (165.67-1-14 and 165.67-1-15), and approximately 0.47 acres. It is situated on the north side of Washington Street between Universal Preservation Hall and the Rip Van Dam site. The northeast corner of the property abuts the Adelphi Hotel (361-365 Broadway), also owned by Adelphi Hotel Partners, LLC.

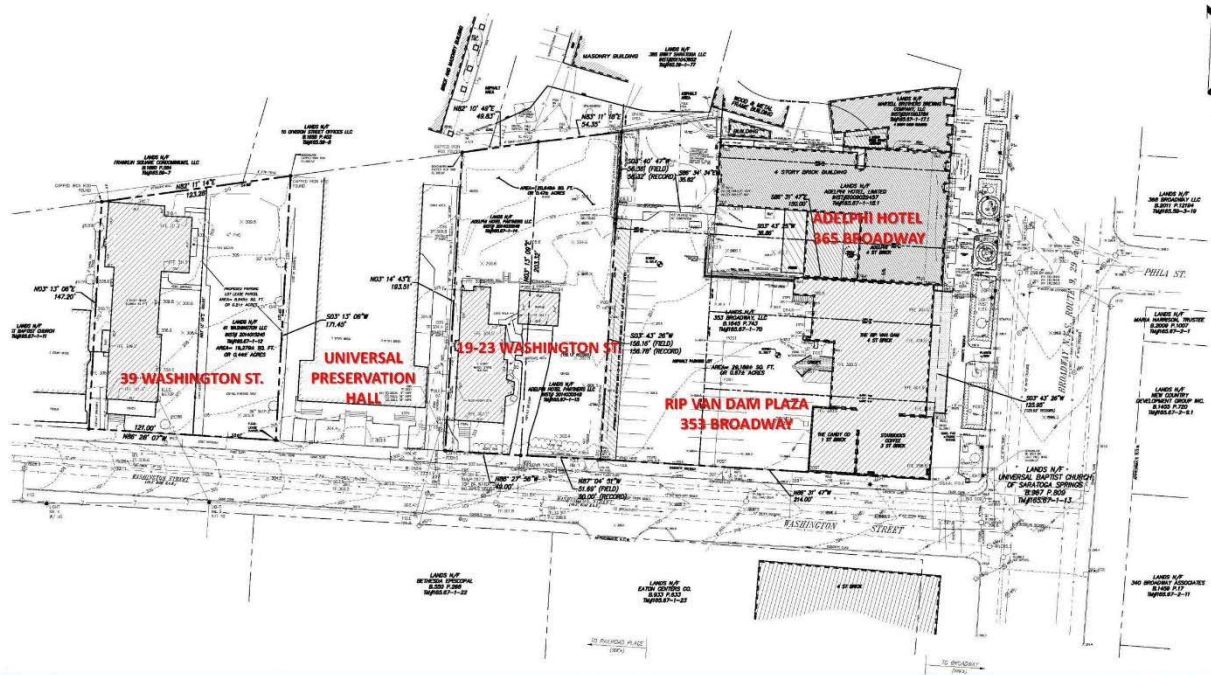
The most significant feature on the site is the stone house at 23 Washington Street which formerly served as the rectory for the Bethesda Episcopal Church, located across Washington Street. According to the Bethesda Church's website, the building was purchased in 1920 from the Wiggins family by the congregation as a wedding present for Reverend Irving Rouillard. The original stone structure measures approximately 30' by 40' with a bay window on the east side. A 1,200 SF (approximately) wood addition was added to the rear of the house at an unknown time. The addition appears to be made up of two structures that had been enclosed together and attached to the main house. The quality of construction and condition of the addition are poor, and the owner considers it to negatively impact the main house. The existing wood addition will be removed as part of the project.



Stone House from Washington Street, looking northwest

Site Description

The Project Site includes the two tax parcels (165.67-1-14 & 15) that make up the 0.47 acre parcel known as 19-23 Washington Street. A vicinity map follows:



Vicinity Map



Site statistics are presented below:

Property Area

Parcel Area (19-23 Washington St.) 0.47 acres

Site Coverage (Acres)

Description	Existing	Change	Proposed
Buildings	0.07	0.21	0.28
Pavement/Hardscape	0.06	0.10	0.16
Lawn/Garden	0.34	-0.31	0.03
TOTAL PROJECT AREA	0.47	0	0.47

Existing Building Area (Square Feet)

<u>Building Description</u>	<u>1st Floor</u>	<u>2nd Floor</u>	<u>Total Existing</u>	<u>After Demolition</u>
Stone House (23 Washington Street)	1,300	1,300	2,600	2,600
Stone House Wood Addition*	1,200	1,200	2,400	0
Garage*	<u>600</u>	<u>0</u>	<u>600</u>	<u>0</u>
TOTAL BUILDING AREA	3,100	2,500	5,600	2,600

* Denotes building to be demolished

Project Description

The project involves the construction of a hotel, spa, indoor pool and outdoor patio for the enjoyment of guests.

The new six-story hotel and spa will be situated to the rear of the stone house. Access to the first floor lobby will be centered on the Washington Street façade. Guests will enter here for hotel and spa registration. The spa will be located on the basement level along with a variety of back of house functions. The remainder of the first floor will include restrooms, a gym, a lounge, three small meeting rooms and back of house space, including a warming kitchen. A one-story connector will provide access to the existing stone house, which will be renovated as a guest suite. The north end of the first floor provides access to an indoor pool. The pool will be in an attached single-story structure. The second through sixth floors of the new building will include 50 additional guest suites. The hotel will be operated independently from the Adelphi Hotel.

Proposed Building Area (Square Feet)

<u>Building Description</u>	<u>Ground Floor</u>	<u>Second Floor</u>	<u>Total Floor Area</u>	<u>No. of Stories</u>	<u>Approx. Height</u>
Hotel and Spa	8,000	8,000	48,000	6	70'
Pool	2,800	0	2,800	1	20'
Connector Building	160		160	1	16'
Finished Basement			<u>9,007</u>	0	
TOTAL NEW BUILDING AREA	10,960	8,000	59,967		
Total Single-Story Building Area	2,960				
Second Floor Percent of First Floor Area		73%			

The total building area involved in this project includes 59,967 SF of new construction and 2,600 SF of existing building renovation, for a total of 62,567 SF. A breakdown of building area by use follows:

Building Area by Use (Square Feet)

<u>Use Description</u>	<u>Total Floor Area</u>
Hotel	51,760
Spa	8,007
Pool	<u>2,800</u>
TOTAL	62,567

Site and Landscape

The Project proposes an intimate outdoor setting. Soft, low intensity, pedestrian scale lighting will illuminate walks and gathering areas. Fixtures will include wall-mounted sconces and/or hanging pendants.

The Project includes 99 feet of frontage along Washington Street. An existing stone wall currently runs at the back of the sidewalk along this frontage, with openings for the walkway to the front door of the stone house and the existing driveway. The wall will be dismantled from the driveway opening to the eastern property corner, which will provide space for a one-way U-shaped driveway for guest drop-off. The driveway surface will incorporate unit pavers in a brick herringbone pattern with granite curb edging. The area between the in and out drives and the sidewalk will be landscaped to enhance the streetscape along the City sidewalk. The stones from the dismantled section of wall will be used to repair/reconstruct the existing wall running along the back of sidewalk in front of the stone house. The area between the reconstructed stone wall and the stone house will be landscaped to provide screening of the electrical transformer located in this area.

The existing Washington Street curb and sidewalk will be replaced in-kind along the entire project frontage. Two Sternberg street light fixtures will be installed, and their locations will be coordinated to be consistent with the alignment and spacing of new light fixtures recently installed in front of 41 Washington Street and those included on the Rip Van Dam approved site plans. The new public sidewalk will incorporate radiant heating, as will a significant amount of the hardscape interior to the Project Site.

The indoor pool area exits onto a terrace at the north end of the site. The terrace steps down to a courtyard that will extend to the existing courtyard on the adjacent Adelphi Hotel property. This area is envisioned as a quiet retreat for spa and hotel guests with outdoor furniture and potted plants.

The new building will be set back approximately 5 feet from the north, east and west property lines to allow alley access around all sides of the building. These alleys will accommodate deliveries of food, beverage and supplies from the adjacent Adelphi Hotel property. The site driveway from Washington Street has been designed to accommodate a 30-foot box delivery truck, which also allows some deliveries to be received via the east alley. The east alley connects to the existing 10-foot wide ingress/egress easement extending to Washington Street through the adjacent Rip Van Dam property. This easement provides emergency egress for the existing Adelphi Hotel as well as access for deliveries and trash removal. Trash generated by the new hotel and spa will be stored indoors in wheeled containers and transported to the curb on trash day. Trash will generally contain paper and non-organic waste. Quantities are not anticipated to be significant.

Construction Phasing

The Project will be constructed in a single phase. The opening of the hotel and spa is planned for the summer of 2019.

New Jobs

The Project will result in approximately 16 new permanent jobs. Six new employees will be required to support the spa. Ten new hotel employees will be added to support the hotel: four front desk staff, four cleaning staff and two valet attendants.

Zoning Summary

The Project Site is located within the City of Saratoga Springs Transect Zone T-6, Urban Core. Group Entertainment/Hotel and Health Spa are permitted uses with site plan approval in this zone. The intent of this zone is to “accommodate the highest intensity and diversity of retail, business and upper floor residential uses”, focusing on “high quality design and materials consistent with historic downtown form”, and promoting “an active pedestrian oriented public realm”.

The proposed use and dimensional elements are consistent with the requirements of the T-6 zone, with the following exception: The Project Site includes 99 feet of frontage on Washington Street. The City of Saratoga Springs Zoning Ordinance Section 2.0, Table 3 (Area and Bulk Schedule) requires that 80 percent of the project frontage be built out at a build-to distance of 0 to 12 feet from the front line. The new hotel building will be located 72 feet from the front line, in order to allow off-street drop-off for guests. Additionally, the existing stone house is set back 20 feet from the front line. Therefore, the 80

percent build out requirement cannot be met. The Applicant will apply to the Zoning Board of Appeals for relief from this requirement.

Parking Summary

The parking demand was calculated in accordance with Section 6.2.6 of the City of Saratoga Springs Zoning Ordinance. The calculation assumes a portion of the spa parking demand will be generated by hotel resident patrons, and therefore is not attributed to the Project as new demand. It is noted that off-street parking is not required in a T-6 zone. On-street and municipal garage parking are available to all uses in this zone.

Parking Demand

<u>Description</u>	<u>Count</u>	<u>Units</u>	<u>Unit Demand</u>	<u>Demand</u>	<u>Shared Demand</u>	<u>New Demand</u>
2-Bedroom Guest Suite	2	rooms	1.00	2	0	2
Hotel	50	rooms	1.00	50	0	50
Spa (Service Establishment)	8,007	sq. ft.	0.005	40	20*	20
Employees	16	employee	0.50	<u>8</u>	<u>0</u>	<u>8</u>
TOTAL PARKING DEMAND				100	20	80

- * 50 percent of spa customers are assumed to be hotel guests, and will not create an additional demand for dining parking. Additionally, the Zoning Ordinance does not provide a parking demand specifically for this use. We estimate the actual spa patron parking demand would be approximately 25 percent of the demand shown above, based upon an estimated maximum occupancy of 10 patrons at any given time. Therefore, the actual new parking demand associated with the spa is estimated to be 5 spaces.

All guests will arrive from Washington Street. Hotel guests will be greeted by a valet directly in front of the building entrance. As hotel guests and luggage are ushered to the registration desk, their vehicles will be parked by a valet in an existing parking lot owned by the Applicant at 58 Washington Street (southwest corner of Washington and Federal Streets). The Applicant proposes to dedicate the use of the parking lot to the 19-23 Washington Street property.

When operated as a valet lot, the existing parking lot can accommodate the entire hotel parking demand (52 spaces) with additional capacity that will be utilized as designated employee parking. Designated employees will arrive directly at the parking lot entrance and self-park, leaving their keys at the valet desk upon entering the building to allow the valet to move their cars if necessary.

Valet service will not be offered to spa guests, unless they are also guests of the hotel. Spa guests will utilize public/on-street parking. As noted above, while the Zoning Ordinance parking demand formula indicates a demand of 20 spaces, the actual new parking demand associated with the spa is actually estimated at only 5 spaces. While the demand for public parking in the City of Saratoga Springs has been on the rise, the on-street supply is supplemented with numerous public parking lots located in close proximity to the project site, including the garage/lot at Woodlawn Avenue/Long Alley and Division Street, the garage at Woodlawn Avenue and Walton Street, and the garage at Phila and Putnam Streets.

Utility Services

The water and sewer demand was calculated in accordance with NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems, dated March, 2014.

Water and Sewer Demand

<u>Description</u>	<u>Count</u>	<u>Units</u>	<u>GPD/unit</u>	<u>Demand</u>	
23 Washington Guest Suite	2	(bed)rooms	110	220	GPD
Hotel	50	rooms	110	5,500	GPD
Spa*	120	patrons	30	3,600	GPD
Office/Employees	16	employee	15	<u>240</u>	GPD
TOTAL WATER AND SEWER DEMAND				9,560	GPD

* Spa demand calculated as Health Club plus Bath House: 20 GPD + 10 GPD = 30 GPD per patron. Spa patron count is determined as follows:

Maximum number of spa guests served simultaneously = 10

Average duration of guest experience = 1 hour

Hours of operation per day = 12

Maximum number of guests served per day = 120 (peak day/peak season)

The Project will obtain water and sewer service from exiting public mains located on Washington Street (10-inch water line and 12-inch sewer main). Detailed design of water and sewer services are provided on the site plans.

Electric service will be provided by National Grid from an existing distribution line located along the north (rear) property line within National Grid's easement. An existing located at the southwest corner of the property provides power for the Adelphi Hotel. This transformer has been sized to serve the new facilities proposed at 19-23 Washington Street in addition to the existing Adelphi Hotel.

Gas service exists on Washington Street. Gas services for the new hotel and spa will be connected to this line.

The existing water, sewer, electric and gas services that enter stone house from Washington Street will be capped at the right-of-way. The stone house will utilize the new water, sewer, electric and gas services which will enter the new building from Washington Street.

Stormwater Management

Elevations on the site range from approximately elevation 309 at the northwest corner to approximately elevation 302 along Washington Street. Runoff from the site flows overland to a municipal storm sewer (8-inch) on Washington Street. The Washington Street storm sewer is scheduled to be replaced as part of an approved site development project on the adjacent parcel to the east (Rip Van Dam).

The detailed site plans for the Project will incorporate post-construction stormwater management (PCSM) practices designed to mitigate peak runoff impacts on the municipal system. A Basic Stormwater Pollution Prevention Plan (SWPPP) will be prepared for the project as required by Chapter 242 of the City of Saratoga Springs Code. It is noted that the City requires a Basic SWPPP for ground disturbance of 0.1 acres or more. The SWPPP will require approval from the City Engineer; however, coverage under State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (Permit Number GP-0-15-002) is not required since the disturbance will be less than 1 acre. The SWPPP will include a detailed design for temporary stormwater management measures to be implemented during construction, and will be provided in a subsequent submission.



CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
<http://www.saratoga-springs.org>

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
SITE PLAN REVIEW
(INCLUDING PUD)

(Rev: 12/2015)

*****Application Check List - All submissions must include completed application check list and all required items.**

Project Name: 23 Washington Street Hotel and Spa

Property Address/Location: 19-23 Washington Street

Tax Parcel #: 165-67-1-14&15 Zoning District: T-6, Urban Core
(for example: 165.52-4-37)

Proposed Use: Hotel and Spa

Date special use permit granted (if any): N/A Date zoning variance granted (if any): N/A

Is property located within (check all that apply)?:

☐
☒

Historic District

☒

Architectural Review District

500' of a State Park, city boundary, or county/state highway

(RBCC)

APPLICANT(S)*

(AHP)

OWNER(S) (If not applicant)

ATTORNEY/AGENT

Name RBC Construction, LLC Adelphi Hotel Partners, LLC CHA Consulting Inc.

Address 8 Paddocks Circle Same as Applicant 3 Winners Circle

Saratoga Springs, NY 12866 Albany, NY 12205

Phone [REDACTED] [REDACTED]

Email [REDACTED] [REDACTED]

Identify primary contact person: ☐ Applicant ☐ Owner ☒ Agent

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

<input type="checkbox"/>	<u>Sketch Plan</u> -	\$250	\$ _____
<input checked="" type="checkbox"/>	<u>Final Site Plan Approval</u>		
	Residential -	\$250 plus \$150/unit	\$ _____
	Non-Residential -	\$500 plus \$100/1,000 SQ. FT.	\$ <u>6,756.70</u>
<input type="checkbox"/>	<u>Modification</u>		
	Residential -	\$250	\$ _____
	Non-Residential -	\$500	\$ _____
Total			\$ <u>6,756.70</u>

Submission Deadline – Check City’s website (www.saratoga-springs.org) for application deadlines and meeting dates.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ☐ NO ☒. If YES, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

I, the undersigned owner, leasee or purchaser under contract for the property, hereby request Site Plan Review by the Planning Board for the identified property above. I agree to meet all requirements under Section 240-7.2 of the Zoning Ordinance of the City of Saratoga Springs.

Furthermore, I hereby authorize members of the Planning Board and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this application.

(RBCC)

Applicant Signature: Jeffrey W. Ward Date: 08/22/17
Jeffrey W. Ward: RBCC: Project Manager

If applicant is not current owner, owner must also sign.

(AHP)

Owner Signature: Jeffrey W. Ward Date: 08/22/17
Jeffrey W. Ward: AHP: Owner's Representative



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[FOR OFFICE USE]

(Application #)

(Date received)

Rev.12/2015

SITE PLAN REVIEW SUBMITTAL CHECKLIST

Project Name: 23 Washington Street Hotel and Spa

Listed below are the minimum submittal requirements for site plan review as set forth in The City of Saratoga Springs' Zoning Ordinance Appendix B. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Board also reserves the right to reject the application if these minimum requirements are not met. Please complete the checklist below and provide with your submission.

REQUIRED ITEMS: *3 hard copies and 1 digital copy of ALL materials are required.

CHECK EACH ITEM	** HANDWRITTEN APPLICATIONS WILL NOT BE ACCEPTED**
<input type="checkbox"/>	1. Completed Site Plan Application (3 hard copies - *1 w/original signature - and 1 digital) and Fee
<input checked="" type="checkbox"/>	2. SEQR Environmental Assessment Form- short or long form as required by action.
<input checked="" type="checkbox"/>	3. Set of plans including: (3) large scale plans (sheets must be 24" x 36", drawn to a scale of not more than 1"=50 feet). One digital version of all submittal items (pdf) shall be provided.
<input type="checkbox"/> *	4. Basic or Full Storm Water Pollution Prevention Plan as required per City Code Chapter 242. * TO BE PROVIDED BEFORE FINAL APPROVAL
<input type="checkbox"/>	5. Copy of signed DPW water connection agreement for all projects involving new water connections to the City system
<input checked="" type="checkbox"/>	6. Engineering Report for Water and Sanitary
<input type="checkbox"/>	7. Complete Streets Checklist
<input checked="" type="checkbox"/> *	8. Project Cost Estimate-Quantities of work items and estimate of costs * TO BE PROVIDED BEFORE FINAL APPROVAL

REQUIRED ITEMS ON SITE PLAN, AS APPLICABLE:

<input type="checkbox"/>	1. Property line survey prepared by a licensed land surveyor. Site plan must reference such survey with all corners set and marked on plan. A copy of the original property survey must also be included.
<input type="checkbox"/>	2. North arrow and map scale
<input checked="" type="checkbox"/>	3. Parcel tax map number
<input checked="" type="checkbox"/>	4. Site location map
<input checked="" type="checkbox"/>	5. Site vicinity map (all features within 300 feet of property)
<input checked="" type="checkbox"/>	6. Identification of zoning district with corresponding area requirements

<input checked="" type="checkbox"/>	7. Building setback lines, either listed or shown on plans.
<input checked="" type="checkbox"/>	8. Title block with project name; name and address of applicant; and name and address of property owner (if different)
<input checked="" type="checkbox"/>	9. Topography data tied to NGVD 1929 datum
<input checked="" type="checkbox"/>	10. Name of all adjacent property owners
<input checked="" type="checkbox"/>	11. Parcel street address (existing and any proposed postal addresses)
Yes No N/A <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	12. Identification of all existing or proposed easements, covenants or legal rights-of-way on this property
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	13. References to all prior variances or special use permits
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	14. Existing and proposed contours and spot grades (at 2 foot intervals)
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	15. Identification of all spoil or borrow areas
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	16. Identification of all watercourses, designated State wetlands, buffers, Federal wetlands, floodplains, rock outcroppings, etc.
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	17. Location of proposed storage
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	18. Identification of all existing or proposed sidewalks or pedestrian paths (show type, size and condition of existing sidewalks)
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	19. Location, design specifications and construction material for all proposed site improvements (drains, culverts, retaining walls, berms, fences, etc.)
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	20. Location and distance to fire hydrant
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	21. Location, size, and material of all existing and proposed utility services
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	22. Parking lot layout plan and identification of all loading areas (number all spaces)
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	23. Parking demand calculations
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	24. Identification of parking spaces and access points for physically impaired persons
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	25. Location and screening plan for dumpster or recycling bins
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	26. Location, design, type of construction and materials, proposed use and exterior dimensions of all buildings (existing and proposed) on site
<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	27. Identification of storage of any potentially hazardous materials
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	28. Planting plan identifying quantity, species and size of all proposed new plant materials. Label existing plant material to be retained or removed.
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	29. Lighting plan showing type, location and intensity of all existing and proposed exterior lighting fixtures
<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	30. Erosion and sediment control plan – including designated concrete truck washout area

Checklist prepared by: Tony Stellato Date: _____

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 19 Washington Hotel and Spa		
Project Location (describe, and attach a general location map): 19-23 Washington Street, Saratoga Springs, Saratoga County		
Brief Description of Proposed Action (include purpose or need): The Project involves the construction of a hotel and spa at 19-23 Washington Street in Saratoga Springs, NY. Fifty hotel rooms will be located in a new six-story building to be constructed adjacent to an existing stone house on the property. The stone house will be restored as a two-bedroom guest suite. The project also includes an indoor swimming pool and spa.		
Name of Applicant/Sponsor: RBC Construction, Inc. c/o Jeff Ward	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address: 8 Paddocks Circle		
City/PO: Saratoga Springs	State: New York	Zip Code: 12866
Project Contact (if not same as sponsor; give name and title/role): CHA c/o Tony Stellato, PE	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address: 3 Winners Circle		
City/PO: Albany	State: New York	Zip Code: 12205
Property Owner (if not same as sponsor): Adelphi Hotel Partners, Inc.	Telephone: [REDACTED]	
	E-Mail:	
Address: 8 Paddocks Circle		
City/PO: Saratoga Springs	State: New York	Zip Code: 12866

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board - Site Plan Approval	Site Plan Application submitted 8/2017
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ZBA - Area Variance	Initial application filed 3/2015. Resubmission pending.
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Design Review Commission - Demolition Permit and Architectural Review	Architectural Review to be submitted 8/2017
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☒No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes☒No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☒No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

Transect Zone T-6 and Architectural Review Overlay District

b. Is the use permitted or allowed by a special or conditional use permit? Allowed by right ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Saratoga Springs School District

b. What police or other public protection forces serve the project site?

City of Saratoga Springs Police Department

c. Which fire protection and emergency medical services serve the project site?

Saratoga Springs Fire Department

d. What parks serve the project site?

Congress Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Commercial

b. a. Total acreage of the site of the proposed action? _____ 0.5 acres

b. Total acreage to be physically disturbed? _____ 0.5 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.8 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: _____ 18 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ 1_____ ii. Dimensions (in feet) of largest proposed structure: _____ 70' height; _____ 90' width; and _____ 100' length iii. Approximate extent of building space to be heated or cooled: _____ 62,567 square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 9,560 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
If Yes:

- Name of district or service area: Saratoga Springs Water System
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: Saratoga Springs Water System

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 9,560 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: SCSD treatment plant- Mechanicville, NY
- Name of district: Saratoga County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will line extension within an existing district be necessary to serve the project? <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<div style="display: flex; justify-content: space-between;"> <div> <p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ </div> <div style="text-align: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> </div>	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<div style="display: flex; justify-content: space-between;"> <div> <p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? </div> <div style="text-align: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p> </div> <div style="text-align: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) </div> <div style="text-align: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No </div> </div>	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____ <u>To be determined. Electric Service Order has not been filed yet.</u></p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): <u>National grid</u></p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 AM- 7:00 PM</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hours (hotel rooms)</u> • Saturday: <u>24 hours</u> • Sunday: <u>24 hours</u> • Holidays: <u>24 hours</u> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>7:00 AM- 7:00 PM</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: <u>24 hours (hotel rooms)</u> • Saturday: <u>24 hours</u> • Sunday: <u>24 hours</u> • Holidays: <u>24 hours</u>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: <u>Ambient noise levels will increase slightly during construction. Noise levels will revert to existing upon completion of construction activities.</u></p> <p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: _____</p>
<p>n.. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>Lighting to provide safe passage between facilities as appropriate. All lighting will meet the requirements of applicable codes.</u></p> <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): <u>As necessary to protect landscaping from pests and disease. All federal and state laws will be followed and best practices utilized for application.</u></p> <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ 6 tons per _____ month (unit of time) • Operation : _____ 1.5 tons per _____ month (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: <u>The buildings scheduled for removal will be selectively stripped prior to demolition to salvage any materials that may have the potential for adaptive reuse.</u> • Operation: <u>The operation is expected to generate less than 100 lbs. per day of waste. The owner will recycle of cardboard, glass, plastic and metals in accordance with available Saratoga County recycling programs.</u> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: <u>transport to a licensed waste handling facility/transfer station or transport to licensed recycling facility</u> • Operation: <u>transport to a licensed waste handling facility/transfer station or transport to licensed recycling facility</u>

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No
 If Yes: provide name and location of facility: _____
 No hazardous wastes are expected but if it becomes necessary, hazardous wastes will be transported to a licensed hazardous waste facility.
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
☒ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Religious Institution
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.13	0.44	+.31
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Landscaped area</u> -	0.34	0.03	(.31)

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ <u>Multiple churches on Washington Street</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? _____ • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ 8-13 feet (based on adjacent site info.)	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: <div style="display: flex; justify-content: space-between;"> <div> Urban (fill) over fine-coarse sand/silt/ gravelly till, based on nearby info. </div> <div style="text-align: right;"> 100 % _____% _____% </div> </div>	
d. What is the average depth to the water table on the project site? Average: _____ 12 feet (based on adjacent site info.)	
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____ 100 % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ 100 % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____ _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Name of aquifer: <u>Schenectady-Niskayuna SSA per DEC Mapper.</u>	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p style="margin-left: 40px;">Gray & Red squirrels _____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>Broadway Historic District (adjacent to)</u>	
iii. Brief description of attributes on which listing is based: <u>Multiple historic buildings located along Broadway.</u>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: <u>Saratoga Spa State Park</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State park</u>	
iii. Distance between project and resource: _____ 1 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Anthony Stellato, PE / CHA Date August 22, 2017

Signature Anthony P. Stellato, Jr. Title Engineer for Applicant

CHAIRPERSON : _____ **DATE:** _____

[illegible]

APPLICANT

Adelphi Hotel Partners, LLC

8 PADDOCKS CIRCLE

SARATOGA SPRINGS, NY 12866

<h1 style="margin: 0;">LAYOUT PLAN</h1>		
Designed By: <div style="border: 1px solid black; padding: 2px;">APS</div>	Drawn By: <div style="border: 1px solid black; padding: 2px;">CHA</div>	Checked By: <div style="border: 1px solid black; padding: 2px;">APS</div>
Issue Date: <div style="border: 1px solid black; padding: 2px;">08/23/17</div>	Project No: <div style="border: 1px solid black; padding: 2px;">28352</div>	Scale: <div style="border: 1px solid black; padding: 2px;">AS SHOWN</div>
Drawing No: <div style="font-size: 48px; font-weight: bold; margin-top: 10px;">C-103</div>		

Zimbra

susan.barden@saratoga-springs.org

Proposed hotel upon 19-23 Washington Street, Saratoga Springs, NY

From : Bob Streifer 2 <[REDACTED]>
Subject : Proposed hotel upon 19-23 Washington Street, Saratoga Springs, NY

Wed, Oct 11, 2017 03:32 PM

8 attachments

To : bbirge@saratoga-springs.org, kate maynard <kate.maynard@saratoga-springs.org>, susan barden <susan.barden@saratoga-springs.org>, cindy phillips <cindy.phillips@saratoga-springs.org>, lindsey connors <lindsey.connors@saratoga-springs.org>, Christina Carton <Christina.Carton@Saratoga-Springs.org>

Cc : Bob Streifer <[REDACTED]>, [REDACTED] Corey LaPoint <[REDACTED]>, [REDACTED]

To: Design Review Commission
Office of Planning & Economic Development
City Hall
474 Broadway
Saratoga Springs, NY 12866

From: Robert Streifer and Frank Benedetto
Owner
18 Division Street
Loft 502
Saratoga Springs, NY 12866
T: [REDACTED]
E: [REDACTED]

Date: October 11, 2017

Dear Members of the Design Review Commission,

I am writing to you regarding the hotel building project proposed for 19-23 Washington Street, Saratoga Springs.

Per the correspondence below, notification was shared this week. I request that control this proposal in accordance with the guidelines enumerated below by my building's Board of Directors and that you require that any future building on that site be designed with attention to neighbors and incorporation of green space which is jeopardized.

Frank Benedetto and I walked to the site yesterday and met with a representative of the Adelphi Hotel Staff. He posited his belief that the project is slated to break ground in 1 month. If this is true, we have concern if adequate time has been allocated to undergo neighborhood outreach, education and architectural design review.

When the Adelphi began its renovation project large trees were removed between the hotel and the 18 Division Street Building. The owners of the Southeast and South quadrants of the building, while perhaps lamenting the removal of the trees, enjoyed the opening of the view (for all seasons, that is) and positive sales statistics are indicative of increased desirability and value of those units. To the contrary, the north and west elevations of the proposed hotel project would bring solid brick walls, and along with the 6 story proposed building height would shade and darken the many commercial and residential units nearby. This will have a deleterious effect upon property values and will decrease the enjoyment by those residents.

I feel that the Design Review Commission should take action to require revisions to the architectural proposal, review, share with those in the affected neighborhood, govern that green space be part of the plan and supervise adherence to the revisions. Your commission should take care that the development of the hotel present not only an economic opportunity to the investors, tax revenues for the City, and lodging for visitors to our City, but ALSO that the outcome achieve a HARMONIOUS neighborhood atmosphere to the business and residential condo owners.

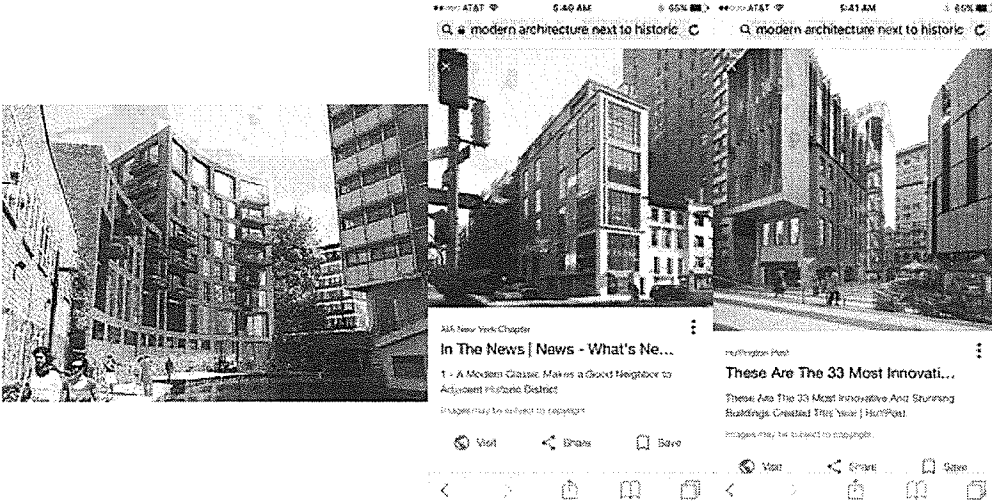
Please consider the Google researched photos below. I searched for award winning architectural designs in urban areas with height restrictions, juxtaposition to historic buildings, and high occupancy density (owners, lease renters and hotel rooms). Those that I selected represent hotel projects in Paris and London, a condo building in New York and then links to other urban areas where this question has been carefully considered and prudently managed.

Let the project at 19-23 Washington Street not represent mere opportunism at the expense of artistic architectural design and good neighborliness, and please ensure that ALL participants of the building zone and affected neighbors be satisfied with the outcome, not damaged by darkness, bleak Industrial Revolution architecture, and resulting decreased property values.

Thank you,
Bob Streifer

Cc: Sonny Bonacio / Board of Directors 18 Division Street
Corey LaPoint / CYC Realty Management
Julie Bonacio / Julie & Company Realty

Hi Julie, Sonny and Co





Sent from my iPhone

Begin forwarded message:

From: Corey LaPoint <[REDACTED]>
Date: October 10, 2017 at 9:18:24 AM EDT
Subject: Lofts at 18 Division Street- Development of 19-23 Washington St.

October 10, 2017

Dear Lofts at 18 Division Street Owner,

Recently the Board of Directors was made aware of an application to develop 19-23 Washington Street. The proposed application calls for a 6 story hotel with spa, indoor pool, gym, and separate suite in the existing stone house on the property. This application is currently in front of the City of Saratoga Planning Board.

The Board of Directors has received the architectural review application for this project. Upon review there are a number of concerns the Board of Directors has as this project moves forward;

1. Was proper notification given to all owners of the Lofts at 18 Division Street relative to this application.
2. The lack of windows on two elevations of the proposed structure. Please see attached plans-elevations.
3. What variances may be required for this project and what impact they may have on The Lofts at 18 Division Street.
4. The basic footprint of the building if you look at the site is that of the new white fence and the temporary lawn.

The Board has consulted with a local attorney experienced in land development in the City of Saratoga to ensure the interests of the Lofts owners are protected. The Board will keep you informed as this project moves through the approval process. If you have concerns about this proposal they should be directed to the City of Saratoga Planning Department.

If you would like a copy of the entire application please email me and I will be happy to send to you.

The Board is planning a special meeting to discuss this with any concerned owners to determine the best course of action for the building.

Sincerely,

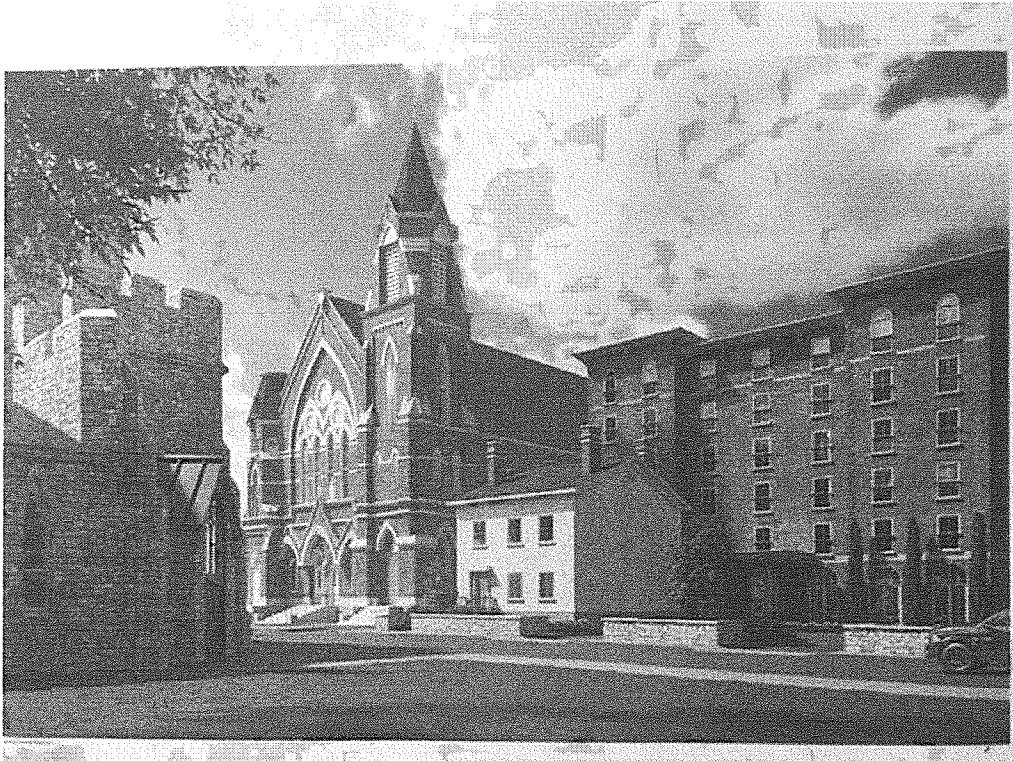
Corey R. LaPoint

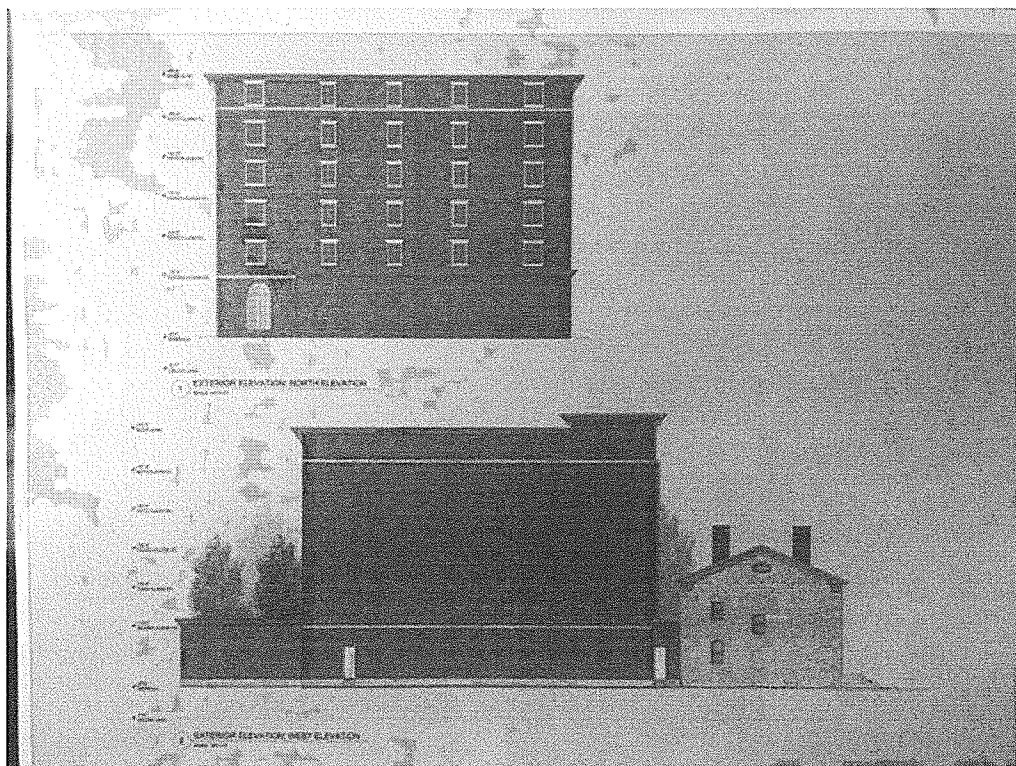
Corey LaPoint
CYC Realty Management

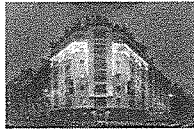
Corey LaPoint, President
Licensed Real Estate Broker
CYC Realty Management

office
cell
fax

www.cycrealty.com



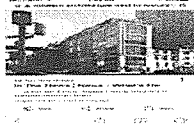




getPart.jpeg
91 KB



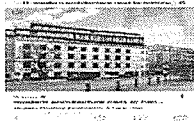
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75 KB



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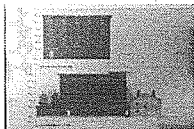
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121 KB



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89 KB



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84 KB

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: ADELPHI HOTEL PARTNERS, LLC

TAX PARCEL No.: 165.67-1-14, 15

PROPERTY ADDRESS: 19 – 23 WASHINGTON STREET

ZONING DISTRICT: TRANSECT – 6

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of a hotel and spa.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

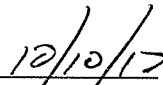
<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Frontage build-to-line:	0-12'	20 ft. (23 Washington)
Frontage build-out:	80%	0%

Note: _____

☒ Advisory Opinion required from Saratoga County Planning Board



ZONING AND BUILDING INSPECTOR



DATE



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]
(Application #)
JUL 14 2017
(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name	stephen caruso		
Address			
Phone		/	/
Email			

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 565 grand ave saratoga ny 12866 Tax Parcel No.: 164 00 1 58
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 1998 3. Zoning District when purchased: rr1

4. Present use of property: residence 5. Current Zoning District: rr1

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
request of area variance for pole barn

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☒ Yes ☐ No

11. Identify the type of appeal you are requesting (check all that apply):
☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
min. side yard setback	30 ft.	3.7 ft.
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

i did not attempt to purchase land. i asked owner of property if he would like the structure removed since structure is already erected. he said no

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

structure is not visable to any neighbors. property is surrounded by woods, close to 1/4 mile off main street

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:
variance is substantial

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:
structure is not visible to neighbors. property is surrounded by woods on 3 sides. land owner which structure abuts related that the land will not be developed.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:
difficulty is self-created. originally the pole barn was to be a small shed. it grew during build.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)

Date:

7-17-17



(applicant signature)

Date:

7-14-17

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: 

Date: _____

Owner Signature: _____

Date: _____

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: _____ TAX PARCEL NO.: _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

LANDS NOW OR FORMERLY OF
FROLISH
BOOK 510 OF DEEDS, PAGE 431

Now
Pompa Bros., Inc.
L. 1399 - Pg. 13

LOT 3

Stephen F. & Christine M. Furstoss
L. 1553 - Pg. 329

LOT 6

2.00 ± ACRES

LANDS OF
ALFIO BONACIO, JR. AND
JULIE A. BONACIO
BOOK 1394 OF DEEDS, PAGE 719
(1st DEED PARCEL)

TAX MAP PARCEL NO.
164.00-1-58.2
- 5.8.

Stephen A. Caruso
L. 1509 - Pg. 58
565 Grand Avenue
Tax Map No. 164.00-1-58

STREET ADDRESS:
576A GRAND AVENUE

LOT 4

Mark & Theresa Vamvalis
L. 1715 - Pg. 124

LOT 7

Robert C. & Susan M. Tolar
L. 1583 - Pg. 559

LOT 5

LANDS NOW OR FORMERLY OF
D.A. COLLINS CONSTRUCTION CO., INC.
BOOK 1098 OF DEEDS, PAGE 225

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

TABLE 3: AREA AND BULK SCHEDULE

ZONING DISTRICT	MINIMUM LOT SIZE SQUARE FEET (SF)	MINIMUM AVERAGE YIELD (FY)	MAXIMUM BUILDING COVERAGE PERCENTAGE		MIN. YARD SETBACK (FEET)				PRINCIPAL BUILDINGS		MINIMUM DISTANCE TO ACCESSORY BUILDING (FEET)				MINIMUM % TO REMAIN PERMEABLE
			PRINCIPAL BLDG.	ACCESS. BLDG.	FRONT	REAR	EACH SIDE	TOTAL	1 st FLOOR AREA (SF)	MAX. HEIGHT (FEET)	PRINCIPAL BUILDING	FRONT LOT LINE	SIDE LOT LINE	REAR LOT LINE	
RR (F)	2 acres	200	15	5	60	100	30	100	---	35	5	60	30	60	80

TABLE 3 NOTES:
Fire Escapes - Open fire escapes may not project more than 6" into any required setback.
Poles - Poles for utility structures must be setback 5' from an adjoining lot line.
Terraces - Terraces and patios must be setback 10' from an adjoining lot line.
(A) 20,000 SF - Without other central water supply or sanitary sewer; 40,000 SF - Without central water supply and sanitary sewer.
(B) 60' for lots abutting a residential district.
(C) 40' for lots abutting a residential district.
(D) 100' for lots abutting a residential district.
(E) 100' for lots abutting a residential district.
(F) Subdivision of land shall be subject to the Conservation Subdivision Requirements within the Subdivision Regulations.
(G) See Gateway Overlay District for requirements.
(H) 15' minimum mass lot width permitted for attached single family homes.
(I) 5' side yard setback permitted for attached single family homes.
(J) The cumulative area of all new and existing one-story structures on any one lot shall not exceed 3,000 square feet.
(K) The cumulative area of all new and existing one-story structures on any one lot shall not exceed 1,500 square feet.

I HEREBY CERTIFY TO:

- 1.) MANUFACTURERS AND TRADERS TRUST COMPANY, ITS SUCCESSORS AND ASSIGNEES, 105 EARTH DRIVE, P.O. BOX 1288, BUFFALO, NEW YORK 14240
- 2.) FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK (TITLE NO. 841-SA-1689)
- 3.) ALFIO BONACIO, JR. AND JULIE A. BONACIO

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

Paul F. Tommell
PAUL F. TOMMELL

P.L.S. LIC. NO. 49,192

DEED REFERENCES:

- 1.) DEED FROM WILLIAM T. CARLEY TO ALFIO BONACIO, JR. AND JULIE A. BONACIO, DATED SEPTEMBER 13, 1994 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE ON SEPTEMBER 16, 1994 IN BOOK 1394 OF DEEDS AT PAGE 719.
- 2.) EASEMENT FOR THE RIGHT TO CUT, TRIM AND REMOVE TREES, SHRUBS OR OTHER OBSTRUCTIONS AND THE RIGHT TO MAINTAIN THE GUY AND GUY STUB, GRANTED BY OSWALD JACOBY TO NEW YORK POWER AND LIGHT CORPORATION, DATED OCTOBER 8, 1928 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 352 OF DEEDS AT PAGE 349.
- 3.) EASEMENT TO TRANSMIT ELECTRICITY AND GAS, TO BUILD, REBUILD, MAINTAIN, INSPECT, OPERATE, REMOVE OR RELOCATE ELECTRIC AND GAS LINES, GRANTED BY MAE E. HAWKINS et al TO NIAGARA MOHAWK POWER CORPORATION, DATED MARCH 16, 1964 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE ON MARCH 19, 1964 IN BOOK 750 OF DEEDS, AT PAGE 418.

MAP REFERENCES:

- 1.) MAP ENTITLED "SURVEY MAP OF LANDS OF SCOTT A. & JANE W. EWING", DATED FEBRUARY 13, 1994, LAST REVISED ON AUGUST 16, 1993 AND MADE BY JOHN W. FERGUSON, P.L.S.
- 2.) MAP ENTITLED "SUBDIVISION OF LANDS OF SCOTT A. EWING", DATED OCT. 1989, MADE BY LAWRENCE H. RUTLAND, JR. AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE ON AUGUST 30, 1990 IN MAP DRAWER "E" AS MAP NO. 73A.

NOTE:

- 1.) BEARINGS AND DISTANCES IN PARENTHESIS ARE PER BOOK 1394 OF DEEDS, PAGE 719, 2nd PARCEL DESCRIPTION.
- 2.) SHADED AREA REPRESENTS A RIGHT OF WAY AND PERPETUAL EASEMENT FOR INGRESS, EGRESS AND REGRESS FOR MOTOR VEHICLES AS DESCRIBED IN DEED REFERENCE NO. 1.
- 3.) THE SURVEYED PARCEL IS NOT AFFECTED BY AN EASEMENT GRANTED TO NIAGARA MOHAWK POWER CORPORATION AND DESCRIBED IN BOOK 669 OF DEEDS AT PAGE 260.
- 4.) THE SURVEYED PARCEL IS NOT AFFECTED BY AN EASEMENT GRANTED TO NIAGARA MOHAWK POWER CORPORATION AND DESCRIBED IN BOOK 750 OF DEEDS AT PAGE 421.

RECORD OF WORK:

- 1.) FOUNDATION LOCATION ON NOVEMBER 16, 1994.

LANDS NOW OR FORMERLY OF
KAY
BOOK 1085 OF DEEDS, PAGE 384

SHADED AREA REPRESENTS
A RIGHT OF WAY AND
PERPETUAL EASEMENT
(SEE DEED NO. 2 AND
DEED REFERENCE NO. 1)

LANDS OF
ALFIO BONACIO, JR. AND
JULIE A. BONACIO
BOOK 1394 OF DEEDS, PAGE 719
(2nd DEED PARCEL)
AREA = 0.86 ± ACRES

I HEREBY CERTIFY that I, Louis J. Gnip, L.S. 49044, performed a field survey on July 11, 2017 to show an existing garage on Lot 6 for the purpose of an area variance with the City of Saratoga Springs by the current owner Stephen A. Caruso. This map was made by Paul F. Tommell, L.S. on Sept. 22, 1994, last amended Nov. 16, 1994, and now altered by me to reflect the location of said garage, provide updated deeds of record, and show the current gravel driveway within Lot 6. Paul F. Tommell is deceased, the business is no longer operating, and this map is the only record survey now in the possession of Stephen A. Caruso.

Date:

Louis J. Gnip, L.S.
832 Rock City Road
Ballston Spa, NY 12020
Tel: (518) 885-4978

GRAND AVENUE

CROSS-HATCHED AREA
REPRESENTS AN EASEMENT
AS DESCRIBED IN DEED
REFERENCE NO. 2

LOT 6
SUBDIVISION OF LANDS OF
SCOTT A. EWING

CITY OF SARATOGA SPRINGS
(OUTSIDE DISTRICT)
SCALE: 1" = 40 FEET

Paul F. Tommell
PAUL F. TOMMELL
P.L.S. LIC. NO. 49,192

Paul F. Tommell
PAUL F. TOMMELL, L.S., P.C.
PROFESSIONAL LAND SURVEYOR
468 BROADWAY - SARATOGA SPRINGS, NEW YORK 12866
PHONE: [REDACTED]

SARATOGA COUNTY, NEW YORK
SEPTEMBER 22, 1994

MAP NO. 94020.03





POMPA BROS. INC.
5 Petrified Gardens Rd
Saratoga Springs, NY 12866
[REDACTED]
www.pompabros.com

September 8, 2017

City of Saratoga Springs
Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

Attn: Zoning Board Members

Re: Stephen Caruso Application

I have been informed of a public hearing for an Area Variance for Mr. Caruso's shed which has been placed too close to his property line according to city zoning code for parcel 164.00-1-58.

Unfortunately I am unable to attend the public hearing and I apologize in advance for asking any questions that don't pertain or have been answered already. Mr. Caruso came to us on his own back in July to advise us of the situation. I have no real issue with Mr. Caruso or his shed being located where it is, and see no harm in its' relationship to my bordering property line to the North (164.-1-28) which has frontage on Rt. 29.

My main concern is that I assume any variance issued will run with the property and not just the owner. That being said, I feel I need to look at any potential long term impact this will have, not necessarily with Mr. Caruso but with the City of Saratoga and or any future owner of Mr. Caruso's property.

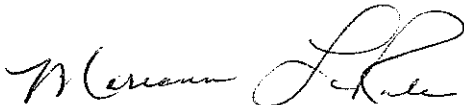
Will the allowance by the City ZBA of this shed/structure so close to the property line put any restrictions on me as adjoining property owner, should I decide to use our property for something other than vacant land in the future?

Will our setbacks have to increase?

Will buildings or property be restricted in any way due to this variance?

If the answer to any of these is yes than I would ask the ZBA to hold off on finalizing any decision until I can fully understand the limitations it will enforce on us as another city taxpayer and have the time to seek legal advice.

Respectfully,



Marianne LaRoche, President

cc: File

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: STEPHEN CARUSO

TAX PARCEL NO.: 164.-1-58

PROPERTY ADDRESS: 565 GRAND AVENUE

ZONING DISTRICT: RURAL RESIDENTIAL

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed maintenance of an existing detached garage.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

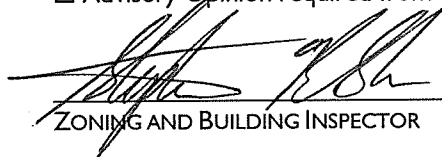
☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>Minimum rear yard setback:</u>	<u>50 ft.</u>	<u>3.7 ft.</u>

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board


ZONING AND BUILDING INSPECTOR

9/5/17
DATE



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Andrea Peek	(same)	
Address			
Phone			
Email			

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 34 York Ave Tax Parcel No.: 166 45 4 9
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: August, 2011 3. Zoning District when purchased: UR-3

4. Present use of property: single family residence 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? April, 2012 For what? area variance)
☒ No

7. Is property located within (check all that apply): ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
Take down accessory building (carriage house) and rebuild. The current building will be reused by a barn salvage company. The carriage house will be rebuilt to include habitable space. Lifting and moving the building as originally proposed adds significant cost to project and builders have suggested due to exponential deterioration, the building is not worth the cost of moving and renovating. It will probably collapse and there's no saving the structure

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

NOT APPLICABLE
Section(s) _____

2. How do you request that this section be interpreted? _____

NOT APPLICABLE

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim “unnecessary hardship” if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Article II: Table II

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional Requirements

a.) Accessory Building

- maximum % of lot occupied

From

10%

To

16.6%

b.) Increased use of accessory building

Other: _____

Include habitable area on upper floor: music area, home gym, office space and dog wash area. Lower/grade level: 1 car garage and storage area

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

There are no feasible methods to renovate the accessory building as the costs are astronomical making the project not acceptable and rendering the carriage house to continue in its current vacant, unusable, continued deteriorating state. To lift the building and move would add an additional \$40k-\$50k to project. The building is in such a state of disrepair that it would need to all be rebuilt wall by wall. To do that would be an astronomical cost \$400k-\$500k. That cost is not doable for this accessory building. The size of the carriage house is existing and non-conforming. Reducing the size of the building to conform would minimize the historic character of the carriage house. Removing the carriage house and not rebuilding would cause a greater change to the neighborhood than rebuilding it.

The ceilings in the basement are too low to allow for finishing for extra space.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

Granting the variance to rebuild the carriage house will not produce an undesirable change in character to the neighborhood. The carriage house has existed for decades. Removing the carriage house and not rebuilding would cause a greater change to the neighborhood than rebuilding.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variance for the carriage house is not substantial as the carriage house itself would be the same size as the existing building, as it has existed for decades with only the addition of 15SF for the addition of a covered entry.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The variance will not have any adverse physical nor environmental effects on the neighborhood as:

-the project remains over the 25% minimum permeability (31%)

-no large trees need to be removed for the project.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The alleged difficulty is self-created as I would like to maintain the "Saratoga Style" of the neighborhood. Currently, the walls have buckled causing current sliding garage door unable to close. I have found strangers in the building which has me feeling unsafe on my own property. I've put locks on the existing doors, due to wood rot the doors were still able to be opened pulling the locks off. However, the size of the carriage house is not self-created as it has existed for decades. Using the space over the carriage house as habitable space is self-created, however I will be putting this space to good use vs. the space remaining empty.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.


(applicant signature)

May 15, 2017

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

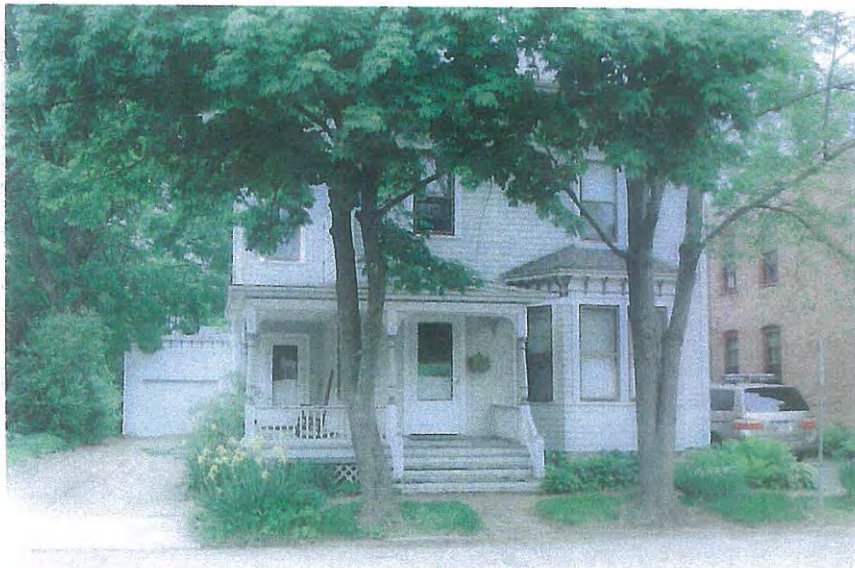
Peek Residence: # 34 York Ave.
Saratoga Springs, NY



Neighboring house directly to the East of project site (as viewed facing South East across York Ave.)



Neighboring homes to the West of the project site (as viewed facing South West across York Ave.)



Home directly across the street to the North of the project site (as viewed facing North across York Ave.)



Neighborhood homes located to the North West of project site (as viewed facing North West across York Ave.)

Peek Residence: # 34 York Ave.
Saratoga Springs, NY



Home to the North East across York Ave. from project site



View of neighboring property to the East of the project site (as viewed facing East from project site)

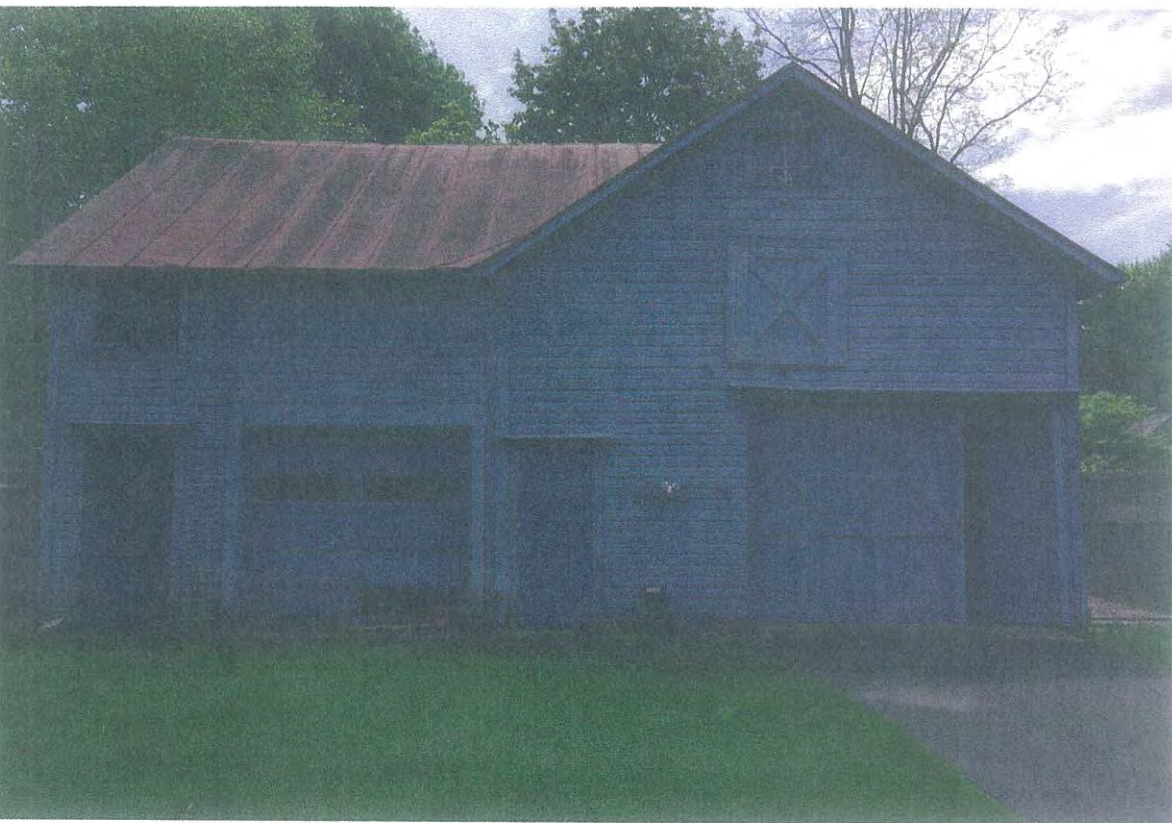


Front / North elevation of existing carriage house (as viewed facing South from project driveway)

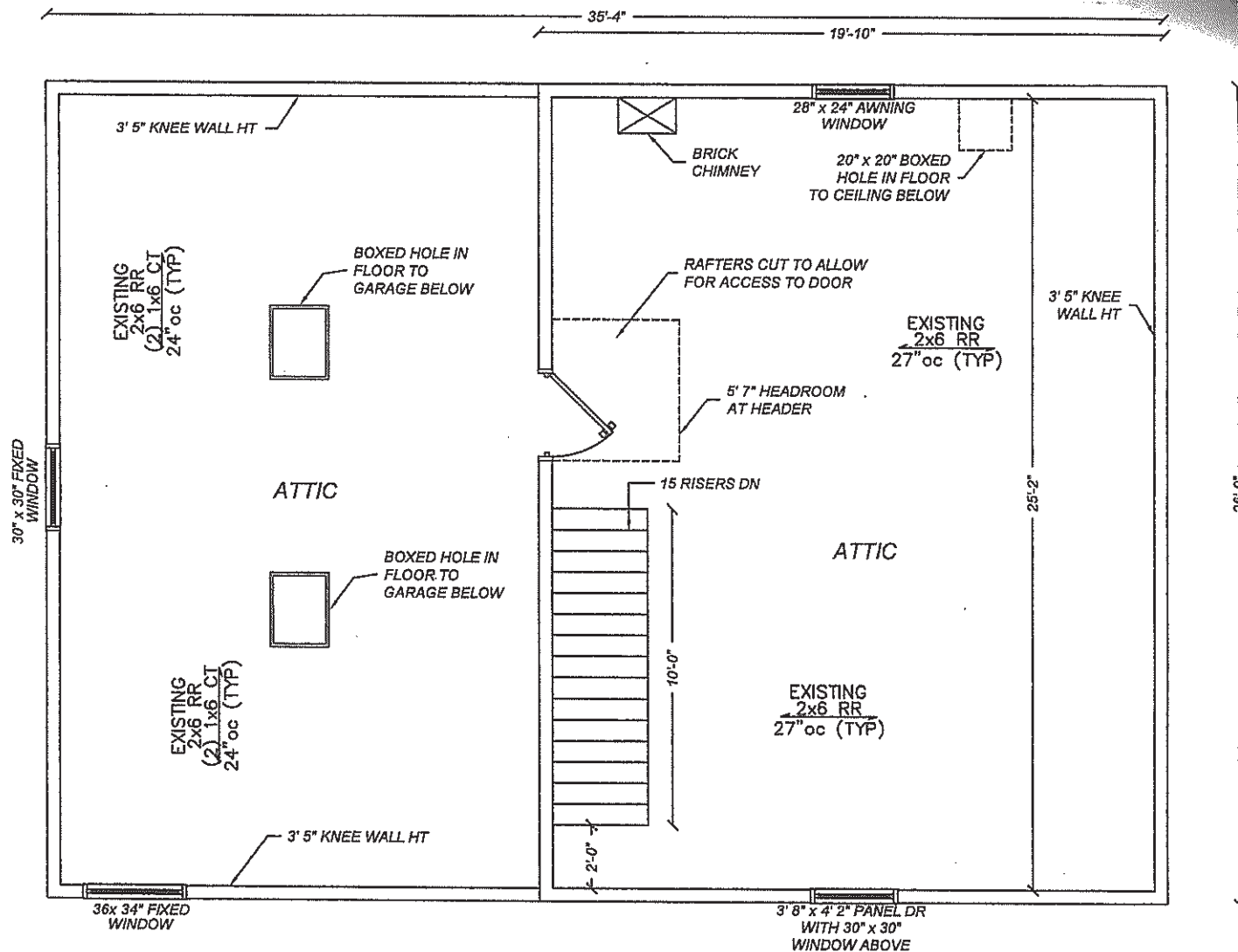


5/16/2017

View from inside garage
- wood & stone floor
- deterioration



5/16/2017



PEEK CARRIAGE HOUSE
34 YORK AVE., SARATOGA SPRINGS, NY

EXISTING UPPER FLOOR PLAN

MARCH 2, 2012

SCALE: 3/16" = 1' 0"

DESIGN BY: ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA, NY 12866

NOTE:
ACTUAL DIMENSIONS MAY VARY SLIGHTLY. CONTRACTOR IS
RESPONSIBLE FOR FIELD VERIFYING DIMENSIONS PRIOR
TO CONSTRUCTION & NOTIFYING DESIGN ENGINEER OF
ANY / ALL DISCREPANCIES.

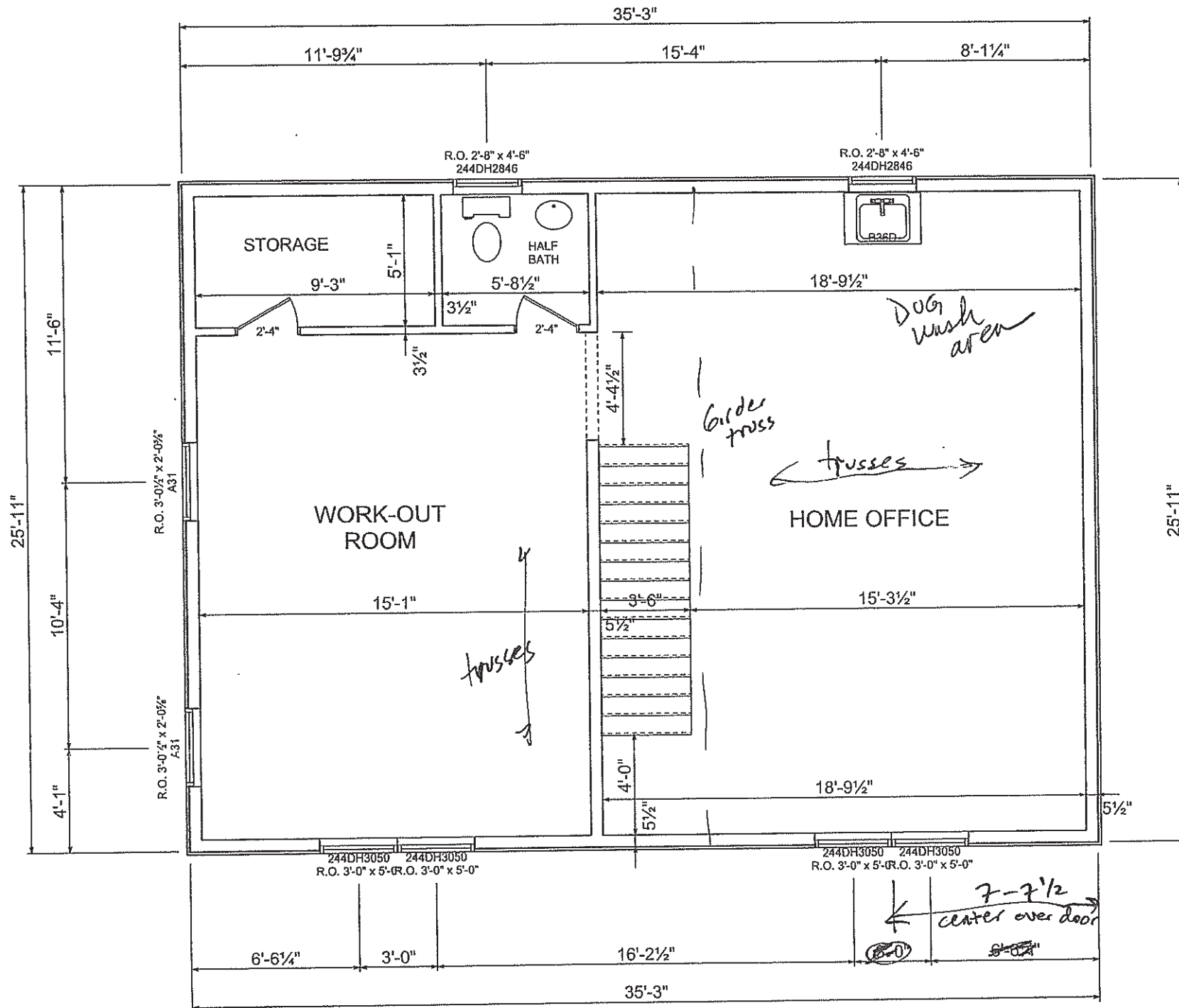


MARCH 2, 2012

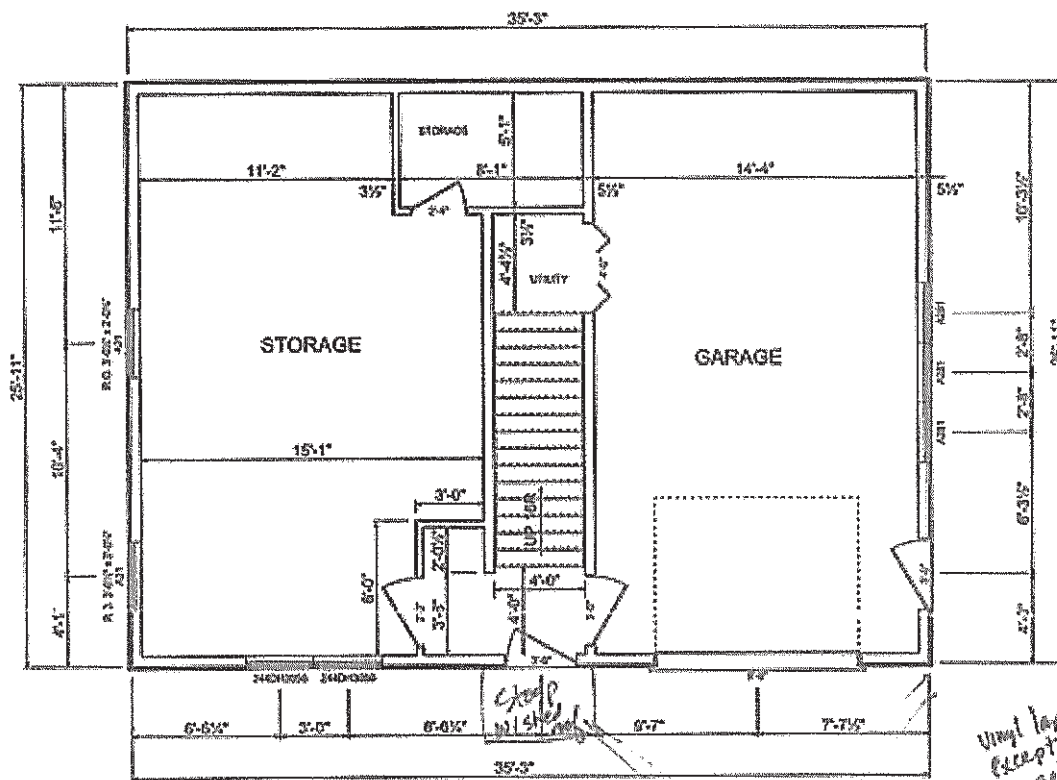
SCALE: $3/16" = 1' 0"$

DESIGN BY: ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA, NY 12866

NOTE:
ACTUAL DIMENSIONS MAY VARY SLIGHTLY. CONTRACTOR IS
RESPONSIBLE FOR FIELD VERIFYING DIMENSIONS PRIOR
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ANY / ALL DISCREPANCIES.

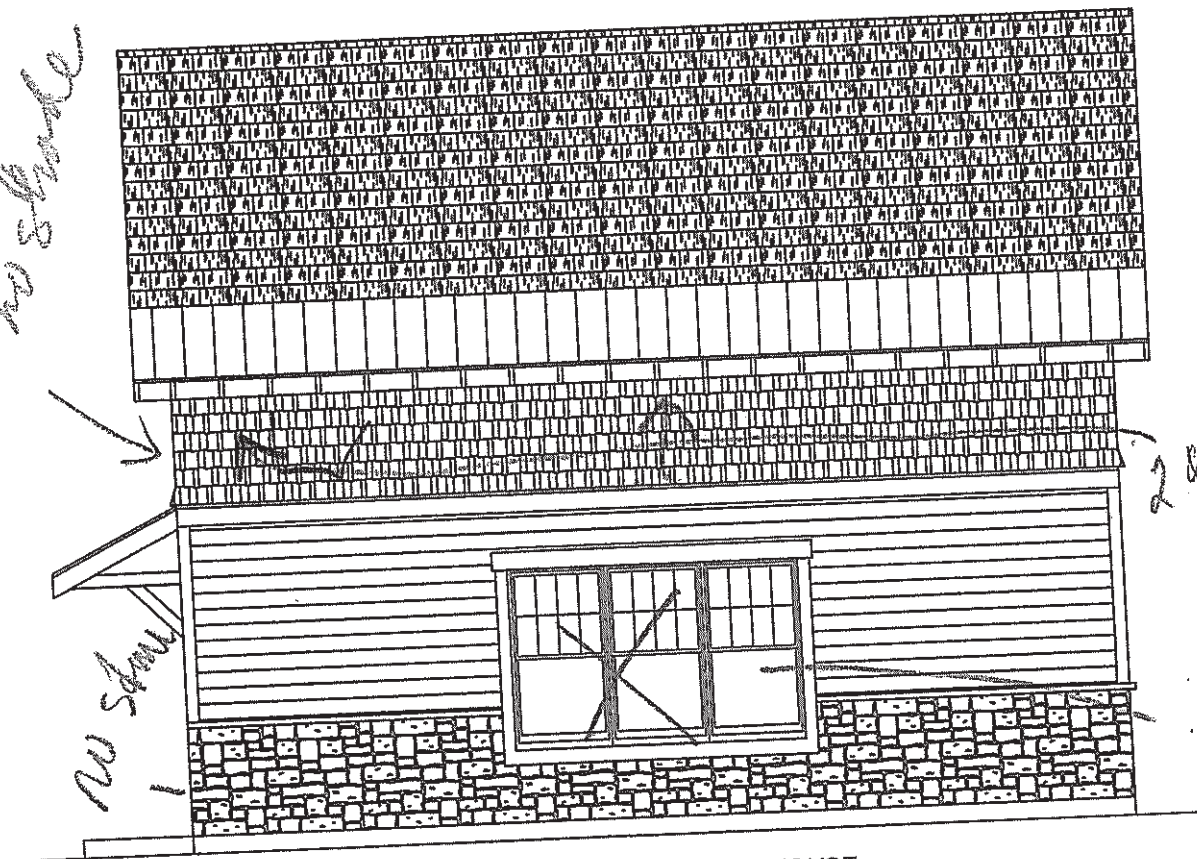


2nd floor



Vinyl lap siding
except shakes in
front gable

Siding
no stone



2 windows

one
opening window

PEEK CARRIAGE HOUSE
34 YORK AVE., SARATOGA SPRINGS, NY

PROPOSED RIGHT ELEVATION

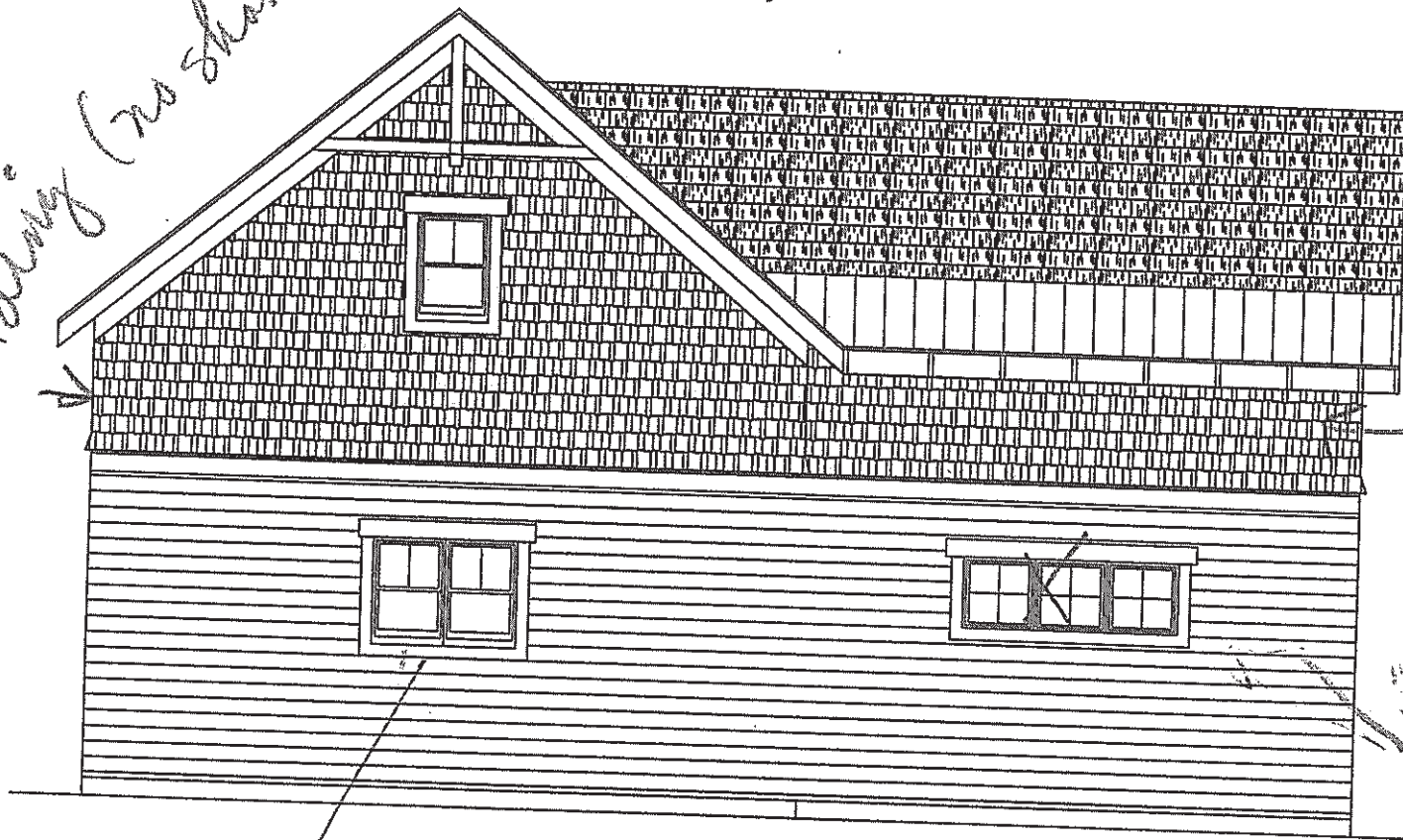
MARCH 26, 2012

SCALE: 3/16" = 1' 0"

DESIGN BY: ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA, NY 12866

NOTE:
ACTUAL DIMENSIONS MAY VARY SLIGHTLY. CONTRACTOR IS
RESPONSIBLE FOR FIELD VERIFYING DIMENSIONS PRIOR
TO CONSTRUCTION & NOTIFYING DESIGN ENGINEER OF
ANY / ALL DISCREPANCIES.

Siding (no show)



covering windows

NO windows

NO window

PEEK CARRIAGE HOUSE
34 YORK AVE., SARATOGA SPRINGS, NY

**PROPOSED
REAR ELEVATION**

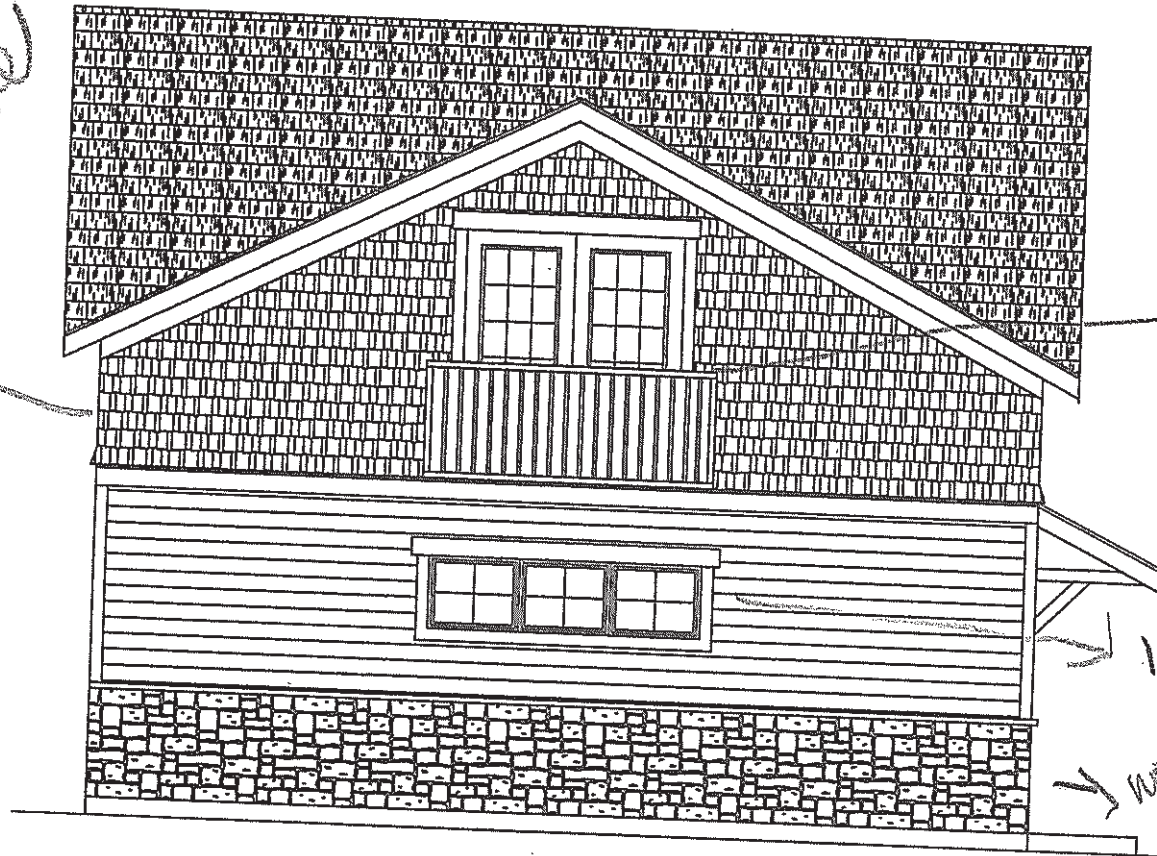
MARCH 26, 2012

SCALE: 3/16" = 1' 0"

DESIGN BY: ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA, NY 12866

NOTE:
ACTUAL DIMENSIONS MAY VARY SLIGHTLY. CONTRACTOR IS
RESPONSIBLE FOR FIELD VERIFYING DIMENSIONS PRIOR
TO CONSTRUCTION & NOTIFYING DESIGN ENGINEER OF
ANY / ALL DISCREPANCIES.

5' x 10' no stone



2 windows

1 window

no stone

PEEK CARRIAGE HOUSE
34 YORK AVE., SARATOGA SPRINGS, NY

**PROPOSED
LEFT ELEVATION**

MARCH 26, 2012

SCALE: 3/16" = 1' 0"

DESIGN BY: ENGINEERING AMERICA CO.
76 WASHINGTON ST., SARATOGA, NY 12866

NOTE:

ACTUAL DIMENSIONS MAY VARY SLIGHTLY. CONTRACTOR IS
RESPONSIBLE FOR FIELD VERIFYING DIMENSIONS PRIOR
TO CONSTRUCTION & NOTIFYING DESIGN ENGINEER OF
ANY / ALL DISCREPANCIES.

YORK

RIGHT OF WAY = 60 FT.
WIDTH OF PAVEMENT = 32± FT.

AVENUE

I HEREBY CERTIFY TO:

1.) ANDREA PEEK

THAT THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY MADE
IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE
NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

DANIEL C. WHEELER

P.L.S. LIC. NO. 50,137

NOTES:

- 1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT
OF TITLE OR A TITLE REPORT.
- 2.) UNLESS OTHERWISE NOTED OFFSETS ARE MEASURED TO ROOF LINES.
- 3.) THE WESTERLY PROPERTY LINE OF THE SURVEYED PARCEL IS PER
DEED REFERENCE NO. 2.

DEED REFERENCE:

- 1.) DEED DATED AUGUST 26, 2011 FROM ELEANOR F. WAGNER TO
ANDREA PEEK AND RECORDED IN THE SARATOGA COUNTY
CLERK'S OFFICE AS DEED NO. 2011030369.
- 2.) BOUNDARY LINE AGREEMENT DATED OCTOBER 28, 1985 BETWEEN
RICHARD A. MILLS, ANTHONY F. MILLS AND RICHARD D. MILLS AND
JOHN HOGAN AND JAMES HOGAN AND RECORDED IN THE SARATOGA
COUNTY CLERK'S OFFICE IN BOOK 1102 OF DEEDS AT PAGE 388.

ZONING INFORMATION:

ZONING DISTRICT: UR-3
MINIMUM LOT SIZE: 8,000 SQ. FT.
(6,600 SQ. FT. FOR SINGLE FAMILY RESIDENCE)
MINIMUM MEAN LOT WIDTH: 80 FT.
(60 FT. FOR SINGLE FAMILY RESIDENCE)
MAXIMUM PERCENT OF LOT TO BE OCCUPIED BY:
PRINCIPAL BUILDING: 30 %
ACCESSORY BUILDING: 10 %
MINIMUM YARD DIMENSIONS:
FRONT: 10 FT.
REAR: 25 FT.
ONE SIDE: 4 FT.
TOTAL SIDE: 12 FT.
PRINCIPAL BUILDING:
MINIMUM FIRST FLOOR AREA:
1 STORY: 1,200 SQ. FT.
2 STORY: 800 SQ. FT.
MAXIMUM BUILDING HEIGHT: 60 FT.
MINIMUM DISTANCE FROM ACCESSORY BUILDING TO:
PRINCIPAL BUILDING: 5 FT.
FRONT LOT LINE: 10 FT.
SIDE LOT LINE: 5 FT.
REAR LOT LINE: 5 FT.
MINIMUM PERCENT OF LOT TO BE PERMEABLE: 25%

UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209,
SUB-PARAGRAPH (2) OF THE NEW YORK STATE EDUCATION LAW.DANIEL C. WHEELER
P.L.S. LIC. NO. 50,137**SURVEY** DANIEL C. WHEELER, LS
ASSOCIATES, LLC
PROFESSIONAL LAND SURVEYING432 BROADWAY, SUITE 5, SARATOGA SPRINGS, NY 12866
PH. (518) 583-7302 FAX (518) 583-7303

TITLE:

**SURVEY OF LANDS OF
ANDREA PEEK**

LOCATION:

CITY OF SARATOGA SPRINGS, (I.D.)
SARATOGA COUNTY, NEW YORK

DATE:

SEPTEMBER 28, 2011

SCALE:

1 INCH = 10 FEET

MAP NO. 2011-19-02



CITY OF SARATOGA SPRINGS
ZONING BOARD OF APPEALS

CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
PH) 518-587-3550 FX) 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

Bill Moore
Chair
Keith B. Kaplan
Vice Chair
Adam McNeill
Secretary
Gary Hasbrouck
George "Skip" Carlson
Shirley Poppel
Oksana Ludd

IN THE MATTER OF THE APPEAL
Andrea Peek
34 York Avenue
Saratoga Springs, NY 12866

from the determination of the Building Inspector involving the premises at 34 York Avenue, in the City of Saratoga Springs, New York being Section 166.45, Block 4, Lot 9, Inside District, on the Assessment Map of said City.

WHEREAS, the appellant having applied for an AREA VARIANCE under the Zoning Ordinance of said City for the rehabilitation of a two story detached garage in an UR-3 district and public notice having been duly given of a hearing on said application held on December 17th, 2012.

WHEREAS, on July 16, 2012 this Board granted an area variance, "As per the plans submitted and thereby gave dimensional relief from the minimum front yard setback, minimum side yard setback, maximum lot coverage for an accessory building, and granted limited use of habitable space in a private detached garage. The relief granted in that July 16, 2012 area variance resolution is incorporated herein by reference, and;

WHEREAS, the applicant has now submitted revised plans dated November 13, 2012 which requires demolition of the existing garage and incorporates plans to construct a similar garage with a smaller footprint. The Board has reviewed said revised plans and has determined that heir submittal does not substantially affect the grounds for the relief granted in the July 16, 2012 decision except for the detached garage which now only required 4.4% (44% deviation from the requirement) of relief from maximum building coverage-accessory structure. The Board therefore grants applicant's request to substitute the revised plans dated November 13, 2012 for the approved plans, and to hereby amend accordingly the July 16, 2012 decision.

Adopted by the following vote:

AYES: 4 (K. Kaplan, A. McNeill, G. Hasbrouck, O. Ludd)
NAYES: 0

Dated: December 17, 2012

Date

Chair

I hereby certify the above to be a full, true and correct copy of a resolution duly adopted by the Zoning Board of Appeals of the City of Saratoga Springs on the date above mentioned, four members of the Board being present.



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480
www.saratoga-springs.org

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

Applicant(s)* Contact Information

*Applicant must be property owner, lessee, or one with an option to lease or purchase the property in question.

Name*

Patricia R. Kosiba

Address*

[REDACTED]

City*

[REDACTED]

State*

[REDACTED]

Zip Code*

[REDACTED]

Phone Number*

[REDACTED]

Email Address*

[REDACTED]

Applicant's interest in premises:*

Choose one.

☒ Owner

☐ Lessee

☐ Under option to lease or purchase

Owner(s)* Contact Information

*If not applicant.

Name

Kosiba

Address

[REDACTED]

City

[REDACTED]

State

[REDACTED]

Zip Code

[REDACTED]

Phone Number

[REDACTED]

Email Address

[REDACTED]

Attorney/Agent* Contact Information

*If identified here, the attorney/agent will be used as the main contact for application process.

Name

Address

City

State

Zip Code

Phone Number

Email Address

Property Information

Address/Location*

5 BEEKMAN ST

City*

SARATOGA SPRINGS

State*

NY

Zip Code*

12866

Tax Parcel ID Number (SBL)*

165.74-2-47

Date acquired by owner*

12/30/2008

Present use of property*

Residence

Zoning District when purchased

Urban Residential-3 (UR-3)

Current Zoning District*

Urban Residential-3 (UR-3)

Has a previous ZBA application/appeal been filed for this property?

☐ Yes ☒ No

If yes, when?

For what?

Previous ZBA App No.?

Is property located within?*

Check all that apply.

☐ Historic District ☐ Architectural Review District ☐ 500' of a State Park, city boundary, or county/state highway ☒ N/A

Brief description of proposed action:*

We would like to build a separate apartment for my parents who moved here from Nebraska so we can take care of each other. We'd like to replace our 2-car garage with a 3-car garage and build an apartment over it. Seeking variance to allow for 2 single family structures instead of one 2-family structure.

Identify the type of appeal you are requesting:*

Choose ONLY one. Separate submissions are required for multiple appeals.

- ☐ Interpretation - \$400
☐ Use Variance - \$1,000
☒ Area Variance (Residential) - \$150
☐ Area Variance (Non-Residential) - \$500
☐ Variance Extension - \$150

Fees*

\$150.00

Fill in TOTAL amount owed. ***Applications are NOT considered complete until hard copy original and payment is delivered to City Planning Dept. MAKE CHECKS PAYABLE TO "Commissioner of Finance".

****Note: If original variance expiration date has already passed, you are NOT ELIGIBLE for an extension, and MUST apply for a NEW variance.**

Interpretation Appeal

"If no questions appear below, this page is not applicable to your application - please click "continue".

Identify section(s) of the Zoning Ordinance for which you are seeking an interpretation:

See Zoning Ordinance to determine applicable section (s): <http://saratoga-springs.org/544/Zoning-Ordinance>

How do you request that this section be interpreted?

If interpretation is denied, do you wish to request alternative zoning relief?

☐ Yes
☐ No

If yes, what alternative relief do you request?

☐ Use Variance
☐ Area Variance

Extension of a Variance

"If no questions appear below, this page is not applicable to your application - please click "continue".

Date original variance was granted:

ZBA No. of Original Variance

Date Original Variance Expired

Type of variance granted?
☐ Use
☐ Area

If original variance expiration date has already passed, you are NOT ELIGIBLE for an extension, and MUST apply for a NEW variance.

Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

Use Variance Appeal

"If no questions appear below, this page is not applicable to your application - please click "continue".

A use variance is requested to permit the following:

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

1. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence in the space provided below as needed):

1)

Date of Purchase

Purchase Amount

2) Indicate dates and costs of any improvements made to property after purchase:

Date

Improvement

Cost

Upload evidentiary financial documents here:

No file selected.

B. Has property been listed for sale with the Multiple Listing Service? (MLS)?

☐ Yes

☐ No

If yes, for how long?

1) Original listing date(s):

Original listing price

If listing price was reduced, describe when and to what extent:

2) Has the property been advertised in the newspaper or other publication?

☐ Yes☐ No

If yes, describe frequency and name of publications:

3) Has the property had a "For Sale" sign posted on it?

☐ Yes☐ No

If yes, list dates when sign was posted:

4) How many times has the property been shown and with what results?

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

Area Variance Appeal

If no questions appear below, this page is not applicable to your application - please click "continue".

The applicant requests relief from the following Zoning Ordinance article(s):

The limit of one principle structure

See Zoning Ordinance to determine applicable section (s): <http://saratoga-springs.org/544/Zoning-Ordinance>

Dimensional Requirements:	From:	To:
width of garage	24 feet	36 feet
Dimensional Requirements:	From:	To:
Dimensional Requirements:	From:	To:
Dimensional Requirements:	From:	To:
Dimensional Requirements:	From:	To:

Other:

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The way our house and property are layed out, there isn't the feasible space to add on to our existing home to provide a separate apartment.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The plan is to use the existing footprint of our free standing garage and adding 12 feet in width. The siding and exterior look of the building will match the existing house. The structure is in the rear of the property where not many people will even be able to see it.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

Using existing footprint as much as possible. Maintaining all existing setbacks. Our property is almost large enough to subdivide into two properties each with their own principle building, however we do not wish to subdivide at this time.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

This is not going to have any adverse affects either environmental or physical as we are well within our required amount of permeable surface concerning rainwater runoff.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

My parents sold their house in Nebraska. They cannot afford to buy a house in Saratoga so this is the most economically feasible way for them to stay here to be close to their children and grandchildren.

Supporting Materials

Applicant must provide the following:

Completed SEQR Environmental Assessment Form – short or long form as required by action. *

SEQR Environmental Doc.pdf

Access here: http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf

Detailed “to scale” drawings of the proposed project*

5 beekman street-elevations.pdf

Hard copy should be folded and no larger than 24"x 36". Drawings identify all existing and proposed structures, lot boundaries and dimensions, and the relationship of structures to the lot dimensions. Also, include any natural or manmade features that might affect your property (e.g., drains, ponds, easements, etc.).

Photographs showing the site and subject of your appeal, and its relationship to adjacent properties.*

IMG_2729.JPG

Other supporting documentation as needed.

Browse... No file selected.

Disclosure

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application?*

☐ Yes☒ No

If “yes”, a include a statement disclosing the name, residence and nature and extent of this interest here:

Applicant Certification

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals. By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application. Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Electronic Signature Agreement*

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

☒ I agree.

Applicant Electronic Signature*	Date*
Patricia R. Kosiba	6/22/17
Applicant Electronic Signature	Date
First M. Last	

*If applicant is not the currently the owner of the property, the current owner must also sign.

Electronic Signature Agreement

By checking the "I agree" box below, you agree and acknowledge that 1) your application will not be signed in the sense of a traditional paper document, 2) by signing in this alternate manner, you authorize your electronic signature to be valid and binding upon you to the same force and effect as a handwritten signature, and 3) you may still be required to provide a traditional signature at a later date.

☒ I agree.

Owner Electronic Signature

Patricia R Kosiba

Date

6/22/17

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

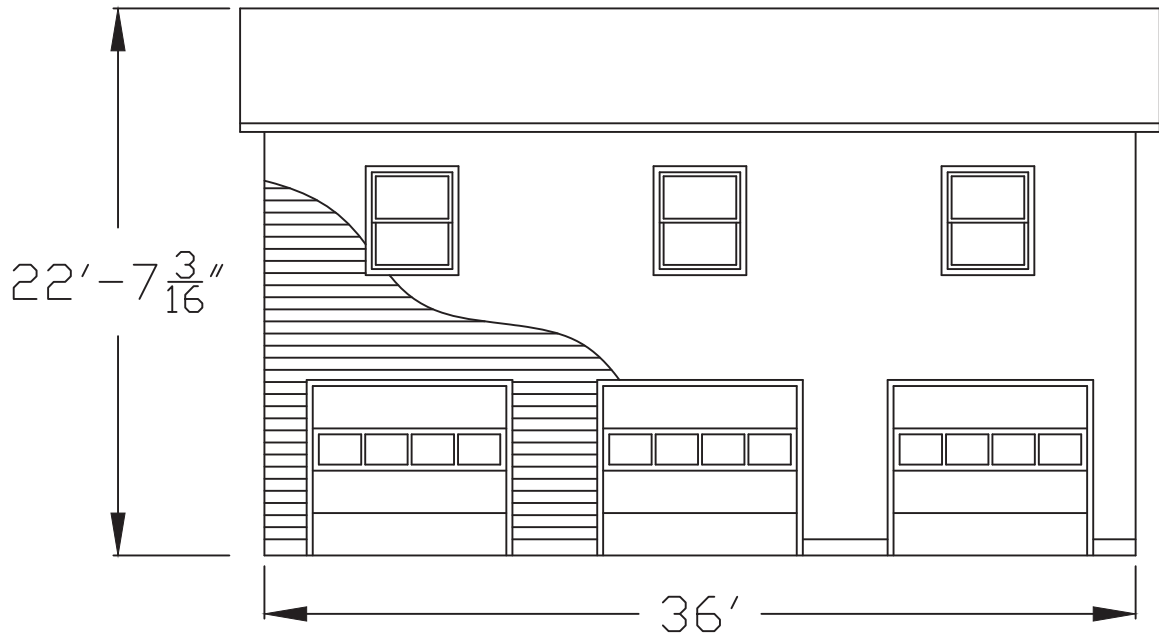
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

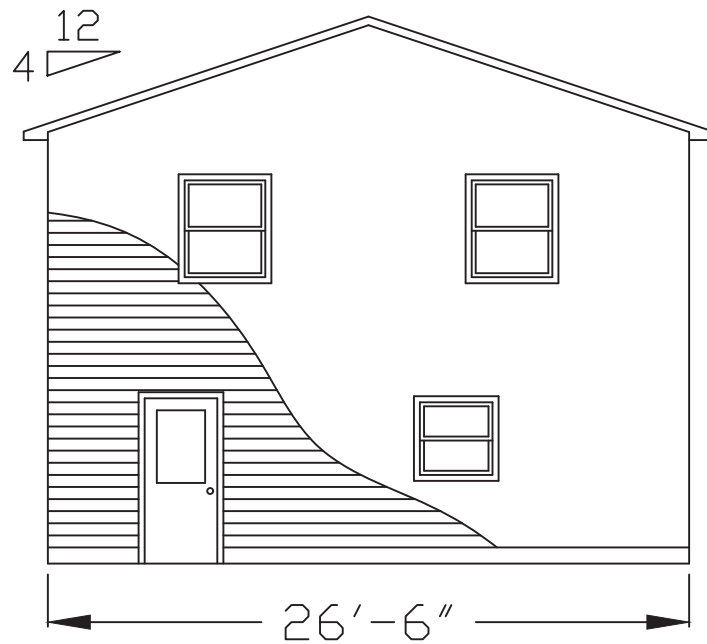
Part 1 - Project and Sponsor Information			
Name of Action or Project: Kosiba Family Home Expansion			
Project Location (describe, and attach a location map): 5 Beekman Street, Saratoga Springs, NY 12866			
Brief Description of Proposed Action: Replace existing two-car garage with a three-car garage and apartment overhead.			
Name of Applicant or Sponsor: Patricia Kosiba		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Department for a permit and Zoning Board of Appeals for a Variance			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ .281 acres			
b. Total acreage to be physically disturbed? _____ .022 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .281 acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

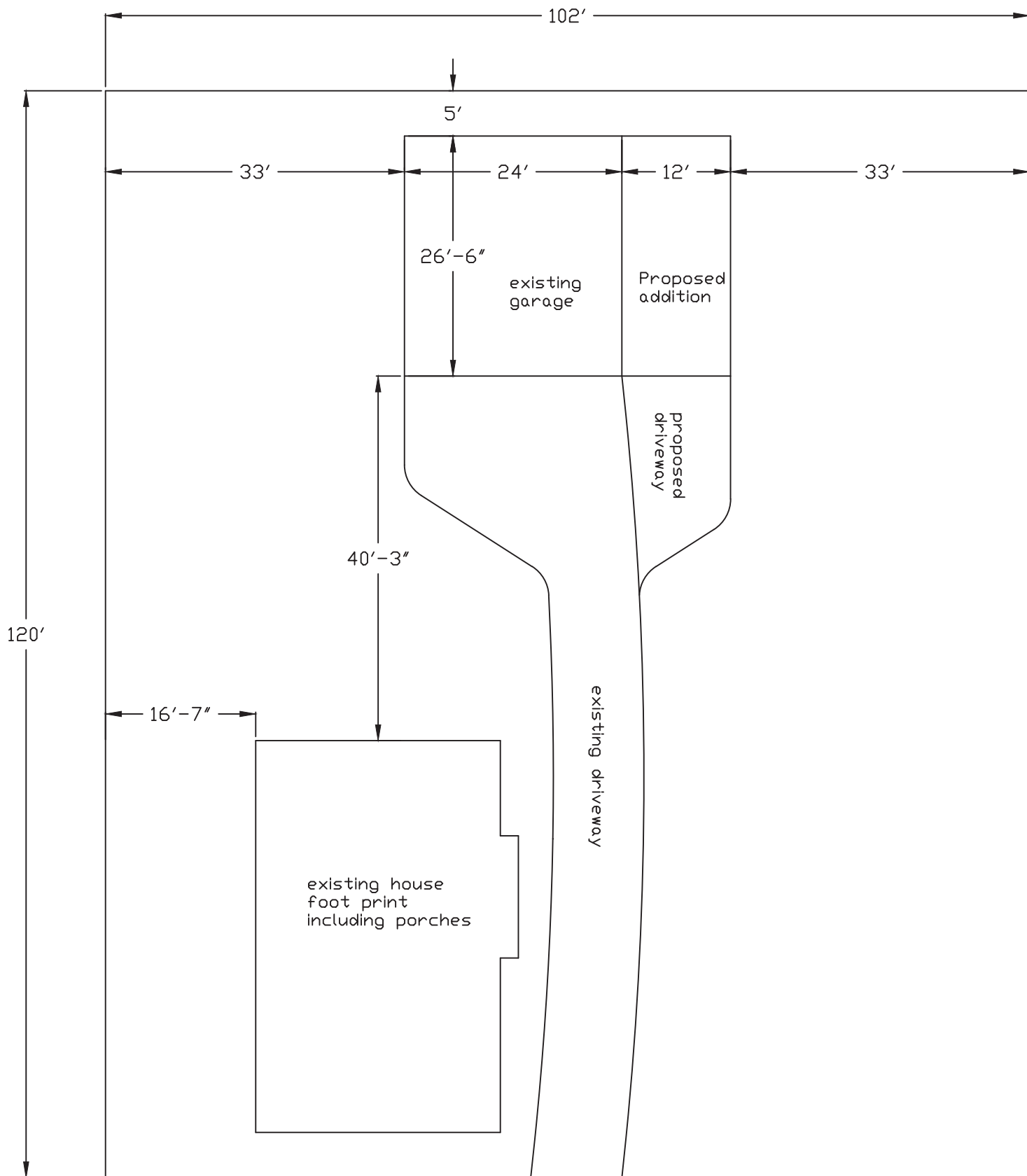
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Patricia R. Kosiba</u> Date: <u>6/23/17</u> Signature: _____		



Front Elevation
(window layout may change)



Side Elevation
(window layout may change)



Proposed plot plan

















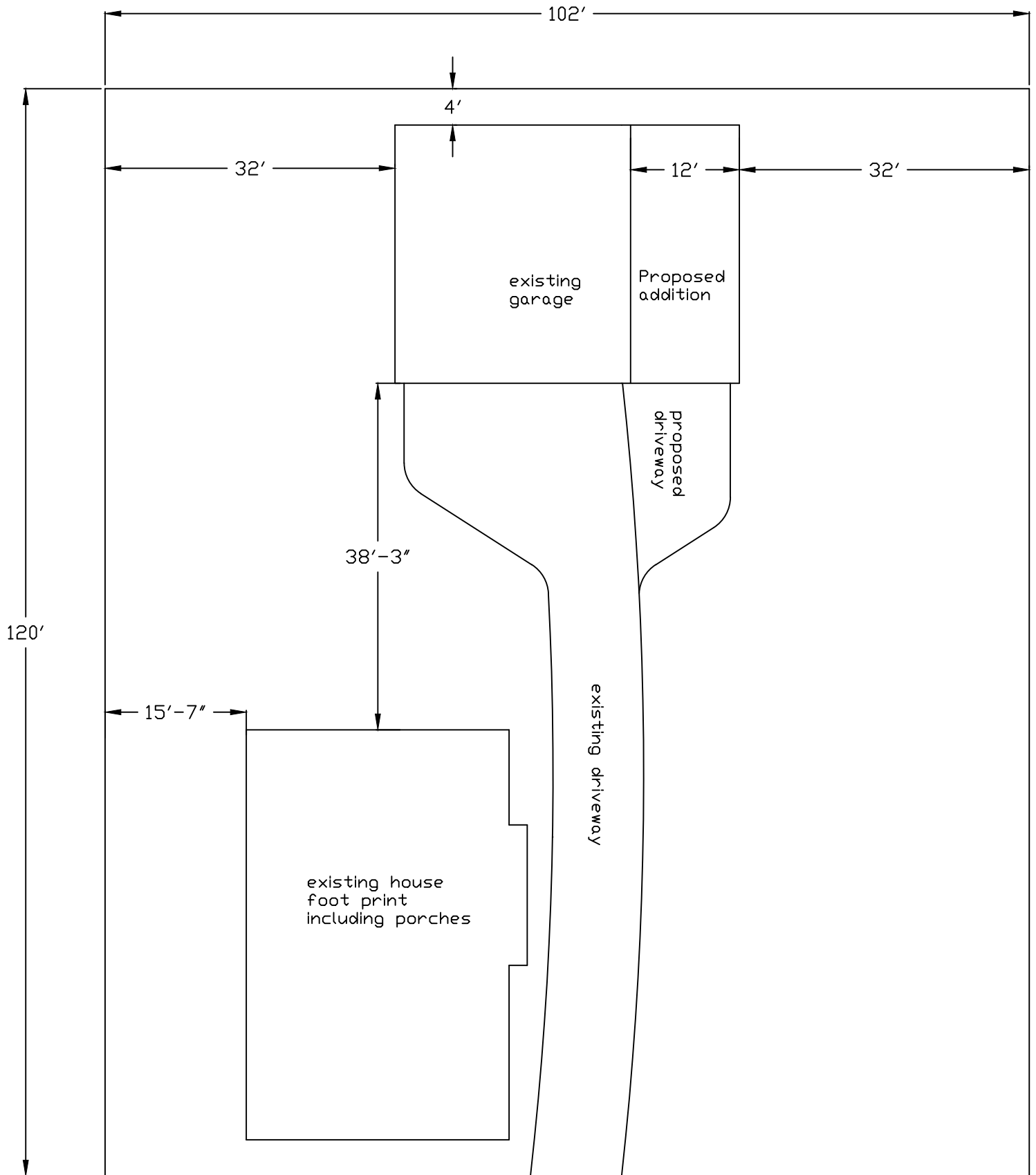


5 Beekman Street
Saratoga Springs, NY
Zoning District: UR 3

Currently zoned for a two family home
Seeking a variance for 2 single family dwellings

Total SF of property = 12,240
Total SF of primary house 1st floor = 1,343
Total SF of proposed Structure 1st floor = 1083
Total sf of Driveway = 1,350

Item	Required	Actual	Condition met?
Minimum lot size - 2 units	8,000 sf	12240sf	Yes
Minimum Average width - 2 units	80'	102'	Yes
Maximum Building Coverage principle buildings	$30\% \times 12,240 = 3,672\text{SF}$	$1,343 + 1083 = 2,426$	Yes
Minimum set back Front	10'	13'	Yes
Minimum set back side	4'	32'	Yes
Minimum set back rear	25'	4'	No - existing?
Minimum Set back total sides	12'	64'	Yes
Minimum 1st floor area - 2 story	900sf	1083sf	Yes
Max Height	60'	22'-7"	Yes
Minimum to remain Permeable	$25\% \times 12,240 = 3,060\text{sf}$	$12,240\text{SF} - (1343 / 1083 / 1350) = 8,464$	Yes



Proposed plot plan

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: RONALD KOSIBA

TAX PARCEL No.: 165.74-2-47

PROPERTY ADDRESS: 5 BEEKMAN STREET
ZONING DISTRICT: URBAN RESIDENTIAL – 3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of a new detached garage with second-story dwelling unit.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3A. and Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Minimum lot size: Second single-family	6,600 sq. ft.	5,640 sq. ft.
Minimum average lot width: Second single-family	60 ft.	42 ft.
Minimum rear yard setback:	25 feet	4 feet
Max. no. of principal buildings on any one lot:	1	2

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board


ZONING AND BUILDING INSPECTOR

7/20/17

DATE

LETTER OF TRANSMITTAL

TO: City of Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

DATE: 6/21/2017

ATTENTION: Zoning Board of Appeals

SUBJECT: Area Variance – Peppers Corner (173 Lake Avenue)

JOB#: 17017

WE ARE SENDING YOU:

☐ ATTACHED ☐ UNDER SEPARATE COVER VIA _____

THE FOLLOWING:

☐ PLANS ☐ PRINTS ☐ SAMPLES ☐ SPECIFICATIONS

☐ LETTER ☐ SHOP DRAWINGS ☐ REPORTS

COPIES	DATE	DESCRIPTION
1	6/21/2017	Letter of Submittal
1	6/21/2017	Project Narrative
1	6/21/2017	Area Variance Application Form with supporting narratives
1	6/21/2017	SEQR Short Form
1	6/21/2017	Full Size Proposed Site Plan
1	6/21/2017	Full Size Site Survey
1	6/21/2017	Existing Conditions Photographs
1	6/21/2017	Proposed Floor Plan
1		Variance Application Fee (\$500.00)

☐ FOR APPROVAL ☐ APPROVED AS SUBMITTED ☐ RESUBMIT COPIES FOR APPROVAL
☐ FOR YOUR USE ☐ APPROVED AS NOTED ☐ SUBMIT [#] COPIES FOR
☐ DISTRIBUTION ☐ AS REQUESTED ☐ RETURNED FOR CORRECTIONS
☐ RETURN [#] CORRECTED PRINTS

Comments:

Cc: Signed: _____

June 22, 2017

City of Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

Re: Application for Area Variance – Peppers Corner (173 Lake Avenue)

Dear Zoning Board Chair:

Enclosed please find an application for an area variance and sign variance for a proposed convenience store (market) at 173 Lake Avenue (former Pepper's Market, currently Moby Rick's Seafood Market). The existing building is proposed to be razed and replaced to house two stores (Moby Rick's Seafood Market and 9 Mile East). A variance is requested for insufficient on-site parking, partially locating one parking space in a side yard setback, and two signs (one for each business).

Thank you for your assistance.

Yours truly,

A handwritten signature in black ink, appearing to read "S. Jeffrey Anthony".

S. Jeffrey Anthony, RLA, ASLA
Principal Landscape Architect
For
Studio A | Landscape Architecture, D.P.C.



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Pepper's Corner, LLC		Studio A Landscape Architecture DPC
Address	15 Park Alley North Saratoga Springs, NY 12866		480 Broadway, Suite LL-14, P.O. Box 272 Saratoga Springs, NY 12866
Phone	██████████ /	/	██████████ /
Email	██████████		██████████

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☒ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 173 Lake Avenue, Saratoga Springs, NY 12866 Tax Parcel No.: 166 45 3 46
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: Contract Pending 3. Zoning District when purchased: UR-3

4. Present use of property: Non-Conforming Use/Convenience Sales 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☒ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
See attached "Peppers Corner Supporting Narrative."

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Sections 6.2.6, 6.1.5.2

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional Requirements

Off-street parking

From

9

To

4

Signs

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

See Attached.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

See Attached.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

See Attached.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

See Attached.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

See Attached.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

Pepper's Corner Supporting Narrative

Pepper's Corner is being proposed to revitalize 173 Lake Avenue in Saratoga Springs, New York, the current location of Moby Rick's, into a unique market experience to complement the East Side of Saratoga Springs. Originally, the property was the location of Pepper's Market, which was part of the fabric of the East Side community for more than a century. Now, the location will be restored to a market experience that will serve as the Saratoga Springs location for 9 Miles East, with its unique farm to table food products, and Moby Rick's, a proven net to table fish store experience. Both purveyors will sell market products associated with their operations and provide freshly prepared take-out food and food for on premises consumption.

Pepper's Corner will be a small, less than 2,000 square foot market, located at 173 Lake Avenue. The proposed structure is 1962 ft.², with 475 ft.² and 490 ft.² of retail space in each market location. This structure will replace the existing, non-conforming structure, which is approximately 860 ft.². The use is authorized in the UR-3 Zoning District in the City of Saratoga Springs Zoning Code as "Convenience Sales," subject to size and use limitations, and the requirement to obtain a Special Use Permit through Site Plan Review. The project has been designed to meet the size limitations of the Zoning Code. The project sponsor is in the process of creating a website for the project that will make all documents filed with the City accessible to the public. The project sponsor intends this to be an open process and encourages an open dialogue with the community.

The goal of the project sponsor is to improve upon the existing facilities by replacing them with modern facilities that have been designed to accommodate this type of market experience and eliminate outdoor operations, odors and parking issues. The existing building is nonconforming relative to setbacks. The new project will conform to all setback requirements, which will have the positive effect of opening up the front corner of Lake Avenue and Warren Street. The project has been designed to meet all requirements of the Zoning Code and will only require an area variance for the off street parking requirement. In addition, a sign variance is requested to allow two, four square foot signs – one for each purveyor. Both markets will be open markets, with vaulted ceilings and natural sunlight. No outdoor operations will exist, except limited outdoor seating, and all exhaust will be treated to eliminate unwanted odors.

The project is being designed to harmonize with the community and will incorporate modern stormwater concepts, including rain gardens, permeable surfaces and other techniques to minimize storm water runoff. All lighting will be dark sky compliant. Due to the size limitations of the lot, there is insufficient space for off street parking to meet the code requirements. Based upon the square footage of the retail area and the number of employees, 9 parking spaces are required. Four off street parking spaces will be provided. In addition, the site plan includes four on street parking spaces and one delivery area on Warren Street that have been designed to keep the parking and deliveries off of the paved surface of Warren Street. This will be a substantial improvement over existing conditions, which frequently involved parking on

the sidewalk and Warren Street. The sidewalk will be relocated onto the property and will include tree plantings to soften the look of the area.

Other project improvements have been incorporated into the design of this project. The project will include a full basement, which has been designed to eliminate all outdoor storage operations by the existing tenant. In addition, odor control will be used with the ventilation hoods.

The Code allows a single sign of four square feetⁱ. To accommodate both tenants, a use variance is being requested to allow two, four square foot signs – one for each tenant.

4840-7210-5034, v. 1

ⁱ This statement is based upon guidance from the Planning Department, but the applicant believes that the commercial standards applied to wall signs since this is a commercial allowed in this location.

Peppers Corner

173 Lake Ave, Saratoga Springs, NY 12866

Area Variance Responses

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Four on-site parking spaces are proposed while nine are required. One of the four is partially located in the side yard setback. There are no other feasible means to add additional off-street parking to the site plan. However, the applicant is proposing to expand the area for on street parking on Warren Street to provide for four additional parking spaces, which will be a substantial improvement over existing conditions. The existing conditions involve parking on the sidewalk along Warren Street. The street is only 20 feet in width. The proposed site plan will allow all vehicles to park off of Warren Street and relocate the sidewalk to provide continuous pedestrian access even while cars are parked in the new on-street parking spaces. The number of vehicles accessing the new facility is expected to be light (see attached traffic report) and many vehicles are expected to park on Lake Avenue, which already has an area designated for 10 minute parking and is the most frequently used parking for accessing this location.

The size and shape of the proposed building has been designed to comply with all required setbacks in the UR-3 Zone District. Larger alternatives were therefore not considered. No adjacent lands are available for purchase.

There are also no other feasible alternatives for the requested variance regarding signage. The Planning Department has determined that the only signage allowed at this property is one, freestanding sign no more than 4 ft.² in area. Since there will be two markets proposed at this location, this means that each market will only have a 2 ft.² sign, which will be difficult to read by persons traveling by automobile on Lake Avenue, which presents a safety hazard. In addition, there will be no identification of which purveyor is in which location.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The improvements to the property, particularly the addition of new parking spaces on premises and the improvements to the Warren Street parking will be a substantial improvement over existing conditions. In addition, other improvements are planned as part of the project, which will be a substantial improvement to existing conditions by reducing other, non-parking related impacts. For example, the new structure will include a basement, which is being designed so that the existing tenant can eliminate all outside storage. In addition, all hoods associated with the kitchen areas will include odor control systems. All lighting will be dark sky compliant and

permeable surfaces will be used in conjunction with rain gardens to improve the overall environmental efficiency of the site. No stormwater management practices exist at the current facility.

The architectural character of the new building has been carefully designed to be compatible in scale and visual appearance to the structures in the neighborhood.

Relative to signs, both signs will be designed to harmonize with the architecture of the building, which will provide locational information for patrons without unnecessarily impacting the neighborhood.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variance is not substantial, because the planned parking is a substantial improvement over existing conditions. Space for one vehicle is now provided on-site. Four on-site spaces are proposed. Additionally, on-street parking improvements are planned to accommodate 4 cars on Warren Street, in addition to existing parking on Lake Ave. As such, the required 9 parking spaces are proposed to be accommodated as follows:

- 4 on-site parking spaces.
- 4 new parking spaces on Warren Street in lieu of parking on sidewalk as now occurs.
- Existing spaces on Lake Ave.

While still requiring relief for 5 parking spaces, proposed improvements for on-street parking will substantially improve the parking situation.

The sign variance is also not substantial. The Zoning Code allows commercial facilities to have signs totaling 100 ft.² for each tenant. Although it is questionable why this provision should not apply to this use, which is a commercial use allowed in this zone, the requested variance is minimal in comparison to what would be allowed for commercial structures elsewhere in the community. In addition, the ultimate configuration of the signs will be subject to the architectural review process.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The requested variance will not have any adverse environmental impacts, because it will be an improvement over existing conditions. When coupled with the other improvements that are planned for the project that will reduce or eliminate existing impacts, the new project will have a net environmental benefit to the neighborhood. In addition, it will maintain what has been a market use at this location for more than 100 years, which is part of the history and fabric of the community.

Environmental improvements proposed consist of installation of regulatory compliant stormwater management practices where none exist today, dark sky compliant site lighting, and use of visually compatible materials such as brick sidewalks and exterior building finish materials.

From a physical perspective, what is now a substandard condition in Warren Street will be improved. Patrons parking for Moby Rick's Seafood currently pull off onto the sidewalk. No curb exists, storm drainage puddles on the roadway and sidewalk, the grading is irregular and pedestrian access is conflicted. By siting the Warren Street facing portion of the building 10+/- back from the 10' front yard setback on Warren Street, sufficient room is available to construct dedicated on-street parking, a grass strip, and sidewalk on Warren Street, thereby correcting the current deficiencies. Additionally, Warren Street will function as a full two lane street with improved stormwater drainage and curbing.

The proposed signage will also not have any adverse impact on the environment or community character. As is noted above, the size of the wall signage will be minimal and will be compatible with the architectural style of the proposed structure.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created.

The existing conditions have been long-standing in the neighborhood for more than 100 years. The property was purchased with full knowledge of the code requirements, but was done so in recognition of the fact that the project would be developed in a manner to improve upon existing conditions and reduce adverse impacts.

Note: Please see attached Zoning Determination Letter from Steven Shaw, Zoning and Building Inspector, to Thomas S. West, dated May 4, 2017.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

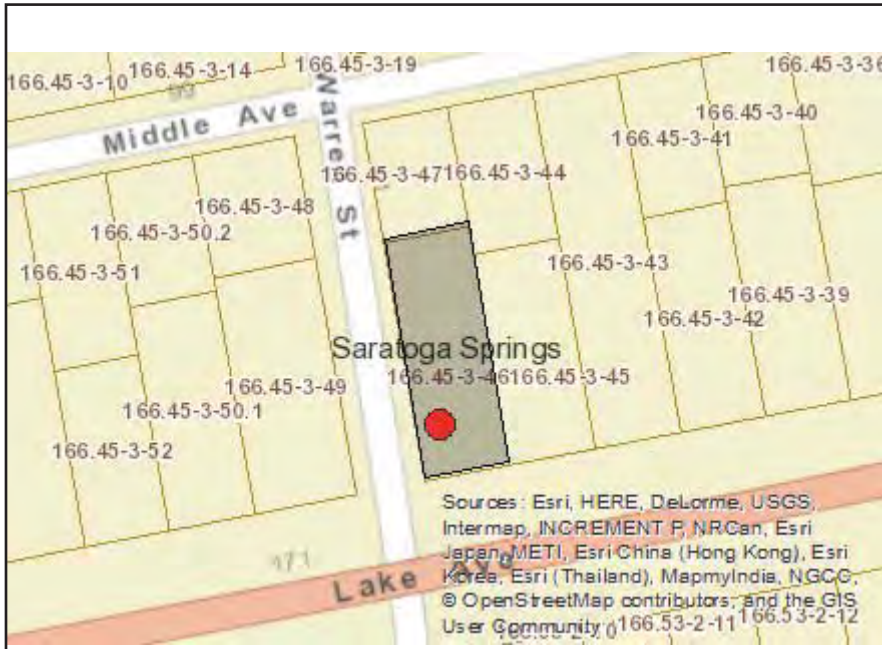
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Pepper's Corner, LLC							
Project Location (describe, and attach a location map): 173 Lake Avenue, Saratoga Springs, NY 12866							
Brief Description of Proposed Action: Pepper's Corner is being proposed to revitalize 173 Lake Avenue in Saratoga Springs, New York, the current location of Moby Rick's, into a unique market experience to complement the East Side of Saratoga Springs. The proposed building is 1975 ft. ² of gross floor area. As such, pursuant to 6 NYCRR §617.5 (c)(7), the proposed action is a Type II action that is exempt from further consideration under the State Environmental Quality Review Act.							
Name of Applicant or Sponsor: Pepper's Corner, LLC/Thomas West		Telephone: [REDACTED]					
		E-Mail: [REDACTED]					
Address: 15 Park Alley North							
City/PO: Saratoga Springs		State: NY	Zip Code: 12866				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ 0.16 acres b. Total acreage to be physically disturbed? _____ 0.17 acres .01 acre in City ROW c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.16 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? See attached EAF Mapper Summary Report	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
Most stormwater is anticipated to be accommodated on-site by rain gardens and permeable pavements. Some stormwater at the project periphery will be directed to catch basins in the street. _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ <u>See attached EAF mapper summary report.</u> _____	NO <input type="checkbox"/>	YES <input checked="checked" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes



- BUILDING & PLUMBING
- CODES
- ZONING

City of Saratoga Springs
BUILDING DEPARTMENT
CITY HALL
474 Broadway
Saratoga Springs, NY 12866

Telephone (518)587-3550 Ext. 2511
Fax (518)580-9480
www.saratoga-springs.org

STEPHEN SHAW
Zoning & Building Inspector
Extension 2491

DUANE MILLER
Assistant Building Inspector
Extension 2512

PATRICK COGAN
Assistant Building &
Construction Inspector
Extension 2541

JOHN BARNEY
Assistant Zoning & Building
Technician
Extension 2521

May 4, 2017

Thomas S. West
The West Firm
677 Broadway, 8th Floor
Albany, NY 12207-2996

RE: 173 Lake Avenue, Parcel # 166.45-3-46

Mr. West,

This determination letter is in response to your request to evaluate the allowable use of the property located at 173 Lake Ave., parcel #166.45-3-46, in the City of Saratoga Springs. This property is located in the Urban Residential-3(UR-3) zoning district which is designed to conserve, maintain and encourage single family and two-family residential uses. This property is also located in an Architectural Review Overlay District which requires review of all exterior features by the Design Review Commission prior to change.

This property currently enjoys the status of a pre-existing non-conforming structure and use in its capacity as a fish market and convenience item sales establishment with an accessory use of preparing take-out food. The property will lose any such status if the current structure is taken down. However, the UR-3 zoning district has several permitted uses with Special Use Permit and Site Plan Approval including convenience sales. These approvals would be required to be sought from the Planning Board.

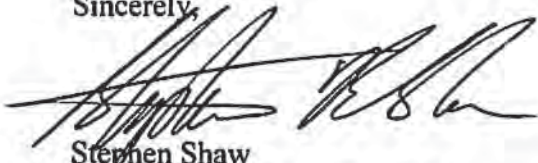
Furthermore, in order for the current structure to be demolished, a new structure to be built or any other exterior features to be installed, you must first seek the approval of the Design Review Commission.

Be advised, any new building must fit into the area requirements of the UR-3 zoning district. Being on a corner lot means that you have two 10' minimum front yard setbacks and two side setbacks of 4' minimum on one side, 12' minimum combined. Other required areas include 30% maximum lot cover and 25% minimum permeability. If you find that you will not meet any one or combination of the above then you will need a variance in order to seek Planning Board and Design Review Commission approvals.

I have reviewed your submission and have determined that the layout, as proposed, would qualify you for the convenience sales status with an accessory use being the eating and drinking. The presence of the two kitchens, although concerning, is allowable as long as most of what is being produced is for take-out or to supplement the convenience sales by offering pre-cooked items.

I hope this information was helpful in your endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Shaw', written over a horizontal line.

Stephen Shaw
Zoning and Building Inspector

SRS/kgf



Peppers Corner Existing Conditions: *Looking at Property from Lake Ave*



Peppers Corner Existing Conditions: *Looking West from front of property*



Peppers Corner Existing Conditions: *Looking north down Warren Street*



Peppers Corner Existing Conditions: *Looking east at Property from corner of Warren & Lake*



Peppers Corner Existing Conditions: *Looking at Warren Street from intersection at Lake Ave*



Peppers Corner Existing Conditions: *Condition of sidewalk/proximity of street-sidewalk-bldg* **studioA** | landscape architecture
+ planning



Peppers Corner Existing Conditions: *Looking South towards Lake Ave from Warren Street*

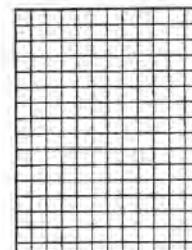


Peppers Corner Existing Conditions: *Looking at north end of property on Warren Street*



VILARDO
ARCHITECTURE

P.O. Box 191
111 Montcalm Street
Ticonderoga, NY 12885



Copyright © 2017 Joseph F.
Vilardo, dba Vilardo Architecture

Floor Plan
Nine Mile East
& Moby Ricks
173 Lake Ave
Saratoga Springs, NY
12866

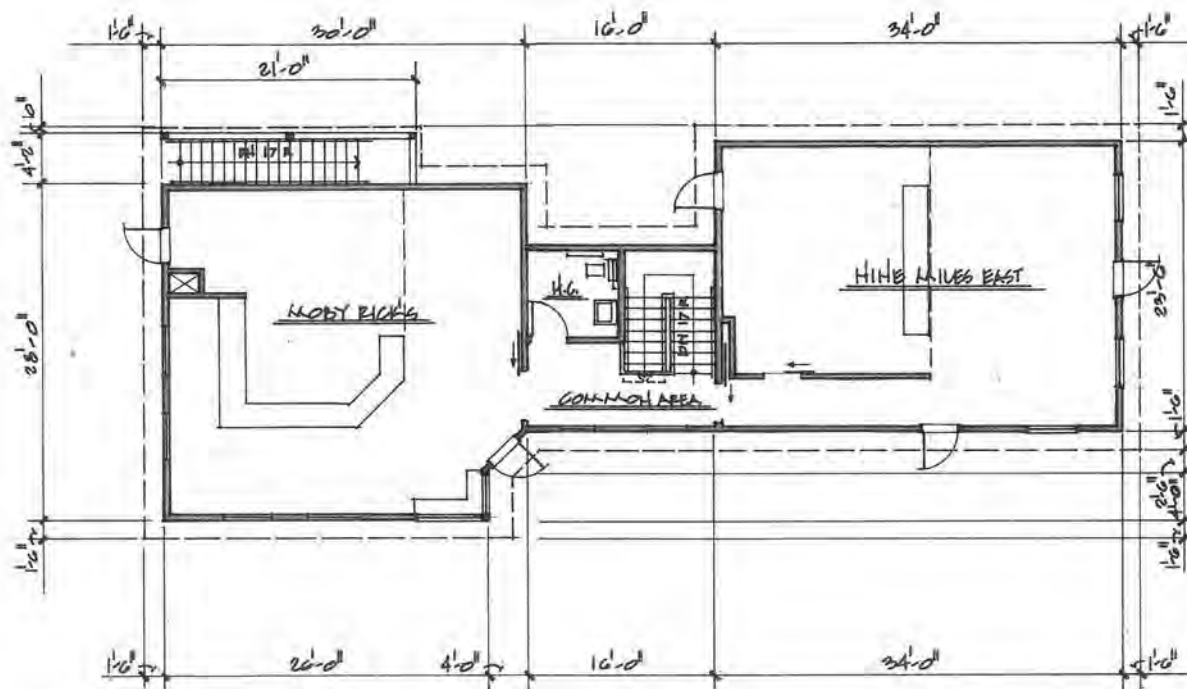
REV 6
13 June 2017

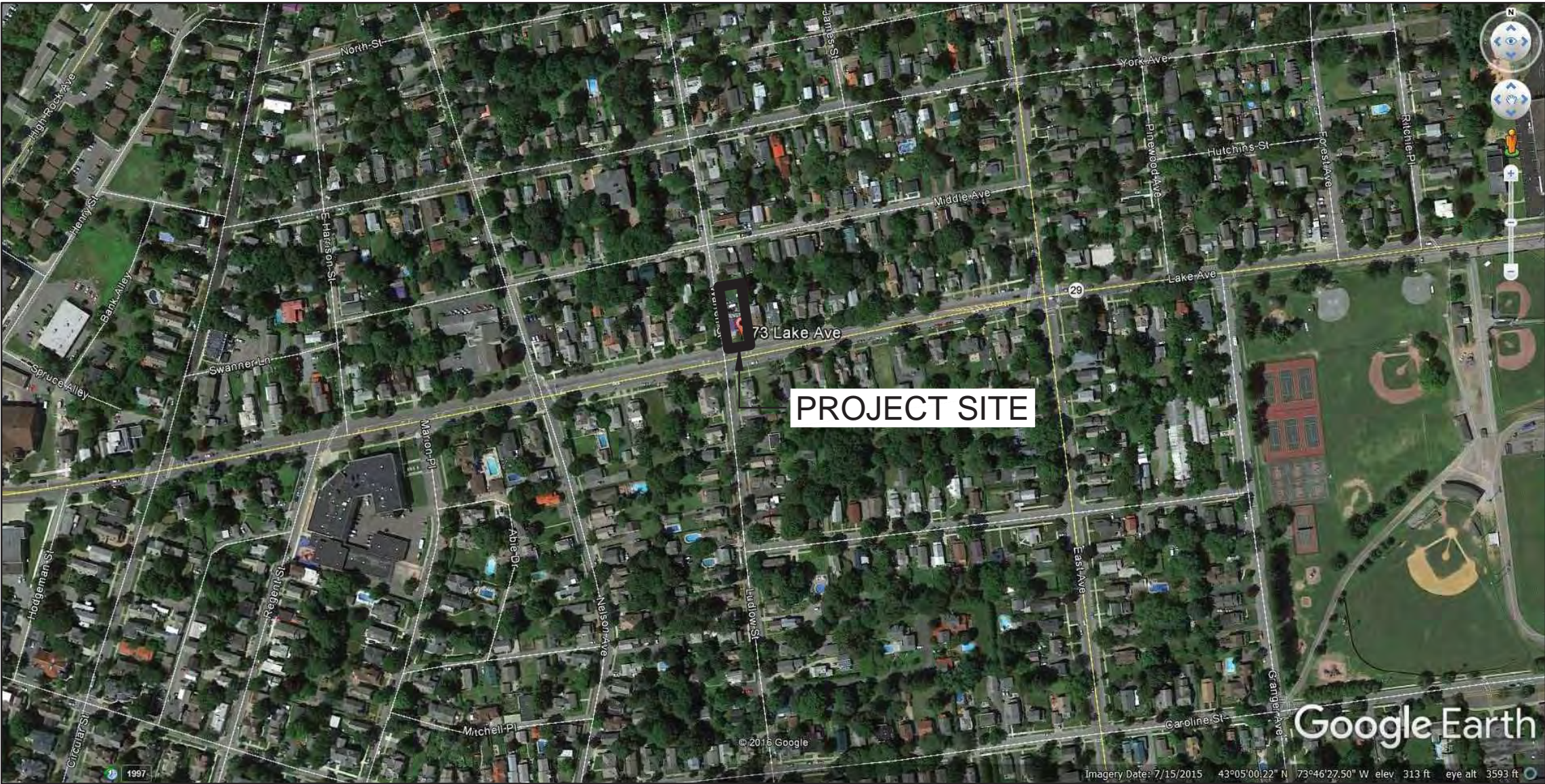
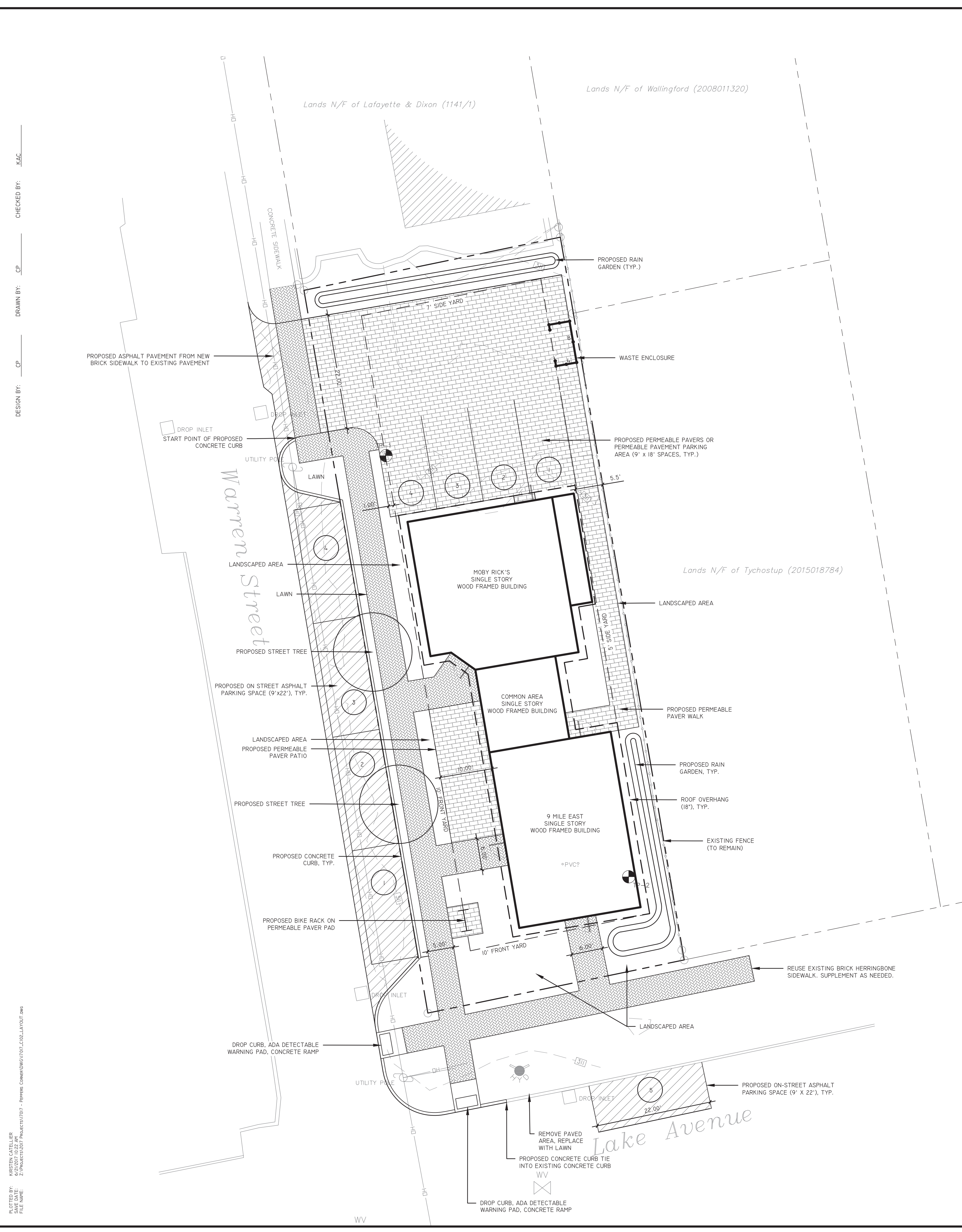
Drawn: M.J. 2017.05

Drawn: M.J.

SD-1

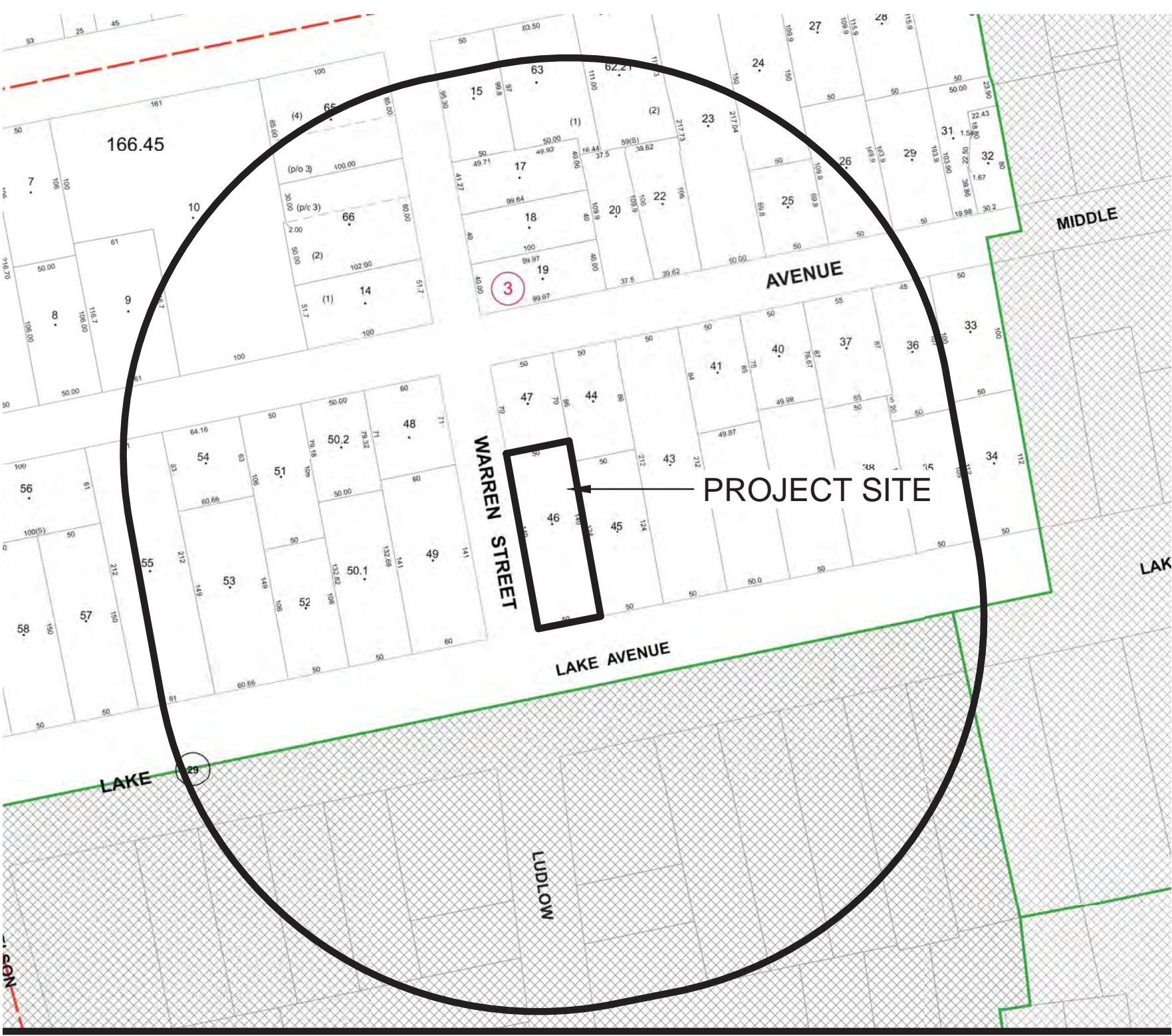
DO NOT SCALE DRAWING





PROJECT VICINITY MAP

N.T.S.



PROJECT LOCATION MAP (300' Radius) SCALE: 1"=100'

ZONING STATISTICS:

173 LAKE AVE, SARATOGA SPRINGS, NY 12866
ZONING DISTRICT: UR-3 - URBAN RESIDENTIAL
TAX PARCEL: #166.45-3-46

	AREA REQUIREMENTS					% MAX BLDG COVER	MIN % TO REMAIN PERMEABLE	MAX. GROSS SQUARE FEET
	FRONT A	FRONT B	SIDE A	SIDE B	TOTAL SIDE			
REQUIRED	10	10	4	4	12	30	25	2000
PROPOSED	10	10	5	7	12	28	***	1961.5

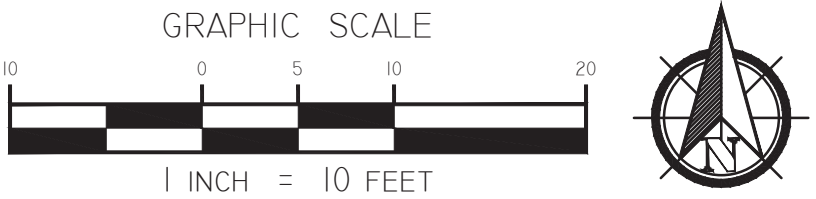
*** 25% IS PERMEABLE GREEN SPACE (LAWN AND PLANTINGS)
47% IS ADDITIONAL PERMEABLE PAVEMENTS FOR PARKING AND WALKS

PARKING REQUIREMENTS:
TOTAL BUILDING FLOOR SPACE 1961.5 SF
RETAIL FLOOR AREA SPACE 966 SF
CONVENIENCE STORE REQUIRED PARKING:
- 1 SPACE/200 SF RETAIL FLOOR SPACE
- 1 SPACE/EMPLOYEE

PARKING PROPOSED:
- 4 ON-SITE SPACES
- 4 NEW ON-STREET SPACES ON WARREN STREET
- 1 ON-STREET SPACE ON LAKE AVE
NOTE: 9 PARKING SPACES REQUIRED, 4 PROVIDED, VARIANCE REQUEST IS FOR 5 SPACES.

LEGEND:

- TP-1 TEST PIT LOCATION
- PROPERTY LINE
- EXISTING CONTOUR
- BUILDING SETBACK LINE
- NEW CONCRETE CURB
- NEW ASPHALT PAVEMENT
- NEW BRICK SIDEWALK
- NEW PERMEABLE PAVER SIDEWALK/PATIO/PARKING



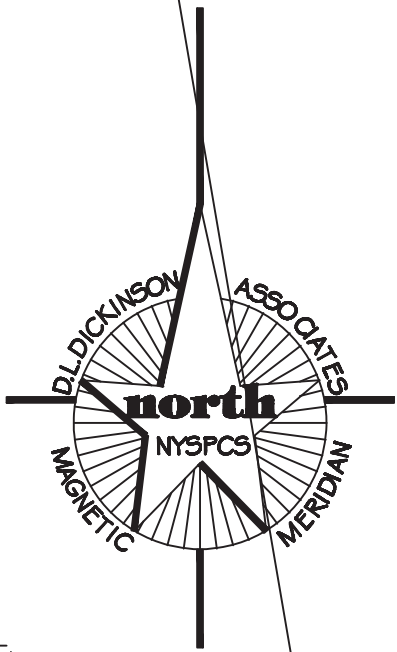
THIS IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR TO ALTER ANY ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

PRELIMINARY
ISSUED FOR
REVIEW AND
APPROVAL
ONLY

REVISIONS	DATE	DESCRIPTION

PREPARED FOR:
PEPPERS CORNER, LLC
15 PARK ALLEY NORTH
SARATOGA SPRINGS, NY 12866

PROJECT
PEPPERS CORNER
DRAWING TITLE
CONCEPTUAL LAYOUT PLAN



SURVEY BASE:
NYS PLANE COORD. SYSTEM
NAD83
NY EAST ZONE

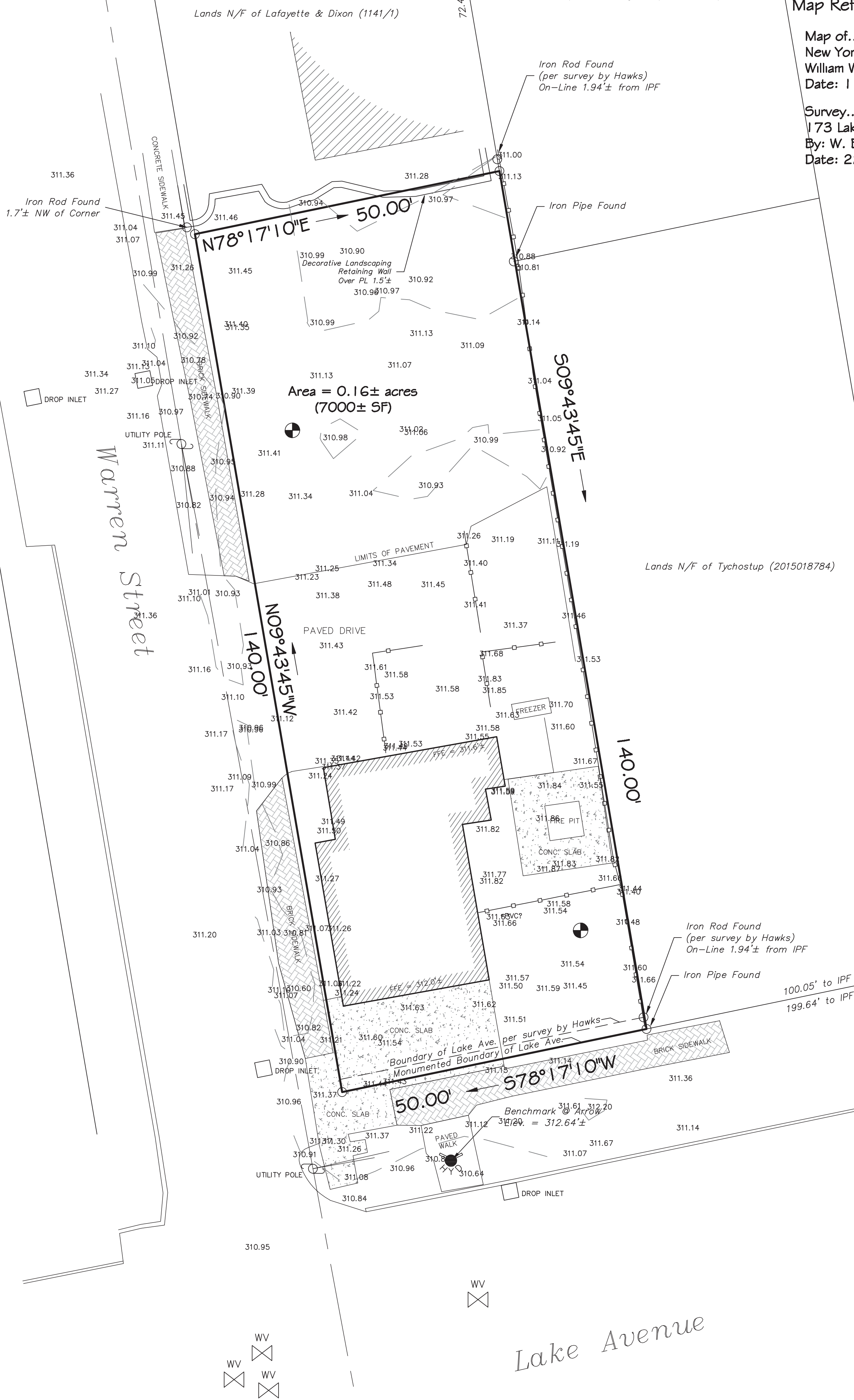
Deed Reference

Christopher M. Pringle
to
Robert Pringle
Inst. # 013042691
Date: September 2013

Map Reference

Map of...
New York & Lake Avenues
William Warren
Date: 1 July 1860

Survey...
173 Lake Avenue, LLC
By: W. Bruce Hawks
Date: 22 December 1999



Mapping Notes

Note: Only title surveys bearing the maker's embossed seal should be relied upon since other than embossed-seal copies may contain unauthorized and undetectable modifications, deletions, additions, and changes.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

Map
of a survey of
173 Lake Avenue
Situate in
City of Saratoga Springs County of Saratoga
State of New York
Scale: 1" = 10 feet Date: 5 June 2017

Survey and Map by
D.L. Dickinson
ASSOCIATES
Surveyors/Engineers
LAKE GEORGE, NEW YORK 12845

TMP# 166.45-3-46



July 14, 2017

Ref: 26066.00

Mr. Thomas S. West
The West Firm, PLLC
677 Broadway, 8th Floor
Albany, NY 12207

Re: Traffic Evaluation Pepper's Corner Re-Development, 173 Lake Avenue, City of Saratoga Springs, NY

Mr. West,

VHB has conducted a Traffic Evaluation for the proposed *Pepper's Corner Re-development* located in the northeast corner of the Lake Avenue/Warren Street intersection in the City of Saratoga Springs. This evaluation is based on the Conceptual Layout Plan dated June 22, 2017, prepared by StudioA Landscape, Architecture, DPC, included as an Attachment to this letter.

A. Project Summary

Pepper's Corner Re-development includes the construction of an approximate 2,000 SF building that will house two food market businesses providing farm to table and net to table food products with space for Moby Rick's and 9 Miles East with a shared common area between them. Moby Rick's is currently at the site in the existing approximate 800 SF building. 9 Miles East will be adding a Saratoga Springs location to supplement their current business location in Schuylerville. Both Moby Rick's and 9 Miles East provide food for purchase, take-home prepared meals, and some limited eat-in space. Off-street parking for the site is currently provided via a driveway on Warren Street with space for three vehicles. Public on-street parking is allowed on the east side of Warren Street and along both sides on Lake Avenue in the project vicinity that is utilized for additional parking. There is a sign posted on the project frontage on Lake Avenue for fifteen minute parking. With the re-development, parking for the site will be provided via an off-street parking lot on Warren Street with four parking spaces and four on-street parking spaces on Warren Street offset from the travel lane. One of the on-street parking spaces will be oversized to facilitate deliveries. In addition, the on-street parking space on Lake Avenue signed for 15-minute parking will be utilized for the site. As noted, the proposed on-street parking on Warren Street will be recessed so that parked vehicles will not infringe on the Warren Street travel way. Warren Street is narrow, so the recessed parking will be an improvement over existing conditions. Delivery vehicles can be accommodated through the off-street or on-street parking. The site can also continue to be served by the additional available on-street public parking along the east side of Warren Street and both sides of Lake Avenue. The project is expected to begin construction soon after approvals are obtained from the City.

100 Great Oaks Boulevard
Suite 118
Albany, New York 12203

Engineers | Scientists | Planners | Designers

P
F



The proposed project is located on the east side of Saratoga Springs in a mix of residential, small-scale commercial, educational, recreational, and religious land uses. Lake Avenue, NY Route 29, provides direct access to downtown Saratoga Springs and has parking on both sides of the roadway. The surrounding street network is primarily a grid system with relatively narrow roadways, on-street parking, and a robust sidewalk network. Consequently, residents in this part of Saratoga Springs often walk and/or bike to nearby land uses rather than relying on passenger vehicles. These characteristics make this site easily accessible to the neighborhood via non-motorized modes of transportation.

B. Trip Generation

The industry standard for estimating trip generation at proposed projects is often completed using data published by the Institute of Transportation Engineers (ITE) Trip Generation Manual. The Trip Generation Manual does not contain data for a land use that is comparable to this very small food market; therefore, the manual recommends using site-specific data in these instances. Table 1 provides a trip generation estimate based on customer and operational information provided by Moby Rick's and 9 Miles East based on their existing and proposed facilities for the weekday AM (7 to 8 AM) and PM (5 to 6 PM) peak hours and Saturday midday (12 AM to 1 PM) peak period. It is noted that Moby Rick's is not open during the weekday morning peak period and therefore will not generate trips during that timeframe. The trip generation accounted for a potential increase in traffic due to the small expansion of the existing Moby Rick's and an increase in business at 9 Miles East due to the addition of this more urbanized site location.

Table 1 – Trip Generation Summary

Peak Hour Time Period	Movement	Moby Rick's	9 Miles East	Total Trips
Weekday Morning	Enter	0	7	7
	<u>Exit</u>	<u>0</u>	<u>7</u>	<u>7</u>
	Total	0	14	14
Weekday Evening	Enter	11	7	18
	<u>Exit</u>	<u>11</u>	<u>7</u>	<u>18</u>
	Total	22	14	36
Saturday Midday	Enter	4	7	11
	<u>Exit</u>	<u>4</u>	<u>7</u>	<u>11</u>
	Total	8	14	22



Table 1 shows that the proposed project is expected to generate approximately 14 trips during the weekday morning peak hour, 36 trips during the weekday evening peak hour, and 22 trips during the Saturday midday peak hour. Customers at Moby Rick's and 9 Miles East spend a short time in the store (five minutes on average) so it's expected that customers will enter and exit the site during the same peak hour resulting in half of the total trips entering the site and half of the total trips exiting the site during the peak hours. Due to the walkability of the adjacent neighborhood allowing nearby customers to access the site via sidewalk, it's expected that vehicle trips will primarily use Lake Avenue when traveling to and from the site. Assuming a worst-case estimate of all vehicle traffic accessing the site via Lake Avenue, if 50% of the site-generated trips travel to and from the east and 50% travel to and from the west, the maximum number of site vehicle trips east and west of the site on Lake Avenue is 7 vehicles during the weekday morning peak hour, 18 vehicles during the weekday evening peak hour, and 11 vehicles during the Saturday midday peak hour. This magnitude of traffic is less than the New York State Department of Transportation (NYSDOT) and ITE volume thresholds of 100 vehicle trips generated on any one intersection approach identifying the need for detailed off-site intersection analysis. This guidance was developed as a tool to identify locations where the magnitude of traffic generated has the potential to impact operations at off-site intersections and screen out locations that do not meet the 100-vehicle threshold and are unlikely to require mitigation. Based on the magnitude of traffic generated at the proposed site, the traffic generated at the site will be accommodated for by the adjacent roadway network and there is no need for further detailed analysis.

Due to the character of the surrounding neighborhoods, a portion of the site generated trips will be bicycle or walking trips. Information provided by Moby Rick's and 9 Miles East indicates that on average non-motorized trips will account for approximately $\frac{1}{3}$ to $\frac{1}{2}$ of trips to the project site. Based on this information, of the peak hour trip generation, approximately 7 to 9 vehicle trips are expected at the site during the weekday morning peak hour, 18 to 24 vehicle trips are expected during the weekday evening peak hour, and 11 to 15 vehicle trips are expected during the Saturday midday peak hour. It is noted that about 80% of the Moby Rick's trips shown in Table 1 are already traveling to and from the existing store and are not considered new trips to the site or study area.

C. Summary and Conclusions

The proposed project includes the removal of an existing 800 SF building currently occupied by Moby Rick's and construction of an approximate 2,000 SF of food market building housing Moby Rick's and 9 Miles East with a small common area between the two businesses. Parking for the project will be provided via four off-street spaces will access to Warren Street, four on-street recessed parking spaces on Warren Street, and a single, short-term parking space on Lake Avenue. The site will also be serviced by the adjacent roadway network where public on-street parking is available. The nine designated parking stalls and the surrounding public parking will adequately service the vehicular traffic anticipated at the site. The proposed project fits within the character of the neighborhood which is a mix of residential, small-scale commercial, educational, recreational, and religious land uses.

The site is anticipated to generate approximately 14 trips during the weekday morning peak hour, 36 trips during the weekday evening peak hour, and 22 trips during the Saturday midday peak hour. Up to half of

Mr. Thomas S. West
Ref: 26066.00
July 14, 2017
Page 4



the site-generated trips are expected to be walking or bicycling trips during fine weather conditions. Based on a worst-case distribution of site traffic on Lake Avenue, the maximum number of site related vehicles on Lake Avenue east and west of the site will be 7 during the weekday morning peak hour, 18 during the weekday evening peak hour, and 11 during the Saturday midday peak hour with re-development of the site. This magnitude of traffic will be accommodated by the existing roadway network and no mitigation is required or recommended.

Sincerely,

VHB Engineering, Surveying and Landscape Architecture, P.C.

A handwritten signature in cursive script, appearing to read "Wendy C. Holsberger".

Wendy C. Holsberger, P.E., PTOE

Director of Transportation



Attachment

A handwritten signature in cursive script, appearing to read "Alanna M. Moran".

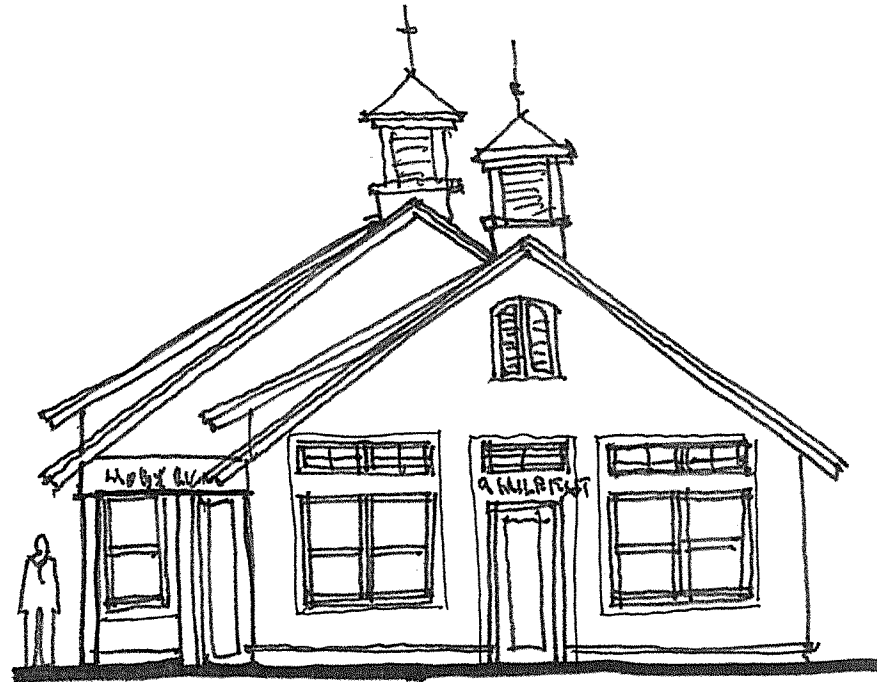
Alanna M. Moran

Senior Traffic Designer



VILARDO ARCHITECTURE

P.O. Box 191 - 111 Montcalm ST., Ticonderoga, NY 12883



LAKE AVE ELEVATION
 $1/8" = 1'-0" \pm$

PEPPERS CORNER
173 LAKE AVE.
SARATOGA SPRINGS, NY 12866



VILARDO ARCHITECTURE

P.O. Box 191 - 111 Montcalm ST., Ticonderoga, NY 12883



WARREN ST. ELEVATION

$1/8" = 1'-0"$

PEPPERS CORNER
173 LAKE AVE.
SARATOGA SPRINGS, NY 12866

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: PEPPER'S CORNER, LLC

TAX PARCEL NO.: 166.45-3-46

PROPERTY ADDRESS: 173 LAKE AVENUE

ZONING DISTRICT: URBAN RESIDENTIAL – 3

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of an approx. 2,000 sq. ft. convenience market for two retail tenants.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-6.1.5.1 A.1, 6.2.6 and 6.2.7 D. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

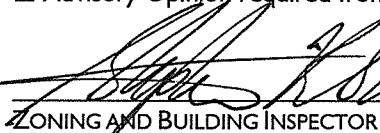
☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Minimum no. of parking spaces: Convenience sales	9	4
Min. front yard setback: Warren St. to parking space no. 4	10 ft.	9 ft.
Maximum no. wall signs:	0	2

Note: One freestanding sign (4 sq. ft.) is permitted for commercial uses in residential districts

☒ Advisory Opinion required from Saratoga County Planning Board


ZONING AND BUILDING INSPECTOR

7/20/17
DATE



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

July 21, 2017

Susan Barden, Planner
City of Saratoga Springs
City Hall/474 Broadway
Saratoga Springs, NY 12866

RE: SCPB Referrals-17-138-Area Variances-West/Pepper's Corner

Two variances needed:

1. On-site parking spaces. Reduced from 9 required (in UR-3) to 4 provided.
2. A 4-sq. ft. freestanding permitted; asking for 1-4 square foot sign wall-mounted.

NE quad of intersection of Warren Street & Lake Ave. (NYS Route 29)

Received from the City of Saratoga Springs Zoning Board of Appeals on July 10, 2017.

Reviewed by the Saratoga County Planning Board on July 20, 2017.

Decision: No Significant County Wide or Inter Community Impact

A handwritten signature in purple ink that reads "Michael Valentine".

Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

July 7, 2017

Joseph H. Tychostup
[REDACTED] Lake Avenue
Saratoga Springs, NY 12866



To: City of Saratoga Zoning Board

I am the co-owner along with my son of [REDACTED] Lake Avenue. His name is Christian Tychostup and the house serves as his permanent residence. I wish to express my strong objections to the proposed project involving 173 Lake Avenue. The original market and now Moby Rick's is shoehorned into the current location.

The proposal more than doubles the size of the building, from the current 860 square feet to just under 2,000sq. Feet. Where a single business has historically been allowed, the developers request doubling the business activity and more than doubling the size. The concept of a retail outlet is now being changed to allow both indoor and outdoor seating. We can anticipate that the number of employees will most probably triple or quadruple. Parking is tight now, where will these employees park?

As of the date of this letter, I have been unable to obtain adequate legal representation in this matter. The rapid progression of the project has given little time to respond in a manner that protects my rights as well as my economic interests. My son, the resident and co-owner is out of the country on vacation. At this time we have not received any official notification of the ongoing process.

As for the project, I have many additional questions. We purchased our home because we were attracted by the tenor of the neighborhood. It was quiet, well tended, the fish market was tolerable. The proposal intends to change this dramatically. The increased impact is not addition. It is multiplication, most probably exponential.

Based on information and belief, alcoholic beverages will most probably be served. The hours of operation will probably extend into the evening. Will the "market" morph into a restaurant/bar? Also based on information and belief, the current Moby Rick's appears to serve as a distribution operation for other retail locations. This sounds like wholesale and warehousing operations. Does the code allow this?

I ask that you consider the multiplication of impacts represented in the proposal and give pause. I firmly believe that two expanded businesses where there is room for one is unacceptable. The proposal is crafted to minimize the impact on the immediate neighbors, to cast itself in a most favorable light. The parking impacts alone will be damaging, as will traffic and noise. No mention of musicians yet. If you recognize these expressed doubts, I ask that you at least table this issue so that it gets the intense scrutiny it deserves. Also, please acknowledge that obtaining adequate legal counsel on short notice at the advent of track season is extremely difficult. I have tried to no avail so far. Even accused felons are allowed to protect their rights with adequate counsel.

I thank you for your consideration in this matter. Be assured that my concerns are more numerous than I have expressed in this letter. Since time is of the essence, this is the best I can offer at this time.

Joseph H. Tychostup

July 20, 2017

Dear Zoning Board Members,

This letter is in regards to the proposed project at 173 Lake Ave. We implore you to listen to the families bordering this large project. We do not want or need this scale of a business operation and distribution (pizza distribution and fish trucks/vans regularly distributing to several farmer markets) in our neighborhood.

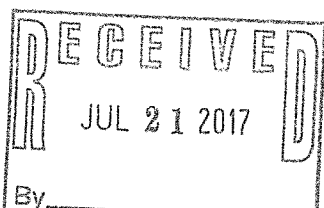
We are tired of the many deliveries via tractor trailer, the smell of idling trucks and worse yet when they turn them off the generators run (loud). Not to mention that the proposed indenture will not solve the delivery and parking issues. Two restaurant style stores run from this postage stamp size lot are completely wrong and will double the problems. The proposed solutions look good on paper but in reality will not solve the issues at hand.

We have lived and bordered this property for 33 years and have learned things along the way. What looks good on paper and proposed is not the reality. We know all too well it is not feasible to co-exist with this proposed out-of-scale building and business plan. It doesn't even resemble the ORIGINAL FOOTPRINT.

We are relying on you to see the bigger picture and not be seduced by the tantalizing pictures of food and appealing architecture.

Respectfully,

David Dipton
Karen L. Dipton



#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
1	6/22/2017	Thomas	West	Saratoga Springs	NY	US	
2	6/23/2017	Renee	West	Saratoga Springs	NY	US	
3	6/23/2017	Kirsten	Catellier	Saratoga Springs	NY	US	
4	6/23/2017	Sandra	Anthony	Saratoga Springs	NY	US	
5	6/23/2017	Mary	Sacks	Schuylerville	NY	US	
6	6/23/2017	Colby	West	Manchester	MASS	US	Great addition to the neighborhood.
7	6/23/2017	Matt	Smith	Saratoga Springs	NY	US	
8	6/23/2017	Savannah	Wood	Mechanicville	NY	US	
9	6/23/2017	Joe	Matzner	Saratoga Springs	NY	US	
10	6/23/2017	Katie	Roeder	Saratoga Springs	NY	US	It is important that we support efforts in which our city and community can benefit from. Unlike grocery stores or retail stores, farm to table style markets allow for local businesses and producers to connect with the community. This market can help the city connect with the land and also reconnect with one another. Looking forward to seeing everyone at the market!
11	6/23/2017	Annmarie	Cipollo	Saratoga Springs	NY	US	Small businesses that promote healthy lifestyles need a place in our town!
12	6/23/2017	Lisa	Nooban	Saratoga Springs	NY	US	Exciting times ahead. Looking forward to welcoming Peppers market back to the neighborhood.
13	6/23/2017	Deborah	Williams	Clifton Park	NY	US	This is a wonderful opportunity to preserve local history, support small business and provide healthy food options for the community Small, personal, friendly markets where you can pick up a complete family meal. This is how people want to shop!
14	6/23/2017	Michele	Jacobs	Charlotte	NC	US	I visit often and think this area of the city deserves a walkable fine food restaurant.
15	6/23/2017	Nancy	Luther	Saratoga Springs	NY	US	They are a great business, I get delivery from them all the time. Would love to be able to see them have a presence in Saratoga Springs.
16	6/23/2017	David	Taylor	Saratoga Springs	NY	US	Local businesses build a vibrant community.

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
17	6/23/2017	Marc	Leidig	Saratoga Springs	NY	US	Fantastic local business with close to 30 Saratoga Area employees currently, more to come. Additionally purchases ingredients from other local producers. Provides access to healthy, locally sourced food. Keeps local farms and farmlands productive... whats not to like! Great to see them in our city.
18	6/23/2017	Johanna	Garrison	Saratoga Springs	NY	US	These hardworking, honest, dedicated people deserve to bring their wonderful small farm-to-table business to our town.
19	6/23/2017	Jennifer	Leidig	Saratoga springs	NY	US	Great small business offering healthy food for our residents...it's a no brainer.
20	6/23/2017	Bob	Lippman	Saratoga Springs	NY	US	
21	6/23/2017	Joan	Brophy	Saratoga springs	NY	US	I don't have a problem with local business. I was born and grew up in saratoga. I do have a problem with a business expanding in a current neighborhood designed for single and two families. Also one that could be serving alcohol, with three schools around.
22	6/24/2017	Amy	Bloom	Saratoga Springs	NY	US	
23	6/24/2017	Laura	Chodos	Saratoga Springs	NY	US	I Have shopped at Pepper's for years and love the idea of two outstanding food vendors being available now at Pepper's Corner, Great, healthy idea.
24	6/24/2017	Richard	Fenton	Saratoga Springs	NY	US	Great to keep a historic small market going, providing great, fresh, healthy food in the neighborhood.
25	6/24/2017	Chris	Sule	Saratoga Springs	NY	US	Support Local Businesses.
26	6/25/2017	Charlie	Samuels	Saratoga Sprimgs	NY	US	
27	6/25/2017	Bob	W.	Saratoga Springs	NY	US	We need to support small business in this community.
28	6/25/2017	Nancy	Fairbanks	Saratoga Springs	NY	US	Locally sourced and healthy food, historic location for a neighborhood market - another wonderful addition to the Saratoga quality of life.
29	6/25/2017	Nancy	Mc.	Saratoga Springs	NY	US	
30	6/26/2017	Aaron	R.	Glens Falls	NY	US	Will be a great addition to a beautiful area.

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
31	6/27/2017	Jenny	Mirling	Saratoga Springs	NY	US	
32	6/27/2017	Tobi	Kirschmann	Saratoga	NY	US	
33	6/28/2017	Jeffery	W.	Saratoga Springs	NY	US	Sounds like a great plan for an updated neighborhood market with two great local businesses!
34	6/28/2017	Kathryn	Hefter	Saratoga Springs	NY	US	Healthy options in Saratoga. Support family run business.
35	6/28/2017	Jennifer	Anderson	Saratoga Springs	NY	US	
36	6/28/2017	Richard	Dunham	Saratoga Springs	NY	US	I live in the neighborhood of the former Pepper's Market, and I would love to see a small market food emporium at this location, along with the existing Moby Rick's Fish Market. This location is a good institution!
37	6/28/2017	Gabe	Anderson	Saratoga Springs	NY	US	I'd love to see 9 Miles East move into this location!
38	6/28/2017	Patricia	Cornute	Saratoga Springs	NY	US	Healthy options like these businesses provide are most desirable.
39	6/28/2017	Lisa	Schwartz	Saratoga	NY	US	
40	6/29/2017	Susan	Stratton	Round Lake	NY	US	Love both!!!
41	6/29/2017	Alison	Railsback	Saratoga Springs	NY	US	
42	7/1/2017	Michele	Martin	Saratoga Springs	NY	US	
43	7/1/2017	Randy	McDermott	Saratoga Springs	NY	US	
44	7/1/2017	Chelsea	Baratto	Saratoga Springs	NY	US	
45	7/1/2017	Valerie	Collins	Saratoga Springs	NY	US	
46	7/1/2017	Christopher	Winters	Saratoga Springs	NY	US	
47	7/1/2017	Kim	Delaney	Saratoga Springs	NY	US	
48	7/1/2017	Amanda	Anderson	Saratoga Springs	NY	US	
49	7/1/2017	Wendy	Lawrence	Saratoga Springs	NY	US	I live in the neighborhood.
50	7/1/2017	Matthew S.	Hogan	Saratoga Springs	NY	US	
51	7/1/2017	Linda	Zeh	Ballston Spa	NY	US	We love 9 miles East home delivery and would be excited to shop here locally. Fresh seafood from Moby Rick's is great as well.
52	7/1/2017	David	Torres	Saratoga Springs	NY	US	
53	7/1/2017	Kristin	Sica	Saratoga	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
54	7/1/2017	John	Winnek	Gansevoort	NY	US	Farm to table brought to a neighborhood where there is high interest in a business that will succeed.
55	7/1/2017	Tony	Krackeler	Saratoga Springs	NY	US	I live about 6 doors down and across Lake Ave. I strongly support this type of addition to our neighborhood. Supporting local businesses and improving quality of life by being able to walk to dinner in our own neighborhood. What's not to like?
56	7/1/2017	John	Hayes	Saratoga Springs	NY	US	
57	7/1/2017	Donna Jean	March	Saratoga Springs	NY	US	
58	7/1/2017	Robert	Meisner	Saratoga Springs	NY	US	I'm a cook at Skidmore College, and we try to source locally. This would be great for the area
59	7/1/2017	Kathryn	Irby	Gulfport	MS	US	
60	7/1/2017	Cara	Milde	Saratoga Springs	NY	US	Local businesses are an essential part of our community.
61	7/1/2017	Lisa	Adler	Northville	NY	US	
62	7/1/2017	Amy	Bridges	Saratoga	NY	US	
63	7/1/2017	Celeste	Caruso	Saratoga Springs	NY	US	
64	7/1/2017	Caressa	Himoff	Saratoga Springs	NY	US	Love and often purchase from both businesses!
65	7/1/2017	Eileen	McTiernan	Gansevoort	NY	US	Would love this!
66	7/1/2017	Gregor	Kovacic	Malta	NY	US	Moby Rick's is the best fish store in the area.
67	7/1/2017	Michael	Arnush	Saratoga Springs	NY	US	The fish is fresh, locally sold, and of good value. The staff is superb.
68	7/1/2017	Beth	B.	Saratoga Springs	NY	US	I live in the neighborhood and fully support this proposal!
69	7/1/2017	Barbara	Dufek	Ballston spa	NY	US	To have fresh, healthy delicious food at a reasonable price.
70	7/1/2017	Margaret	Selikoff	Wilton	NY	US	
71	7/1/2017	Nathan	Degner	Chicago	IL	US	
72	7/1/2017	Diana	Matheson	Saratoga Springs	NY	US	
73	7/2/2017	Michelle	Collins	Wilton	NY	US	We frequent Moby Ricks. I've been wanting to try 9 miles east... this would be perfect!
74	7/2/2017	Penny	Berg	Saratoga Springs	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
75	7/2/2017	Todd	LaRoche	Greenfield Center	NY	US	Local farm/sea-to-table food provider is always a better option.
76	7/2/2017	Barbara	VanBuren	Saratoga Springs	NY	US	
77	7/2/2017	Judy	Blunk	Wilton	NY	US	I think the concept is great! Looking forward to seeing the end product! Wishing all GOOD LUCK!!
78	7/2/2017	Trish	Raffel	Raleigh	NC	US	
79	7/2/2017	Barry	Raffel	Raleigh	NC	US	
80	7/2/2017	Ellen	Ritchie	Saratoga Springs	NY	US	
81	7/2/2017	Patricia	White	Saratoga Springs	NY	US	I love fresh seafood which is almost impossible to find anywhere near here. 9 miles east would be a perfect addition for additional healthy, fresh food.
82	7/2/2017	Asher	Simcoe	Saratoga Springs	NY	US	
83	7/3/2017	Mayumi	Kato	Saratoga Springs	NY	US	I visit Moby Rick's almost every week to get fresh, safe, delicious seafood. I also get healthy lunch from 9 Mikes East farm. Those are very important for community of Saratoga.
84	7/3/2017	Ben	Nathan	Saratoga Springs	NY	US	
85	7/3/2017	Cindy	Spence	Saratoga Springs	NY	US	
86	7/3/2017	Martha	Strohl	Saratoga Springs	NY	US	Farm fresh food and fresh fish! Of course that is important!
87	7/4/2017	Anne	Proulx	Saratoga Springs	NY	US	
88	7/4/2017	Monica	Raveret Richter	Greenfield Center	NY	US	This project will be a great complement to our local food options, and will provide an opportunity to eat well while supporting local, sustainably sourced food.
89	7/4/2017	Angela	Pringle	Saratoga Springs	NY	US	Farm to fresh great concept.
90	7/4/2017	Seth	Shuket	Saratoga Springs	NY	US	The east side of Saratoga Springs is a wonderful place to live and deserves amenities such as this. Thank you.
91	7/4/2017	Andy	Fogle	Saratoga Springs	NY	US	Great food from both places; I live nearby; glad to see a cool development in the neighborhood.
92	7/5/2017	Donna	Staffanson	Gansevoort	NY	US	Support the locals!
93	7/5/2017	Stephanie	McQuade	Galway	NY	US	Both great business, we need to support farm to table and great fish!

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
94	7/5/2017	Justin	Hogan	Saratoga Springs	NY	US	
95	7/5/2017	John and Lenore	Reber	Saratoga Springs	NY	US	We live in the neighborhood and rely on Moby Rick's for fish several times a week. It's important to us that the store has more space to offer more.
96	7/5/2017	Winifred	Holloway	Saratoga Springs	NY	US	
97	7/5/2017	Steve	Groseclose	Saratoga Springs	NY	US	
98	7/5/2017	Ilse	De Veer	Saratoga Springs	NY	US	Help sustain our best local fish store.
99	7/6/2017	Bob	Pringle	Saratoga Springs	NY	US	
100	7/6/2017	Tyrone	Stevens	Saratoga Springs	NY	US	
101	7/7/2017	Brian	Patterson	Saratoga Springs	NY	US	
102	7/7/2017	Jill	Emblidge	Queensbury	NY	US	
103	7/8/2017	Emily	Patterson	Saratoga Springs	NY	US	I LOVE the fact we can get fresh local seafood here. Also what an upstanding guy who runs the place. As well I buy from Nine miles east a lot and fully support their business and hope they can continue to grow and provide healthy food right here in Saratoga.
104	7/8/2017	Brianne	Lichtenberger	Saratoga Springs	NY	US	Continuing to elevate Saratoga and supporting local businesses is fundamental to our community.
105	7/8/2017	Tina	Rafferty	Saratoga Springs	NY	US	
106	7/9/2017	Jacquelyn	Saxton	Saratoga Springs	NY	US	Current structure & site is outdated for needs of community. Increased tax base welcomed
107	7/9/2017	Yvette	Cortes	Saratoga Springs	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
							<p>This project is very important as it will create & promote healthy alternatives for fresh clean food & creat more stable jobs for the comunity. Both 9 Miles East & Moby Rick's Seafood are established responsible businesses which have been providing clean healthy food alternatives sourced from mostly local small farmers & small responsible sustainable fisheries.</p> <p>I support both of these businesses.</p> <p>A very good choice for Saratoga Springs.</p> <p>I highly support this project.</p>
108	7/9/2017	Adrien	Johnson	Saratoga Springs	NY	US	
109	7/9/2017	Elliott	Masie	Saratoga Springs	NY	US	
110	7/9/2017	Patsy	Harris	Saratoga Springs	NY	US	It was always a nice location and Peppers Market was a great place.
111	7/9/2017	Gillian	Black	Saratoga Springs	NY	US	<p>This looks fabulous and we welcome them to our neighborhood. Moby Ricks has been a great neighbor and 9 Mile will be a great addition. I'm happy to hear they'll strive for an inclusive planning process and plan to offer my feedback - for what it's worth. Pros: quality food, tax revenue, support local property value upswing. Cons: traffic and parking - which will hopefully be dealt with during planning phase. Lastly, I hope the building design fits with the neighborhood.</p>
112	7/9/2017	Amanda	Brandenburg	Ballston Spa	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
113	7/9/2017	Reg	Lilly	Saratoga Springs	NY	US	This is what intelligent and sustainable local food production and distribution looks like. The owners have a record of responsible business practices and community awareness; they are providing an important resource for the neighborhood. What few inconveniences of increased traffic are well offset by the benefits. We eat several times a week, more often than when we had to drive to the mall/big grocery store for fish. BTW, "2 liquor licenses" is a red herring (not a species sold at the market).
114	7/9/2017	Ken	Kramer	Saratoga Springs	NY	US	
115	7/9/2017	Leslie	Kramer	Saratoga Springs	NY	US	We live in the neighborhood and welcome the new Pepper's Corner with open arms. Great addition to our wonderful town!
116	7/9/2017	Jennifer	Runkel	Saratoga Springs	NY	US	Love both of these businesses. As a nearby resident, I welcome an updated building and increased tax revenue.
117	7/9/2017	Gil	Dexter	Saratoga springs	NY	US	Having both those shops so close would be great.
118	7/10/2017	Adam	Costello	Saratoga Springs	NY	US	I love 9 Miles East Farm and think it would be a great addition to this neighborhood.
119	7/10/2017	Wendy	Kercull	Saratoga Springs	NY	US	Our family loves Moby Ricks and 9 Miles East and having them both the neighborhood will be super convenient and a great addition!
120	7/10/2017	Andrea	Demoracski	Saratoga Springs	NY	US	Moby Rick's and 9 Miles East are two of our favorite local staples! I would love to see a bigger, better location with more options and have them both be walking distance from the east side!
121	7/10/2017	Kathleen	Carroll	Saratoga Springs	NY	US	Local resident wanting to utilize and promote Saratoga Springs as a "foodie" destination.
122	7/10/2017	Ellen	Skeele	Saratoga Springs	NY	US	Healthy, Local, Sustainable no brainer.
123	7/11/2017	Lesley	C.	Saratoga Springs	NY	US	This would be a great addition to the neighborhood!
124	7/11/2017	Mollie	Kavanagh	Ballston Spa	NY	US	
125	7/11/2017	Mary	Hallquist	Saratoga Springs	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
126	7/11/2017	Tracey	Buyce	Saratoga Springs	NY	US	
127	7/11/2017	Martha	Wiseman	Greenfield Center	NY	US	Indeed, a great addition to Saratoga--healthy, delicious food readily available. Thanks.
128	7/11/2017	Hannah	W.	Saratoga Springs	NY	US	Local amazing food, local store, local service - what's not to love?
129	7/11/2017	Caryn	Marlin	Saratoga Springs	NY	US	Having a healthy, convenient alternative food store/pizza pick up in Saratoga Springs would be good for our community.
130	7/11/2017	Richard	Saxton	Saratoga Springs	NY	US	
131	7/11/2017	Roma	Armstrong	Saratoga Springs	NY	US	
132	7/11/2017	Lori	Christina	Clifton Park	NY	US	A convenient one-stop location for all the wonderful healthy food stuffs that both 9 Miles East and Moby Dick's bring to Saratoga and the surrounding communities
133	7/11/2017	Susan	Cooper	Saratoga Springs	NY	US	Support a company that supports local companies and provides fabulous products that reflect Saratoga Springs.
134	7/11/2017	Nancy	Fritch	Saratoga Springs	NY	US	
135	7/11/2017	Monique	Antonuk	Malta	NY	US	Healthy local food choices!!
136	7/11/2017	Heath	Ames	Saratoga Springs	NY	US	I love the country store model and think it would be an asset to Saratoga and that neighborhood. I lived in that neighborhood for 8 years (on York Ave and then East Ave) and loved having Pepper's when it was there. This version sounds like a it would bring the old model into the 21st century!
137	7/11/2017	James	Phan	Saratoga Springs	NY	US	
138	7/11/2017	Jennifer	Lefner	Kattskill Bay	NY	US	What a welcome addition to the neighborhood, bringing two of our favorites together!

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139	7/11/2017	MaryAnna	O'Donnell	Saratoga Springs	NY	US	I already shop for my fish at Moby Rick's and cannot see a bad side to this idea. It will provide me with a one stop shopping for food that is local (supporting the local economy) and does not involve a grocery store or relying on my car. If you cannot get approved, come over to the west side of the city!
140	7/11/2017	Whitney	S.	Saratoga Springs	NY	US	I'm a local resident who remembers (and misses) Pepper's Market - I'd love to see this project succeed! You can't go wrong with locally sourced, healthy food! I would frequent this location at least once (if not more than) a week for my family's dining needs.
141	7/11/2017	Lindsay	Theile	Saratoga Springs	NY	US	This would be wonderful for our community!
142	7/11/2017	Deb	Meehan	Schuylerville	NY	US	I believe local, organic food is the healthiest food for our community. Commercial food from large food chains and restaurants contain harmful chemicals that cause health issues over time. I also believe in supporting the local economy. I love 9 Miles East!
143	7/11/2017	Mark	Alan	Saratoga Springs	NY	US	
144	7/11/2017	Peg	Leisen	Stillwater	NY	US	
145	7/11/2017	Halley	Zanconato	Saratoga Springs	NY	US	
146	7/11/2017	Bailey	Delaney	Saratoga Springs	NY	US	We love Moby Rick's and 9 Miles East food. It's a pleasure to have more locally owned businesses in the neighborhood.
147	7/11/2017	Ashley	Gardner	Ballston Spa	NY	US	
148	7/11/2017	Marian	Bigelow	Saratoga Springs	NY	US	It would be nice to have their product available in town. Love the idea of a interesting food store right in Eastside neighborhood
149	7/11/2017	Sara	Johnsen	Greenfield Center	NY	US	
150	7/11/2017	Jennifer	Armstrong	Gansevoort	NY	US	
151	7/11/2017	Dayna	Kinsey	Gansevoort	NY	US	Local fresh food should be available close by!

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152	7/11/2017	Peggy	Daly	Saratoga Springs	NY	US	Fantastic idea! Was not able to be a part of the weekly delivery option, too much food! You can be sure that I would visit that store weekly. The food is wonderful and freash and healthy:)
153	7/11/2017	Lisa	Joyce	Ballston Spa	NY	US	
154	7/11/2017	Timothy	Cartwright	Schuylerville	NY	US	Quality local food and businesses are few and far between and deserve our support.
155	7/11/2017	Kim	Thompson	Porter Corners	NY	US	
156	7/11/2017	Wendy	Taylor	Porter Corners	NY	US	Great option for delicious, healthy food.
157	7/11/2017	Nicole	Van Zandt	Saratoga Springs	NY	US	I really love 9 Miles East Farm's food and I think the building would look attractive there and serve a purpose for the community.
158	7/11/2017	Alma	Arpey	Saratoga Springs	NY	US	I live in this neighborhood and would love to have this nearby to go to. It would be wonderful.
159	7/11/2017	Greg	Prisco	Saratoga Springs	NY	US	9 miles East has great fresh locally grown food and this would open that up to more people.
160	7/11/2017	David	W.	Gansevoort	NY	US	These two businesses in a single, neighborhood location is a no-brainer. I cant believe there's even a debate!
161	7/11/2017	Natalia	Pascucci	Ballston Spa	NY	US	
162	7/11/2017	Brittany	Cole	Schuylerville	NY	US	
163	7/11/2017	Lauren	Nash	Saratoga Springs	NY	US	We already shop at Moby Ricks and have ordered pizza and food from 9 Miles East. We live a few blocks away and would love to have the convenience of an expanded market. I think it can only be an asset to the neighborhood.
164	7/11/2017	Julie	Raymond	Saratoga Springs	NY	US	9 miles east does great food. Would be wonderful to be able to pick up fresh food right around the corner.
165	7/11/2017	Spencer	Raggio	Malta	NY	US	
166	7/11/2017	Mary	Vanderminden	Saratoga Springs	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
167	7/11/2017	Patricia	Friesen	Saratoga Springs	NY	US	This would be yet another creative local business enhancing our city and neighborhood. I know it will be done beautifully and look forward to seeing the building go up and the fabulous food go in!
168	7/11/2017	Kyle	Rhude	Malta	NY	US	
169	7/11/2017	Brooke	Roberts	Saratoga Springs	NY	US	
170	7/11/2017	Mary	Richardson	Gansevoort	NY	US	This would be a wonderful addition to Saratoga. The food is amazing!
171	7/11/2017	Caryn	DeSignor	Saratoga Springs	NY	US	
172	7/11/2017	Lauren	Neulander	Saratoga Springs	NY	US	
173	7/11/2017	Thad	Smith	Ballston Spa	NY	US	From a personal perspective, a convenient location for an exceptional source of healthy food. From the cities perspective, a very appropriate location for a small local business in a true mixed-use neighborhood.
174	7/11/2017	Francene	Kilichowski	Ballston Spa	NY	US	I support individually owned, local small business as much as possible. I avoid corporate food products which are produced by greed and chemicals. This project is yet another joyful prospect spearheaded by 9 Miles East - an enterprise which I've been very pleased to patronize. I welcome this expansion and collaboration with Moby Ricks - A seafood purveyor which I trust completely.
175	7/11/2017	Janet	Lindner	Saratoga Springs	NY	US	I am in the neighborhood!
176	7/11/2017	Connie	Fogle	Saratoga Springs	NY	US	Love 9 miles east and Moby Ricks. This would be nice to have in the neighborhood and not have to deal with a grocery store.
177	7/11/2017	Roger	Ksenich	Clifton Park	NY	US	
178	7/11/2017	Amy	Stahlman	Averill Park	NY	US	Local farm food with organic options is so important.
179	7/11/2017	John	Caraco	Saratoga Springs	NY	US	
180	7/11/2017	Jessica	Yerdon	Ballston Spa	NY	US	
181	7/11/2017	Holly	Rippon-Butler	Schuylerville	NY	US	

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182	7/11/2017	Erin	Crowe	Saratoga Springs	NY	US	Live in the neighborhood and already enjoy 9 Mile East food. I think it would be a great addition!
183	7/11/2017	John	Marino	Saratoga Springs	NY	US	
184	7/11/2017	Mary	Fusco	Saratoga Springs	NY	US	More fresh food in the neighborhood .
185	7/11/2017	A.	Henderson	Saratoga Springs	NY	US	Will add to neighborhood quality of life.
186	7/11/2017	Joyce	W.	Saratoga Springs	NY	US	Local, fresh, healthy food! 9 Miles East provides an excellent combination with the convenience of prepared meals and salads.
187	7/11/2017	Michele	Mincher	Saratoga Springs	NY	US	It will improve the quality of my life in town. I will be able to support two small local businesses that will provide meaningful jobs to local residents. I will save time and will not have to use my car to drive to the mall. It will help to create community.
188	7/11/2017	Kathryn	Kawaguchi	Saratoga Springs	NY	US	
189	7/11/2017	Vanessa	Kovarovic	Gansevoort	NY	US	Because local food is critical to sustainability.
190	7/11/2017	Merle	Griffith	Wilton	NY	US	
191	7/11/2017	Kimberley	Steitzer	Clifton Park	NY	US	Love the idea of more fresh, local and healthy foods. I have been ordering from 9 Miles Farm for over a year and have been so pleased with the healthy and delicious food choices.
192	7/11/2017	Maira	Shortway	Saratoga Springs	NY	US	
193	7/11/2017	Loretta	Quigley	Saratoga Springs	NY	US	I'm already a customer of Moby Rick's and 9 Miles East and would enjoy patronizing the combined offerings.
194	7/11/2017	Brett	Ryan	Saratoga Springs	NY	US	I love 9 Miles East and it will be that much easier to buy from them.
195	7/11/2017	Jessie	Maroncelli	Poestenkill	NY	US	
196	7/11/2017	Amanda	Dowen	Ballston spa	NY	US	
197	7/11/2017	Carla	Gordon	Saratoga Springs	NY	US	

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198	7/11/2017	Scott	Dexter	Saratoga Springs	NY	US	I am already a customer of both Moby Rick's and 9 Miles East. I strongly support having both businesses in my neighborhood. Both as employers and providers of quality food products!
199	7/11/2017	Alysha	Bigelow	Schuylerville	NY	US	Would be such a great addition to Saratoga!
200	7/11/2017	Tena	Bunnell	Greenwich	NY	US	I work in Saratoga Springs and order from 9 East all the time, because it is healthy and affordable! This is essential to the health and well being of my family. If 9 East has a market in town, I will be able to shop on a daily basis, if needed, and can select from multiple options. The freshly prepared meals are not only full of local products in our area(which supports our local economy) but are also delicious!
201	7/11/2017	Danielle	Burke	Greenwich	NY	US	A healthy lunch at work is always a great idea! Adam puts his customers first!
202	7/11/2017	Katherine	Raymond	Saratoga Springs	NY	US	I think this is an absolutely fabulous idea!!! The more healthy options we all have to choose from the better!
203	7/11/2017	Dottie	Pepper	Saratoga Springs	NY	US	We actively support both businesses and feel it will be a tremendous addition not only to Saratoga Springs in general but especially to the east side.
204	7/11/2017	Lori	Squadere	Greenfield	NY	US	
205	7/11/2017	Katarina	Evans	Saratoga Springs	NY	US	We would love a healthy local community-oriented market in our neighborhood. We are big fans of 9 miles East.
206	7/11/2017	Hellene	London	Saratoga Springs	NY	US	This is great farm to table food. Been doing delivery from their first location. Excited for them to be closer!
207	7/11/2017	Tracy	Peter	East Greenbush	NY	US	
208	7/11/2017	Gabriel	Edell	Saratoga Springs	NY	US	Great to have better food options in the neighborhood.
209	7/11/2017	Tom	Abraham	Gansevoort	NY	US	
210	7/11/2017	Perry	Valastro	Saratoga Springs	NY	US	
211	7/11/2017	Susan	Kenneally	Queensbury	NY	US	Used to live in neighborhood will go back for fish, pizza, and the wonderful items from the farm.

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212	7/11/2017	Eric	Schneider	Saratoga Springs	NY	US	
213	7/11/2017	Rebecca	Valastro	Saratoga Springs	NY	US	
214	7/11/2017	Kristin	Ostrander	Saratoga Springs	NY	US	It would make a great addition to the neighborhood.
215	7/11/2017	Thomas	Law	Saratoga Springs	NY	US	Functional market within walking distance for East side residents is hugely important, more so than parking garages, huge apartment buildings and drab "mixed-use retail" spaces.
216	7/11/2017	Kristen	Klein	Schuylerville	NY	US	I love 9 miles east food and would love another location to stop by and pick up local healthy food!
217	7/11/2017	Barb	Biagioli	Greenfield Center	NY	US	
218	7/11/2017	Susan	C.	Saratoga Springs	NY	US	I am in favor of small family run "Mom and Pop" businesses as opposed to chain franchises. I agree with neighborhood stores such as what is proposed here. I grew up walking around the corner to a neighborhood grocery store in the Stockade in Schenectady 45+ years ago. I am currently working on my Master's Degree in Nursing regarding community health and how we, in Saratoga, live and are expanding urban development and landscapes in our city. Having businesses nestled in neighborhoods is environmentally healthy for people to walk to and from, not to mention great food. I see it as feasible on a street such as Lake Ave. I loved Pepper's, I lived near the Bread Basket in its neighborhood infancy, I frequent Moby Rick's, and I smiled when I heard Augie's was taking over the repeated failures across from the East side rec down the street. I welcome a new well thought out building. This balance can work. Make it happen Saratoga!
219	7/11/2017	Julie	White	Schuylerville	NY	US	Local,fresh, wonderful food. there is hope for mankind.
220	7/11/2017	Jonathan	Sulkin	Saratoga Springs	NY	US	Great idea. I will be an enthusiastic customer.
221	7/11/2017	Jennifer	Gaughan	Saratoga Springs	NY	US	
222	7/11/2017	Bob	Taylor	Saratoga Springs	NY	US	

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223	7/11/2017	Byron	Norsworthy	Saratoga Springs	NY	US	
224	7/11/2017	Kim	Marsella	Gansevoort	NY	US	
225	7/11/2017	Meghan	Stiehler	Ballston Spa	NY	US	
226	7/11/2017	David	Towne	Wilton	NY	US	
227	7/11/2017	Chris	O'Meara	Saratoga Springs	NY	US	It would be amazing to be able to pickup healthy meals for lunch and dinner heading to and from work. Can't wait for you to open!!!!
228	7/11/2017	Anne	Taylor	Saratoga Springs	NY	US	The more organic food we have the better - and locally grown!
229	7/11/2017	Peter	Stone	Saratoga Springs	NY	US	
230	7/11/2017	Scott	Starr	Saratoga Springs	NY	US	
231	7/11/2017	Debra	Fernandez	Saratoga Springs	NY	US	Saratoga lags behind communities like Hudson, NY who are bringing fresh gram to table innovative food. I support local food and want options to pub food! Thank you.
232	7/11/2017	Nora	Lindner	Saratoga Springs	NY	US	
233	7/11/2017	Nicolette	Roche	Saratoga Springs	NY	US	I support the growth of local businesses that employ our residents, adding diversity to the neighborhood without changing the feel of the neighborhood.
234	7/11/2017	Kate	Edwards	Schuylerville	NY	US	
235	7/11/2017	Anne	Patterson	Wilton	NY	US	Great idea and alternative to chain supermarkets.
236	7/11/2017	Jerry	Mangona	Saratoga Springs	NY	US	This would be a great improvement to the area that I grew up in and still live in.
237	7/11/2017	Julie	Aspland	Saratoga springs	NY	US	
238	7/11/2017	Sheila	Levo	Ballston Spa	NY	US	Lived in that neighborhood for 25 years. It would be great!
239	7/11/2017	Christina	Brueggemann	Saratoga Springs	NY	US	Fresh, healthy food is what we all need more of!
240	7/11/2017	Barbara	Ungar	Saratoga Springs	NY	US	
241	7/12/2017	Bill	Evans	Saratoga Springs	NY	US	Great improvement idea for our neighborhood! We love both businesses and look forward to visiting their enhanced space where Peppers Market used to be.
242	7/12/2017	Zachary	Maybury	Saratoga Springs	NY	US	
243	7/12/2017	Denise	Polit	Saratoga Springs	NY	US	Such a great idea!

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244	7/12/2017	Felice	Karlitz	Saratoga Springs	NY	US	
245	7/12/2017	Samantha	Hart	Saratoga Springs	NY	US	Sounds like a great idea!
246	7/12/2017	Shirley	Smith	Saratoga Springs	NY	US	
247	7/12/2017	Joshua	Rockwood	West Charlton	NY	US	It important to have local fresh food. 9 Miles East provides excellent products and service. This project would be a win for everyone!
248	7/12/2017	Paul	Lyman	Middle Grove	NY	US	
249	7/12/2017	Susanna	Combs	Schuylerville	NY	US	I work in downtown Saratoga and live in Schuylerville. I commute on 29 every day and often stop at Moby works for my fresh fish and Augies as well. I have received home deliveries from 9 Mile Farm. I believe adding 9 Mile Farm to these successful businesses would just be an added bonus to this lovely neighborhood as well as convenience to commuters like me. I have always received exceptional customer service from Moby Ricks and 9 Mile Farm and am happy to support this endeavor.
250	7/12/2017	Krissi	R.	Albany	NY	US	
251	7/12/2017	Alec	Assmann	Mechanicville	NY	US	They deliver to my work place and I've attended pop up dinner and I love 9 Miles East!
252	7/12/2017	Daniel	Eldredge	Saratoga Springs	NY	US	I use both services regularly and would love to see them in my neighborhood. They would be welcomed as neighbors.
253	7/12/2017	Anna	Packard	Saratoga Springs	NY	US	
254	7/12/2017	Bernadette	Sprinkle	Saratoga Springs	NY	US	I agree with having a local farm/neighborhood store in this great location.
255	7/12/2017	John	Kettlewell	Saratoga Springs	NY	US	It is great to be able to walk to local stores providing local food.
256	7/12/2017	Hannah	Porter	Saratoga Springs	NY	US	
257	7/12/2017	Kara	Waters	Saratoga Springs	NY	US	
258	7/12/2017	Amy	Eldredge	Saratoga Springs	NY	US	My family enjoys both 9 miles east and Moby Rick's and would enjoy having them in a new facility.
259	7/12/2017	Alexandra	Crenson	Saratoga Springs	NY	US	

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260	7/12/2017	Jael	Polnac	Saratogs Springs	NY	US	A walkable general store with farm fresh and healthy prepared food would be a welcome addition to the east side of Saratoga Springs.
261	7/12/2017	Margaret	Sweet	Saratoga Springs	NY	US	Location, quality of food and fish.
262	7/12/2017	Dominique	Rowland	Greenfield Center	NY	US	
263	7/12/2017	Robert	Cournoyer	Mechanicville	NY	US	I absolutely love 9 Miles East Farm and the quality of their product. Unfortunately their current location is not convenient but this new location would be perfect.
264	7/12/2017	Daniel	Klein	Saratoga Springs	NY	US	
265	7/12/2017	Greg	Duggan	West Sand Lake	NY	US	
266	7/12/2017	Allison	Hargrave	Saratoga Springs	NY	US	
267	7/12/2017	Scott	Erickson	Saratoga Springs	NY	US	
268	7/12/2017	Sean	Duggan	Schuylerville	NY	US	
269	7/12/2017	Dana	Kear	Saratoga Springs	NY	US	
270	7/12/2017	Jeff	Nelson	Saratoga Springs	NY	US	This would be a great fit for the neighborhood.
271	7/12/2017	Christine	McKnight	Gansvoort	NY	US	Locally source food; strengthens neighborhood. Supports a local business.
272	7/12/2017	Michele	DeRossi	Saratoga Springs	NY	US	I love Moby Ricks and I love 9 Miles East. Both have incredible missions of bringing local, sustainable foods to Saratoga and to combine them would be a win for the city- not to mention I can walk there!
273	7/12/2017	Rebecca	Schott	Malta	NY	US	
274	7/12/2017	Emily	Donohue	Saratoga Springs	NY	US	A walkable, healthy food option would be a great addition to our neighborhood!
275	7/12/2017	Maddie	Brandi	Saratoga Springs	NY	US	
276	7/12/2017	Lucille	Mascetta	Mechanicville	NY	US	
277	7/12/2017	Vickie	Riley	Ballston Spa	NY	US	We need this!! Kudos to 9 Miles East!!
278	7/12/2017	Kelly	Richards	Nassau	NY	US	9miles east is doing exactly what we need as humans! Real food that's healthy, delicious and convenient!
279	7/12/2017	Stephanie	Whitty	Saratoga springs	NY	US	
280	7/12/2017	Lisa	Karas	Cohoes	NY	US	

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281	7/12/2017	Maggie	Evatt	Saratoga Springs	NY	US	
282	7/12/2017	Katie	Petronis	Saratoga Springs	NY	US	
283	7/12/2017	Jessica	Connelly	Schuylerville	NY	US	
284	7/12/2017	Polly	OConnell	Ballston Spa	NY	US	I love 9 Miles East & I know that this location will be a wonderful & healthy convenience to our community.
285	7/12/2017	Kali	Nagler	Greenfield Center	NY	US	Sustainability is very important to me. Fresh local food options through the Farmer's Market are only available 2 days a week in Saratoga Springs. By partnering, Moby Rick's and 9 Miles East can combine resources and feed the community 7 days a week in a convenient location.
286	7/13/2017	Kym	Hance	Middle Grove	NY	US	
287	7/13/2017	Heather	Straughter	Saratoga Springs	NY	US	
288	7/13/2017	Robert	Rezin	Saratoga Springs	NY	US	
289	7/13/2017	Edward	Lenz	Gansevoort	NY	US	
290	7/13/2017	Jennifer	Armstrong	Saratoga Springs	NY	US	Independent food market, local food, neighborhood vitality
291	7/13/2017	Lisa	Hall	Saratoga Springs	NY	US	Another fresh, healthy food option benefits the whole community!
292	7/13/2017	Patty	F.	Saratoga Springs	NY	US	
293	7/13/2017	Alexandra	Riccio	Saratoga Springs	NY	US	
294	7/13/2017	Robin	Schwedt	Greenfield Center	NY	US	Fresh food options are always better!
295	7/13/2017	Augustus	Fleming	Saratoga Springs	NY	US	I like the concepts of community and farm to table food.
296	7/13/2017	Giovanna	D'Orazio	Saratoga Springs	NY	US	We live in the neighborhood and think this would be a great addition.
297	7/13/2017	Amanda	Dugan	Saratoga Springs	NY	US	Sacks is a good business owner with good intentions, his heart is absolutely in the right place. I appreciate and respect his recollection of Pepper and five points and other markets that make this town what it is. Also, this is a 100% better option than a condo, which lord knows will pop up over night if someone turns their back on this space for 15 seconds.

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298	7/13/2017	Gregory	Daley	Saratoga Springs	NY	US	
299	7/13/2017	George	Van Voorhis	Saratoga Springs	NY	US	Would be great!
300	7/13/2017	Rebecca	Swell	Middle Grove	NY	US	
301	7/13/2017	Katie	Massie	Saratoga Springs	NY	US	I live in the neighborhood and would LOVE to have a couple of restaurants in walking distance.
302	7/13/2017	Kathy	Jaques	Saratoga Springs	NY	US	
303	7/13/2017	Reeves	Courtney	Saratoga Springs	NY	US	
304	7/13/2017	Jeslyn	Bell	Porter Corners	NY	US	I grew up right across the street and still live in town. Peppers market was there was such an amazing place we used to walk there grab subs there it would be excellent to have another farm to table in town! Such an awesome developing side of town I'm sure locals would come out and support.
305	7/13/2017	Beth	Brumaghim	Saratoga Springs	NY	US	Love the whole local concept and bringing a general store back is fabulous.
306	7/13/2017	Sabine	Beisler	Saratoga Springs	NY	US	Farm to table helps people to eat healthy.
307	7/13/2017	Alex	Brix	Saratoga	NY	US	
308	7/14/2017	Kathryn	Mathiesen	Saratoga Springs	NY	US	
309	7/14/2017	Barbara	Price	Greenwich	NY	US	Small markets serve neighborhoods, minimizing driving. The former market in this location encouraged children to learn how to conduct commerce, have exchanges with adults, and practice their social skills. With the new Grove apartments, a local market would be yet another asset to the community.
310	7/14/2017	Meghan	Connolly Haupt	Saratoga Springs	NY	US	9 Miles East is great. Wish there would be more of this kind of thing near the lake (new Lake Local).
311	7/14/2017	JoAnn	Rosebrook	Porter Corners	NY	US	
312	7/14/2017	Dinda	Dahlstrom	Wilton	NY	US	
313	7/14/2017	John	Daley	Gansevoort	NY	US	
314	7/15/2017	June	Lyman	Middle Grove	NY	US	Food conscious.
315	7/15/2017	Laura	Picardi	Saratoga Springs	NY	US	Walkable option.

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316	7/15/2017	Tyson	Hunt	Saratoga Springs	NY	US	Everything about it is good :)
317	7/15/2017	Sara	Jackson	Gansevoort	NY	US	
318	7/15/2017	Rick	Kunta	Malta	NY	US	
319	7/15/2017	Cora	C.	Saratoga Springs	NY	US	Excellent idea and location!
320	7/15/2017	Margaret	Q.	Saratoga Springs	NY	US	I love the fresh food market concept and both purveyors are high quality contributors. Repurposing the space to its historical origins is what Saratoga is all about. Very exciting news!
321	7/15/2017	Michael	Jennings	Baltimore	MD	US	I spend time in Saratoga Springs in the immediate neighborhood. The Peppers Corner project would be a real asset to the City and particularly the East side of the City.
322	7/15/2017	Gary	Danise Jr.	Ballston spa	NY	US	Would be great to have both fresh seafood and farm to table options all in one location.
323	7/15/2017	Stephanie	Davis	Saratoga	NY	US	What's better than sustainable fish and local farm-to-table food in one place?! And both businesses support the local community.
324	7/15/2017	Andrea	Gearing	Ballston Spa	NY	US	
325	7/15/2017	Annie	Talamo	Saratoga Springs	NY	US	Love this place!! It must remain!!!
326	7/15/2017	Sherian	Nolan	Malta	NY	US	Great food great healthy food options ... good company.
327	7/15/2017	Justin	Sabrsula	Saratoga Springs	NY	US	Great local food and great local businesses deserve our support!
328	7/15/2017	Scott	Strazik	Saratoga Springs	NY	US	
329	7/15/2017	Robert	Berrey	Saratoga Springs	NY	US	Convenient walkable option and already frequent both businesses.
330	7/15/2017	Cynthia	Sullivan	Saratoga Springs	NY	US	
331	7/15/2017	Sarah	Etkin-Sefcik	Saratoga Springs	NY	US	Within walking distance to my home. Would be like having a farmers market open all the time!!
332	7/15/2017	Richard	Hoffman	Greenwich	NY	US	
333	7/15/2017	Mark	Beaubriand	Saratoga Springs	NY	US	
334	7/16/2017	Constance	Carroll	Saratoga Springs	NY	US	
335	7/16/2017	Don	Gearing	Ballston Spa	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
336	7/16/2017	Michael	Nolan	Mechanicville	NY	US	
337	7/16/2017	Lyndell	Falconer	Saratoga Springs	NY	US	I am really excited about having a market in this spot. I love the idea of supporting local small business. I know Moby Ricks and I am a frequent customer. I am grateful to be able to have such fresh fish available locally. I am also really pleased to know that 9 miles East will be involved. Good luck. I wish you the best. A fine neighborhood market is truly a luxury.
338	7/16/2017	Grady	Aronstamm	Saratoga Springs	NY	US	Mixed use neighborhoods promote diversity, communication and vibrancy.
339	7/16/2017	Angela	Rella	Saratoga Springs	NY	US	
340	7/16/2017	Elizabeth	Ghilardi	Saratoga Springs	NY	US	
341	7/17/2017	Teddi	Landis	Saratoga	NY	US	A neighborhood market with fresh local food is a must!
342	7/17/2017	Barbara	Minkel	Saratoga Springs	NY	US	
343	7/17/2017	Kate	Fogarty	Wilton	NY	US	
344	7/17/2017	Jim	Furey	Saratoga Springs	NY	US	We love having Moby Ricks so close & to add The "Farm to Table" food option would be Great!
345	7/17/2017	Amy	S.	Saratoga Springs	NY	US	I love both businesses and having walkable healthy dining downtown is a win.
346	7/18/2017	Joseph	Enzinna	Saratoga Springs	NY	US	
347	7/18/2017	Emily	Stone	Saratoga Springs	NY	US	
348	7/19/2017	Heather	Hieronymi	Saratoga Springs	NY	US	
349	7/20/2017	Austin	Ward	Alstead	NH	US	
350	7/20/2017	Jim	Martinez	Saratoga Springs	NY	US	It's always been a neighborhood commercial market and its non-comforming use is what makes the neighborhoods in the inside district rewarding.
351	7/20/2017	Maria	Miller	Saratoga Springs	NY	US	Walkable neighborhood market, what's not to love!
352	7/21/2017	Leslie	Mills	Saratoga Springs	NY	US	Local food and business walkable to our home, and GOOD healthy food!
353	7/21/2017	Michelle	Ducrot	Wilton	NY	US	
354	7/22/2017	John	Santangelo	Saratoga Springs	NY	US	

#	Date	First Name	Last Name	City	State	Country	Why is this important to you?
355	7/22/2017	Debby	Copeletti	Saratoga Springs	NY	US	This is a fantastic location to not only purchase fresh seafood year round but to bring in 9 Miles East to Saratoga! Farm to table purchases year round & locally - priceless

SUBMITTED
7/24/2017 JTG.
July 24, 2017

Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

RE: Objection to Peppers Corner

Chairman Moore,

I am writing to you to express my strong objection to the proposed project at 173 Lake Avenue, currently referred to as "Peppers Corner".

I am a lifelong resident of Saratoga Springs and have owned my property, [REDACTED] Lake Avenue, for the last 18 years. I grew up on the north side of town as well as the east side and frequented many, if not all of the corner stores that existed in the 1970's and 80's and was happy to have an establishment like Peppers available to us when we purchased our property.

At the time we bought our house, the market was still thriving as a sandwich shop and as a market providing the essential conveniences like milk, eggs, bread and the occasional 6 pack of beer. Over the next decade the ownership of the business changed hands a few times as the functionality slowly dissipated until it closed in the late 2000's, maybe 2010 (I'm sure tax records can be checked).

Moby Rick's ultimately began operating in the space and I was a little curious as it really didn't seem to fit the nature of a corner market but, at the time, I was happy to see a property that was dormant for years come back to life. I did have a few conversations with the owner as I was familiar with them from our local farmers market. I was told that the fish store front was a side business and that the location was really a storage and distribution depot that allowed them to access more markets and distribution points throughout the Northeast. I have since read through our zoning codes and believe that this business model is specifically not allowed in the UR-3 district in which the 173 Lake Avenue property resides. I also understand that after 30 days of non-use, a pre-existing non-conforming business loses its status, so what activity went on to allow Moby Rick's to open in the first place? I was never notified at that time (I am 50' from their property), nor were any of the other neighboring property owners. Before any review of this expanded proposal takes place, I feel we are owed a thorough understanding of what occurred to allow them to open and operate a business that brings in fish, pieces them out, and then sends them to other locations for sale elsewhere. For your consideration, as follows is the definition of "Industrial" from our zoning code as well as "convenience sales":

INDUSTRY OR INDUSTRIAL: The storage, manufacture, preparation, processing or repair of any item for off premises distribution and/or sale.

CONVENIENCE SALES: A small retail establishment providing a limited line of groceries and household items, and catering primarily to nearby residential areas. The use may have up to twenty seats for customers consuming food sold or prepared on-premise. Gasoline pumps shall not be permitted unless separately authorized.

I offer these definitions not because I don't think you don't know our code, but rather because I think the differences in business models is so stark. It's clear to anyone who lives anywhere near Moby Rick's what happens here on a regular basis. Every week there are multiple deliveries of ice from very large trucks that are set up to stage farmers market sales. Further, they have no intention whatsoever to stop doing that.

The addition of 9 Miles East will only exacerbate the situation, as their own marketing material states their intent to increase their distribution business through the creation of this facility. They currently have multiple trucks delivering pizza and other items throughout the capital district. They are not focused on catering primarily to nearby residential areas.

The variances that the project is requesting should be viewed as USE variances as they are requesting uses for this property well beyond what is permitted by current zoning. For them to suggest otherwise is disingenuous at best.

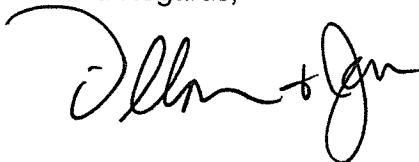
The last issue I wish to touch on is the impact of traffic. I have read the traffic "study" that was submitted with the project documents and have read the short form answers provided as well. I use the quotation marks as I feel that the document provided is comical in its content. I have watched the traffic at that corner for close to 20 years and it is a very dangerous corner at times. When you add in the large delivery trucks, bad parking jobs, pedestrian traffic, neighborhood kids, etc, it is an accident waiting to happen.

In addition to being a Chemical Engineer and an investor in a local business, I am pretty good at math and I know what it takes to make business successful. A conservative run of the numbers for this project shows that a break even point of 200 customers per day at a \$20 per customer sales point is necessary for this to succeed. Their traffic estimates don't even come close to that number, so if they are to be believed, why would you approve a project where the initial tenants are bound to fail?

In and of themselves, I have no issue with either business, but rather the size and scale that this project represents. Further, I think everyone in the area would love to see an improved Convenience Store in the 173 Lake Avenue location, operating as is allowed under current zoning, providing the kind of household and grocery items specifically detailed in the code.

Thank you in advance for your consideration of this letter and those of my fellow concerned neighbors.

Kind Regards,

A handwritten signature in black ink, appearing to read "Dillon + Jen", written in a cursive, flowing style.

Dillon and Jen Moran
[REDACTED] Lake Avenue
Saratoga Springs

Submitted
7/24/2017

Hello, my name is Karen Dixon. We own the bordering property at [REDACTED]
Warren St.

I am presenting a petition. ³⁰~~28~~ of the names are neighbors on Warren
St. and Lake Ave who are directly impacted by this proposed project
and oppose it. Please deny this proposed project.

PETITION

We, the undersigned, have grave concerns and protest the project at
173 Lake Ave, Saratoga Springs, NY

This project will have a major and radical impact on the current neighborhood.
Among the concerns are:

- Safety of current residences and nearby schools
- Increased traffic on surrounding streets
- Lowered property values
- Parking issues
- Noise
- Potential for on-site sale and consumption of alcohol
- Extended hours of operation
- Parking lot and lights
- Doubling of garbage
- Deliveries associated with TWO businesses

Name

Address & City

Email Address

Jonathan Litt



County Rte 76
Hillwater, NY

Karen Dixon



Warren St. NY

David Dwyer



Warren St.

Bertha Boyton



Blanchard Rd.

Stephen C. Smith



Warren St 2nd Fl

Collette Molloy



York Ave.

Jacqueline Molloy

"

Pete Molloy



Name

Address & City

Email Address

CAROLINE DUGAS [REDACTED] YORK AVE SS, NY [REDACTED]

Mark Dugas [REDACTED] York Ave SS, NY [REDACTED]

Jackie Dugas [REDACTED] York Ave SS, NY [REDACTED]

Michael Eve of [REDACTED] YORK AVE SS [REDACTED]

Linda Rannell [REDACTED] York Ave SS [REDACTED]

• Dan Sansone [REDACTED] WARREN ST [REDACTED]

• Marie Thuermer [REDACTED] Warren St. [REDACTED]

• Robert Marshall [REDACTED] Warren ST [REDACTED]

• Carol L. Carroll [REDACTED] Warren St. [REDACTED]

• Anne Davis [REDACTED] WARREN STREET [REDACTED]

• Sharnie John K. [REDACTED] Warren St. Saratoga Spgs. [REDACTED]

• J. P. [REDACTED] Warren St. Saratoga Spgs. NY [REDACTED]

• Charles Donath [REDACTED] East Ave owned of [REDACTED]

[REDACTED] Lake Ave S.S. NY 12866

Phyllis Greenleaf [REDACTED] Middle Ave SS NY 12866

Dennis Greenleaf [REDACTED] MIDDLE AVE SARATOGA SPGS NY 12866

John [REDACTED] Rt 9 Saratoga Rd Conesville NY 12831

DAN AUSTIN [REDACTED] YORK AVENUE SS NY 12866

• [REDACTED] warren St., Saratoga Springs, NY 12866

Michael Sagie [REDACTED] Mechan Ref. Mechanical, NY 12118

Sharon [REDACTED] York Ave Saratoga NY 12866

[REDACTED] York Ave Saratoga NY 12866 [REDACTED]

Name

Address & City

Email Address

Beverly C. LaBerge

Lake Ave,
SS 14 12866

Jim Wittmann

MIDDLE AVE SS

Eleanor Wittmann

MIDDLE AVE SS.

John M. Gowan

YORK AVE SS

W. B. Gowan

Lake Ave

Mildred B. Gowan

Bryan St. SS

James D. Hanaway

Warren ST

R. Bock

Warren ST

Elizabeth Kim Brown

Locklea Linn, Lake Hwy NY 12845

M. K. S.

Middle Ave 12866

Caryn Simonc

Middle Ave 12866

Celt 812

Middle Ave 12866

Rylee Sten

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- Extended hours of operation
- Parking lot and lights
- Doubling of garbage
- Deliveries associated with TWO businesses

Name

Address & City

Email Address

Marion J. Miller

Henry St. Saratoga Spgs

Joan W. Bryson

Lake Ave SS NY SARATOGA

John T. Brophy

Lake Ave., Saratoga Springs, NY

Bonita Sellers

Fifth Ave. Saratoga Springs, NY

Richard Sellers

Fifth Ave Saratoga Springs, NY

John H. Tycher

Lake Ave Saratoga Springs

Marie LaRose

Lake Ave Saratoga Springs NY

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Name

Address & City

Email Address

Dawn Chivers	Warren St Saratoga	
Conor Chivers	Warren St Saratoga	
Sybil Connolly	Nelson Ave SS	
Theresa Connolly	Nelson Ave SS	

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Name

Address & City

Email Address

DAN Sasowski

WARREN ST.

lake Ave

PETITION

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- Parking lot and lights
- Doubling of garbage
- Deliveries associated with TWO businesses

Name

Address & City

Email Address

Nancy D. Jellee

[REDACTED] Heritage Way
Wilton, NY

[REDACTED]

Jeri S. John

" " " "

Adam Brophy

[REDACTED] fox run sandwich ma

[REDACTED]

Danyan Umire

[REDACTED] craft rd Forestdale ma

David Wolf

[REDACTED] susan Carlsby way Sandwich ma

[REDACTED]

Michael Hammond

[REDACTED]

Jim Brown

[REDACTED] Lake Ave, Saratoga Spgs NY

[REDACTED] Vth Yr

[REDACTED] Lake Ave Saratoga Spgs NY

[REDACTED]

[REDACTED] Warren St. d.d. 719

SUBMITTED
7/24/2017

ZONING BOARD OF APPEALS

TAX PARCEL 166.45-3-46
173 Lake Avenue

- THIS IS A NICE QUIET RESIDENTIAL AREA AND THAT IS WHY MYSELF AND MANY OTHERS HAVE CHOOSE TO OWN/RENT HERE.
IF WE WANTED HIGHER TRAFFIC, NOISE AND CONGESTION FROM BUSINESSES, PEOPLE COMING AND GOING WE WOULD HAVE BOUGHT A PROPERTY DOWNTOWN OR ON BROADWAY.
- STREET ACCESS ON WARREN STREET IS ALREADY TOUGH ESPECIALLY IN THE WINTER MONTHS. WE HAVE ALTERNATE SIDE PARKING DUE TO THE NARROW STREET PASSAGE.
- THE STREET WOULD BECOME CONGESTED WITH ADDITIONAL CUSTOMERS, EMPLOYEES AND DELIVERY TRUCKS.
- HOW CAN YOU BUILD TWO ADJACENT BUILDINGS OFF OF THE ORIGINAL FOOTPRINT OF ONE BUILDING
- I'VE LIVED HERE FOR 22 YEARS AND SARATOGA USED TO BE A NICE QUIET HISTORICAL CITY. NOT ANYMORE; EVERYWHERE IN THE CITY THAT THERE WAS A PARCEL OF VACANT GREEN SPACE OR A SMALL MOM AND POP BUSINESS HAS NOW REPLACED BY CONDOS, TOWNHOUSES, HOTELS, RESTAURANTS, TAKEOUTS, MARKETS OR A PARKING LOT.

THE SMALL CITY CHARM IS RAPIDLY GOING AWAY.

Jim Hanaway
[REDACTED] Warren Street

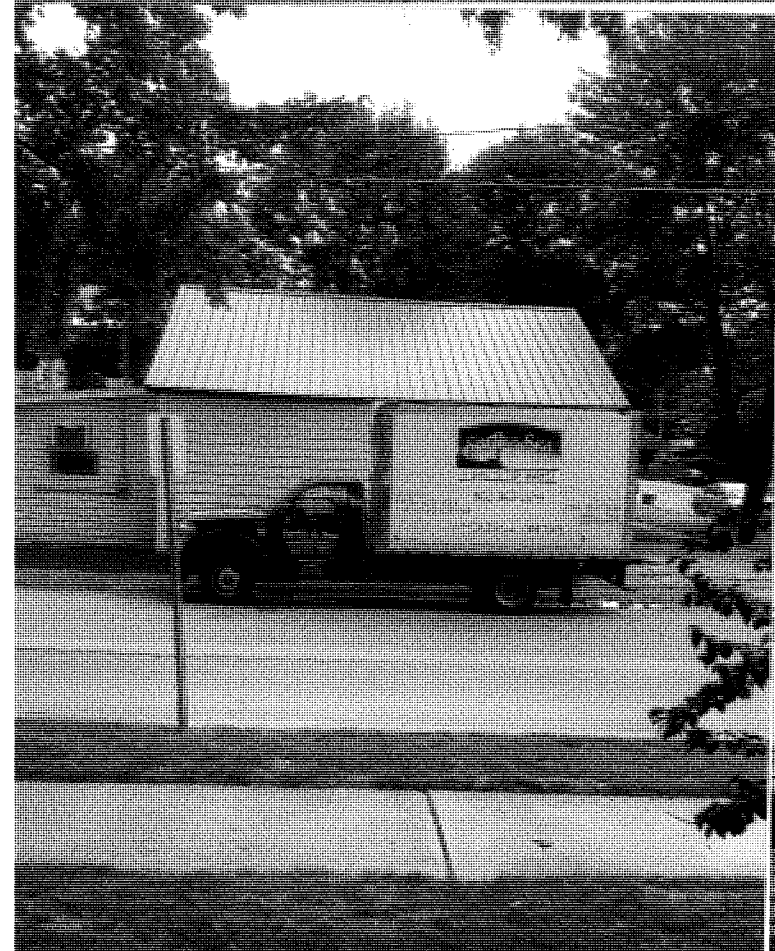












Submittal
7/24/2017

Good evening Zoning Board members,

My name is David Dixon, my wife Karen and I have owned the property at [REDACTED] Warren St. for the past 30 plus years. it is the north side of the proposed project.

I would like to comment on some of the Area Variance Responses from the applicant.

#1 – End of paragraph 1: Moby Rick's has no on site eating, and the "area" on Lake Ave. is only 1 space. The traffic report states twice that there is 15min parking in front and on-street parking on Warren St. , making it sound like there are more spaces than there really are. Also states "delivery trucks can be accommodated thru off- street parking". Delivery trucks and garbage trucks backing in or out onto narrow Warren St. is a safety hazard. It does not address Moby Rick's two large market vans, employees or delivery vehicles for 9 miles East.

Paragraph 2: Did the applicant look for a more suitable spot? Maybe a smaller design alternative.

#2- Two businesses double the traffic, garbage, delivery of supplies.

#4- It will. Again more traffic, more garbage, more noise, more delivery trucks, later hours and pizza delivery vehicles.

. (Please see attached 9 Miles East letter.)

#5- Note the letter from Steven Shaw. The fish market goes from convenience sales w/ accessory use of preparing take-out food to convenience sales w/ accessory use being eating and drinking. That is a contradictory statement being that it is 2 different uses.

Peppers Corner

173 Lake Ave, Saratoga Springs, NY 12866

Area Variance Responses

1. Whether the benefit sought be the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Four on-site parking spaces are proposed while nine are required. One of the four is partially located in the side yard setback. There are no other feasible means to add additional off-street parking to the site plan. However, the applicant is proposing to expand the area for on street parking on Warren Street to provide for four additional parking spaces, which will be a substantial improvement over existing conditions. The existing conditions involve parking on the sidewalk along Warren Street. The street is only 20 feet in width. The proposed site plan will allow all vehicles to park off of Warren Street and relocate the sidewalk to provide continuous pedestrian access even while cars are parked in the new on-street parking spaces. The number of vehicles accessing the new facility is expected to be light (see attached traffic report) and many vehicles are expected to park on Lake Avenue, which already has an area designated for 10 minute parking and is the most frequently used parking for accessing this location.

no traffic
report

1 parking space

The size and shape of the proposed building has been designed to comply with all required setbacks in the UR-3 Zone District. Larger alternatives were therefore not considered. No adjacent lands are available for purchase.

Another location? Smaller alternatives?

There are also no other feasible alternatives for the requested variance regarding signage. The Planning Department has determined that the only signage allowed at this property is one, freestanding sign no more than 4 ft.² in area. Since there will be two markets proposed at this location, this means that each market will only have a 2 ft.² sign, which will be difficult to read by persons traveling by automobile on Lake Avenue, which presents a safety hazard. In addition, there will be no identification of which purveyor is in which location.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

2 businesses
double the?

The improvements to the property, particularly the addition of new parking spaces on premises and the improvements to the Warren Street parking will be a substantial improvement over existing conditions. In addition, other improvements are planned as part of the project, which will be a substantial improvement to existing conditions by reducing other, non-parking related impacts. For example, the new structure will include a basement, which is being designed so that the existing tenant can eliminate all outside storage. In addition, all hoods associated with the kitchen areas will include odor control systems. All lighting will be dark sky compliant and

Traffic
Garbage
Deliveries

permeable surfaces will be used in conjunction with rain gardens to improve the overall environmental efficiency of the site. No stormwater management practices exist at the current facility.

The architectural character of the new building has been carefully designed to be compatible in scale and visual appearance to the structures in the neighborhood.

Relative to signs, both signs will be designed to harmonize with the architecture of the building, which will provide locational information for patrons without unnecessarily impacting the neighborhood.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variance is not substantial, because the planned parking is a substantial improvement over existing conditions. Space for one vehicle is now provided on-site. Four on-site spaces are proposed. Additionally, on-street parking improvements are planned to accommodate 4 cars on Warren Street, in addition to existing parking on Lake Ave. As such, the required 9 parking spaces are proposed to be accommodated as follows:

- 4 on-site parking spaces.
- 4 new parking spaces on Warren Street in lieu of parking on sidewalk as now occurs.
- Existing spaces on Lake Ave.

While still requiring relief for 5 parking spaces, proposed improvements for on-street parking will substantially improve the parking situation.

The sign variance is also not substantial. The Zoning Code allows commercial facilities to have signs totaling 100 ft.² for each tenant. Although it is questionable why this provision should not apply to this use, which is a commercial use allowed in this zone, the requested variance is minimal in comparison to what would be allowed for commercial structures elsewhere in the community. In addition, the ultimate configuration of the signs will be subject to the architectural review process.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The requested variance will not have any adverse environmental impacts, because it will be an improvement over existing conditions. When coupled with the other improvements that are planned for the project that will reduce or eliminate existing impacts, the new project will have a net environmental benefit to the neighborhood. In addition, it will maintain what has been a market use at this location for more than 100 years, which is part of the history and fabric of the community.

It will - more traffic, more garbage, later hours
more noise, more delivery trucks
and pizza delivery vehicles.
See Attached A-10 and letter

Environmental improvements proposed consist of installation of regulatory compliant stormwater management practices where none exist today, dark sky compliant site lighting, and use of visually compatible materials such as brick sidewalks and exterior building finish materials.

From a physical perspective, what is now a substandard condition in Warren Street will be improved. Patrons parking for Moby Rick's Seafood currently pull off onto the sidewalk. No curb exists, storm drainage puddles on the roadway and sidewalk, the grading is irregular and pedestrian access is conflicted. By siting the Warren Street facing portion of the building 10+/- back from the 10' front yard setback on Warren Street, sufficient room is available to construct dedicated on-street parking, a grass strip, and sidewalk on Warren Street, thereby correcting the current deficiencies. Additionally, Warren Street will function as a full two lane street with improved stormwater drainage and curbing.

The proposed signage will also not have any adverse impact on the environment or community character. As is noted above, the size of the wall signage will be minimal and will be compatible with the architectural style of the proposed structure.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created.

The existing conditions have been long-standing in the neighborhood for more than 100 years. The property was purchased with full knowledge of the code requirements, but was done so in recognition of the fact that the project would be developed in a manner to improve upon existing conditions and reduce adverse impacts.

Note: Please see attached Zoning Determination Letter from Steven Shaw, Zoning and Building Inspector, to Thomas S. West, dated May 4, 2017.

4833-0419-8474, v. 1

How did ~~we~~ all of a sudden
the fish market go from
"convenience item sales" to
accessory use being eating + drinking."
not allowed in UR-3 - Requires a
"Use" variance doesn't it?



City of Saratoga Springs

BUILDING DEPARTMENT
CITY HALL

474 Broadway
Saratoga Springs, NY 12866

Telephone (518)587-3550 Ext. 2511

Fax (518)580-9480

www.saratoga-springs.org

- BUILDING & PLUMBING
- CODES
- ZONING

STEPHEN SHAW
Zoning & Building Inspector
Extension 2491

DUANE MILLER
Assistant Building Inspector
Extension 2512

PATRICK COGAN
Assistant Building &
Construction Inspector
Extension 2541

JOHN BARNEY
Assistant Zoning & Building
Technician
Extension 2521

May 4, 2017

Thomas S. West
The West Firm
677 Broadway, 8th Floor
Albany, NY 12207-2996

RE: 173 Lake Avenue, Parcel # 166.45-3-46

Mr. West,

This determination letter is in response to your request to evaluate the allowable use of the property located at 173 Lake Ave., parcel #166.45-3-46, in the City of Saratoga Springs. This property is located in the Urban Residential-3(UR-3) zoning district which is designed to conserve, maintain and encourage single family and two-family residential uses. This property is also located in an Architectural Review Overlay District which requires review of all exterior features by the Design Review Commission prior to change.

This property currently enjoys the status of a pre-existing non-conforming structure and use in its capacity as a fish market and convenience item sales establishment with an accessory use of preparing take-out food. The property will lose any such status if the current structure is taken down. However, the UR-3 zoning district has several permitted uses with Special Use Permit and Site Plan Approval including convenience sales. These approvals would be required to be sought from the Planning Board.

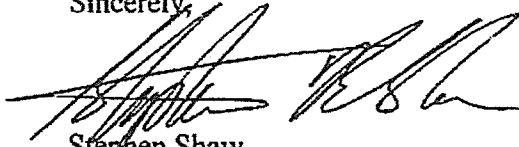
Furthermore, in order for the current structure to be demolished, a new structure to be built or any other exterior features to be installed, you must first seek the approval of the Design Review Commission.

Be advised, any new building must fit into the area requirements of the UR-3 zoning district. Being on a corner lot means that you have two 10' minimum front yard setbacks and two side setbacks of 4' minimum on one side, 12' minimum combined. Other required areas include 30% maximum lot cover and 25% minimum permeability. If you find that you will not meet any one or combination of the above then you will need a variance in order to seek Planning Board and Design Review Commission approvals.

I have reviewed your submission and have determined that the layout, as proposed, would qualify you for the convenience sales status with an accessory use being the eating and drinking. The presence of the two kitchens, although concerning, is allowable as long as most of what is being produced is for take-out or to supplement the convenience sales by offering pre-cooked items.

I hope this information was helpful in your endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Shaw', written over a horizontal line.

Stephen Shaw
Zoning and Building Inspector

SRS/kgf

Fwd: A possible big move for 9 Miles East Farm



An open letter to 9 Miles East Farm customers and the Saratoga Springs community:

Local markets like Peppers, the Pink Store, and Five Points Market created memories and anchored communities for generations of Saratoga Springs residents. 9 Miles East Farm proposes to continue that legacy with 9 Miles East Farmhouse, a local market in the former Peppers Market space at 173 Lake Avenue in Saratoga Springs.

The proposed plan would replace the current building with a structure carefully designed to integrate with the feel of the neighborhood. Current tenant Moby Rick's fish market would continue to occupy half of the new building.

9 Miles East Farmhouse would be a modern general store, featuring a carefully curated selection of grocery and convenience items, prepared foods, and baked goods tailored to the needs of East Side residents. The focus would be on local products and regional craft producers.

Like the other neighborhood markets that have defined Saratoga Springs, 9 Miles East Farmhouse would be anchored by a strong food service program offering on-premise, take-out, and delivery options. Our current pizza operation would relocate to this new space, shortening delivery times for customers and opening up the opportunity to purchase high-quality locally sourced pizza by the slice.

There is no liquor license associated with the project.

9 Miles East Farm has served the Saratoga Springs community for more than a decade, delivering fresh vegetables, prepared meals, GO Box salads, and high-quality, locally-

sourced pizza. We understand the community and are committed to creating a lasting community resource in this highly visible location.

As a proud participant in the Saratoga Springs Chamber of Commerce's Healthy Saratoga initiative, 9 Miles East Farm welcomes the opportunity to collaborate with other local businesses to showcase Saratoga Springs' healthy, walkable lifestyle.

What we are proposing is in some ways a radical departure from the industrialization of the food production, preparation, and delivery system. It's a return to a neighborhood model, sourcing from local producers and competing on quality and service rather than massive scale.

We're committed to full transparency on all details of the project. Saratoga Springs is a great place to live and there is a healthy debate going on about the pros and cons of this potential project. Change is never easy and there are always consequences, both to action and to inaction. We encourage you to review the facts and form your own opinions about the merits of the project.

Project Web site: <http://www.pepperscorner.com/>

Petition Site:

http://www.thepetitionsite.com/514/401/573/support-peppers-corner-at-173-lake-avenue/?taf_id=38113271&cid=twitter#bbfb=826056857

There is also debate on community forums. Please join and make your voice heard.

Have you ever been to a great general store on vacation? That store had everything you needed, as well as a few indulgence items you didn't exactly need but really wanted. But more important, it had a true sense of place. That's what we hope to provide.

Thank you very much for your confidence in 9 Miles East Farm. Preparing healthy, high-quality food for customers is a sacred trust. Our family and co-workers welcome the opportunity to serve the community in new ways as the food landscape continues to evolve.

Cordially,
The Sacks Family and 9 Miles East Farm team

P.S. Do you have questions or suggestions related to this project? We want to hear from you. E-mail mary@9mileseast.com

9 Miles East Farm LLC
136 Goff Road, Schuylerville, NY 12871

See what's happening on our social sites



TABLE 2: USE SCHEDULE

ZONING DISTRICT	PRINCIPAL PERMITTED USES AND STRUCTURES	USES PERMITTED WITH SITE PLAN APPROVAL	USES PERMITTED WITH SPECIAL USE PERMIT AND SITE PLAN APPROVAL	PERMITTED ACCESSORY USES AND STRUCTURES
Rural Residential (RR)	Agriculture, Single Family Residences	None	Animal Kennel, Farms, Riding Stable, Nurseries, Golf Course & Clubhouse, Private/Civic Clubs, Religious Institutions, Cemeteries, Heliport, Marinas & Docks, Neighborhood Bed & Breakfast, Neighborhood Rooming House	Farm Stand, Barns & Stables, Residential Accessory Structures, Outdoor Athletic Field and Court Facilities, Private Docks, Home Occupation, Temporary Accessory Dwelling, Family Day Care, Group Family Day Care,
Suburban Residential-1 (SR-1) Suburban Residential-2, (SR-2)	Single Family Residences	None	Private Schools, Religious Institutions, Neighborhood Bed & Breakfast, Neighborhood Rooming House	Same as RR except: no Barns & Stables
Urban Residential-1 (UR-1)	Single Family Residences	None	Private Schools, Religious Institutions, Neighborhood Bed & Breakfast, Neighborhood Rooming House Senior Housing, Senior Assisted Care Facility	Barns & Stables Residential Accessory Structures, Outdoor Athletic Field and Court Facilities, Private Docks, Home Occupation, Temporary Accessory Dwelling, Family Day Care, Group Family Day Care,
Urban Residential-2 (UR-2)	Single Family Residences	None	Same as UR-1, plus: Cemeteries	Same as UR-1

Urban Residential-3 (UR-3)	Single Family Residences, Two Family Residences	None	Private Schools, Religious Institutions, Private/Civic Clubs, Funeral Homes, Cemeteries, Neighborhood Bed & Breakfast, Neighborhood Rooming House Senior Housing, Senior Assisted Care Facility, Convenience Sales (<2,000 gross sq. ft.)	Same as UR-1
Urban Residential-4 (UR-4) Urban Residential-4A	Single Family Residences, Two Family Residences	Multi-Family Residences, Accessory uses and structures for Multi-Family Residences	Private Schools, Religious Institutions, Neighborhood Bed & Breakfast	Residential Accessory Structures for single and two-family residences

CITY OF SARATOGA SPRINGS ZONING ORDINANCE

TABLE 2: USE SCHEDULE

ZONING DISTRICT	PRINCIPAL PERMITTED USES AND STRUCTURES	USES PERMITTED WITH SITE PLAN APPROVAL	USES PERMITTED WITH SPECIAL USE PERMIT AND SITE PLAN APPROVAL	PERMITTED ACCESSORY USES AND STRUCTURES
Neighborhood Complementary Use -1 (NCU-1)	Single Family Residences, Two Family Residences	None	Day Care Centers, Neighborhood Bed & Breakfast, Neighborhood Rooming House, Corridor Bed & Breakfast, Corridor Rooming House, Convenience Sales (<2,000 gross sq. ft.), Eating & Drinking Establishments (<40 seats), Permitted if less than 1,200 gross sq. ft.: Art Gallery, Artist Studios, Retail, Service-Establishments, Office	Residential Accessory Structures, Home Occupation, Temporary Accessory Dwelling, Maintenance/Storage Facilities
Neighborhood Complementary Use -2 (NCU-2)	Single Family Residences, Two Family Residences	None	Same as NCUD-1, except: No Day Care Center, No Retail, No Eating & Drinking Establishments	Same as NCUD-1
Neighborhood Complementary Use -3 (NCU-3)	Single Family Residences, Two Family Residences	None	Multifamily Residences, Senior Housing, Permitted if less than 1,200 gross sq. ft.: Art Gallery, Artist Studios Permitted if less than 1,800 gross sq. ft.: Office	Same as NCUD-1
Office/Medical/Business-1 (OMB-1) Office/Medical/Business-2 (OMB-2)	None	Office, Medical Office/Clinic, Parking Facilities	Senior Housing, Senior Assisted Care Facility, In addition: Hospitals and Nursing/Convalescent Homes in OMB-2	Residential Accessory Structures, Maintenance/ Storage Facilities

Zimbra

susan.barden@saratoga-springs.org

Nine Miles East Lake Avenue project.

From : Annmarie Cipollo <[REDACTED]>

Mon, Jul 24, 2017 11:16 AM

Subject : Nine Miles East Lake Avenue project.**To :** Susan Barden <susan.barden@saratoga-springs.org>

Hello,

I am out of town and cannot attend tonight's meeting to support the Nine Miles East project on Lake Avenue.

Normally I feel that development in our city favors the developers to the detriment of the homeowners, but not this time.

9 Miles East has a history of being a responsible business that is very community minded. It seems clear that their intentions for this site are to benefit and work with the community.

I encourage you to approve this project as it will benefit all.

Respectfully submitted,
Annmarie Cipollo
[REDACTED] Wedgewood Drive
Saratoga Springs

Submittals
7/24/2017 w/
PHOTOS
zoning board 7/24/2017

For
Board
Records

I am asking that this proposal be denied as presented on the application. My concerns and questions are as follows:

1. AREA variances are being sought should be USE
2. not convenience sales but distribution : fish and pizza
definition of convenience of doesn't include take out or delivery
3. notice to homeowners from city says area variance to demolish and signs for 2 retail tenants
4. no notice given to us about parking variance but cover letter on application state they are asking for parking also
5. this is a NEW USE now two businesses pizza delivery and an eat in take out for both. Never was this before.
6. IF a parking variance is being addressed . What is the standard being held to? Mr. Shaws letter does not address parking at all.
7. off street loading off street parking area may not be used to satisfy . Currently ONE business gets at least 6 in a week now TWO will double that. (*delivery trucks*)
8. outdoor eating area not allowed use in UR 3 . Outdoor patio is on plans.
9. Could they achieve these businesses by other means? YES many truly commercial spaces available. Did they try to find more suitable?
10. EXTENSION OR EXPANSION OF USE They are seeking both to extend AND expand . Two distinct separate businesses in a space currently where only ONE exists.

11. estimated total property values for surrounding neighbors is 6 million dollars.

Based on these concerns please deny this application.

Very concerned property owner,

Joan And John Brophy

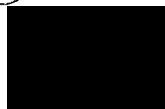
████ Lake Ave. Saratoga Springs

Mr Moore,

*please enter this into
the record.*

*I also request a
polling of the vote*

Joan D Brophy



Lake Ave

Mr Moore

City of Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

7/17/17

Att: Bill Moore, Chair



Dear Mr. Moore,

We are writing to you regarding a requested area variance and sign variance for the former Peppers Market (currently operating as Moby Rick's Seafood Market) located at 173 Lake Ave. It is proposed that the building in place now be torn down and replaced by a much larger structure that will house 2 businesses. We have been notified that this will be on the ZBA agenda at the meeting scheduled for July 24, 2017.

The immediate neighbors are in major opposition to this change. With only 7 days' notice we don't think there is sufficient time to gain legal representation for the meeting on 7/24. We have been in contact with three prominent local attorneys who all have conflicts and have a meeting scheduled with a fourth this week.

We believe that the proposed change is a radically different use of this property given that this neighborhood is zoned UR3 residential. If granted this variance will alter the essential character of the neighborhood. We understand that Peppers has been a "grandfathered" business for convenience sales. What it has become is a fish market with no real "convenience" sales. It is now proposed that a new eat in-take-out food and pizza delivery business along with the fish market will operate as 2 separate businesses in a much larger building. There is proposed inside seating for both businesses and per Tom West the developer the possibility of both businesses offering alcohol in the future. There are major concerns regarding the quality of life in this neighborhood along with major parking, noise, garbage, deliveries, parking lot lights, all on a very small Warren St.

We are asking that this proposal be tabled until we can gain proper legal representation. We look forward to voicing our concerns directly to the ZBA on 7/24/17.

Sincerely,

John B. Bepko [redacted] *Lake Ave., Saratoga Springs, NY*
Joan D. Bepko [redacted] *Lake Ave.*

(owners of [redacted] Lake Ave)

DEVALL AND DEVALL

Attorneys at Law

59 FRANKLIN STREET
SARATOGA SPRINGS, NEW YORK 12866

RICHARD F. DEVALL
DAVID F. DEVALL

† ALSO MEMBER OF THE FLORIDA BAR

November 3, 2016

Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

Re: Area Variance Application of Richard F. and David F. DeVall
Premises: 59 Franklin Street, Saratoga Springs

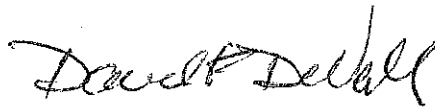
Gentlemen:

Enclosed please find the following:

1. Completed and signed Application for Use Variance, Page 1 through Page 8, inclusive;
2. Completed and signed SEQR Environmental Assessment Form;
3. Detailed "to scale" drawing of proposed Carriage House project;
4. Photographs showing the site and subject of our appeal, and photographs of adjoining and neighboring properties;
5. Plan depicting façade of proposed Carriage House, with floor plans for garage and second floor; and
6. Our check payable to "Commissioner of Finance" for the \$150.00 application fee for a Residential area variance.

Very truly yours,


Richard F. DeVall


David F. DeVall



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name	Richard F. DeVall and David F. DeVall		
Address			
Phone			
Email			

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 59 Franklin St. Saratoga Springs, NY 12866 Tax Parcel No.: 165 59 1 54
(for example: 165.52 - 4 - 37)
2. Date acquired by current owner: November 22, 1994 3. Zoning District when purchased: UR-4
4. Present use of property: First floor professional office; 1 Apt up; 1 Apt rear 5. Current Zoning District: UR-4
6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? May, 2005 For what? Carriage house w/apt up)
☒ No
7. Is property located within (check all that apply)? ☐ Historic District ☒ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?
8. Brief description of proposed action:
Applicants propose to construct a Carriage House approximately 43' x 29' with three (3) parking stalls down and one (1) apartment up. Architectural style of carriage house exterior to be Greek Revival, same as main building.
9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
11. Identify the type of appeal you are requesting (check all that apply):
☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

[illegible]

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim “unnecessary hardship” if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

[illegible]

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) Table 3 Area and Bulk Schedule

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Set back along Marvin Alley (deemed to be a Side Yard)	20 feet	5 feet
Set back along Cherry Street (Deemed to be a Front Yard)	25 Feet	5 Feet

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

Any other positioning of the proposed building would be esthetically displeasing and wasteful of the existing green space behind the existing building. It would also be contrary to the traditional placement of a carriage house behind an 1832 Greek Revival.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

It would not cause an undesirable change or detriment, particularly in light of the recent new development of properties to the east and to the west rear of the subject property. And, in fact, it would cause a desirable change in the character of the neighborhood by bringing the overall use of the property in conformity with the neighborhood.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The request is for the minimum amount of relief necessary to build the structure in an esthetically and historically responsible manner.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

Construction of this Carriage House will have no known adverse effect on the neighborhood, the District or the site itself.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The requested variance was not self created. The development of the site has not changed since acquired and is not relevant to the requested relief. Applicants did not foresee the need to build this structure at the time the property was acquired. Moreover, Applicants suggest the relief requested is not precluded as self-imposed because greater dimensional relief has been granted two properties directly across from Applicants at 66 Franklin (165.59-1-52.11) and 60 Franklin (165.59-1-94).

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)

Date: 11/2/16

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
59 Franklin Street, Saratoga Springs NY. Sponsors: David F. DeVali and Richard F. DeVali			
Name of Action or Project: Carriage House			
Project Location (describe, and attach a location map): 59 Franklin Street, Saratoga Springs NY, corner of Franklin Street and Cherry Street.			
Brief Description of Proposed Action: Construct detached two-story Carriage House with three (3) garage stalls on first floor and one (1) residential apartment on the second floor.			
Name of Applicant or Sponsor: David F. and Richard F. DeVali		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: Saratoga Springs Design Review Commission.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.273 acres	
b. Total acreage to be physically disturbed?		0.031 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.273 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>David F. DeVall Richard F. DeVall</u> Date: _____ Signature: _____		

EXISTING ADDITIONAL ACCESS

ALLEY (17' WIDE R.O.W.)

5' MIN

Proposed
CARRIAGE HOUSE

44'W x 29'
1276 sq ft

0.273 ACRES

LOT 56

LOT 57

PAVED PARKING
ADDED

HANDICAP
ACCESS ADDED
1997 PER PERMIT

184.00

TWO STORY FRAME HOUSE
Approx 1700 sq ft

EXISTING 6" SEWER
LATERAL

FRANKLIN STREET
(60' WIDE R.O.W.)

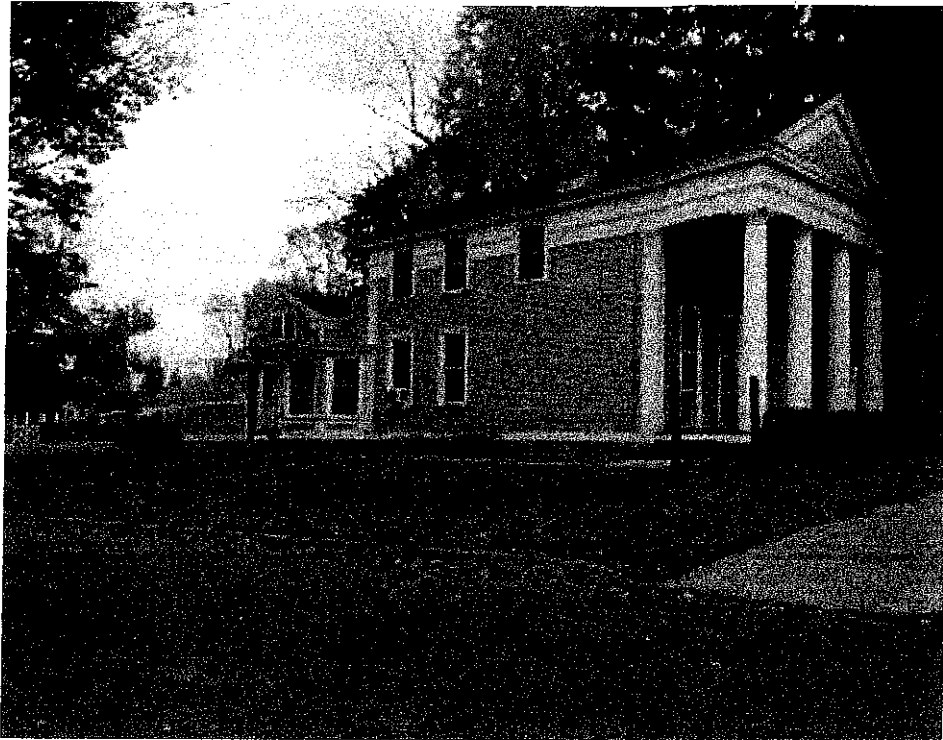
SCALE: 1.0" = 21.25' (approx)



Subject Property Front



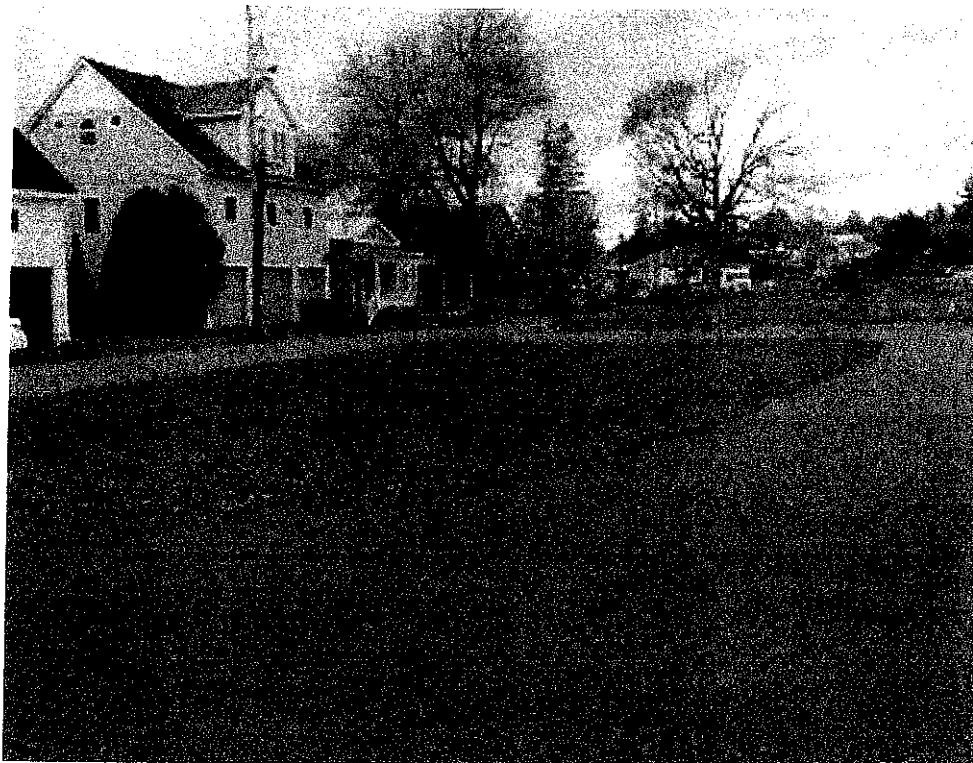
Subject Side Yard



Subject Property South side



Access from Cherry Street



Proposed location of Carriage House



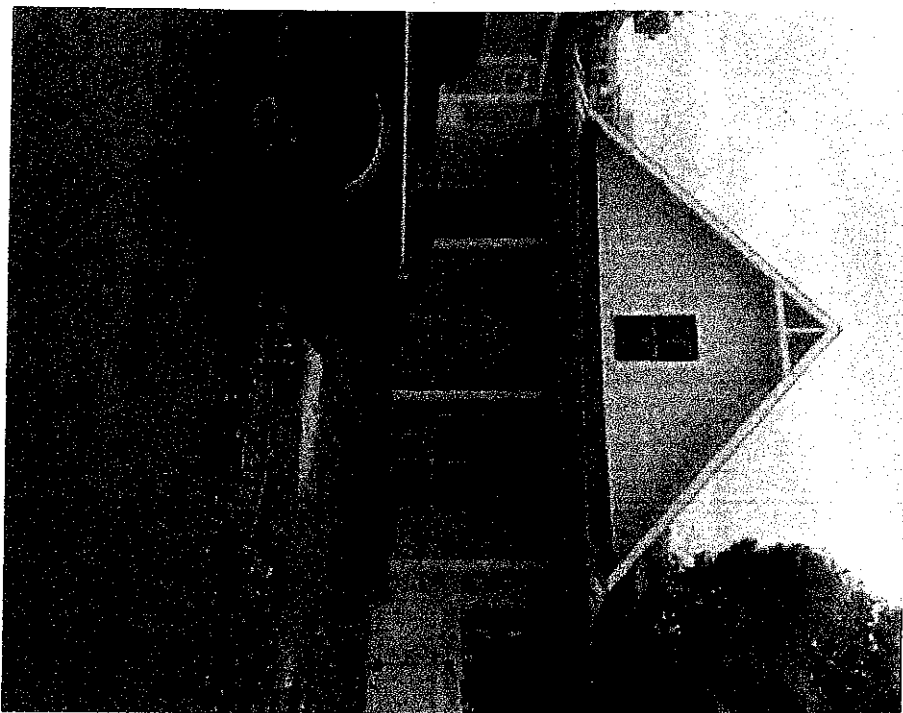
Parking Area and rear egress



View North along Marvin Alley



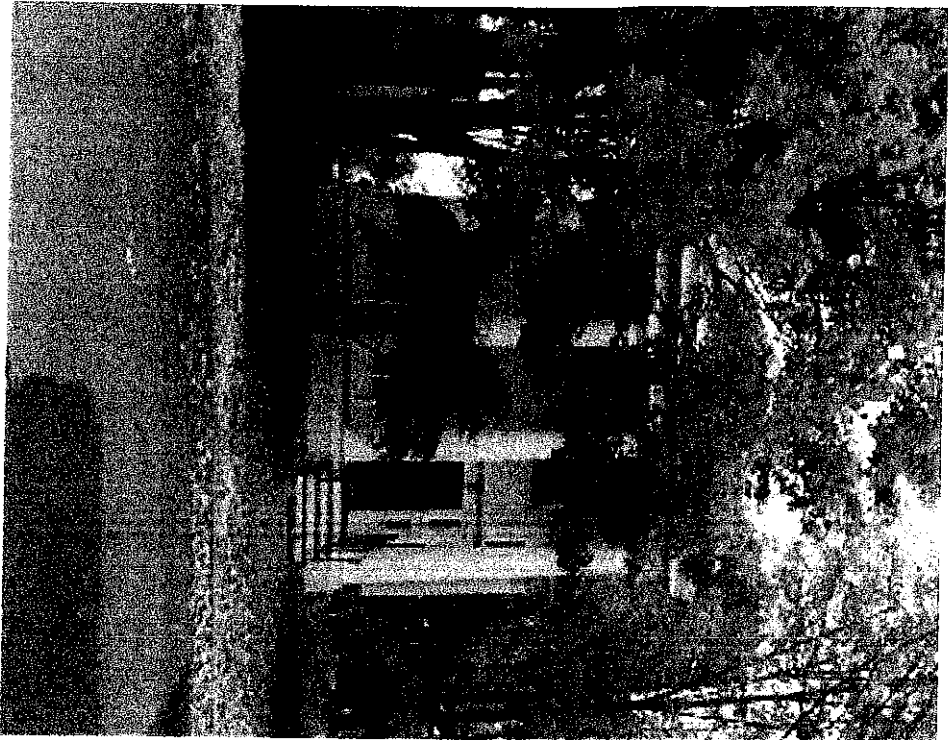
View West from Subject Rear



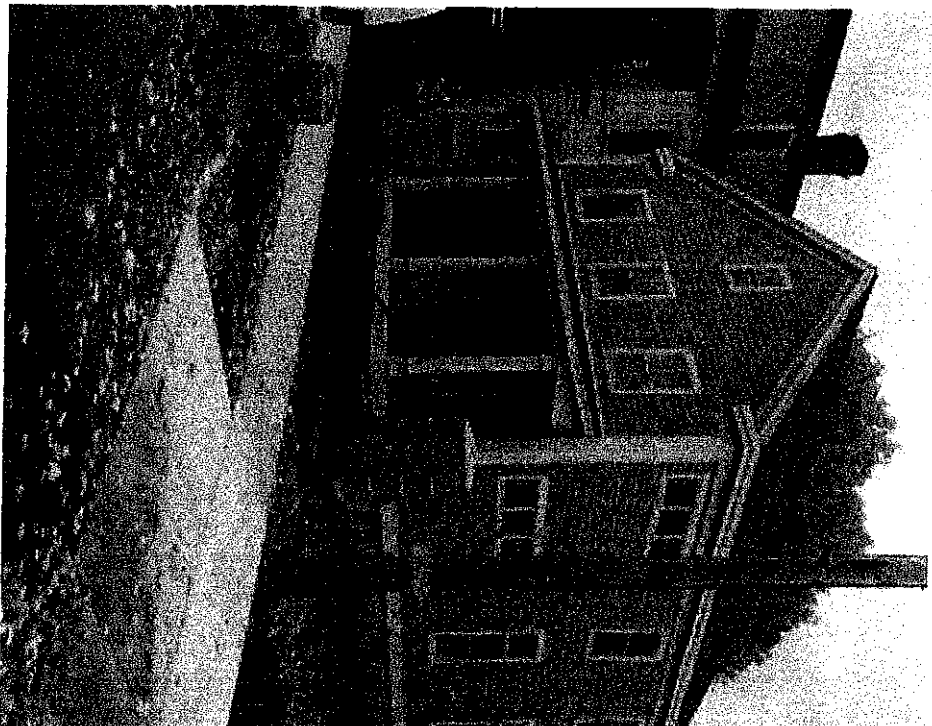
60 Franklin
(Opposite Subject)



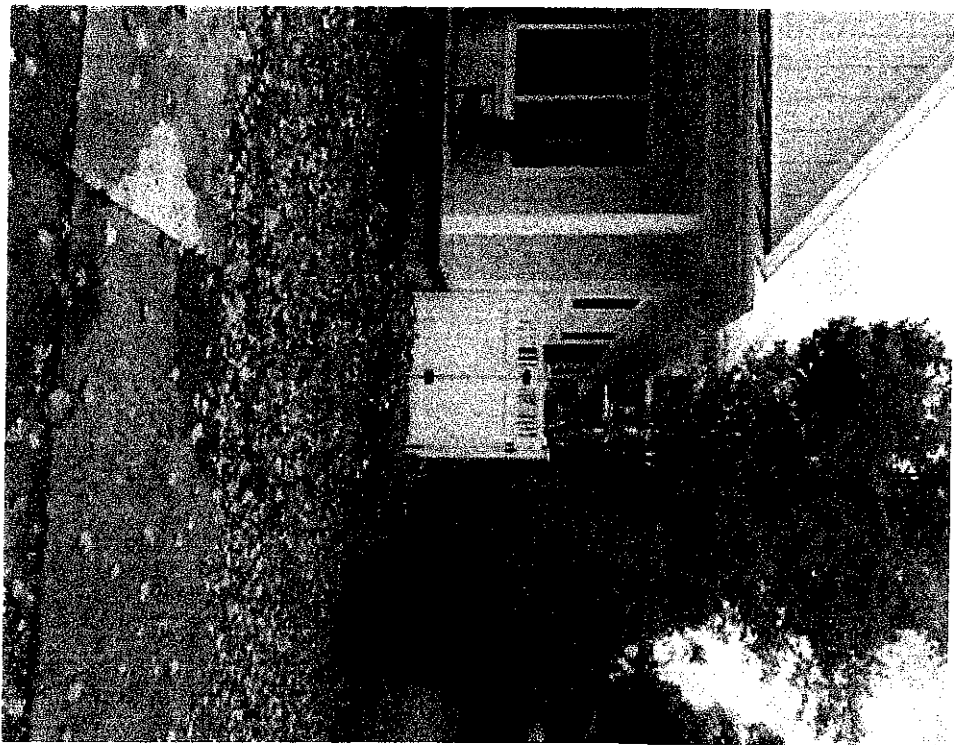
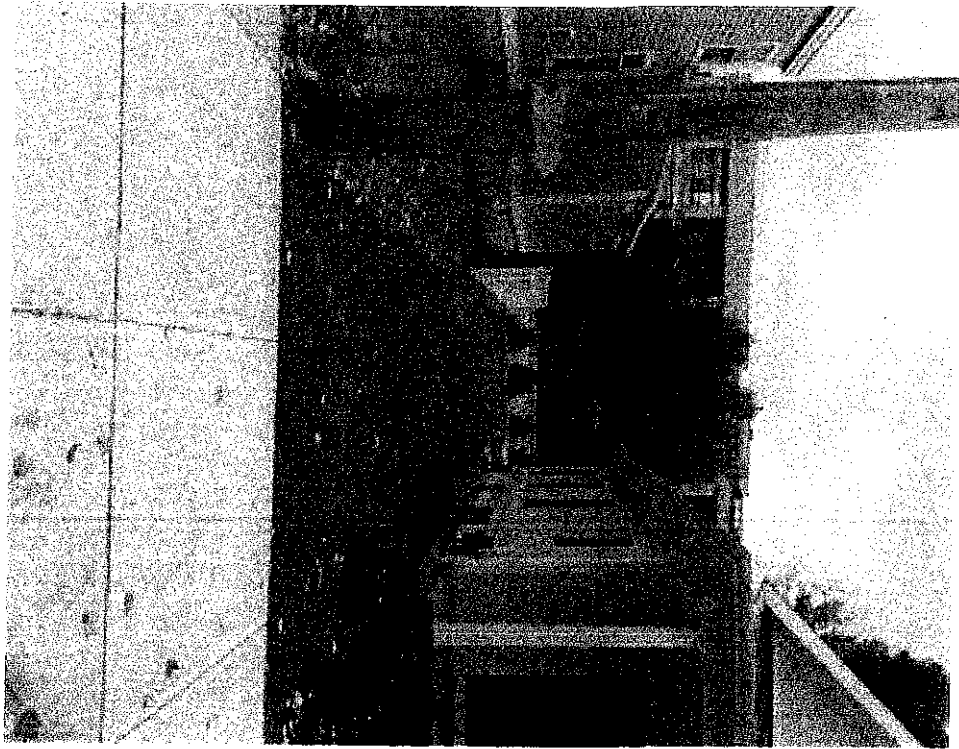
54 Franklin
(opposite to the South)



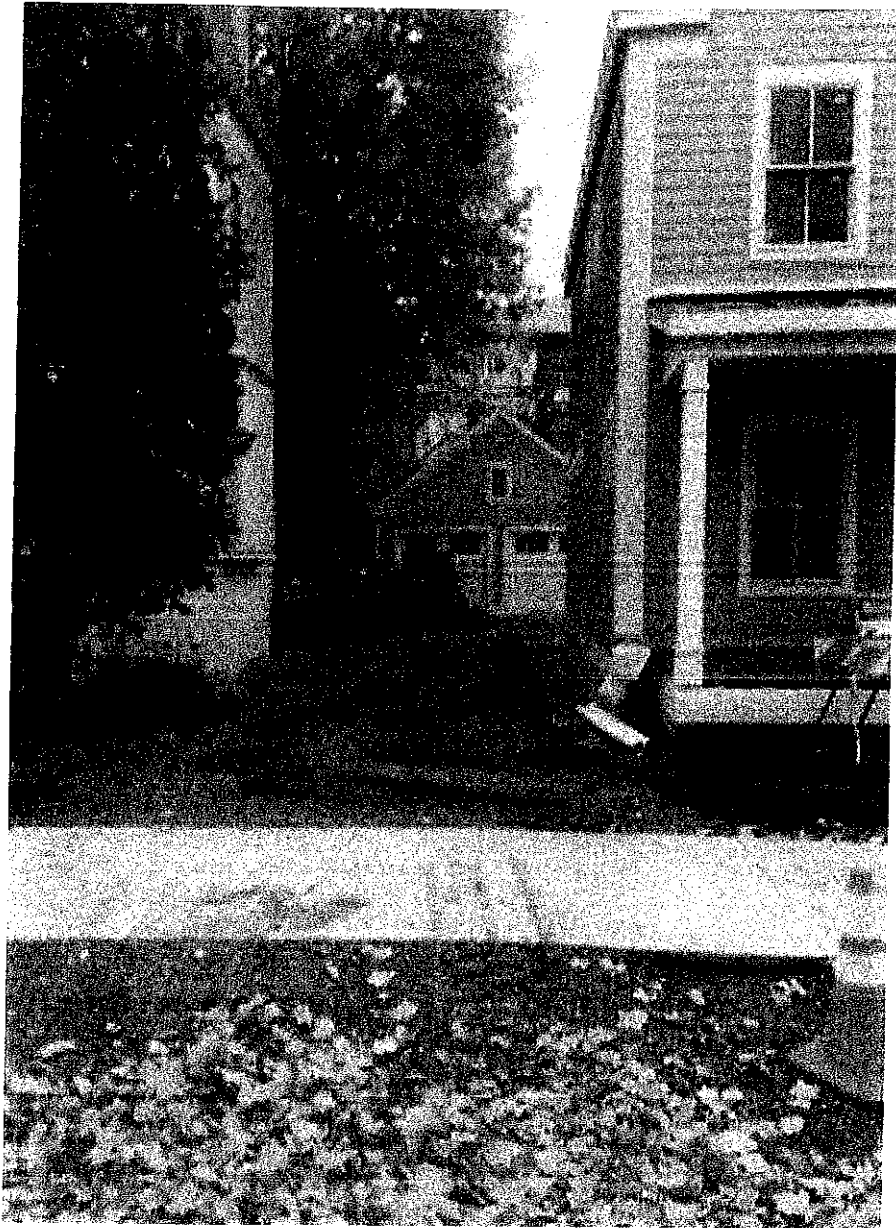
63 Franklin
(Adjoiner to Subject)

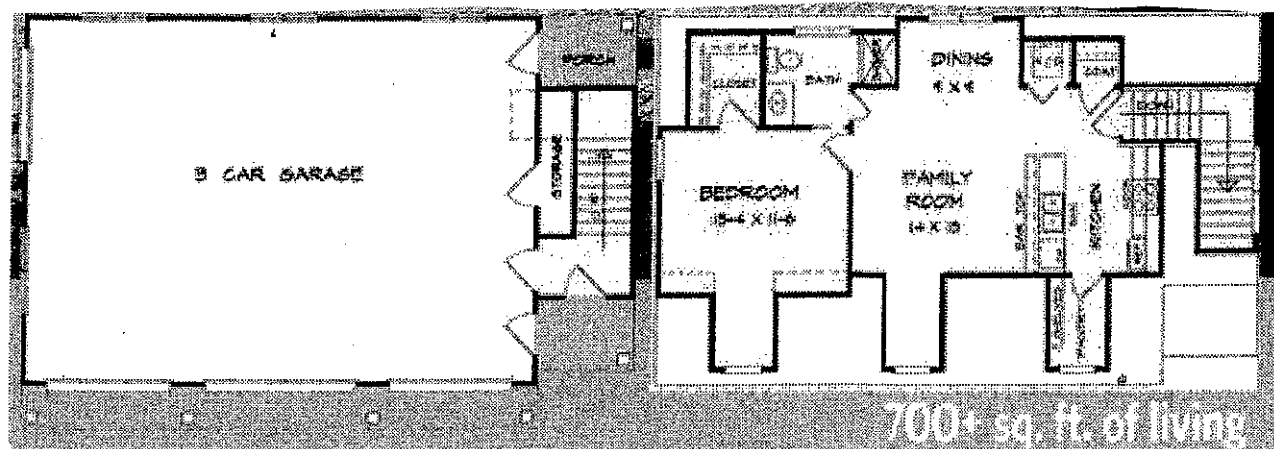


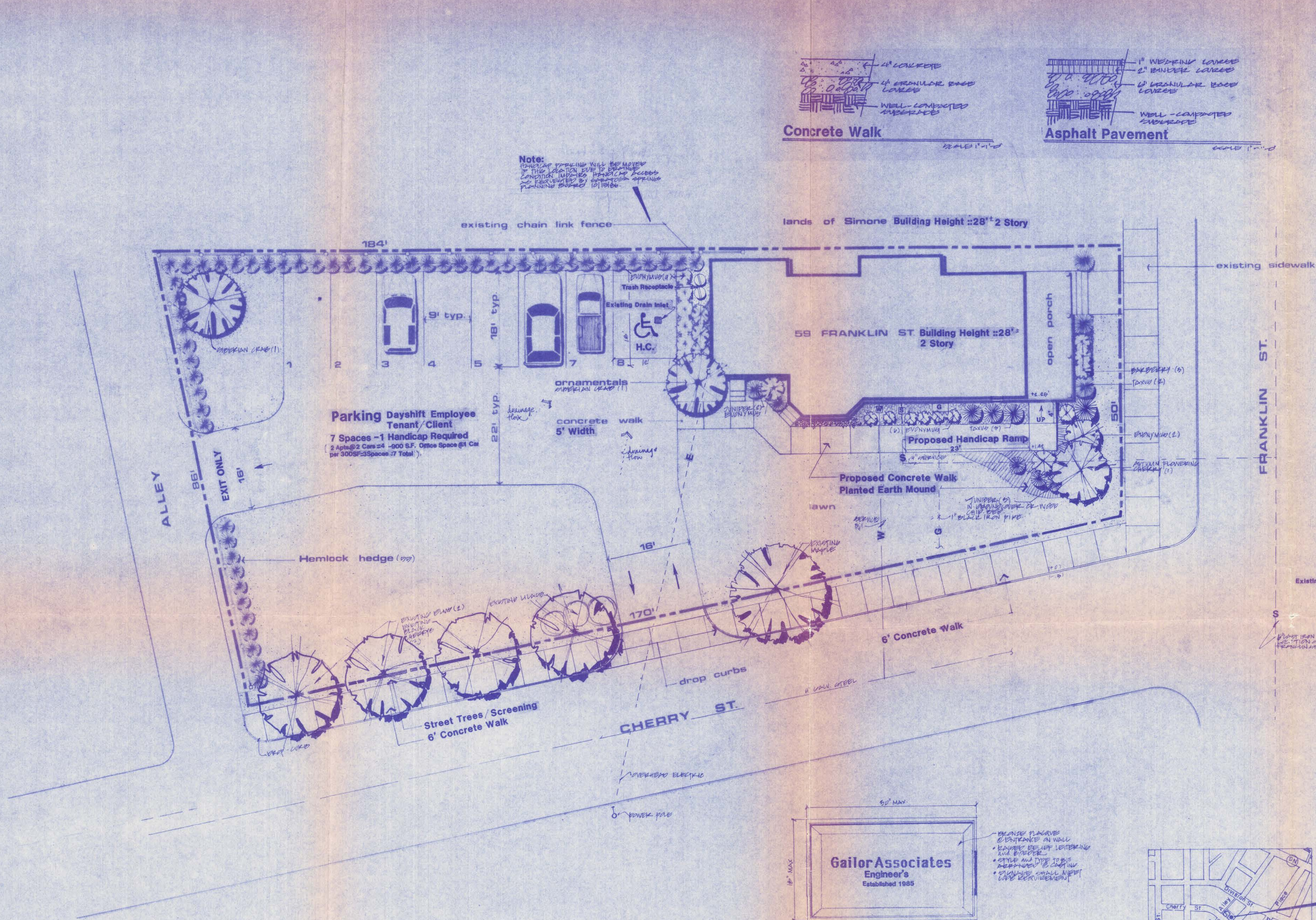
66 Franklin
(opposite to the North)



Views of Yards at 60 and 66 Franklin







SITE PLAN
SCALE 1"=10'-0"

NOTES

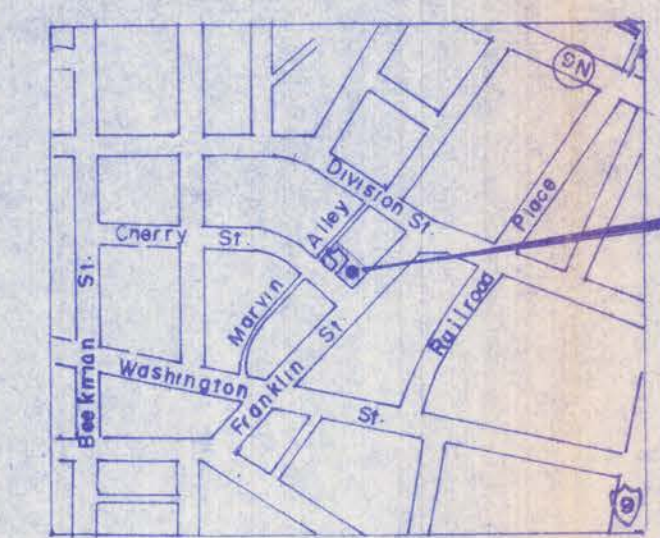
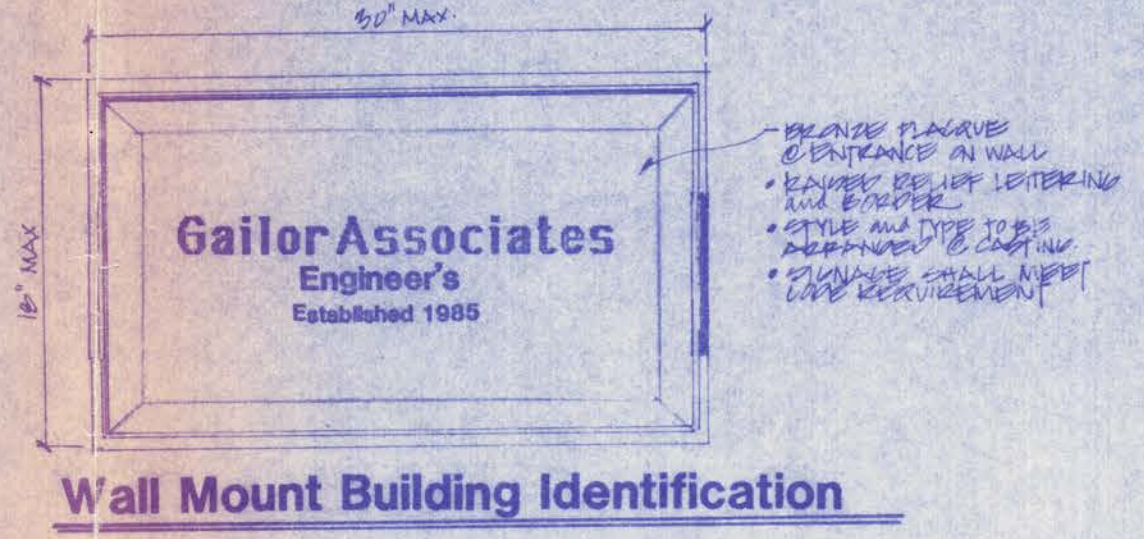
TAX MAP SECTION	BLOCK	LOT
100-101	1	54

LAND USE

LOT SIZE	BUILDING COVERAGE	PAVING COVERAGE	GREENSPACE
12,110 SF	1724 SF	4426 SF	5960 SF
= 27.6 ACRE	= 14.26%	= 36.55%	= 49.19%

PLANT LIST

Common Name	Botanical Name	Quantity	Size	Comment
SIBERIAN CRAB	WALNUS ERICATA	2	6"-8"	2'x10'
CANADIAN HEMLOCK	TAXUS CANADENSIS	2	6"-8"	2'x10'
ANDORRA JUNIPERS	SPINIFOLIA PLUMOSUS	2	6"-8"	2'x10'
BARBERRY	BERBERIS THUNBERGII	2	6"-8"	2'x10'
JAPANESE YEW	YUCCA MEDIA HORTENSIS	2	6"-8"	2'x10'
SPREADING DOGWOOD	FRAXINUS ALBA/COMPTONII	2	6"-8"	2'x10'
PLANTING CHERRY	PRUNUS CERISESTELLA	2	6"-8"	2'x10'



Approved under authority of a resolution adopted 10-15-86 by the Planning Board of the City of Saratoga Springs
William Cummings, Chairman

Date Signed 10-30-86



Site Plan

DEVALL AND DEVALL

Attorneys at Law

59 FRANKLIN STREET
SARATOGA SPRINGS, NEW YORK 12866

RICHARD F. DeVALL
DAVID F. DeVALL

† ALSO MEMBER OF THE FLORIDA BAR †

November 30, 2016

Susan Barden
Saratoga Springs Building Department
City Hall
Saratoga Springs, NY 12866 via regular mail and email: susan.barden@saratoga-springs.org

Re: 59 Franklin Street
Application for Area Variance

Dear Susan:

Thank you for your call of yesterday. As discussed, I am writing to furnish our analysis of the percentage of lot coverage.

In rechecking my calculations I find that the lot coverage is somewhat higher than I expected, but clearly below the 25% permitted maximum.

According to the City's assessment records, the lot size is .290 acres. A copy is attached. The survey map submitted with our Application shows the lot size as .273 acres. Using the latter number, multiplying $.273 \times 43,560$ square feet in an acre, results in a lot containing 11,891.88 square feet.

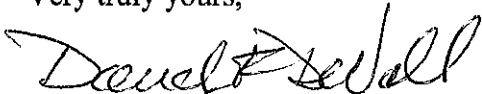
The proposed carriage house at 44 feet wide by 29 feet deep, covers 1276 square feet.

We have carefully measured the footprint of the existing building, including the front porch and side deck. We believe the coverage to be 1537 square feet.. This comports with the tax assessors footprint estimate of 1600 ft.²

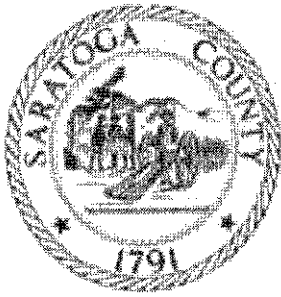
The combined footage of 2813 square feet is 23.65% of the lot.

Thank you for your attention.

Very truly yours,



David F DeVall


[Navigation](#) [GIS Map](#) [Tax Maps](#) [DTF Links](#) [Assessment Info](#)
[Help](#) [Log In](#)
Commercial[Property Info](#)[Owner/Sales](#)[Inventory](#)[Improvements](#)[Tax Info](#)[Report](#)[Comparables](#)**Notes**[View Notes](#)

Municipality of City of Saratoga Springs, Inside

SWIS:	411501	Tax ID:	165.59-1-54
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Tax Map ID / Property Data

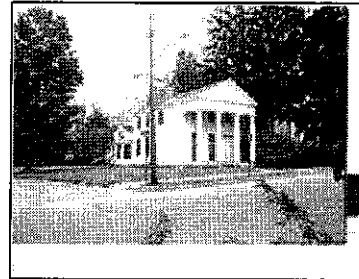
Status:	Active	Roll Section:	Taxable
Address:	59 Franklin St		
Property Class:	483 - Converted Res	Site Property Class:	483 - Converted Res
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	UR4 -	Bldg. Style:	Not Applicable
Neighborhood:	15192 -	School District:	Saratoga Springs
Property Description:	S-10 B-C L-1 L-2 Ee-63		
Total Acreage/Size:	0.29	Equalization Rate:	----
Land Assessment:	2016 - \$164,200	Total Assessment:	2016 - \$264,900
Full Market Value:	2016 - \$353,200		
Deed Book:	1400	Deed Page:	303
Grid East:	681800	Grid North:	1548496

Special Districts for 2016

Description	Units	Percent	Type	Value

Photographs

(Click on photo to enlarge it.)



165.59-1-54

Documents

No documents found for this parcel

Maps[View Tax Map](#)[Pin Property on GIS Map](#)[View in Google Maps](#)[View in Bing Maps](#)[Map Disclaimer](#)



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name <u>Anthony Maney</u>		<u>Corinna Martino, PE/Jon Lapper, esq</u>
Address <u>[REDACTED]</u>		<u>1 Washington Street</u>
<u>[REDACTED]</u>		<u>Glensfalls, NY 12801</u>
Phone <u>/</u>	<u>/</u>	<u>[REDACTED] /</u>
Email <u>[REDACTED]</u>		<u>[REDACTED]</u>

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

I. Property Address/Location: 18 Cherry Street & 38 Marvin Alley Tax Parcel No.: 165.58-3-11 & 165.58-3-39 & 165.58-3-40
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: 02/2017 3. Zoning District when purchased: UR-4

4. Present use of property: Residential 5. Current Zoning District: UR-4

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? unknown For what?)
☒ No

7. Is property located within (check all that apply): ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: Demolish existing 4-unit home at on 18 Cherry Street parcel, and construct two residential condominium buildings. One 5-Story building will front on Marvin Alley (8 units) and one 4-story structure will front on Cherry Street (6 units).

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Table 3 Section 2

The applicant requests relief from the following Zoning Ordinance article(s) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Maximum Building Coverage	25%	32%
Front Yard Setback	25'	6"
Rear Yard Setback	25'	22'-8"
Minimum Lot Size	3000 SF/DU	1980 SF/DU

Other: _____

Parking in the side yard and front yard setback.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The benefit cannot be achieved by other feasible means due to the size and shape of the lot and the constraints that this creates.

The client has explored several alternative designs which were discussed with City Staff, and modifications were made according to staff comments. The applicant acquired additional land (38 Marvin Street) in order to reduce or eliminate variances from the original project that was discussed with City Staff.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The existing building onsite has fallen into extreme disrepair, and is proposed to be removed as part of this project. The proposed buildings will relate to the neighborhood character and is located in the transition zone from downtown core to more of a residential neighbor hood. The proposed project will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variance for building coverage and rear yard setback are not substantial. The variances for the front yard setback back would appear to be substantial, however, neighboring home in the intimate area are constructed with similar front yard setbacks to what is requested, and therefore is not substantial. The minimum lot size variance is substantial, however coverage is similar to that of parcels immediately surrounding the project.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The granting of the variances would not have adverse physical or environmental impacts on the neighborhood as this project is keeping with the residential neighborhood which is currently in transition, with a 2-unit home recently constructed and a town-home project being constructed across the street. Municipal water, sewer and stormwater are in close proximity to the site.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The difficulty was not self-created. Due to the current setback requirements little to no buildable area would exist on the property that would allow for development.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____ . _____ - _____ - _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

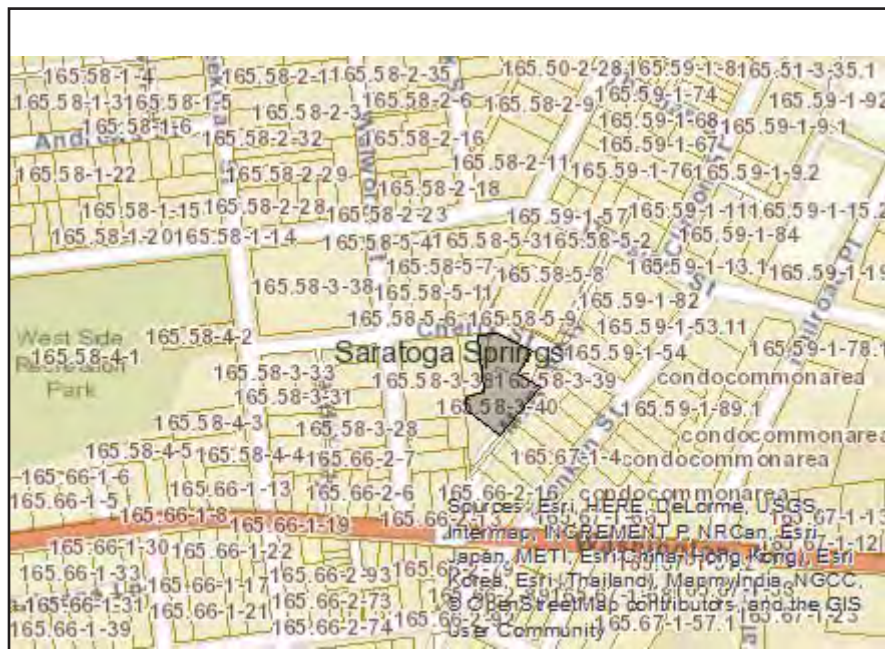
Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: 18 Cherry Street			
Project Location (describe, and attach a location map): 18 Cherry Street & 36 Marvin Alley Saratoga Springs, NY			
Brief Description of Proposed Action: Demolish existing 4-unit home at on 18 Cherry Street parcel, and construct two residential condominium buildings. One 5-Story building will front on Marvin Alley (8 units) and one 4-story structure will front on Cherry Street (6 units). Total of 14 residential units are proposed.			
Name of Applicant or Sponsor: Anthony Maney		Telephone: E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Saratoga Springs Planning Board		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.63 acres	
b. Total acreage to be physically disturbed?		_____ 0.63 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.63 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES City of Saratoga Springs Storm Sewer _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Corinna Martino</u> Date: <u>3/12/2017</u> Signature: <u>Corinna Martino</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No



Project Site – 18 Cherry Street

Cherry Street –Variance Application



Project Site – 18 Cherry Street

Cherry Street –Variance Application



Project Site – 36 Marvin Alley

Cherry Street –Variance Application



Project Site – 36 Marvin Alley

Cherry Street –Variance Application



Roof Terrace



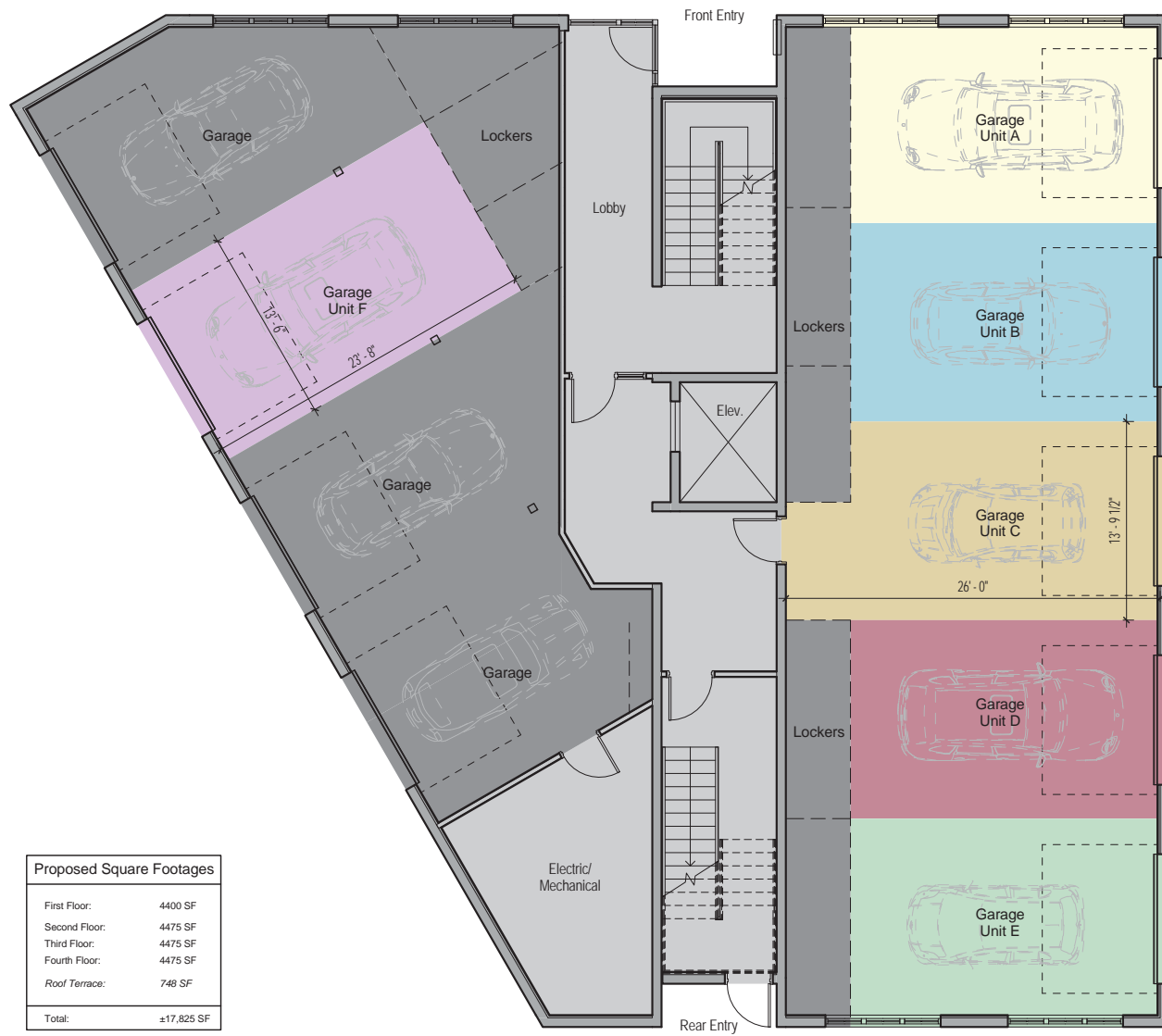
Entry



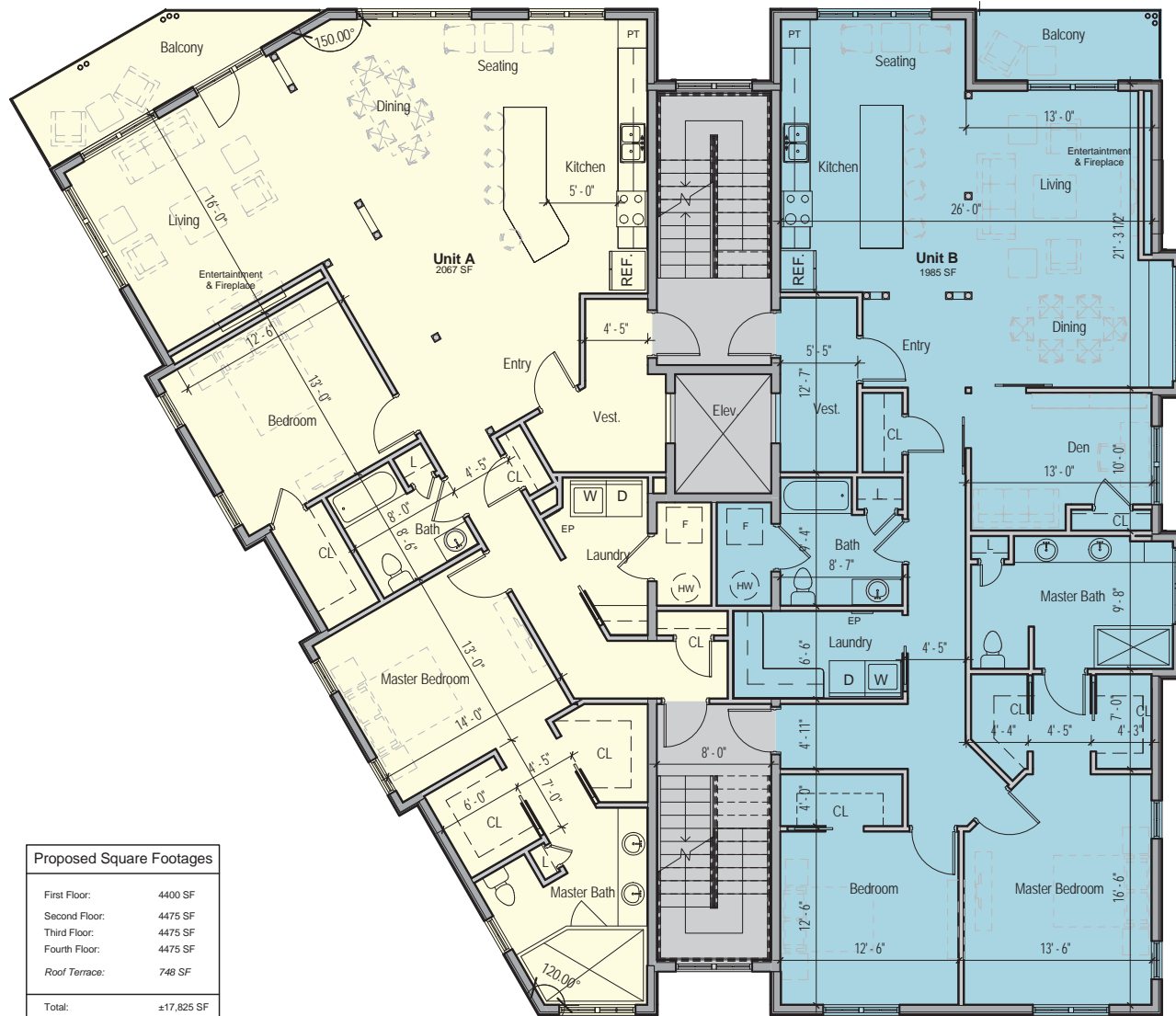


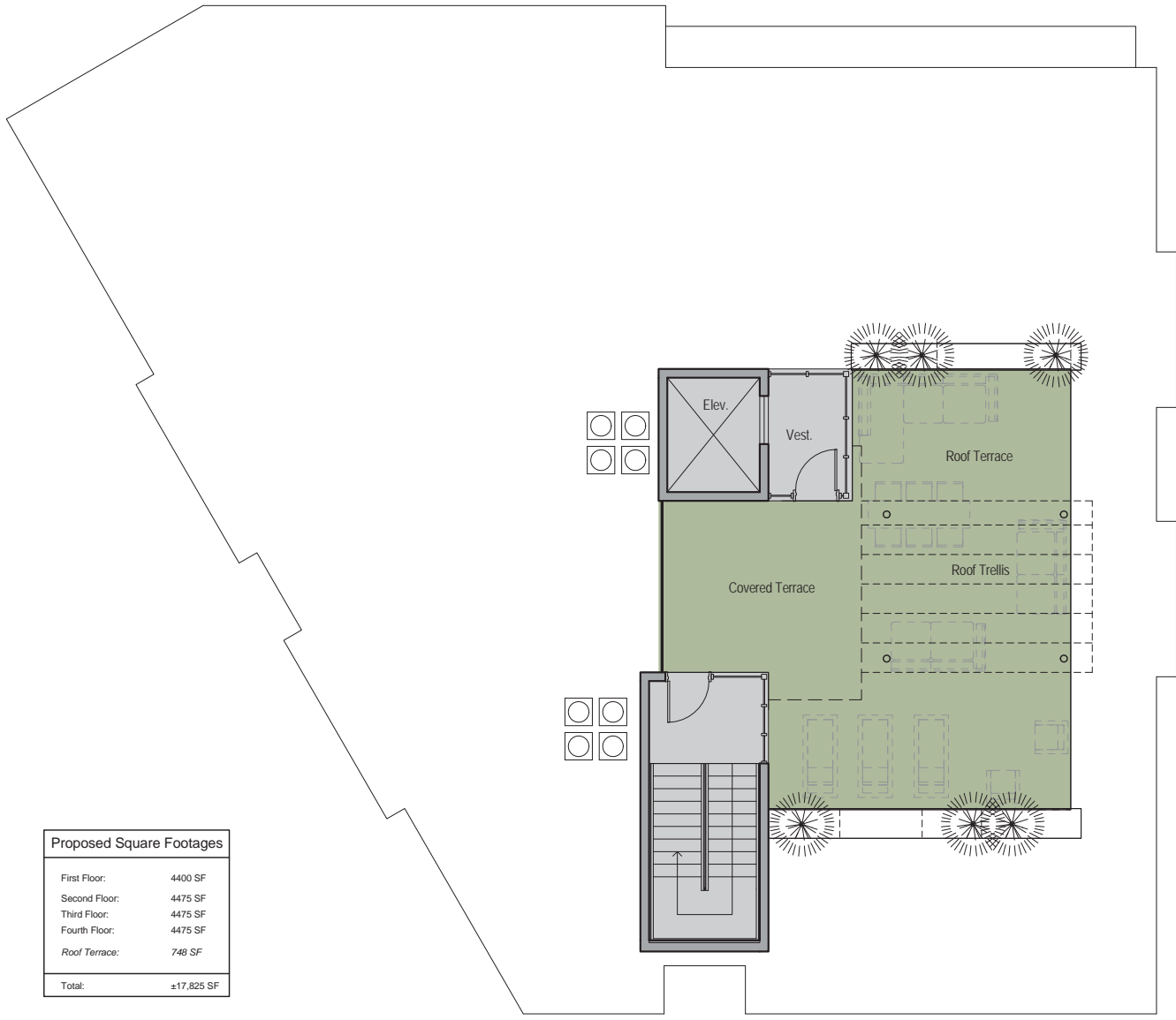
Total Site Area:	0.63 acres 27,726 SF
Building Coverage:	± 32% ± 9,000 SF of Coverage
Green Space	± 25%
Parking Spaces	22 Provided 18 Garage 4 Surface





Proposed Square Footages	
First Floor:	4400 SF
Second Floor:	4475 SF
Third Floor:	4475 SF
Fourth Floor:	4475 SF
Roof Terrace:	748 SF
Total:	±17,825 SF





Proposed Square Footages	
First Floor:	4400 SF
Second Floor:	4475 SF
Third Floor:	4475 SF
Fourth Floor:	4475 SF
Roof Terrace:	748 SF
Total:	±17,825 SF





Notes

Lot numbers refer to a "Plan of part of the Village of Saratoga Springs showing property owned by J.M. Marvin and others" dated 1867 and filed in the Saratoga County Clerk's Office on 30 November 1878 as Map EE-63.

Refer to a map entitled "Franklin Square Associates at Cherry Street and Marvin Alley" dated 1 April 1989 by Rhinevault Surveyors.

Refer to a map entitled "Survey for Elkworth Ice Cream Company" dated 2 November 1989 by Terry L. Humiston, Surveyor.

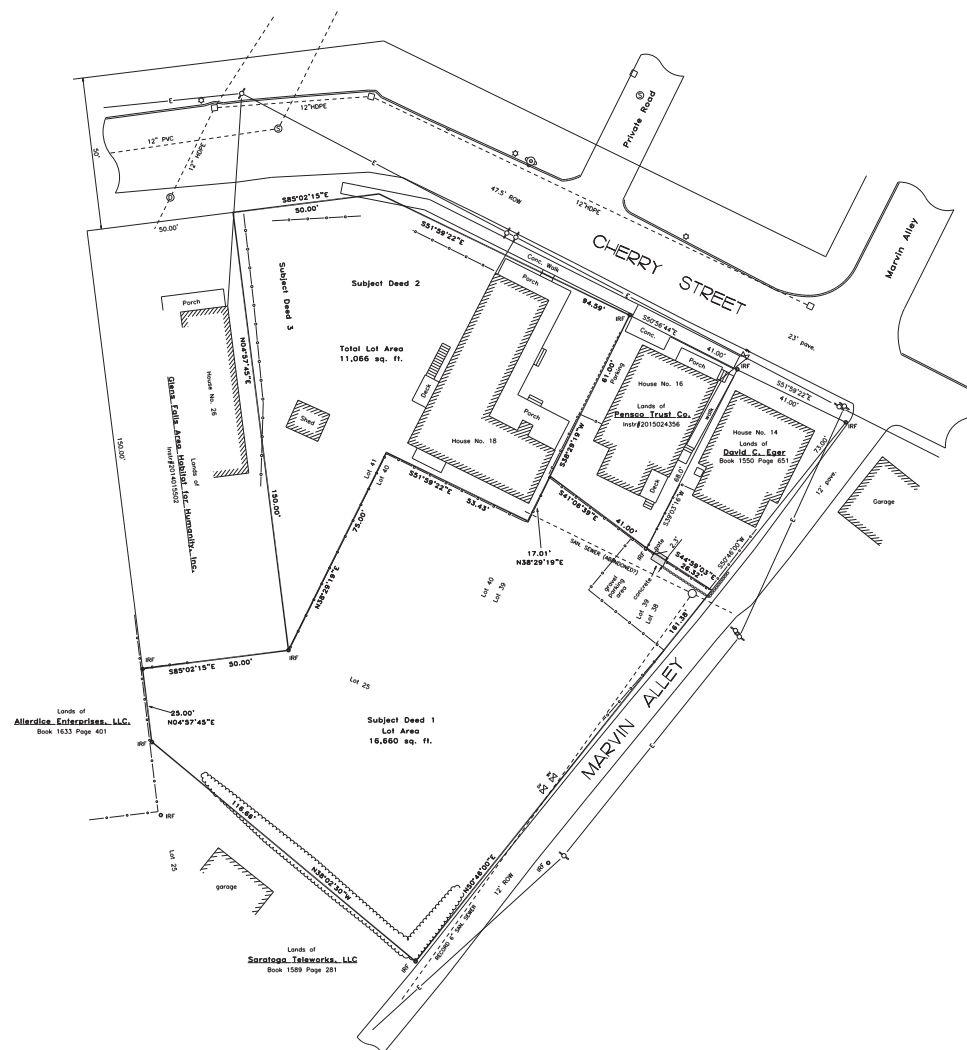
Refer to a map entitled "Survey for FM Realty Assets" dated 15 September 1995 by Terry L. Humiston, Surveyor.

Refer to a map entitled "Subdivision Plan for EB Alliance, LLC" dated 20 March 2013, last revised 28 July 2014 by Thompson & Fleming Land Surveyors and filed 12 August 2014 in the Saratoga County Clerk's office as instrument M2014156.

Underground storm and sanitary sewer locations are scaled from record maps. No field evidence was observed of their exact locations or existence. They are shown hereon for general information only. The exact locations and suitability of all subsurface utilities should be confirmed with the Saratoga Springs Public Works Dept. prior to any planned use.

Key:

- | | | | |
|--|-----------------|--|----------------------|
| | = fire hydrant | | = iron rod found |
| | = street light | | = iron rod set |
| | = water valve | | = utility pole |
| | = gas valve | | = chain link fence |
| | = catch basin | | = wire fence |
| | = storm manhole | | = vinyl fence |
| | = sewer manhole | | = overhead utilities |



I hereby certify to:
Anthony Maney

Terry L. Humiston
Terry L. Humiston LS 49472

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors. Unauthorized alteration or addition to this map is a violation of Article 145, section 7205, sub-paragraph (2) of the New York State Education Law.

Subject Deed 1
David C. Egar
to
Eddies Lots, LLC
19 November 2015 Instr# 2015034894
Tax Id. 165.85-3-40

Subject Deed 2
Vincent Sarra
to
Scott D. & Susan D. Richardson
26 February 1991 Book 1306 Page 111
Tax Id. 165.85-3-39

Subject Deed 3
Vincent Sarra
to
Scott D. & Susan D. Richardson
20 February 1993 Book 1405 Page 716
Tax Id. 165.85-3-11

SURVEY FOR

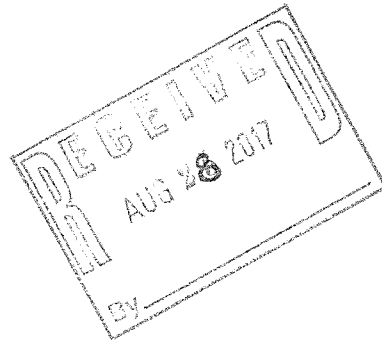
ANTHONY MANEY, ESQ.

— situate in —

CITY OF SARATOGA SPRINGS SARATOGA CO., N.Y.

SCALE 1"=20' 3 MARCH 2017

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August 28, 2017

City of Saratoga Springs Zoning Board
City Hall
474 Broadway
Saratoga Springs, NY 12866

Re: 18 Cherry Street/38 Marvin Alley Townhouses

Dear Zoning Board Chair:

Enclosed please find a revised project application for the residential development at 18 Cherry Street/38 Marvin Alley that is proposed by Anthony Maney. As you are aware, this application was tabled at the April 10, 2017 Zoning Board of Appeals meeting at which time the ZBA voted to pass SEQR Lead Agency status to the City Planning Board. We subsequently presented the project plans and request for variances to the Planning Board at the July 27, 2017 meeting at which time we received several substantive comments and suggestions from Planning Board members.

As a result, Mr. Maney reviewed the design with the project team and elected to modify the proposed development. The project now includes eight townhouses, each with a two car garage and two surface parking spaces. We believe that the revisions to the project directly address the design guidance provided by staff or by members of both the ZBA and the Planning Board and significantly reduce the requested variance relief. A two unit and three unit building front on Marvin Alley and a three unit building fronts on Cherry Street. All vehicular access is from Cherry Street which allows for entry to the garages and surface parking spaces from an internal driveway. No cars access individual garages directly from either Cherry Street or Marvin Alley.

The proposed project does not now require a density variance since nine dwelling units are allowed by UR-4 Zone District regulations and only eight are proposed. The site plan as designed, however, still requires front yard setback variances for all eight units (three buildings), side yard setback variances for three of the units, and maximum building coverage (25% is allowed and 27.7% is proposed).

Included in this revised project application are the following items:

1. Updated Design Development Plans for the Buildings and Site Layout;
2. Updated and Expanded EAF (Long Form) with Project Narrative and Stormwater Narrative;

3. Updated Variance Application;
4. Updated Exterior Materials Narrative.

The following items from our June 22, 2017 submission are hereby referenced and remain as valid components of the application:

1. Traffic Report (for a fourteen unit project);
2. Photographs of the Project Site;
3. Updated Site Survey.

We request that this revised application be placed on the September 28, 2017 Planning Board Agenda to discuss the SEQR determination.

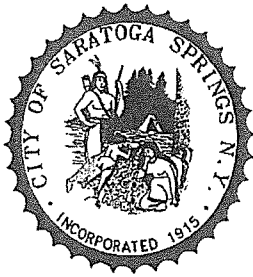
Thank you for your assistance.

Yours truly,

A handwritten signature in black ink, appearing to read "S. Jeffrey Anthony". The signature is fluid and cursive, with the first name "S. Jeffrey" and the last name "Anthony" clearly distinguishable.

S. Jeffrey Anthony, RLA, ASLA
Principal Landscape Architect
For
Studio A | Landscape Architecture, D.P.C.

Cc: Anthony Maney, Esq.
Arthur Perkowski
Jon Lapper, Esq.
Ben Nassivera



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name Anthony Maney		Bartlett Pontiff Stuart Rhodes, Jon Lapper, esq.
Address [REDACTED]		1 Washington Street Glens Falls, NY 12801
Phone [REDACTED]	/	Studio A Landscape Architecture, DPC/S. S. Jeffrey Anthony 480 Broadway LL-324 Saratoga Springs, NY 12866
Email [REDACTED]		[REDACTED]

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☒ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 18 Cherry St & 38 Marvin Alley Tax Parcel No.: 165.58-3-11
18 Cherry St owned by Anthony Maney, acquired 8/17/17 (for example: 165.52 - 4 - 37)
38 Marvin Alley - Under Contract 165.58-3-39
2. Date acquired by current owner: 3. Zoning District when purchased: UR-4
4. Present use of property: Residential 5. Current Zoning District: UR-4
6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No
7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
Demolish existing 4-unit home at 18 Cherry St and construct 8 townhouses. One 2-unit building and one 3 unit building will front on Marvin Alley and one 3-unit building will front on Cherry Street. Each unit will have a garage for two cars and two surface parking spaces. The development will be generously landscaped and the perimeter fenced.

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEEs: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input checked="" type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Table 3, Section 2

The applicant requests relief from the following Zoning Ordinance article(s) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Maximum Building Coverage	25%	27.7'
Front Yard Setback - Cherry St	25'	3.58'
Front Yard Setback - Marvin Alley	25'	9.95'
Side Yard Setbacks - Unit 1	20'	7.89'
- Unit 5	20'	9.07'
- Unit 6	20'	8.16'

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

See Attached.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

See Attached.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

See Attached.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

See Attached.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

See Attached.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.


(applicant signature)

Date: 8-24-2017

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

18 Cherry Street & 38 Marvin Alley
Saratoga Springs, NY 12866

Area Variance Responses

1. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The benefit cannot be achieved by any means other than an area variance. The combination of the 18 Cherry Street and 38 Marvin Alley lots results in an awkward configuration, that, when applying required yard setbacks, leaves an irregular shaped allowable building area on the property. This awkward shape and resultant size of buildable area creates severe constraints on the use of the parcel. The most practical approach to siting buildings on the site is to consider two locations for development, one facing Cherry Street and one facing Marvin Alley. This allows for vehicular site entry from Cherry Street and internal vehicular circulation to be accommodated to access garages and parking.

Over the past several months the applicant has explored several alternative designs which were discussed with City Planning Department Staff. Modifications to the design were made in response to their comments. Initially, the project only included the Cherry Street parcel. As a result of these discussions the applicant arranged to acquire additional land (38 Marvin Alley) which reduced the need for various and/or eliminated certain variances from the original proposal. Additionally, the project included two condominium buildings. A four story, six unit building was proposed facing Cherry Street and a five story, eight unit building was proposed facing Marvin Alley. As a result of comments from both the Zoning Board of Appeals and the Planning Board, this option is no longer proposed. (See Project Narrative).

Land values in the City of Saratoga Springs have significantly escalated over the past years. As such, development projects must yield a return on investment capable of overcoming such land acquisition costs. The project site also imposes certain additional development costs which must be overcome including, but not limited to, demolition of the existing structure at 18 Cherry Street; removal and replacement of building debris and poor fill in previous building foundations; installation of new curbs, sidewalks, street trees and lighting along the Cherry Street and Marvin Alley frontages; stormwater management which is impacted by poor site soils and must be accomplished with alternative practices; and installation of new water and sewer utilities.

An effort was made by the client to additionally acquire 16 Cherry Street, however, this has not been successful. This would have added land area to the site. This additional land would have reduced or eliminated some of the requested side yard variances; increased open space in the site plan; increased pervious area and removed an unsightly building. Negotiations with the current landowner over price failed due to the escalating cost of land in the city.

The above conditions impact project development costs which must be compensated for in the projects prospectus, thereby mandating a certain level or amount of sales revenue. The project,

as now proposed, responds to this need as well as the need to be constructed to a quality level commensurate to other development in the city and surrounding neighborhood.

As such, the eight proposed dwelling units and unit sizes justifies the development costs and reasonable return on investment (land acquisition, demolition, site conditions, new construction). Additional land was attempted to be acquired which would have lessened or eliminated some variance requests. The combined site and related setbacks has resulted in an awkward developable area which precludes reasonable use of the site without variances.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The granting of the requested area variances will not produce an undesirable change to the neighborhood character, and to the contrary, will result in a positive improvement to the neighborhood.

The 18 Cherry Street site is occupied by a 4-unit apartment building that is in an extreme state of disrepair and lack of site maintenance. The building is in need of painting and repair. The site is not groomed, lawn not maintained, parking is in a rutted and unorganized state, and presents a blighted visual situation. The 38 Marvin Alley site is vacant with overgrown grasses and shrubs and litter.

The proposed project will remove all blighted and overgrown vegetation and non-maintained conditions on the property, including the building. The project, as designed, will replace the vacant blighted conditions with eight new townhouses and extensive, well maintained landscaping. New curbing, sidewalks, street trees and lighting will be installed along Cherry Street and Marvin Alley. This will result in a significant improvement to the visual character of the neighborhood.

The eight townhouses in three buildings are three stories tall with roof top lofts and garden terraces and will be in character with adjacent structures. Masie Center is proximate to the site to the south and structures to the south east of Marvin Alley are also taller in height including several condominium buildings on Railroad Place. As such, the project site is located in a transition area from downtown (with tall structures) to urban residential areas to the west. The proposed townhouses are similar in size, height, and bulk with the recently approved City Square development across Cherry Street from the project site.

The City Square development is under construction across Cherry Street from the project site. This is a very dense townhouse, condominium, and retail project that include 41 housing units and 4000 square feet of retail space. In addition, the existing Allerdice Building Supply retail facility and lumberyard is to the northwest of the project site. This is a grandfathered use but is out of character with the residential neighborhood.

As such, the proposed project will not only be conducive to the character of the existing neighborhood but will actually improve the neighborhood character.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

While the request for area variances for the project may appear to be substantial based upon the revisions to the proposed project design, it is actually not. As stated in Response 1 above, the combined site has a unique and awkward configuration which makes it difficult to develop without variances.

A 25 foot front yard setback is required along both Cherry Street and Marvin Alley. 3.85 feet is proposed along Cherry Street which is similar to existing structures at 16 Cherry Street and at the corner of Cherry Street and Marvin Alley. 9.95 feet is proposed along Marvin Alley which is greater than the structure at the corner of Cherry Street and Marvin Alley.

The side yard setbacks are not substantial. A 20 foot side yard set back is required. Three of the units do not meet this requirement. Unit 1 is 7.89 feet, Unit 5 is 9.07 feet and Unit 6 is 8.16 feet from the side property line.

The maximum building coverage variance is also not substantial. 25% is required, 27.7% is proposed. This variance would have been substantially reduced or eliminated if the 16 Cherry Street parcel would have been obtained. However, as proposed, this constitutes only a 9% increase in building coverage.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The proposed project will not have an adverse physical or environmental effect on the neighborhood. The physical shape, height, and visual character of the eight proposed townhouses in three buildings will be compatible with the character of the neighborhood which is in transition from downtown to urban residential. Adjacent uses include the Masie Center and City Square mixed use PUD which is under construction. It will replace a derelict existing apartment building and vacant lot.

The project, as proposed, will raze all existing derelict conditions on the 18 Cherry Street and 38 Marvin Alley properties. They will be replaced with three townhouse buildings which will remove such blighted conditions. The townhouses will be stone/brick clad structures compatible with other buildings in the neighborhood and district.

From an environmental impact perspective, the project will result in a visually pleasing environment with extensively manicured urban landscape. Stormwater will be managed with state-of-the-art green practices where none existing today. The streetscapes on Cherry Street and Marvin Alley will be reconstructed with new curbs, sidewalks, street trees and lighting. This will add to the improved visual character of the neighborhood. In addition, the project will be serviced with new utilities including sanitary sewer and potable water.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created.

The difficulty is not self-created. Required setbacks in the UR-4 zone district when applied to the site result in a condition in which a very awkward shaped area exists for building development without the issuance of setback variances.

Revised Project Narrative
18 Cherry Street & 38 Marvin Alley
Saratoga Springs, NY 12866

The townhouse project on Cherry Street/Marvin Alley is being proposed in support of the ongoing revitalization effort of the west side of Saratoga Springs. The townhouses will accent the classic carriage house aesthetics which is characteristic of Saratoga Springs, while blending modern elements which have assisted development in the area in recent years.

The development will consist of eight townhouse units in three buildings. A three unit building will front on Cherry Street and a two unit and three unit building will front on Marvin Alley. Each unit will include a two car garage on the ground level and two surface parking spaces. There will be vehicular access via a driveway from Cherry Street which will provide internal access to the garages and surface parking spaces. There will be no direct vehicular access from either Cherry Street or Marvin Alley to the garages or surface parking.

The townhouses will be three stories tall with a partial loft and garden terraces on portions of the roofs. The garden terraces will be green roofs. Pedestrian access will be directly from Cherry Street and Marvin Alley which will be finished with curb, grass strip, street trees, period lights, and sidewalks. The entire site periphery will be enclosed with an ornamental picket fence and gates which will not be a solid structure. The interior courtyard of the site will be lighted with low level dark sky fixtures. The site will be generously landscaped.

Sewer and potable water utilities will be provided by municipal services. Stormwater will be accommodated by "green infrastructure" practices as practical. A conceptual Stormwater Management Report is included in the expanded EAF long form.

The revised project is a direct response to comments and suggestions made by Zoning Board of Appeals members at the April 10, 2017 meeting and by Planning Board members at the July 27, 2017 Planning Board meeting where the original plan, two condominium buildings with a total of fourteen units (eight units in a five story building on Marvin Alley and six units in a four story building on Cherry Street), was presented. As a result of these comments that plan has been substantially modified. A summary of those comments and a response to them follows:

Comment 1 – Why is the five story building with eight units proposed to be located on Marvin Alley and not Cherry Street?

Response 1 – The five story building is no longer proposed, nor is the four story building.

Comment 2 – The requested density variance seems large. Nine units are allowed by UR – 4 Zone District Regulations and fourteen are proposed. This is five units in excess of that allowed, or a 55% increase in density.

Response 2 – Comment noted. The revised townhouse project proposes eight townhouses or one less than the density than allowed by the UR-4 Zone District.

Comment 3 – The proposed height of the two buildings, four and five stories, is not in context with buildings in the surrounding area and the Franklin Street Historic District.

Response 3 – Comment noted. The proposed townhouse buildings are three stories in height with a partial loft and garden terrace on portions of the roof and are visually in character with the adjacent neighborhood structures.

Comment 4 – The applicant should consider building townhouses.

Response 4 – Comment noted. Townhouses are now proposed.

Comment 5 – Fourteen dwelling units in two large structures cannot fit on the site. The site is too small.

Response 5 – Comment noted. The two large condominium buildings with fourteen units have been eliminated from the plan. The proposed project now consists of eight townhouses.

Even though the project now conforms to the allowable density, area variances for front yard and side yard setbacks and percent building coverage are still required. However, these variances are for less relief than previously proposed and the scale and relationship of buildings to streetscape is in character with adjacent surrounding buildings.

Comment 6 – The buildings are too massive. They should be scaled down and the architecture redesigned.

Response 6 – Comment noted. The original five and four story buildings have been eliminated from the plan. The redesigned buildings are three story townhouses with roof top lofts and garden terraces that are in scale with the mass, height, and character of the surrounding buildings in the neighborhood.

Comment 7 – There should be an alternative design prepared that conforms to the allowed zoning density.

Response 7 – See Response 2. Additionally, the redesigned project now conforms to the allowed density in the UR-4 Zone District.

Comment 8 – Marvin Alley is dangerous for pedestrians. Safety features are needed such as sidewalks and the traffic flow even being made one way. Garages in the buildings should not be accessed from Marvin Alley by cars since this conflicts with any sidewalk that may be built and pedestrian movements.

Response 8 – Sidewalks and curbs are proposed to be constructed on both the Cherry Street and Marvin Alley street frontages of the property. The project now proposes no direct vehicular access into garages from Marvin Alley nor Cherry Street.

As to making Marvin Alley one way traffic, the project sponsor is agreeable to this suggestion. However, this action is totally at the discretion of the City of Saratoga Springs.

Comment 9 – Access to the indoor parking on the ground level is not desirable as proposed. The parking should be in a basement level with access via ramps internally on the site.

Response 9 – The proposed condominium buildings have been eliminated from the plan. All access to the proposed garages in the townhouses is via internal driveways on the site.

Comment 10 – The Preservation Foundation sent a letter with comments on the design which should be addressed.

Response 10 – The previous design, which was the subject of this letter, is no longer proposed. The revisions to the project design are responsive to the concerns of the Preservation Foundation.

Several comments and suggestions made by Planning Board members at the July 27, 2017 meeting remain to be resolved as they may no longer be necessary for the revised project. They include:

1. The project should be reviewed by the Design Review Commission.
2. There may be issues with the sanitary sewer line running from Marvin Alley through the site to Cherry Street. Note: This is a technical issue that will be addressed during site plan review following approval of the variances.
3. Due to poor site soils, a CDS system for stormwater management and under pavement retention (storage) in structures was proposed. The City will not maintain these systems. Note: Stormwater management will be engineered

during site plan review and the system refined once additional soil and existing stormwater infrastructure is studied.

There will be Condominium Association for this project that will be responsible for overall site and exterior building maintenance. Even if a CDS unit is required, there will be money budgeted annually in the Condominium Association operating proforma to retain a maintenance service for this device.

4. A shadow study should be performed to assess the impact on the neighborhood. Note: The four and five story buildings are no longer proposed so the need for shadow studies may be questionable.
5. A visual impact assessment should be performed from adjacent areas using helium balloons flown at the proposed building corners. Note: The four and five story buildings are no longer proposed so the need for a visual impact assessment may be questionable.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Cherry Street Townhouses		
Project Location (describe, and attach a general location map): 18 Cherry Street & 36 Marvin Alley Saratoga Springs NY		
Brief Description of Proposed Action (include purpose or need): Demolish an existing 4-unit multi-family home on the 18 Cherry Street parcel and construct eight townhouses in 3 buildings. One two unit and one three unit building will front on Marvin Alley (5 units) and one three unit building will front on Cherry Street (3 units). A total of 8 residential units are proposed. Each unit will have a garage for two cars and two additional surface parking spaces. The development will be generously landscaped and the perimeter fenced.		
Name of Applicant/Sponsor: Anthony Maney, esq.	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]
Project Contact (if not same as sponsor; give name and title/ role): Jon Lapper, esq	Telephone: [REDACTED]	
	E-Mail:	
Address: One Washington Street PO Box 2168		
City/PO: Glens Falls	State: NY	Zip Code: 12801
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

UR-4 Urban Residential; Single Family Residence, Two Family Residence. More than 1 principal building for single and Two-Family permitted. Multi-Family Residence (With Site Plan Approval)

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Saratoga Springs City School District

b. What police or other public protection forces serve the project site?

The City of Saratoga Springs Police Dept.

c. Which fire protection and emergency medical services serve the project site?

The City of Saratoga Springs Fire Dept.

d. What parks serve the project site?

West Side Recreation Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

Residential Development

b. a. Total acreage of the site of the proposed action? .63 Acres

b. Total acreage to be physically disturbed? .59 Acres

c. Total acreage (project site and any contiguous properties) owned .63 Acres
or controlled by the applicant or project sponsor?

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 18 months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 1600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: City of Saratoga Springs Water Dept
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 1600 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: Saratoga County Sewer District #1
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
8 Households

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Grid/local utility

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> Monday - Friday: _____ 7:30-4:30 Saturday: _____ None Sunday: _____ None Holidays: _____ None 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> Monday - Friday: _____ 24 hrs/day Saturday: _____ " Sunday: _____ " Holidays: _____ "
---	--

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	3500 +/- sf	18500 +/- sf	15,000 +/- sf
• Forested	-	-	-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	-	-	-
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: _____			

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? Greater than 10 feet													
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Urban Fill</td> <td style="width: 40%; text-align: right;">100 %</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> </tr> <tr> <td>_____</td> <td style="text-align: right;">%</td> </tr> </table>		Urban Fill	100 %	_____	%	_____	%						
Urban Fill	100 %												
_____	%												
_____	%												
d. What is the average depth to the water table on the project site? Average: > than 10 feet													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><input type="checkbox"/> Well Drained:</td> <td style="width: 70%; text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">100 % of site</td> </tr> </table>		<input type="checkbox"/> Well Drained:	_____ % of site	<input type="checkbox"/> Moderately Well Drained:	_____ % of site	<input checked="" type="checkbox"/> Poorly Drained	100 % of site						
<input type="checkbox"/> Well Drained:	_____ % of site												
<input type="checkbox"/> Moderately Well Drained:	_____ % of site												
<input checked="" type="checkbox"/> Poorly Drained	100 % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	100 % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input checked="" type="checkbox"/> 0-10%:	100 % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____													
h. Surface water features.													
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 50%;">Name _____</td> <td style="width: 40%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name _____	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:													
i. Name of aquifer: <u>Principal Aquifer</u>													

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>West Side Historic District, Todd, Hiram Charles, House</u>	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify resource: <u>West Side Recreation, Saratoga Springs, NY</u>	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Local Park</u>	
iii. Distance between project and resource: _____ .2 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

E.2.i. [Aquifers]	Yes
E.2.I. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	West Side Historic District, Todd, Hiram Charles, House
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Stormwater Management Narrative

For the Proposed

Cherry Street Townhouses

18 Cherry Street & 38 Marvin Alley

City of Saratoga Springs, Saratoga County, New York

Prepared for

Anthony Maney

August 28, 2017

Introduction:

This stormwater narrative is prepared for a proposed residential development on lands under contract to be purchased by Anthony Maney located at 38 Marvin Alley and lands currently owned by Anthony Maney located at 18 Cherry Street in the City of Saratoga Springs.

This project involves:

- Demolition of an existing 4-unit residential structure.
- Construction of 8 townhouses in 3 buildings.
- Construction of a new stormwater management system.

Site Conditions

The project will be combining two lots; one at 18 Cherry Street that has an area of eleven thousand sixty six square feet (11,066ft²) and the other at 38 Marvin Alley that has an area of sixteen thousand six hundred and sixty square feet (16,660ft²) (see exhibit A) for a total area of twenty seven thousand seven hundred and twenty six square feet (27,726ft²). The Cherry Street lot, as it currently exists, is occupied by an existing two-story 4-unit residential structure with a gravel driveway. The Marvin Alley lot is currently vacant, however, there was a residential structure that was recently removed as the evidence of this was revealed during the excavation of the test pits. Test pits were performed to ascertain subsurface conditions (see exhibit C); the Saratoga County Soil map indicates that Windsor Loamy Sand with a hydrologic group of A should exist on the entire site. The excavation of the test pits revealed that the site has been developed throughout its history. Construction debris existed in each of the four (4) excavated areas. Test pits 1,2 and 4 revealed silty clay starting between eighteen (18) and twenty-four (24) inches with the final depths of these pits between sixty (60) and seventy-two (72) inches. Test pit 3 revealed silty sand hard packed starting at thirty-six (36) inches with the bottom reaching sixty (60) inches. There was slight

mottling but groundwater was not evident in the test pits; infiltration tests yielded results of zero (0) inches in sixty minutes for test pits 1,2, and 4. Test pit 3 yielded three (3) inches in sixty (60) minutes.

Pre-Construction (Existing) Stormwater Conditions

The site as it now exists discharges into Cherry Street and Marvin Alley that will ultimately discharge to Putnam Brook.

Post-Construction (Proposed) Stormwater Conditions

The development will have an increase of impervious area (see exhibit B). As a result of the site soil conditions, infiltration on site cannot be utilized. A series of CDS units will be used to treat the water quality volume requirement. A subsurface detention system will detain the runoff to the pre-construction runoff rates.

Report Prepared by:

studioA

Landscape Architecture, D.P.C.

480 Broadway Suite LL-14 | P.O. Box 272

Saratoga Springs, NY 12866



S. Jefferey Anthony, RLA, CLARB
Principal Landscape Architect

Attachments

- Existing Conditions Map
- Schematic Site Plan
- Test Pit Data

EXHIBIT A

EXISTING CONDITIONS MAP

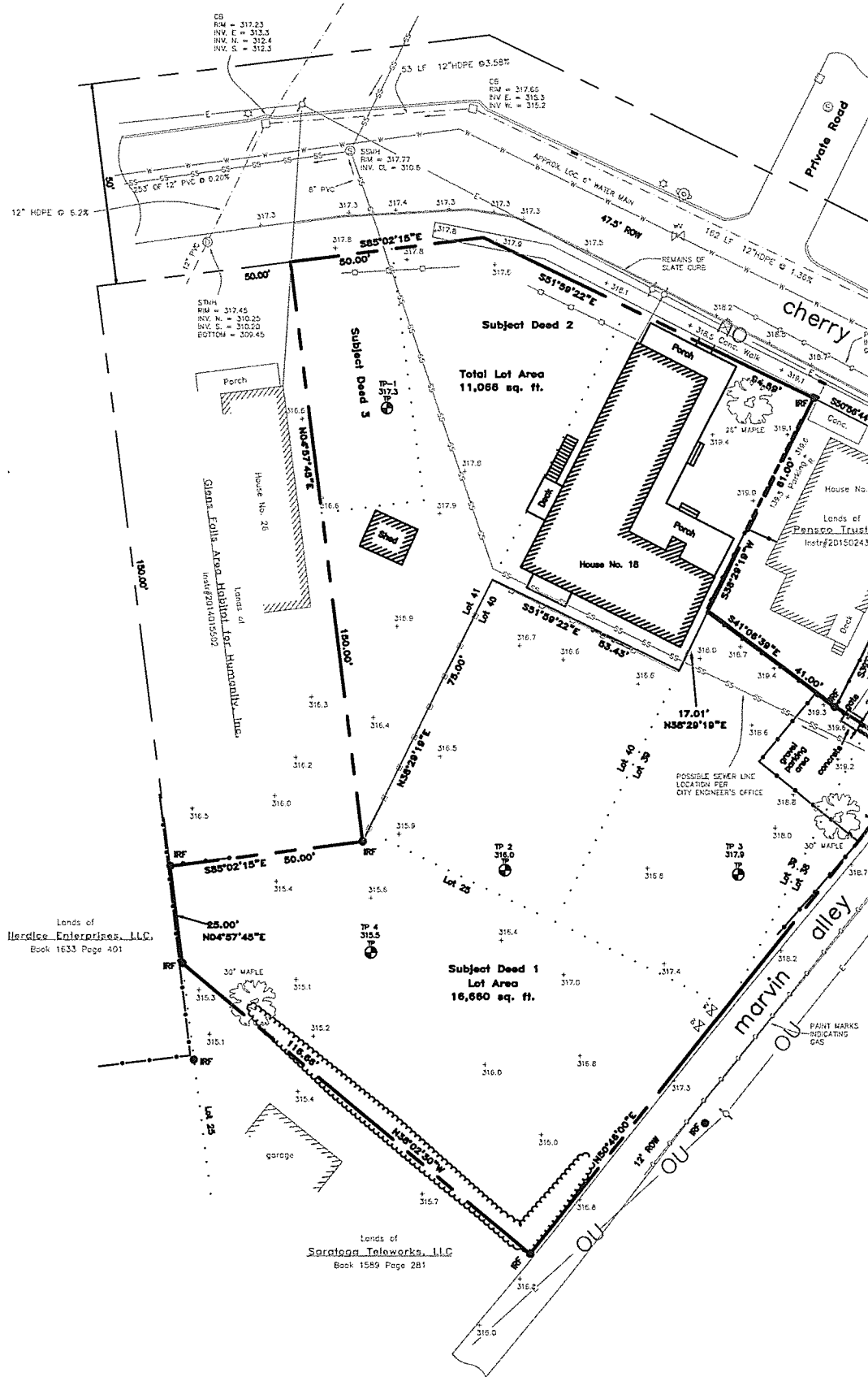


EXHIBIT B

SCHEMATIC SITE PLAN

EXHIBIT C

TEST PIT DATA

Infiltration Test			
Project #	16023	Date:	5/24/2017
Weather Conditions:	Sunny, 73°		

Test Pit #1 Soil Data:

0"-4"	Gravel
4"-24"	Course dark brown sand w/construction debris
24"-67"	Silty/clay some motling
67"	Bottom of pit.

By

CP

The Casing measured 37" to bottom of hole.

Water level with the top of the hole measured @30"

The start elevation is 30" for every run

Time	Elevation inches	Result Inches per min.	Inches per Hour
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		

Test Pit #2 Soil Data:

0"-8"	Topsoil
8"-18"	Course dark brown sand w/construction debris
18"-60"	Silty/clay some motling
60"	Bottom of pit.

The Casing measured 37" to bottom of hole.

Water level with the top of the hole measured @30"

The start elevation is 30" for every run

Time	Elevation inches	Result Inches per	Inches per Hour
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		

Test Pit #3 Soil Data:

0"-6"	Topsoil
6"-36"	Course dark brown sand w/construction debris
36"-72"	Silty/sand hard packed some motling
60"	Bottom of pit.

The Casing measured 37" to bottom of hole.

Water level with the top of the hole measured @30"

The start elevation is 30" for every run

Time	Elevation inches	Result Inches per	Inches per Hour
20 Min.	30	0.05	3
	31		
20 Min.	30	0.05	3
	31		
20 Min.	30	0.05	3
	31		

Test Pit #4 Soil Data:

0"-8"	Topsoil
8"-20"	Course dark brown sand w/construction debris
20"-72"	Silty/clay some motling
72"	Bottom of pit.

The Casing measured 37" to bottom of hole.

Water level with the top of the hole measured @30"

The start elevation is 30" for every run

Time	Elevation inches	Result Inches per	Inches per Hour
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		
20 Min.	30	0.00	0
	30		



June 2, 2017

Ref: 26021.00

Mr. Anthony Maney
77 Troy Road
East Greenbush, NY 12061

Re: Traffic Evaluation Cherry Street Condominiums, Cherry Street, City of Saratoga Springs, NY

Mr. Maney,

VHB has conducted a Traffic Evaluation for the proposed *Cherry Street Condominiums* located in the southwest corner of the Cherry Street/ Marvin Alley intersection in the City of Saratoga Springs. This evaluation is based on the Schematic Site Plan dated May 3, 2017 prepared by BBL Construction Services and HCP Architects, included as an Attachment to this letter.

A. Project Summary and Existing Conditions

The proposed project includes the construction of 14 condominium units in two buildings, a five-story building along Marvin Alley with eight units and a four-story building along Cherry Street with six units. Primary access to the site is proposed via a full access driveway on Cherry Street. Four of the eight units along Marvin Alley will have direct access onto Marvin Alley. The existing site has one single family home, which would be removed. The project is expected to begin construction soon after approvals are obtained from the City.

Cherry Street is a local City street providing east-west access between Franklin Street and Beekman Street, just north of NY Route 29 (Washington Street). In the project vicinity, Cherry Street provides a single travel lane in each direction with approximately 23 feet of pavement and no shoulders. There is a section of sidewalk along the project frontage, on the north side of the roadway west of the site between Walworth Street and Beekman Street, and on the south side of Cherry Street for a small section adjacent to Beekman Street. Land uses along Cherry Street are primarily residential with two lumberyards to the west of the site. There is no posted speed limit on Cherry Street; therefore, the City speed limit of 30-mph applies.

Marvin Alley is a local City street providing north-south access between Division Street and NY Route 29 (Washington Street). Marvin Alley is a narrow roadway with approximately 13 feet of pavement and no shoulders. There are no sidewalks along Marvin Alley. Marvin Alleys primary function is to provide access to parking and is not meant for through travel. There is no posted speed limit on Marvin Alley; therefore,

100 Great Oaks Boulevard
Suite 118
Albany, New York 12203

Engineers | Scientists | Planners | Designers



the City speed limit of 30-mph applies. It is likely that vehicles on this alley are traveling at speeds much lower than 30-mph.

Transit in the study area is provided by the Capital District Transportation Authority (CDTA). Bus route 451 travels north of the site along Church Street and Routes 450, 452, and 540 (the Northway Express) travel along Broadway east of the site. Routes 450, 451, and 452 provide service daily while the Northway Express provides only weekday service.

Traffic Evaluation

The peak hour trip generating characteristics of the site were estimated based on data published by the Institute of Transportation Engineers (ITE) in the 9th edition of the Trip Generation Manual. Morning and afternoon peak travel at the site was estimated using ITE land use code 230 for Residential Condominium/Townhouse and are summarized below in Table 1.

Table 1 – Trip Generation Summary

Land Use	Number of Units	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>		
		Enter	Exit	Total	Enter	Exit	Total
Condominium	14	2	9	11	8	4	12

The proposed residential development is anticipated to generate 11 trips during the morning peak hour and 12 trips during the afternoon peak hour. This magnitude of traffic is less than the NYSDOT and ITE volume thresholds of 100 vehicle trips generated on any one intersection approach for off-site intersection analysis. This guidance was developed as a tool to identify locations where the magnitude of traffic generated has the potential to impact operations at off-site intersections and screen out locations that do not meet the 100-vehicle threshold and are unlikely to require mitigation. Based on the magnitude of traffic generated at the proposed site, the traffic generated at the site will be accommodated for by the adjacent roadway network.

Residents on the site will have several options to access the surrounding roadway network including via Marvin Alley to Division Street in the north and Washington Street in the south and via Cherry Street to Franklin Street in the east and Walworth Street or Beekman Street in the west. The site generated trips were distributed onto the adjacent roadway network based on a review of available traffic volume and travel pattern data in the study area to identify the maximum number of trips that would be added to the adjacent roadway network as a result of the project. In general, it is anticipated that a maximum of 75% of the site generated trips will travel to and from the east towards Franklin Street when traveling to and from the site while the remaining 25% could travel to and from the west towards Walworth Street. This distribution of travel results in a maximum of 8 AM and 9 PM peak hour vehicle trips traveling to and from the east and a maximum of 3 AM and 3 PM peak hour trips traveling to and from the west. As the site generated trips continue to distribute beyond Cherry Street and Marvin Alley, the magnitude of traffic associated with the site on other surrounding roadways will be less.

Mr. Anthony Maney
Ref: 26021.00
June 2, 2017
Page 3



B. Summary and Conclusions

The proposed project includes the construction of 14 condominium units on Cherry Street and Marvin Alley in the City of Saratoga Springs. Primary access to the site is provided via a full access driveway on Cherry Street with access to four units directly onto Marvin Alley. The existing residential home on the site will be removed with the redevelopment. The proposed project fits within the character of the neighborhood which is primarily residential.

The site is anticipated to generate at total of 11 vehicle trips during the AM peak hour and 12 vehicle trips during the PM peak hour which, based on a review of the anticipated distribution of traffic, will result in a maximum volume increase of 8 AM and 9 PM peak hour trips to the east of the site and 3 AM and 3 PM peak hour trips to the west of the site. This magnitude of traffic will be accommodated by the existing roadway network and no mitigation is recommended.

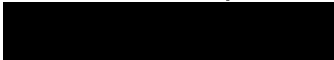
Sincerely,

VHB Engineering, Surveying and Landscape Architecture, P.C.

A handwritten signature in black ink, reading "Wendy C. Holsberger".

Wendy C. Holsberger, P.E., PTOE

Director of Transportation



Attachment



Project Site – 18 Cherry Street

Cherry Street –Variance Application

studioA



Project Site – 18 Cherry Street

Cherry Street –Variance Application

studioA



Project Site – 36 Marvin Alley

Cherry Street –Variance Application

studioA



Project Site – 36 Marvin Alley

Cherry Street –Variance Application

studioA

Cherry Street Townhouses

Proposed Program

Townhouse 1 (3 Story)
Unit Count: 3
Avg. Net sf: +/- 960 per unit

Townhouse 2 (3 Story)
Unit Count: 3
Avg. Net sf: +/- 960 per unit

Townhouse 3 (3 Story)
Unit Count: 2
Avg. Net sf: +/- 960 per unit

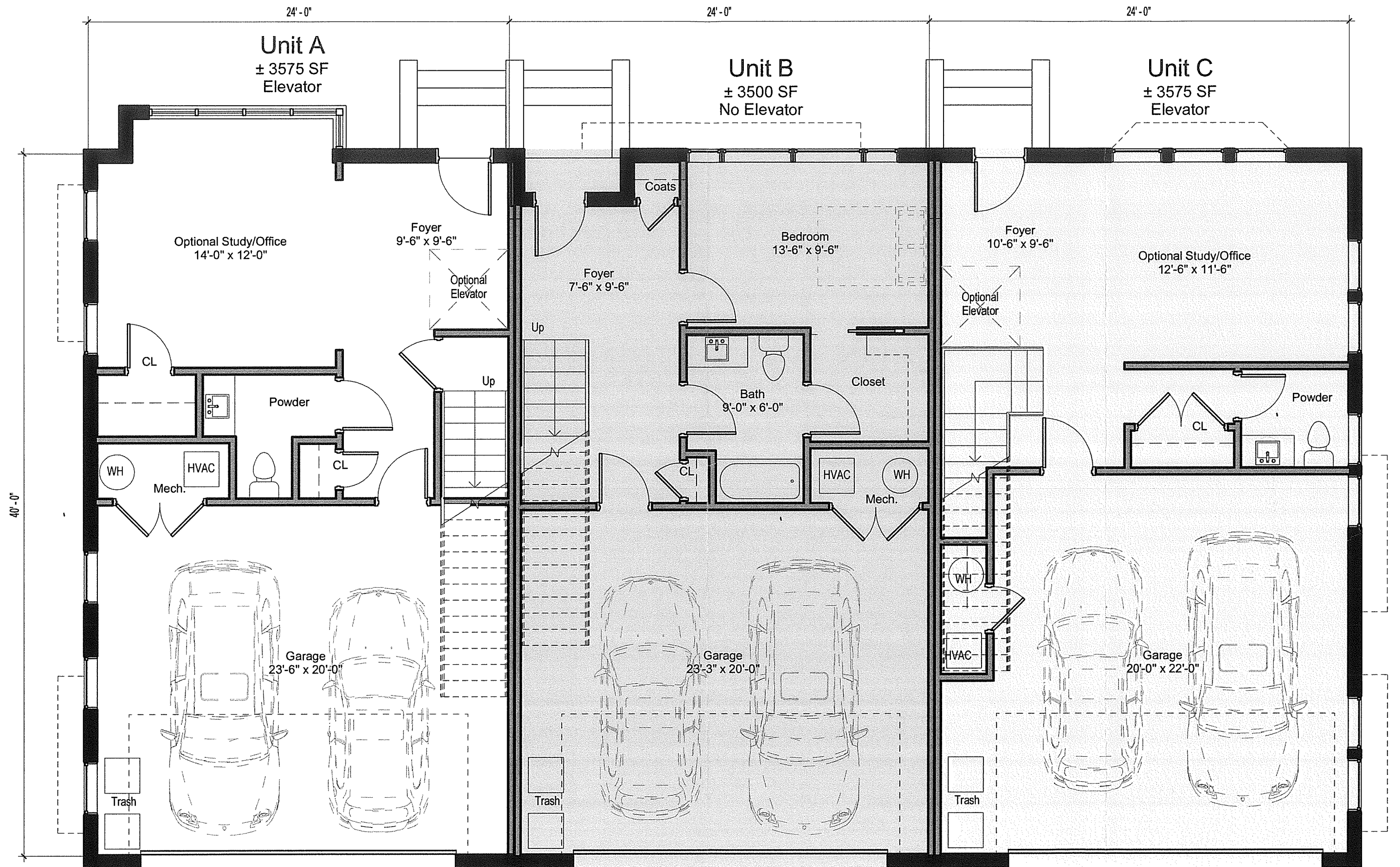
Total Unit Count: 8

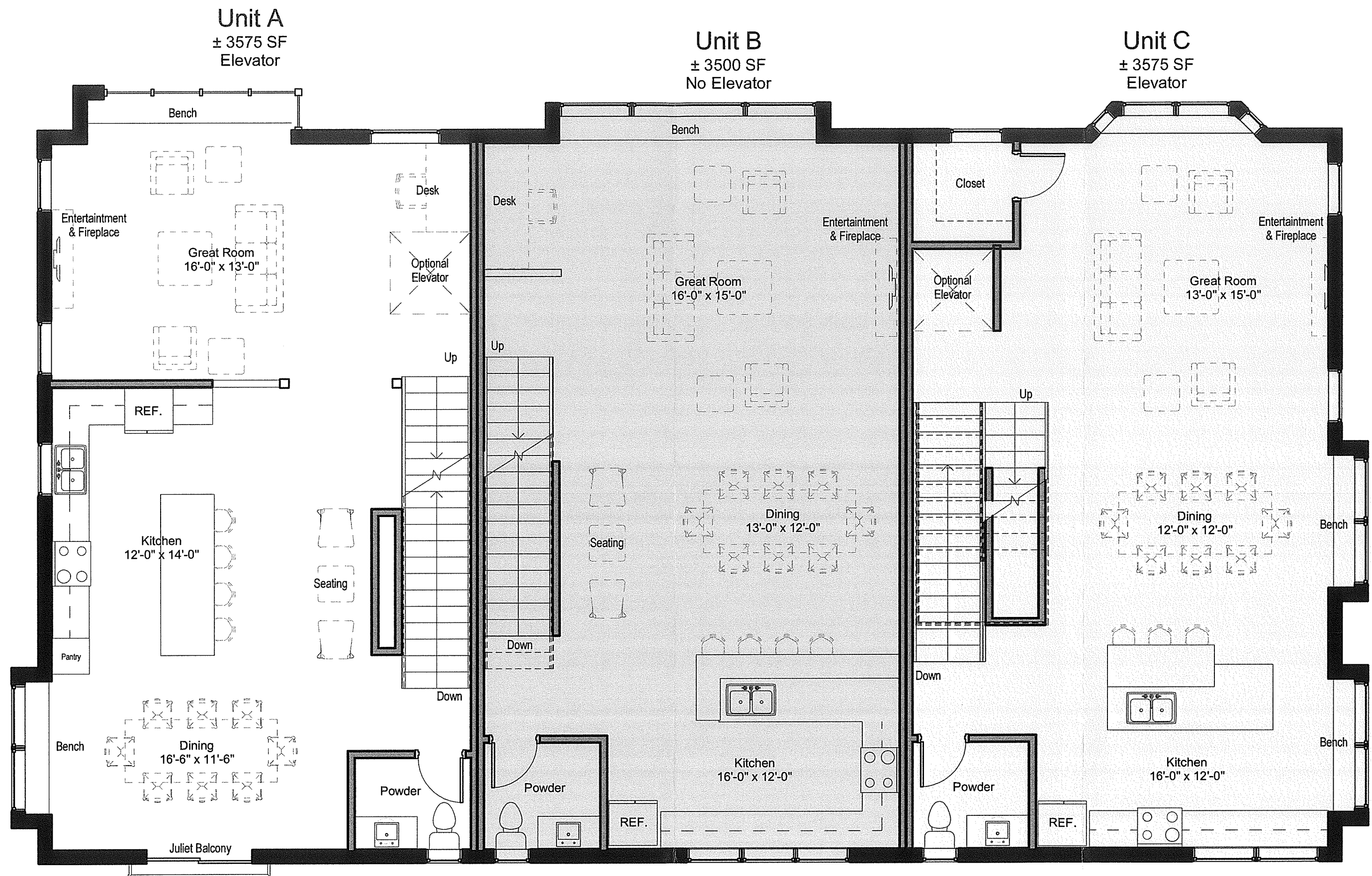
Zoning Statistics

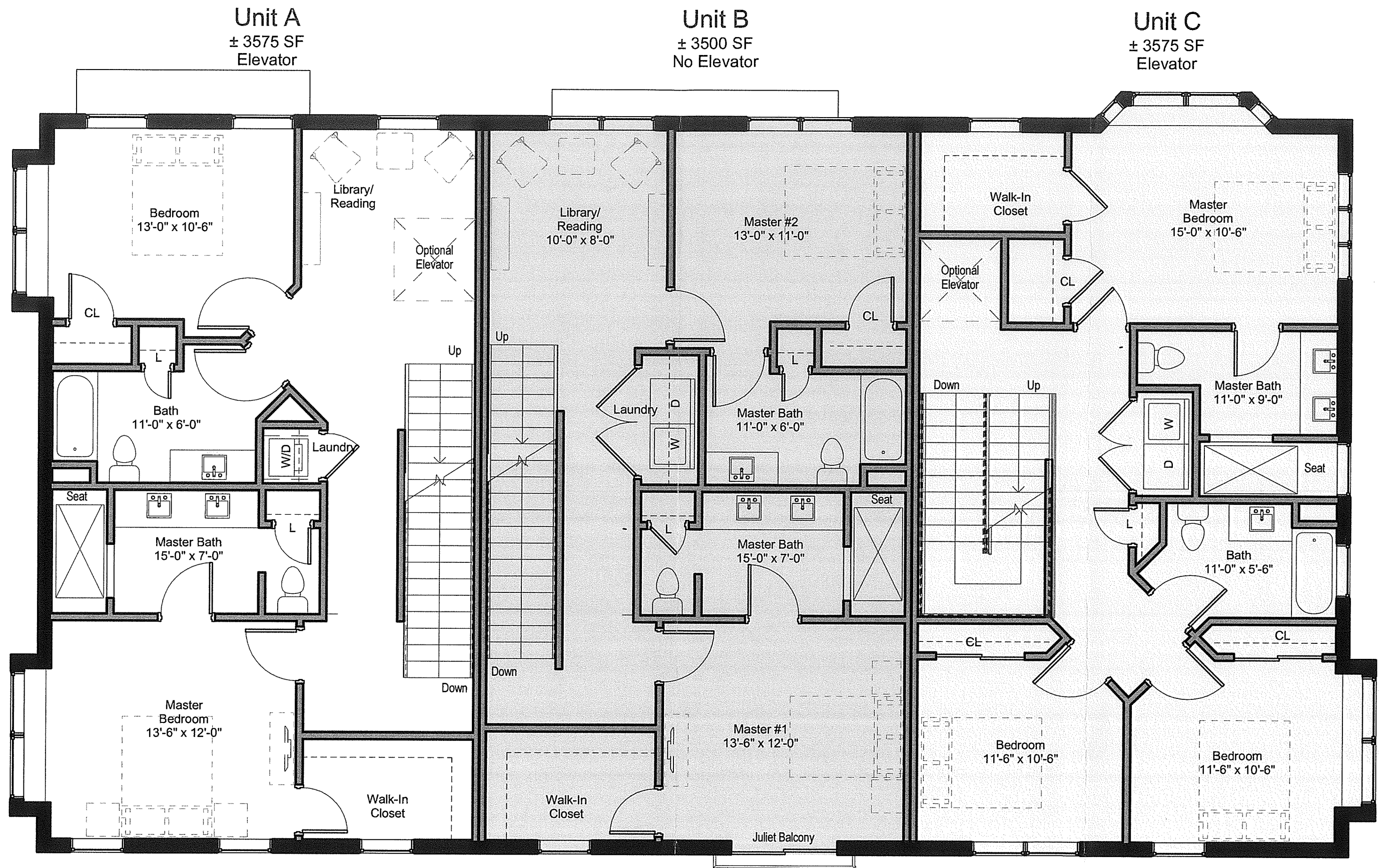
Acreage:	0.63 acres (27,726 sf)
Bldg. Coverage:	27.7% +/- 7,680 sf footprint
Green Space:	+/- 39.2%
Parking Spaces:	16 Garage 16 Surface <hr/> 32 Total



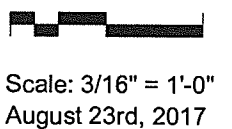








Unit C
± 3575 SF
Elevator



September 27, 2017

Ms. Susan Barden
City Hall
474 Broadway
Saratoga Springs, NY 12866

Re: 18 Cherry Street/38 Marvin Alley Townhouses

Dear Susan Barden:

As per your request, please find attached a plan illustrating "hypothetical lot lines and lot widths" for the above referenced development. Minimum lot widths for this development are specified to be 100 feet per structure. The attached plan illustrates the following:

- Townhouse Building 1 – Front and Middle lot widths comply, requires a lot width variance for the rear width
 - Lot width at front – 144.59 feet
 - Lot width at middle – 115.22 feet
 - Lot width at rear – 95.59 feet
- Townhouse Building 2 – Requires a lot width variance
 - Lot width at front – 94.47 feet
 - Lot width at middle – 90.86 feet
 - Lot width at rear – 31.48 feet
- Townhouse Building 3 – Requires a lot width variance
 - Lot width at front – 66.91 feet
 - Lot width at center – 65.76 feet
 - Lot width at rear – 91.05 feet

We trust that this information satisfies your request. Should you have any questions, please call. Thank you for your assistance.

Yours truly,



S. Jeffrey Anthony, RLA, ASLA
Principal Landscape Architect
For
Studio A | Landscape Architecture, D.P.C.

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: ANTHONY MANEY
11,39&40

TAX PARCEL NO.: 165.58-3-

PROPERTY ADDRESS: 18 CHERRY ST. & 38 MARVIN ALLEY
ZONING DISTRICT: URBAN RESIDENTIAL - 4

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed construction of three townhouse buildings totaling 8 residential units.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.3 Table 3. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Minimum average lot width: Lot 2 (building 2) <u>feet</u>	100 ft.	72.27
Minimum average lot width: Lot 3 (building 3) <u>feet</u>	100 ft.	74.57
Minimum front yard: Cherry	25 feet	3.58 feet
Minimum front yard: Marvin	25 feet	9.95 feet
Minimum side yard: Unit 1	20 feet	7.89 feet
Minimum side yard: Unit 5	20 feet	9.07 feet
Minimum side yard: Unit 6	20 feet	8.16 feet

Minimum total side yard: Townhouse 1 20 feet 43.16 feet

Maximum principal building coverage: (combined) 25%
27.7%

Note: Revised per submission dated Aug. 28, 2017

Relief based on consolidation of the three lots

☒ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

May 22, 2017

Susan Barden, Senior Planner
City of Saratoga Springs
City Hall 474 Broadway
Saratoga Springs, NY 12866

SCPB Referral Review#17-69-Area Variances-Cherry Street Condominiums/Maney
Demolition of existing 4-unit structure on Cherry Street and construction of two bldgs of multi-family units in UR-4: 5-story (8 du) and 4-story (6 du) on 0.63-acre site of 3 tax parcels. Area Variances (4): lot size, building coverage, rear and front yard setbacks. Cherry Street & Marvin Alley off Washington Street (NYS Route 29)

Received from the City of Saratoga Springs Zoning Board of Appeals April 3, 2017.

Reviewed by the Saratoga County Planning Board on April 20, 2017.

Decision: No Significant County Wide or Inter Community Impact

Comment:

The Saratoga County Planning Board (SCPB) recognized no issues of a specific countywide nature related to this application and proposed reuse of the property. The Board did, however, note items that as part of the local board's review may raise some items for further comment, such as: 1) whereas the proposed building heights are permissible, the number of floors is out of character with the immediate and surrounding neighborhood, 2) a question for further discussion may be whether the proposed design and structure is appropriate for a district that is defined as "transitional", 3) the front yard setback which decreases from the required 25' to 6" is substantial, but is it comparable to other structures in neighborhood?, and 4) the minimum lot size is not met and the decrease results in an increased building coverage and density increase (from 3,000 s.f./du to 1,980 s.f./du) – is this coverage similar or comparable to that which now exists in neighborhood?

A handwritten signature in purple ink that reads "Michael Valentine".

Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

October 23, 2017

Susan Barden, Senior Planner
City of Saratoga Springs
City Hall 474 Broadway
Saratoga Springs, NY 12866

SCPB Referral Review#17-69-Area Variances (resubmittal)-Cherry Street/Marvin Alley Townhouses/Maney-Demolition of existing 4-unit structure and construct a 2-unit and two 3-unit townhouse bldgs (8 total units) with garages & internal surface parking on a 0.63-acre lot in city's UR-4 District. Area variances needed for front yard and side yard setbacks as well as minimum average lot width.
Fronting Marvin Alley and Cherry Street with access from Cherry Street only (near Washington Street, NYS Rt. 29)

Received from the City of Saratoga Springs Zoning Board of Appeals August 28, 2017.

Reviewed by the Saratoga County Planning Board on September 21, 2017.

Decision: No Significant County Wide or Inter Community Impact

Comment:

The Saratoga County Planning Board (SCPB) recognized no issues of a specific countywide nature related to this application and proposed reuse of the property. The Board had previously noted concerns that would be more of a local concern, such as:

- 1) the number of floors/building heights on the buildings as originally submitted, while being permissible, appeared to be out of character with the immediate and surrounding neighborhood – the current application now has buildings proposed as 3-floor structures rather than 4 & 5-story,
- 2) initially we noted a question for further discussion may have been whether the proposed design and structure was appropriate for a district that is defined as “transitional” – the buildings and their design now appear to be more in character w/neighborhood,
- 3) we originally noted that the front yard setback was decreased from the required 25’ to 6” and appeared to be substantial. While there are now proposed front yard setbacks that by pure measurement or numbers sound to be excessive, they do appear to provide a building line that is comparable to other structures in neighborhood. and
- 4) the minimum lot size was not met with the original site layout and the decreased size resulted in an increased building coverage and a density increase (from 3,000 s.f./du to 1,980 s.f./du) that was not allowed nor which was comparable to that which now exists in neighborhood. The number of dwelling units has now decreased from 14 to 8, to one less than would be permitted by allowable density standards of the district which (at 3,000 s.f./du or 24,000 s.f.) results in permissible development on a lot of 27,726 s.f.

Additionally, the project now includes sidewalks and curbs on both street frontages and addresses concerns for vehicular access and movement by restricting vehicular access to the

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX

site from Marvin Alley (only from Cherry Street). Overall, we have found the improvements made to the site and building layouts to be advantageous to the granting of the appeals sought.

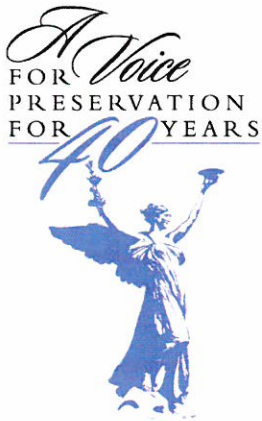


Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

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Saratoga Springs
Preservation Foundation

April 10, 2017



Mr. Bill Moore, Chair
Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

RE: 18 Cherry Street / 36 Marvin Alley – construction of two residential condominium buildings.

Dear Mr. Moore,

The Saratoga Springs Preservation Foundation has reviewed the application to construct two residential condominium buildings at 18 Cherry Street and 36 Marvin Street.

Board of Directors

Linda Harvey-Opitck
President

Bill Willard
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Cindy Spence
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James Kettlewell
emeritus

The Foundation has significant concerns that the proposed two condominium buildings will have an adverse impact on Marvin Alley and Franklin Square Historic District.

Marvin Alley is one of the oldest named alleys in the City of Saratoga Springs and has been officially recognized by that name for over 165 years. It is named after the prominent Saratoga Springs' Marvin family.

The earliest alleys in the City date back to 1813, on property owned, platted, and sold by Henry Walton. Walton chose not to develop the property himself, but sold portions of his holdings to entrepreneurs such as Gideon Putnam and Dr. Samuel Freeman. While Gideon Putnam did not adopt Walton's alley pattern, Freeman did. He partnered with prominent resident James M. Marvin, the developer and resident of Franklin Square.¹ Marvin laid out an alley to the west of Franklin Street that he named for his family prior to 1850.

Thomas J. Marvin purchased the lot on Franklin Square and the United States Hotel in 1830. Two years later he constructed the prominent Greek Revival house at 4 Franklin Square that remains today. Thomas Marvin was a lawyer who served as justice of the peace in Saratoga Springs, county court judge, and as a member of the State Assembly. He was also appointed postmaster by President Tyler and President Polk.


James M. Marvin built his Greek Revival home at 3 Franklin Square in 1836. James and his brother were the proprietors of the United States Hotel and oversaw its management until it was destroyed by fire in 1865. James and Thomas together established the first bank in Saratoga, the Bank of Saratoga Springs, in 1841. James also was the director of the Saratoga and Schenectady Railroad, town supervisor of Saratoga Springs, assemblyman, and congressman. As congressman, he advocated for the abolition of slavery. This alley served as the rear access or service road not only for the Thomas J. Marvin House, but also for the United States Hotel accessory buildings.


The Marvin brothers were prominent residents who contributed to the development of Franklin Square, the oldest residential neighborhood of Saratoga Springs. Marvin Alley is part of the Franklin Square Historic District which is listed on the National Register of Historic Places. Marvin Alley is immediately adjacent to the site of the proposed new development.

The Foundation is concerned with the increased density and scale and mass of the proposed structure at 36 Marvin Alley and that the associated increased traffic will change the historic nature of this important alley. In addition, the Foundation has concerns about the proposed heights. The buildings are not in-keeping with the height and design of the neighborhood as well as the buildings may be visible from Franklin Street. Due to the proposed construction being adjacent to the Franklin Square Historic District, the Foundation respectfully requests that the Zoning Board of Appeals request an advisory opinion from the Design Review Commission.

Thank you in advance for your thoughtful consideration.

Sincerely,


Linda Harvey-Opiteck
President

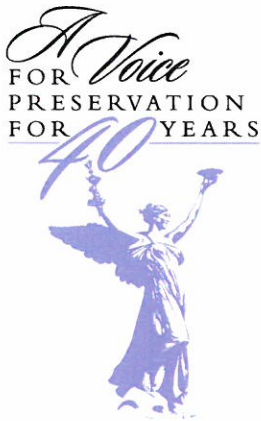

Samantha Bosshart
Executive Director

Cc: Anthony Maney, Applicant
Corinna Martino, PE / Jon Lapper, esq. – Agent
Susan Barden, Senior Planner

ⁱTheodore Corbett, "The Making of American Resorts." copyright 2001 references Saratoga County Clerk Ballston Spa. S.R. Ostrander Map of property at Saratoga Springs NY, owned by S. Freeman, 1841, copied by Theodore C. Hails, 1923; and Plan of Part of the Village of Saratoga Springs Showing Property Owned by J.M. Marvin and Others, 1867.

Saratoga Springs
Preservation Foundation

September 26, 2017



Mr. Mark Torpey, Chair
Planning Board
City Hall
474 Broadway
Saratoga Springs, NY 12866

RE: 18 Cherry Street / 36 Marvin Alley – Construction residential condominium buildings.

Dear Mr. Torpey,

The Saratoga Springs Preservation Foundation has reviewed the revised application to construct three residential condominium buildings at 18 Cherry Street and 36 Marvin Street.

The Foundation is very pleased that the applicant has reduced the scale, mass, and height of their proposed structures, thus eliminating the concerns regarding the visibility from the adjacent Franklin Square Historic District listed on the National Register of Historic Places. The revised design is also more in-keeping with the neighborhood.

As shared in my letter dated July 20, 2017, the Foundation remains concerned about changing the character of Marvin Alley, one of the oldest named alleys in the City of Saratoga Springs. The design has the primary façade facing the alley which is not appropriate. To remain in character with the alley, the garage entrances should face the alley.

Thank you in advance for your thoughtful consideration.

Sincerely,

A handwritten signature in black ink that reads 'Matthew E. Veitch'.

Matthew E. Veitch
President

A handwritten signature in blue ink that reads 'Samantha Bosshart'.

Samantha Bosshart
Executive Director

Board of Directors

Linda Harvey-Opitck
President

Bill Willard
Vice President

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Seth D. Finkell
James Gold
Liz Israel
Douglas Kerr
Richard King
Michelle Paquette-Deuel
Cindy Spence
Meredith Woolford

James Kettlewell
emeritus

Cc: Anthony Maney, Applicant
Kate Maynard, Principal Planner
Bill Moore, Chair – Zoning Board of Appeals
Susan Barden, Senior Planner



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*

OWNER(S) (If not applicant)

ATTORNEY/AGENT

Name _____

Address _____

Phone _____ / _____

Email _____

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: _____ Tax Parcel No.: _____ - _____ - _____
(for example: 165.52 - 4 - 37)

180-4-7

180-4-8

2. Date acquired by current owner: _____ 3. Zoning District when purchased: _____

4. Present use of property: _____ 5. Current Zoning District: _____

6. Has a previous ZBA application/appeal been filed for this property?

- ☐ Yes (when? _____ For what? _____)
☐ No

7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: _____

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☐ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☐ No

11. Identify the type of appeal you are requesting (check all that apply):

- ☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☐ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|---|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. “Dollars & cents” proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional RequirementsFromTo

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- I. Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

2. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☐ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

(applicant signature)

Date: _____

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? _____

with revised city zoning.

C.4. Existing community services.

a. In what school district is the project site located? _____

b. What police or other public protection forces serve the project site?

c. Which fire protection and emergency medical services serve the project site?

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed _____
- expected acreage of aquatic vegetation proposed to be removed _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day 11,730 (off-peak)

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____ _____ _____</p>		
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____ _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ Rental shop • Saturday: _____ 7am-8pm/dusk • Sunday: _____ Marina 7am-6pm office • Holidays: _____ Inn/B&B 24 hrs </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ Rental shop • Saturday: _____ 7am-8pm/dusk • Sunday: _____ Marina 7am-6pm office • Holidays: _____ Inn/B&B 24 hrs
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products (185 gallons in above ground storage or an amount in underground storage)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ _____ • Operation: _____ _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site																																							
<p>a. Existing land uses.</p> <p>i. Check all uses that occur on, adjoining and near the project site.</p> <p><input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm)</p> <p><input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____</p> <p>ii. If mix of uses, generally describe: _____</p>																																							
<p>b. Land uses and coverytypes on the project site.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Land use or Coverytype</th> <th style="width: 15%;">Current Acreage</th> <th style="width: 25%;">Acreage After Project Completion</th> <th style="width: 20%;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td>• Roads, buildings, and other paved or impervious surfaces</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Forested</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Agricultural (includes active orchards, field, greenhouse etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Wetlands (freshwater or tidal)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Non-vegetated (bare rock, earth or fill)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Other Describe: _____</td> <td style="text-align: center;">1.2</td> <td style="text-align: center;">.9</td> <td style="text-align: center;">-.3</td> </tr> </tbody> </table>				Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces				• Forested				• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)				• Agricultural (includes active orchards, field, greenhouse etc.)				• Surface water features (lakes, ponds, streams, rivers, etc.)				• Wetlands (freshwater or tidal)				• Non-vegetated (bare rock, earth or fill)				• Other Describe: _____	1.2	.9	-.3
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<p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>i. If Yes: explain:</i> _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p><i>i. Identify Facilities:</i></p> <p>_____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p><i>ii. Dam's existing hazard classification:</i> _____</p> <p><i>iii. Provide date and summarize results of last inspection:</i></p> <p>_____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Has the facility been formally closed?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p>_____</p> <p>_____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p> <p>_____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p><i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database </div> <div> Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p>_____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p> <p>_____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between;"> <div>_____</div> <div>_____ %</div> </div>	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____ _____	
h. Surface water features. <div style="margin-top: 10px;"> i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <div style="margin-top: 10px;"> ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No </div> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <div style="margin-top: 10px;"> iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <div style="margin-top: 10px;"> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ </div>	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <div style="display: flex; justify-content: space-between;"> <div> <p>Multiple Bird Species _____</p> <p>Small Rodents _____</p> <p>Insects _____</p> </div> <div> <p>Amphibian species _____</p> <p>_____</p> <p>_____</p> </div> </div>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____



City of Saratoga Springs

OFFICE OF PUBLIC WORKS

5 Lake Avenue
Saratoga Springs, New York 12866

Phone 518-587-3550 ** Fax 518-587-2417
www.saratoga-springs.org

ANTHONY J. SCIROCCO
COMMISSIONER

TIMOTHY J. COGAN
DEPUTY COMMISSIONER

NEW WATER SERVICE CONNECTION AGREEMENT & APPLICATION FORM

Property Owner's Name: 550 Union LLC.

Project Name (if applicable): 550 Union

Property Address: 550 Union Avenue

Tax Map#: 180-4-7, 180-4-8

Size of Tap (check one below):

☐ 3/4"

☐ 1"

☒ Greater than 1"

A unit of water shall be defined as fourteen thousand (14,000) cubic feet of water per year.

Contact the Water Dept at ext. 2502 for assistance with water use estimation and meter specifications before signing below.

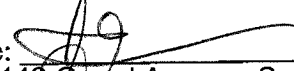
Number of Dwellings: _____

Estimated Cubic Feet of Water per Year: _____


To be completed in full without any contingencies or protest, on or before the Building Inspector approval of the rough plumbing, including the installation of the water meter, or at the time of the issuance of a tapping permit.

The undersigned represents to the City that they have full and complete authority to execute this document and find and commit the developer to abide by the City Water Ordinance. This agreement shall be binding on all of the undersigned transferees.

The undersigned acknowledges that a copy of this document will be delivered to all appropriate and necessary governmental entities.

Authorized Signature:  Company Name: 550 Union LLC.

Company Address: 142 Grand Avenue, Saratoga Springs, NY 12866

Phone Number:  Fax Number: _____ Date: 11.3.16

Department of Public Works Approval: _____ Date: _____































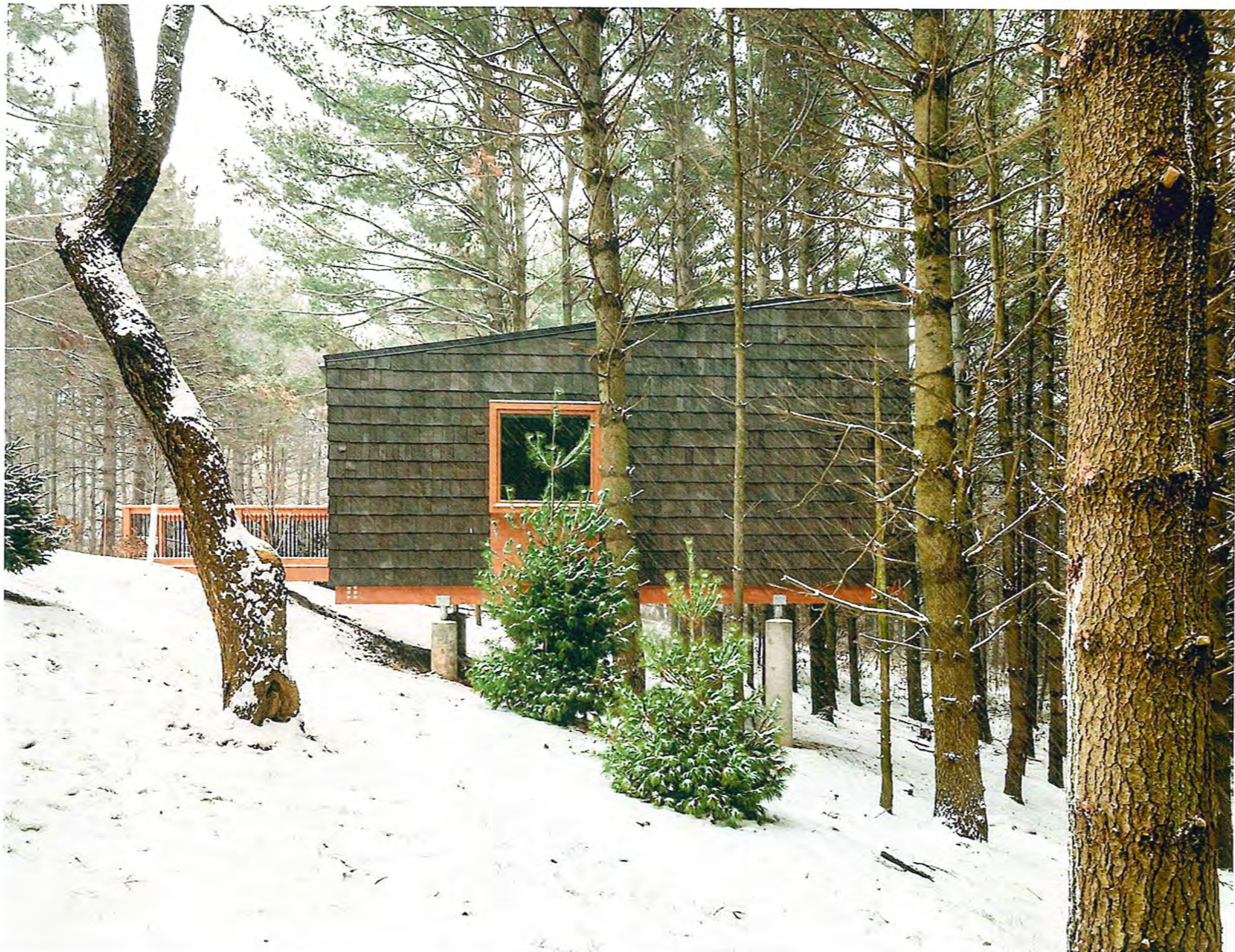




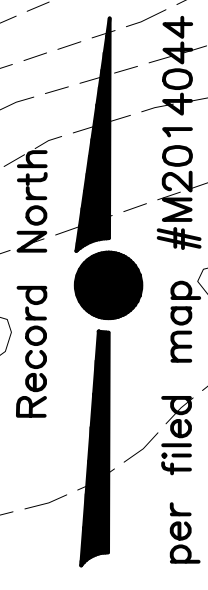












1. The edge of lake shown is assumed to be the low water line.
2. Reference is made to a map of an eighteen-foot-wide right of way shown on filed map B-173 with ownership now or formerly Gwiazdowski.

1. "Map of 18' Right of Way Through Bayshore Park" dated Sept. 12, 1966 prepared by Coulter and McCormack Land Surveyors filed in the Saratoga County Clerk's Office in map file no. B-173.
2. "Survey of Lands of William M. Walbridge and Christina Brown to be conveyed to Larissa Hawley" dated October 14, 2013, prepared by Paul F. Tommelle Land Surveyor filed in the Saratoga County Clerk's Office in map file no. M2014044.
3. "Map of Survey of Portion of the lands of Patricia A. Gwiazdowski Ambrozak Prepared for the Saratoga County Sewer District No. 1" and surveyed by Nathan M. Burrows P.L.S. filed with Instrument Number 2013032688 on August 6, 2013.
4. Reference is made to the following New York State Permanent Easement Outlet-Saratoga Springs S.H. No. 8361; Map No. 28; Parcel No. 49 and Map No. 31; Parcel No. 52 and 53.
5. "Property of Pauline V. Ernst" dated June 26, 1945 prepared by F.M. Van Zile, L.S. filed in the Saratoga County Clerk's Office in Map file BB-9.

1. John Boyle dated May 13, 2015 filed in the Saratoga County Clerk's Office in Instrument Number 2015014829.
2. Right of First Refusal in favor of John Boyle dated May 13, 2015 filed in the Saratoga County Clerk's Office in Instrument Number 2015015432.

- 5/8" steel rod set with a tag
- marker found, labeled
- ∅ utility pole
- ▣ control box
- ⊗ water valve
- ⊙ sewer valve
- conc. bollard
- elbow vent pipe
- ⊗ sewer structure
- ⊙ sign
- overhead wires
- chain-link fence
- /// wood fence
- ||||| guard rail

Unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's Seal is a violation of Section 7209 subdivision 2 of the New York State Education Law.

Only apparent easements (if any) are shown on this survey. No abstract of title was available.



LETTER OF TRANSMITTAL

TO: Saratoga Springs Planning Office

DATE: 3/28/2017

JOB NO.: 201576

ATTENTION: Susan Bardon

RE: 550 Union

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via overnight mail the following items

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1			Phase 1 ZBA Variances Plan
1			ZBA Variance Application
1			Site Photographs package – previously submitted
1			Part 1 Full EAF – previously submitted
1			Check for Area and Use Variance Application- \$1500
1			Cd of PDF's for the submission

THESE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your records ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Return for corrections ☐ Return _____ corrected prints
☒ For review and comments ☐ _____
☐ FOR BIDS DUE _____ 20____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:.

Cc. file

SIGNED: _____
Matthew Brobston



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	550 Union LLC., John Haynes		The LA Group, P.C.
Address	142 Grand Ave Saratoga Springs, NY 12866		40 Long Alley Saratoga Springs, NY 12866
Phone		/	
Email			

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☒ Owner ☐ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 550 Union Avenue Tax Parcel No.: 180 - 4 - 6 180-4-7
(for example: 165.52 - 4 - 37) 180-4-8

2. Date acquired by current owner: _____ 3. Zoning District when purchased: WRB and RR

4. Present use of property: Mixed Resturant, Marina, Board Shop 5. Current Zoning District: WRB and RR

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? _____ For what? _____)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☒ Architectural Review District
☒ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action: _____
The project proposes to bring into compliance the existing condition of the property and address variances identified by the
City building inspector

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
10. Has the work, use or occupancy to which this appeal relates already begun? ☒ Yes ☐ No
11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☒ USE VARIANCE (pp. 3-6) ☒ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

<input type="checkbox"/> Interpretation	\$ 400
<input checked="" type="checkbox"/> Use variance	\$1,000
<input checked="" type="checkbox"/> Area variance	
-Residential use/property:	\$ 150
-Non-residential use/property:	\$ 500
<input type="checkbox"/> Extensions:	\$ 150

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

Two existing residential mobile home units to remain on site and in use during the first phase of the master plan. These units

will be removed no later than the end of 2019.

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

On date of purchase the property had 16 residential units, a restaurant, and a marina were present and contributed to the purchase price. The residential uses were supporting the other uses with income and providing services for employees of the concurrent uses. There is no record of the residential units being permitted with the city but the use does appear on the tax rolls at the county and city. The existing housing on site provides restaurant staff on site workforce housing within Saratoga Springs during the summer season, at a location outside of the city center where public transportation is not currently available. The removal of the existing 14 residential units as directed by the city was done at a significant cost (\$3,500/unit+/-). The removal of these two residential units if the variance is not granted, or if granted, later as part of the Master plan construction creates additional cost.

- A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: May, 2015 Purchase amount: \$ 1,200,000.-

- 2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
<u>June 2015</u>	<u>Trash and debris removal, trailer removal, landscaping, building finish repair</u>	<u>\$300,000.-</u>
<u>April 2016-June 2016</u>	<u>New docks and permitting, existing deck removal, trailer removal, landscaping improvements.</u>	<u>\$650,000.-</u>

3) Annual maintenance expenses: \$ 32,000.- 4) Annual taxes: \$ 9,282.66

5) Annual income generated from property: Rents(\$252,000.-) - Expenses (\$246,000.- Mortgage, maintenance, prof. fees, property manager) = Income \$6,000.-

6) City assessed value: \$ 886,200.- Equalization rate: ----- Estimated Market Value: \$ 2,500,000.-

7) Appraised Value: \$ 1,630,000.- Appraiser: Integrated Valuations, LLC Date: April 1, 2016

Appraisal Assumptions: 1. Alternate valuation scenario, 2. Environmental issues, 3. Clear and marketable title, 4. Governmental approvals

- B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

- 2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

- 3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

- 4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

The site at the time of purchase had 16 residential units, a marina, a restaurant, was in disrepair it had been the scene of a violent

crime. The investment of money in to the site for clean-up, repair, trash removal is unique to this site. The removal of numerous trailers from the site at the request of the City staff has added a cost which is unique to this property and would not apply to others within this neighborhood. These existing uses had been there for over 50 years which is unique for this neighborhood. The

hardship has been created by a lack of previous approvals or permits for the existing uses in those previous years from owners or city code enforcement. The intent is to improve the site to achieve the goal within the master plans later phases to achieve this

the variance requested is limited and would expire by the end of 2019 when the next phase is scheduled to be constructed.

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

The site has had these uses present on-site since the 1960's according to county and city tax records. The project has been

moving toward zoning compliance by removing many of the existing trailers as directed by the City. Within the first two years

of ownership of the site it has gone through an extensive revitalization and many of the degraded conditions have been improved.

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

The applicant met with the city prior to purchasing the property and were informed at that time the city felt the trailers should be

removed. Property research relieved that the use had existed on the site since the 1960's in Saratoga County records. These

uses did contribute to the value of the property at time of purchase. The history of the property would allow this use of residential

trailers. The ultimate intent is to remove the trailers through the phased approach as discussed with the City. The impact of not

having work force housing on-site due to cost of summer rentals would be detrimental to the uses which exist on-site by

increasing expenses or providing limited services which could impact the viability of the project and restaurant operations. The

plan after 2019 when the trailers are removed is to have a house off-site for the employees to use during the season at a reduced rate. The purchase and renovation of that property has not begun yet but is in the future plan.

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

Table 3 section 2.0

The applicant requests relief from the following Zoning Ordinance article(s) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Front Yard Setback - Board Rental wood deck	40	16.2
Front Yard Setback - Parking spaces 1-17	40	0
Side and Rear yard setback - parking space 74-79	40	0
Side Yard Setback - parking spaces 114-121	40	6.8
Side Yard Setback - Wood Deck @ restaurant	25	24
Front Yard Setback - Two existing mobile homes	40	13.3, 19.2
Side Yard Setback - Two existing mobile homes	40	1.0', 21.8'

Other: _____

The building is existing within the front yard setback. The expansion does not make the variance greater.

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

The area variances sought are for existing structures and parking spaces for a duration not to exceed the end of 2019. The size of the decks are to serve clientele for the board shop and restaurant. The areas of the deck has uneven ground and the deck

provides flat access to those areas. The parking spaces are located in the setbacks due to the size of the parking area required and the area of the gravel surface which is existing. The mobile home variances for setbacks are a result of those units pre-dating zoning which would have required a variance at the time of construction/placement.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

The condition has been in the neighborhood for many years and has recently seen and improved site condition for the past two years since the applicant has cleaned up the property and removed dilapidated trailers from the site and setbacks. This is a temporary variance for the majority of the items except for the board shop deck which remains in the final phase of the master plan.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

The variances requested for the mobile homes have existed this way for many years and have no impact to the neighborhood.

The parking spaces within the setbacks are an improvement from the mobile home structures which were there previously and

the parking variances are temporary until the end of 2019, when the next phase begins. The variances for the decks are minor and relate to structures which are within the setback or are grandfathered in because of the length of time they have existed.

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

The setback variances would not decrease the amount of physical spaces impervious if not in this location so no impact related to

that variance would occur. The deck variances should not impact the physical nature either because the decks and wood with

gaps in the boards to minimize the disturbance. The parking variances should not have an impact because the areas were

previously cleared and gravel in place during the sites previous use. In general the effect on the neighborhood is an improvement

from the condition the site was in during the previous owners. This is a first phase of a master plan which looks to improve and

minimize some of these variances in the future phases.

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

The mobile home setback variances were existing when the property was purchased so that was not created by this applicant.

The deck variances were created to allow for safer access and utilization of existing structures within the property.

The parking variances within the setbacks are largely a result of the previous edge of gravel areas when the site was housing

16 residential units and multiple mobile homes. These variances are temporary and can not exist past the end of 2019.

DISCLOSURE

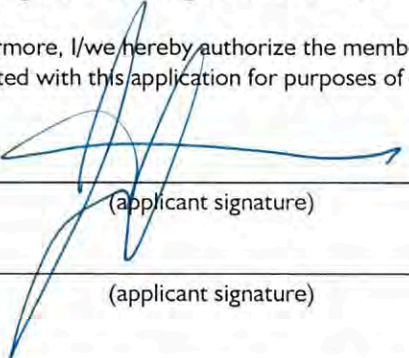
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.



(applicant signature)

(applicant signature)

Date: 3/22/17

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

550 Union Avenue
Saratoga Springs, NY 12866

EXISTING USES

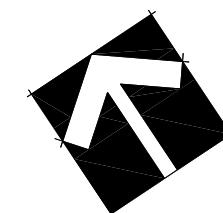
- PARKING SPACES PROVIDED = 121 SPACES

AREA VARIANCES

PARKING WITHIN THE SETBACK VARIANCES FOR EXISTING PARKING SPACES

SPACES 1-17	2906 SF OF PARKING WITHIN THE FRONT YARD SETBACK (40' TO 0')
SPACES 74-79	972 SF OF PARKING WITHIN THE SIDE YARD SETBACK (40' TO 0')
SPACES 114-121	1429 SF OF PARKING WITHIN THE SIDE YARD SETBACK (40' TO 6.8')

550 Union Avenue
Saratoga Springs, NY 12866

PH-1



October 12, 2017

Mr. Jonathan Haynes
Phinney Design Group
142 Grand Avenue
Saratoga Springs, NY 12866

Dear Jonathan,

I write to provide a succinct summary of the results of my Phase 1 archaeological survey of the 550 Union Avenue project in the City of Saratoga Springs, New York. Briefly, my report has found that:

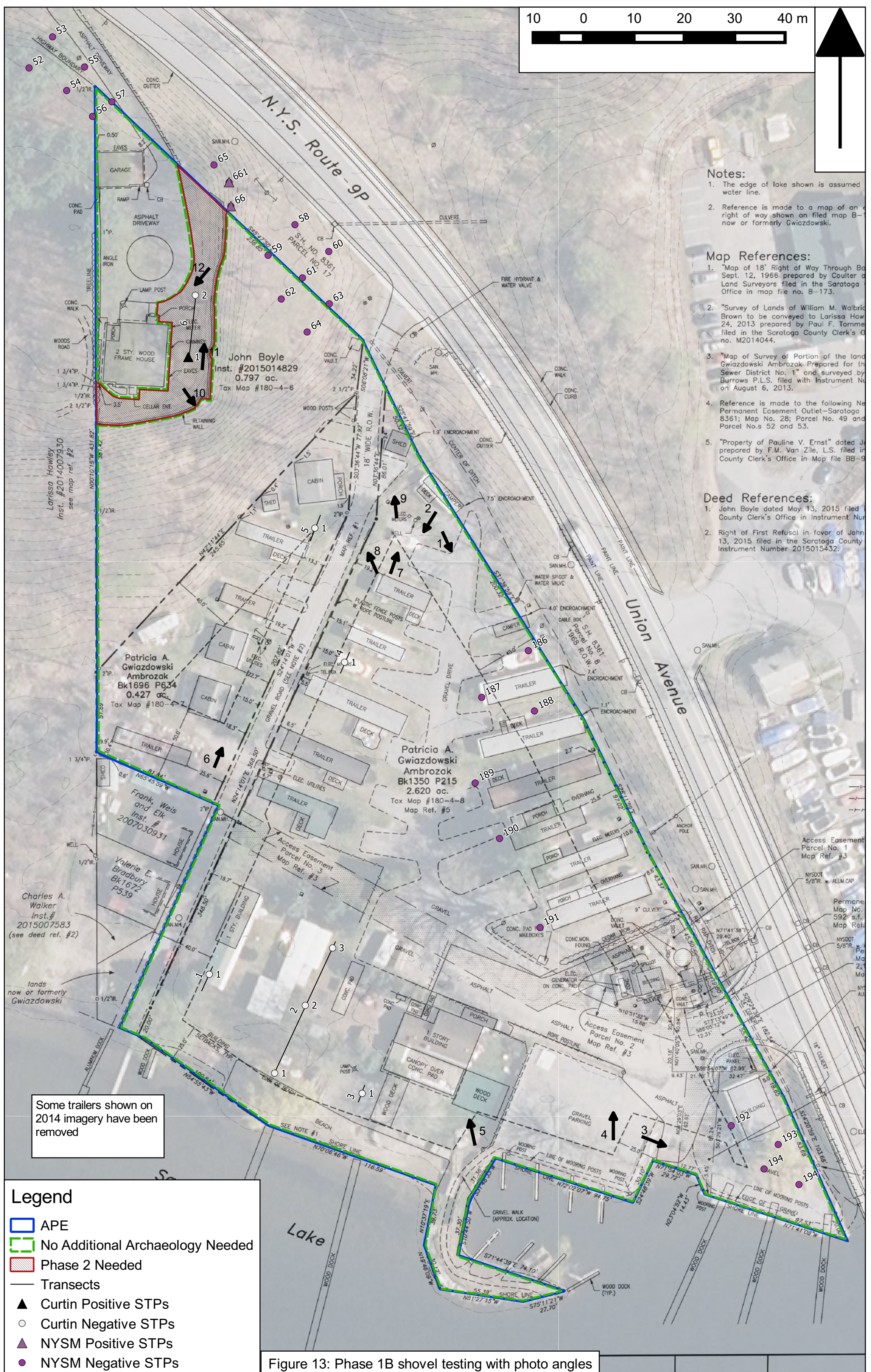
- (1) The portions of the project site along Union Avenue were previously surveyed by the New York State Museum (NYSM). The NYSM recorded areas of prior disturbance and a lack of archaeological sites in the low-lying section of the project site. The NYSM identified a precontact (prehistoric) period archaeological site called the Friers site on the elevated terrain in the north section of the project.
- (2) My survey documented extensive prior disturbance in the low-lying portion of the project site. Prior disturbance is documented in the report through a discussion of the known history of prior disturbance, a series of photographs showing the present-day condition of the project site, and a series of shovel test pits that documented disturbed soils.
- (3) My survey also found additional evidence of the Friers site on the elevated, northern portion of the project site.
- (4) My survey and the NYSM survey are in agreement in finding no evidence of archaeological sites in the low southern and central sections of the project site. There also is no potential for archaeological sites to occur on the steep slopes. My recommendation for these areas is for no additional archaeological investigation.
- (5) With regard to the Friers site, it is recommended that a Phase 2 survey is warranted prior to developing this portion of the project site.

Thank you for this opportunity to provide information for this project. Please let me know if I may answer any questions.

Sincerely,

A handwritten signature in dark ink that reads "Edward V. Curtin". The signature is fluid and cursive, with the first name "Edward" and last name "Curtin" clearly legible.

Edward V. Curtin, Ph. D.
Chief Archaeologist





CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name Wesley Northburg	Conway Estate Terrance Hickey	
Address		
Phone		
Email		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☐ Lessee ☒ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 62 Muldowney rd Saratoga Springs Ny 12866. Tax Parcel No.: 191. 1 30
(for example: 165.52 - 4 - 37)
RR

2. Date acquired by current owner: 2003 3. Zoning District when purchased: RR

4. Present use of property: 312-vacant 5. Current Zoning District:

6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? For what?)
☒ No

7. Is property located within (check all that apply)? ☐ Historic District ☐ Architectural Review District
☒ 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:
To open a campground for tenting only at the named location 62 Muldowney rd. Saratoga Springs N.Y. 12866
complying with N y state part 7-3 operation of campground. Period of operation May to Oct commencing 2018

9. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No

10. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No

11. Identify the type of appeal you are requesting (check all that apply):

☐ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☒ USE VARIANCE (pp. 3-6) ☐ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|--|---------|
| <input type="checkbox"/> Interpretation | \$ 400 |
| <input checked="" type="checkbox"/> Use variance | \$1,000 |
| <input type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

2. How do you request that this section be interpreted? _____

3. If interpretation is denied, do you wish to request alternative zoning relief? ☐ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☐ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following:

To permit a campground for tent camping only at 62 Muldowney Rd. Saratoga Springs N.Y. 12866
compling with N.Y. state 7-3 campground requiermentperiod of operations may to Oct annually

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

The area is a 65 Acre parcel , the wetland's DEC. 19.33 acres and NWI 26.41 acres would make it not sutiable for uses permitted in RR, and cannot yeild a reasonable return. For my desire for it to be made as a campground, , the property is vacant and has no income or future plans to improve the property providing no finacial return and by creating a campground a income would be generated as follows,estimated year 1,\$ 49,000.00 +based on 16weeks Year 2 with extension \$112,000.00+ based on 16 weeks year 3 would be determined to further expansion

- A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

2003

\$200,000.00

1) Date of purchase: _____ Purchase amount: \$ _____

- 2) Indicate dates and costs of any improvements made to property after purchase:

Date	Improvement	Cost
none		
_____	_____	_____
_____	_____	_____
_____	_____	_____

none

\$6500

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

none

5) Annual income generated from property: \$ _____
233,900.00 78% 299,871.79

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____
na

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes if "yes", for how long? _____
☒ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☒ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☒ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____
none

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

The wetland percentage of the property will not return a reasonable return financially. The plans and desire to own/operate and invest into a campground and move forward are currently limited and cannot allow a financial goal, the area is at a location that could accommodate the plans as a campground and create economic increase to the community

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

The area is a rural area and will be kept in its natural state not to impede on neighborhood character and will contribute to the area by improving the land with maintenance and opening it up to recreational use as it is adjacent to the state park.

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim unnecessary hardship if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

No hardship has accrued as there has been no investment into the said premissis until a change has been granted and allow a campground facility which is the purpose of seeking relief.

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☒ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

W. J. N. N. N.
(applicant signature)

Date: 8/10/2017

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: Terence H. Hickey, As Executor

Date: 08/10/2017

Owner Signature: _____

Date: _____

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Northburg Campground Facility		
Project Location (describe, and attach a general location map): 62 Muldowney Rd. Saratoga Springs Ny. 12866		
Brief Description of Proposed Action (include purpose or need): to open a tenting only campground with 85 sites		
Name of Applicant/Sponsor: Wesley Northburg	Telephone: [REDACTED]	
	E-Mail: [REDACTED]	
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Terrence Hickey estate of conway	Telephone: [REDACTED]	
	E-Mail:	
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? current zoning is R R	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<hr/>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. What is the proposed new zoning for the site? recreational	
<hr/>	
C.4. Existing community services.	
a. In what school district is the project site located? Saratoga Springs	
<hr/>	
b. What police or other public protection forces serve the project site? city police county sherrif state police	
<hr/>	
c. Which fire protection and emergency medical services serve the project site? Saratoga Springs fire dept , Wilton emergency squad	
<hr/>	
d. What parks serve the project site? Saratoga State Park	
<hr/>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? recreational use as a campground	
<hr/>	
b. a. Total acreage of the site of the proposed action?	15 acres
b. Total acreage to be physically disturbed?	3 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	65 acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
<hr/>	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	2
• Anticipated commencement date of phase 1 (including demolition)	11 month 2017 year
• Anticipated completion date of final phase	10 month 2018 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: site road and lot clearing for expansion of campsites	
<hr/>	

f. Does the project include new residential uses? ☐ Yes ☒ No
If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No
If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: 8 height; 10 width; and 12 length

iii. Approximate extent of building space to be heated or cooled: _____ na square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No
If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☒ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No
If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 300 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____
the use of a well

vi. If water supply will be from wells (public or private), maximum pumping capacity: 25 est. gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 400 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
sanitary waste water

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? <div style="margin-left: 20px;"> _____ Square feet or _____ acres (impervious surface) </div> <div style="margin-left: 20px;"> _____ Square feet or _____ acres (parcel size) </div> ii. Describe types of new point sources. _____ 	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
<ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____ 	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) excavator, tractor _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ 	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☒ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☒ Randomly between hours of 4pm to 11pm

ii. For commercial activities only, projected number of semi-trailer truck trips/day: 0

iii. Parking spaces: Existing 0 Proposed 20 Net increase/decrease 20

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: gravel access roads will be added

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: <u>8am-5pm</u>	• Monday - Friday: <u>24</u>
• Saturday: <u>8am -5pm</u>	• Saturday: <u>24</u>
• Sunday: _____	• Sunday: <u>24</u>
• Holidays: _____	• Holidays: <u>24</u>

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: bathroom facilities solar lights 400 ft from nearest structure</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): herbicide to control poison ivy</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ 5 tons per _____ 3 months (unit of time) • Operation : _____ 2 tons per _____ month (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: use trees for fire wood and wood chips _____ • Operation: recycle of metal .plastic _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: county waste weekly service _____ • Operation: county waste weekly service _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)

☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1	5	4
• Forested	40	40	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5	5	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	3	3
• Surface water features (lakes, ponds, streams, rivers, etc.)	8	8	0
• Wetlands (freshwater or tidal)	19	19	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ na feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 43 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ 80 % of site
☒ Moderately Well Drained: _____ 15 % of site
☒ Poorly Drained _____ 5 % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ 80 % of site
☐ 10-15%: _____ 20 % of site
☐ 15% or greater: _____ 0 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name geyser brook Classification 1
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name S-25 Approximate Size 19 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:
i. Name of aquifer: na

<p>m. Identify the predominant wildlife species that occupy or use the project site: deer turkey rabbits _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ limit the hunting allow access to fishing _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify resource: geyser and springs at State park	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Park	
iii. Distance between project and resource: _____ 3/4 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

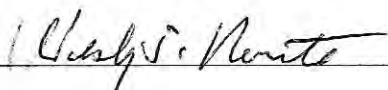
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Wesley Northburg Date 8/15/2017

Signature  Title owner

Detailed Tax Parcel Information

4/26/2017

Print Key: 191.-1-30

<u>Owner Name</u>	<u>Owner Address</u>	<u>Property Address</u>
Conway, Jacinta Estate Of	24 Columbia Ave Saratoga Springs, NY 12866	MULDOWNEY RD Saratoga Springs

School District:	Saratoga Springs Csd	Acres:	65
Property Class:	Vac w/imprv	Assessed Land Value:	\$226,000
Property Class Code:	312	Total Assessed Value:	\$233,900
Deed Book:	1628		
Deed Page:	320		
Frontage:	1345		

Intersecting With DEC Wetlands: 1 Results

CLASS	WETID	Coverage (Acres)	Coverage (%)
1	S-25	19.33	29.75

Total Coverage In Acres: 19.33 Total Coverage %: 29.75%

Intersecting With NWI Wetlands: 6 Results

WETLAND TYPE	Coverage (Acres)	Coverage (%)
Freshwater Forested/Shrub Wetland	5.70	8.78
Freshwater Forested/Shrub Wetland	0.78	1.20
Freshwater Pond	5.23	8.05
Freshwater Forested/Shrub Wetland	7.08	10.89
Freshwater Forested/Shrub Wetland	6.97	10.73
Freshwater Forested/Shrub Wetland	0.65	1.00

Total Coverage In Acres: 26.41 Total Coverage %: 40.65%

Intersecting With Floodplains: 1 Results

FSI Zone	Coverage (Acres)	Coverage (%)
AE	18.53	28.51

Total Coverage In Acres: 18.53





Total Coverage %: 28.51%

Intersecting With Soils: 5 Results

MUSYM	Coverage (Acres)	Coverage (%)
Pm	5.21	8.02
BtB	21.36	32.86
MvA	12.05	18.55
FI	15.90	24.46
Sn	10.44	16.06

northburg

Legend

-  NW1 Wetlands
-  DEC Wetlands
-  DEC Wetland Buffer 300 Ft
-  County
-  Municipal Boundaries
-  Local Roads
-  Parcels



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthomage) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

August 14, 2017

bing maps

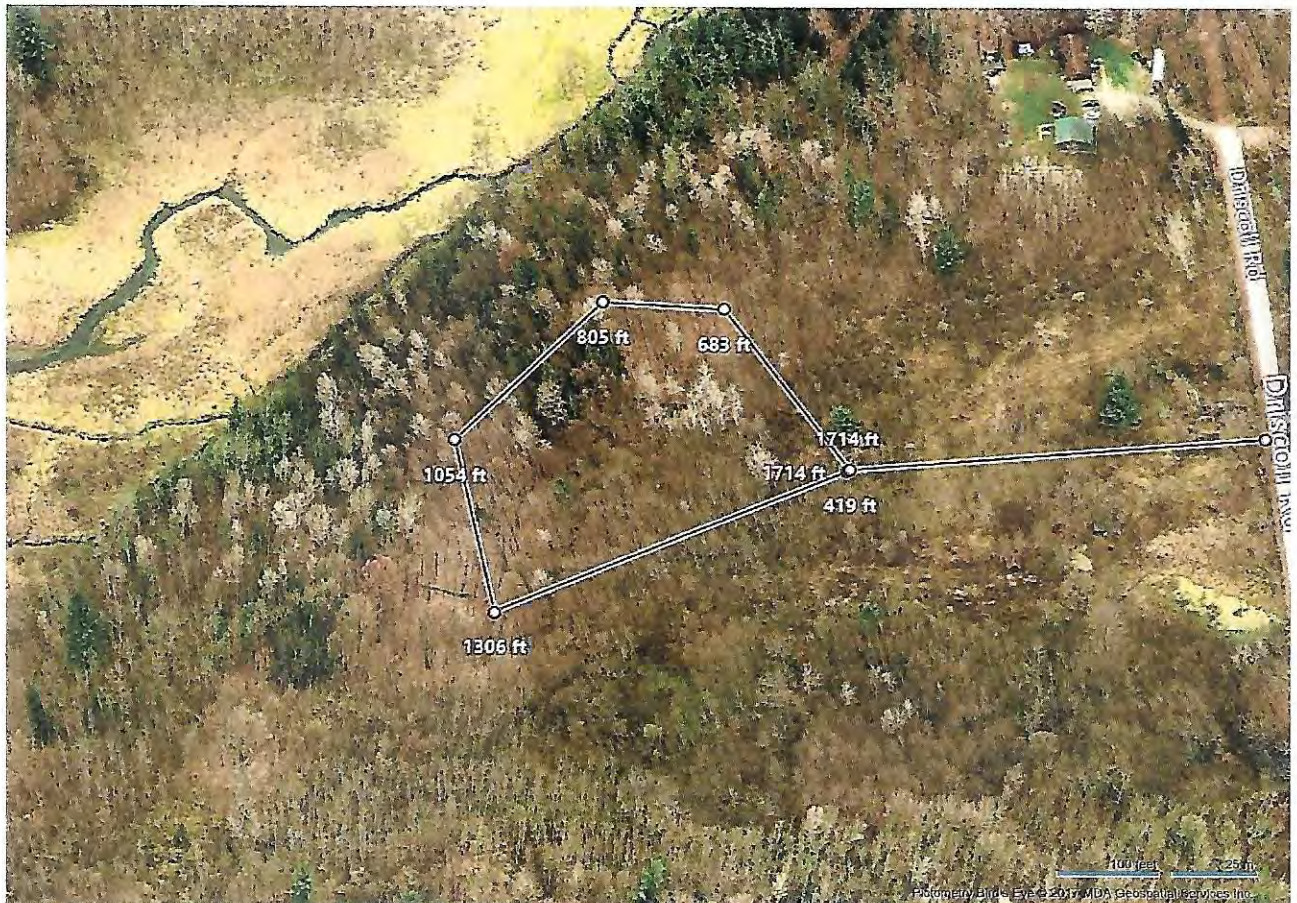
Notes

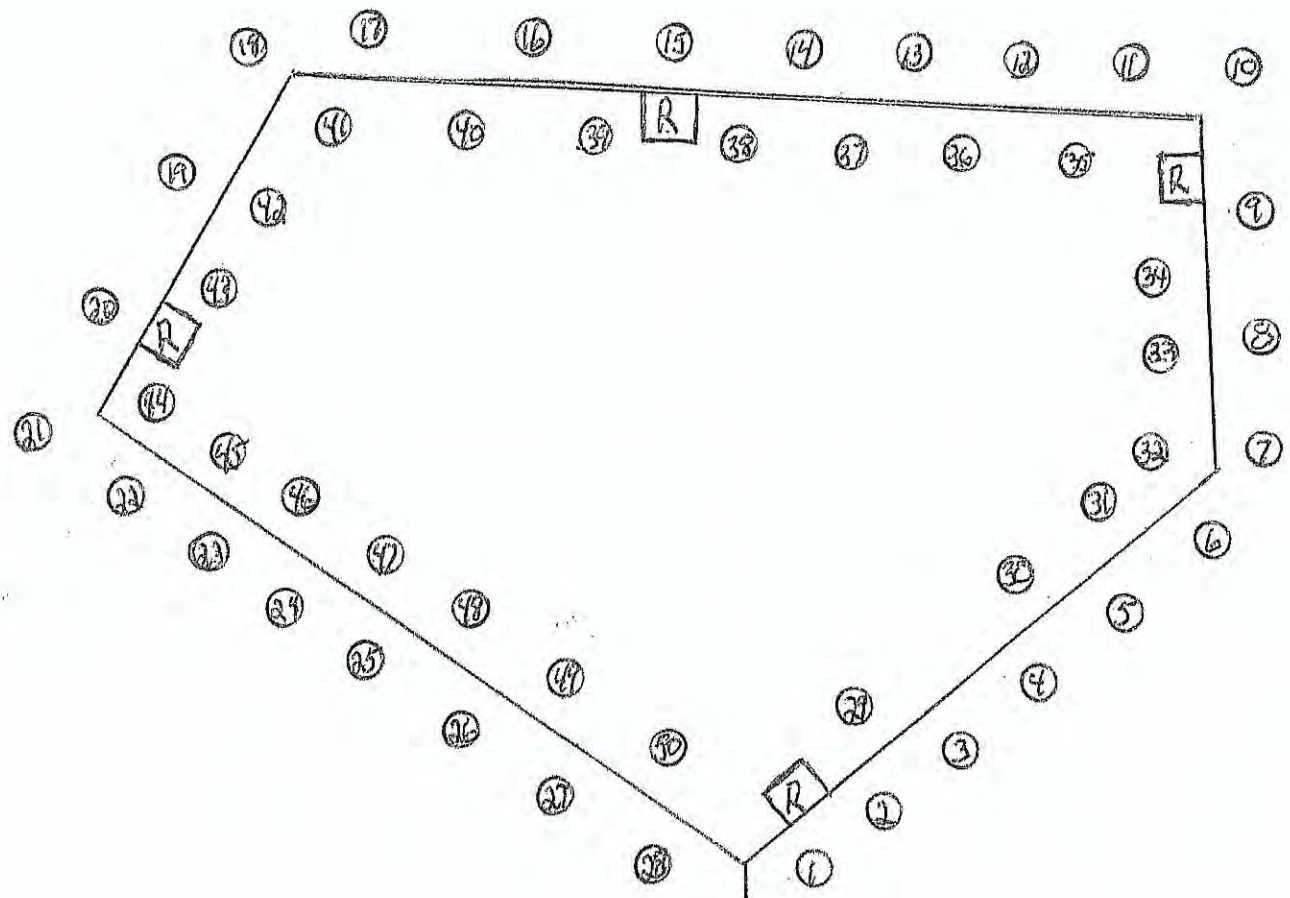
drawing #1 layout of access road



bing

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Visitor Parking



Office

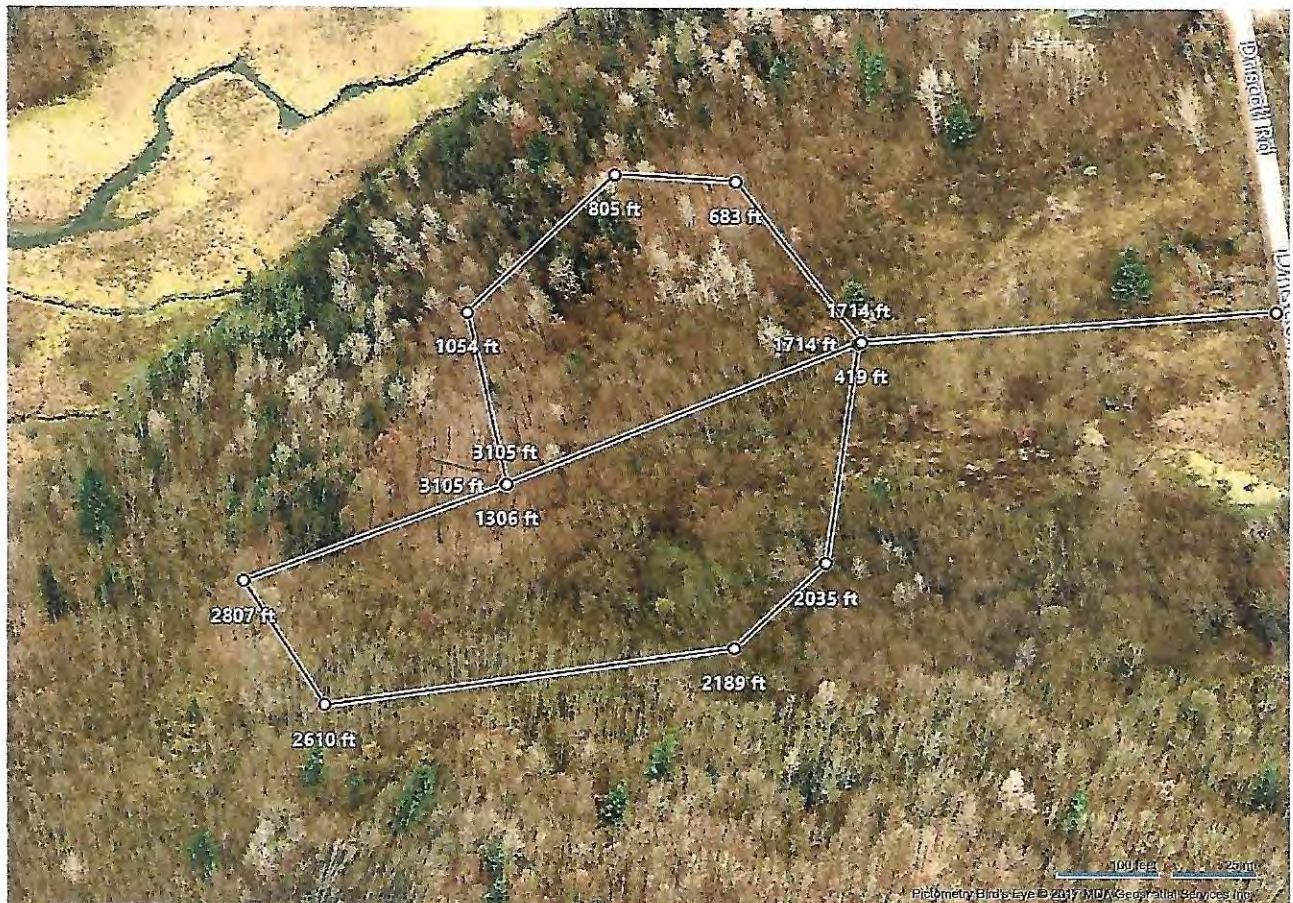
Entrance

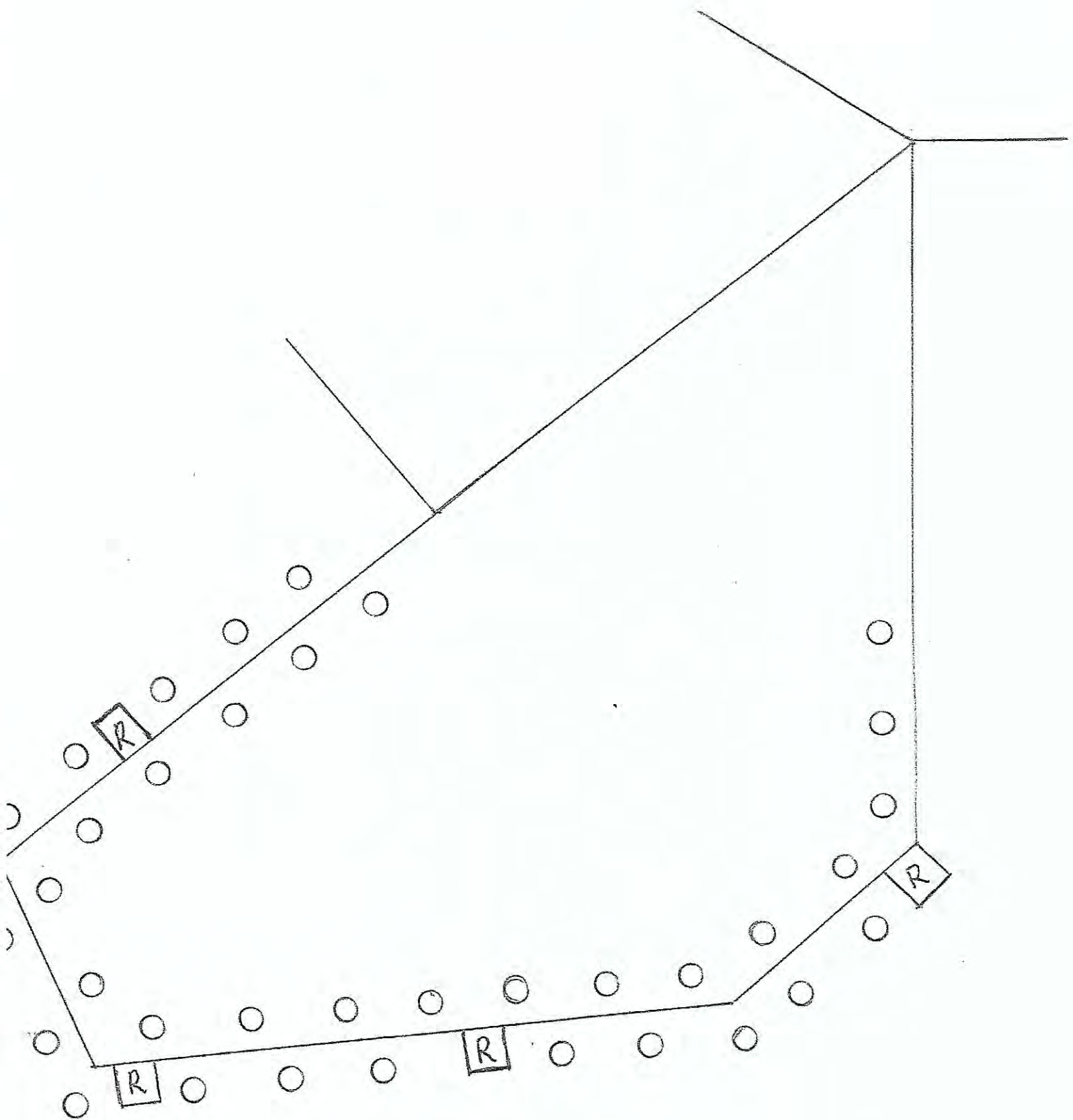
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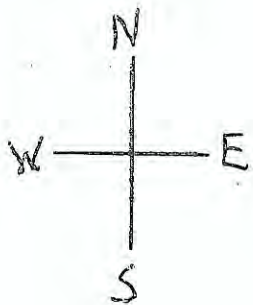
drawing #2 layout of access road phase 2



Driscoll Rd







State Park

Length: 686.78 ft

Length: 510.68 ft

Length: 410.59 ft

Length: 224.22 ft

Length: 518.46 ft

Length: 212.52 ft

Length: 198.49 ft

Length: 156.00 ft

CITY OF SARATOGA SPRINGS

Phase #1
50 sites

Parking

Well

Office

Existing

Length: 340.45 ft

Midway Road

Phase #2
35 sites

Length: 2,132.92 ft

Scale 1" = 230'

Northburg's

a tenting only

campground facility

the stepping stone to Saratoga



Wesley Northburg, phone [REDACTED] cell [REDACTED]
[REDACTED]

Proposal :

To open a campground at 62 Muldowney rd. Saratoga Springs Ny

Offer a place conveniently located to camp and enjoy the area's activities throughout the season.

To provide a clean , safe ,enjoyable camping experience and in return will generate opportunities through the year's

while keeping the area in its natural state.

3 year plan:

Year 1

Comply with all requirements regarding

open area to 50 primitive campsites for tents only (see drawing #1)

to supply facilities re; portable toilets , potable water ,

to install gravel base roads

site size a minimum of 30'X 50' = 1500 sq.ft.

underbrush will be maintained

lots will be graded for low spots

campground will be fully insured

Year 2

open additional area to 35 campsites (see drawing #2)

upgrade bathroom facilities

upgrade 20 site's to water , electric , hookups

septic upgrade

Year 3

Develope plan for expansion ie; store,playground, pavilion etc.

I am a previous landscape owner of 17 years, and may have an opportunity to use my skills
to create a campground that will attract many people over the years
transforming the land, that can be enjoyed by visitors to the Saratoga area while Keeping the
area as a rural setting.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Northburg Campground Facility		
Project Location (describe, and attach a general location map): 62 Muldowney Rd. Saratoga Springs Ny. 12866		
Brief Description of Proposed Action (include purpose or need): to open a tenting only campground with 85 sites		
Name of Applicant/Sponsor: Wesley Northburg		Telephone: [REDACTED]
		E-Mail: [REDACTED]
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Terrence Hickey estate of conway		Telephone: [REDACTED]
		E-Mail:
Address: [REDACTED]		
City/PO: [REDACTED]	State: [REDACTED]	Zip Code: [REDACTED]

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? current zoning is R R	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<hr/>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes,	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. What is the proposed new zoning for the site? recreational	
<hr/>	
C.4. Existing community services.	
a. In what school district is the project site located? Saratoga Springs	
<hr/>	
b. What police or other public protection forces serve the project site? city police county sherrif state police	
<hr/>	
c. Which fire protection and emergency medical services serve the project site? Saratoga Springs fire dept , Wilton emergency squad	
<hr/>	
d. What parks serve the project site? Saratoga State Park	
<hr/>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? recreational use as a campground	
<hr/>	
b. a. Total acreage of the site of the proposed action?	15 acres
b. Total acreage to be physically disturbed?	3 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	65 acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)	
<hr/>	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	2
• Anticipated commencement date of phase 1 (including demolition)	11 month 2017 year
• Anticipated completion date of final phase	10 month 2018 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: site road and lot clearing for expansion of campsites	
<hr/>	

f. Does the project include new residential uses? ☐ Yes ☒ No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion				
of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No
If Yes,

i. Total number of structures 2
ii. Dimensions (in feet) of largest proposed structure: 8 height; 10 width; and 12 length
iii. Approximate extent of building space to be heated or cooled: na square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No
If Yes,

i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:

i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
• Volume (specify tons or cubic yards): _____
• Over what duration of time? _____
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐ Yes ☒ No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No
If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ 300 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____
the use of a well

vi. If water supply will be from wells (public or private), maximum pumping capacity: 25 est. gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ 400 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
sanitary waste water

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
<p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ Square feet or _____ acres (impervious surface)	
_____ Square feet or _____ acres (parcel size)	
ii. Describe types of new point sources. _____	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) excavator, tractor _____	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
ii. In addition to emissions as calculated in the application, the project will generate:	
• _____ Tons/year (short tons) of Carbon Dioxide (CO ₂)	
• _____ Tons/year (short tons) of Nitrous Oxide (N ₂ O)	
• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)	
• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF ₆)	
• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)	
• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☒ Yes ☐ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☒ Randomly between hours of 4pm to 11pm

ii. For commercial activities only, projected number of semi-trailer truck trips/day: 0

iii. Parking spaces: Existing 0 Proposed 20 Net increase/decrease 20

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: gravel access roads will be added

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: <u>8am-5pm</u>	• Monday - Friday: <u>24</u>
• Saturday: <u>8am -5pm</u>	• Saturday: <u>24</u>
• Sunday: _____	• Sunday: <u>24</u>
• Holidays: _____	• Holidays: <u>24</u>

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: bathroom facilities solar lights 400 ft from nearest structure</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): herbicide to control poison ivy</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ 5 tons per _____ 3 months (unit of time) • Operation : _____ 2 tons per _____ month (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: use trees for fire wood and wood chips _____ • Operation: recycle of metal .plastic _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: county waste weekly service _____ • Operation: county waste weekly service _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)

☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1	5	4
• Forested	40	40	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5	5	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	3	3
• Surface water features (lakes, ponds, streams, rivers, etc.)	8	8	0
• Wetlands (freshwater or tidal)	19	19	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ na feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 43 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ 80 % of site
☒ Moderately Well Drained: _____ 15 % of site
☒ Poorly Drained _____ 5 % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ 80 % of site
☐ 10-15%: _____ 20 % of site
☐ 15% or greater: _____ 0 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name geyser brook Classification 1
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name S-25 Approximate Size 19 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:
i. Name of aquifer: na

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>deer turkey rabbits</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>limit the hunting allow access to fishing _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Identify resource: geyser and springs at State park	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Park	
iii. Distance between project and resource: _____ 3/4 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

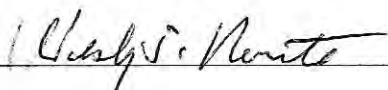
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Wesley Northburg Date 8/15/2017

Signature  Title owner

Chapter 1

State Sanitary Code

Subpart 7-3

Campgrounds

(Statutory authority: Public Health Law, §225)

Effective March 7, 2001

Pursuant to the authority vested in the Commissioner of Health by section 225 of the Public Health Law, a new Subpart 7-3 of Part 7 of the Official Compilation of Codes, Rules and Regulations for the State of New York is hereby added to be effective upon publication of a Notice of Adoption in the State Register to read as follows:

Subpart 7-3

Campgrounds

(Statutory Authority: Public Health Law, section 225)

Section

- 7-3.1 Definitions
- 7-3.2 Application
- 7-3.3 Permit for operation, inspections, access
- 7-3.4 Operator responsibilities and reporting requirements
- 7-3.5 Enforcement
- 7-3.6 Variance and waivers
- 7-3.7 Notice of construction, enlargement, development, improvement or conversion required; prior approval
- 7-3.8 Campsite space requirements
- 7-3.9 Fire safety
- 7-3.10 Building maintenance/grounds
- 7-3.11 Food service
- 7-3.12 Swimming pools and bathing beaches
- 7-3.13 Water supply
- 7-3.14 Sewage treatment
- 7-3.15 Toilets, lavatories and utility sinks
- 7-3.16 Showers
- 7-3.17 Electrical
- 7-3.18 Insect, rodent, and weed control
- 7-3.19 Refuse storage and disposal

7-3.1 **Definitions.** For purpose of this Subpart, the following terms shall have the following meanings:

- (a) **Adequate.** Sufficient to accomplish the purpose for which something is intended, and to such a degree that no unreasonable risk to health or safety is presented. An item installed, maintained, designed and assembled, an activity conducted, or act performed, in accordance with generally accepted standards, principles or practices applicable to a particular trade, business, occupation or profession, is adequate within the meaning of this Subpart.
- (b) **Campground.** Any parcel or tract of land including buildings or other structures, under the control of any person, where five or more campsites are available for temporary or seasonal overnight occupancy.
- (c) **Camping cabin.** A hard sided tent or shelter less than 400 square feet in area which is on skids or otherwise designed to be readily moveable and which does not have cooking facilities, sinks, showers, laundry or toilet facilities.
- (d) **Camping unit.** A tent, camping cabin, recreational vehicle or other type of portable shelter intended, designed or used for temporary human occupancy.
- (e) **Campsite.** A portion of a campground, with or without connections to water supply, electrical service or sewage systems, used by one camping unit.
- (f) **Permit-issuing official.** The State Health Commissioner, the health commissioner or health officer of a city of 50,000 population or over, the health commissioner or health officer of a county or part-county health district, or the State district director having jurisdiction, or any county or public health director having all the powers and duties prescribed in section 352 of the Public Health Law.
- (g) **Person.** An individual, group of individuals, partnership, corporation, association, political subdivision, state or local governmental agency, municipality, or any other legal entity.

- (h) **Potable water.** Water fit for human consumption, food preparation, lavatory, culinary, bathing or laundry purposes.
- (i) **Recreational vehicle.** A vehicular camping unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, camping trailers, fifth wheel trailers, motor homes, park trailers, travel trailers, and truck campers.
- (j) **Refuse.** All putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator residue, street cleanup, dead animals, offal and solid commercial waste.
- (k) **Scavenger equipment.** A combination of a portable holding tank, pumping or other waste transfer method, and water tight hose connections, whereby a water tight seal can be made between the sewer connection of a recreational vehicle and a portable holding tank to empty the contents of the recreational vehicle sewage holding tank for transport to an approved sewage disposal system.
- (l) **Seasonal campsite.** A campsite intended to be occupied by the same individual or group for 30 days or more.
- (m) **Self-contained recreational vehicle.** A recreational vehicle equipped with at a minimum a toilet, a holding tank for sewage, a holding tank for drinking water and/or a connection through which the vehicle can be connected to the campground's water supply.

These vehicles may also have electrical connections, showers, or other appliances.

- (n) **Sewage.** Excreta and the waste from a toilet, privy, bath, shower, sink, lavatory, dishwashing or laundry machine, or the water carried waste from any other fixture or equipment or machine.

- (o) **Uniform code.** Chapter 1, Subtitle S, Volume B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York, known as the “State Uniform Fire Prevention and Building Code”.

7-3.2 **Application**

- (a) The requirements of this Subpart shall apply to a campground where five or more campsites are occupied or maintained for occupancy except:
 - (1) those portions of a campground occupied by the owner(s) or operator(s) thereof, or their immediate family;
 - (2) a campground occupied for less than sixty (60) hours in any calendar year.
- (b) The requirements of this Subpart shall not apply to:
 - (1) a children’s camp as defined in Subpart 7-2, of Part 7 of this Title, migrant farm worker housing as defined in Part 15 of this Title, or a mobile home park as defined in Part 17 of this Title; and
 - (2) any other type of operation, occupancy or use of a property determined by the State Commissioner of Health as not being within the intent of regulation by this Subpart.
- (c) The requirements in this Subpart supercede the provisions in Subpart 7-1 for travel vehicle parks and campsite operators.

7-3.3 **Permit for operation, inspections, access**

- (a) Application for permit. Application for a permit shall be made by the operator to the permit-issuing official at least 30 days before operation or the expiration of an existing permit or a change in name, owner or operator.
- (b) An application for a permit may be denied when the applicant has exhibited a history of non-compliance with the requirements of this Subpart or Subpart 7-1; the

campground is found to be a potential source of danger to the general public health and safety or the health and safety of the occupants of the campground; or the campground does not comply with the requirements of this Subpart.

- (c) A permit for a campground shall be issued for a period of not more than three years from the date of issue. A permit shall not be transferable or assignable and shall expire upon a change of the operator of the campground or upon the date specified by the permit-issuing official.
- (d) Revocation, suspension. A permit may be revoked or suspended by the permit-issuing official or the State Commissioner of Health if the campground for which the permit was issued is found to have been maintained, operated or occupied in violation of the Public Health Law, or this chapter or the sanitary code of the health department in which the campground is located or upon abandonment of the operation. Before suspension, or revocation of a permit, the permittee shall be given the opportunity to be heard by the permit-issuing official or his designated officer to contest the revocation or suspension of the permit to operate. A permit may be surrendered by a permittee.
- (e) The permit-issuing official or representative shall be allowed entry at any time for the purposes of inspection to any property operated as a campground as defined by this Subpart.
- (f) A separate permit to operate a temporary residence shall not be required for structures which are available for overnight transient occupancy, and which do not meet the definition of a camping unit.
- (g) A permit issued for the operation of a campground shall be posted in a conspicuous place on the premises.

7-3.4 Operator responsibilities and reporting requirements

- (a) The operator of a campground shall provide an individual to be in charge of the property and to maintain the facilities as required by this Subpart and who shall be on or available to the property at all times when the property is occupied or open for occupancy.

A telephone number or other method for summoning the individual in charge shall be posted in an area readily accessible to the campground occupants.

- (b) The operator shall report the following to the permit-issuing official within 24 hours of occurrence:
 - (1) Injury or illness occurring at a swimming pool or bathing beach as required by section 6-1.7 and/or 6-2.7 of Subparts 6-1 or 6-2 of Part 6 of this Chapter.
 - (2) A condition suspected of affecting the quantity or quality of the on-site potable water supply or constituting a public health hazard as specified by section 5-1.1(ar) of Subpart 5-1 of Part 5 of this Chapter.
 - (3) Illness suspected of being food-borne due to consumption of food from a food service establishment in the campground as required by section 14-1.200 of Subpart 14-1 of Part 14 of this Chapter.

7-3.5 Enforcement

- (a) Permits and placarding:
 - (1) Operation of a campground without a permit is a violation of this Subpart. The permit-issuing official may order any facility operating without a permit to close and remain closed until a valid permit for operation of the facility is obtained.
 - (2) Where a public health hazard as defined in subdivision (b) of this section is found, the portion of the campground constituting the hazard may be placarded

to prohibit use until the hazard is corrected in order to protect the public health or safety of the occupants. When a placard is used, it shall be conspicuously posted at each entrance or walkway leading to the portion of the property where the hazard exists. The placard shall state the authority for its placement and indicate that concealment, mutilation, alteration or removal of it by any person without permission of the permit-issuing official shall constitute a violation of this Chapter and the Public Health Law.

- (3) As soon as possible, and in any event within 15 days after placarding a facility, the operator shall be provided with an opportunity to be heard and present evidence that continued operation of the facility does not constitute a danger to the health or safety of the public. The hearing shall be conducted by the permit-issuing official or designated hearing officer.
- (4) The permit-issuing official or designated representative shall inspect the premises within two working days of notification that the hazard has been eliminated, and remove the placard(s) after verifying correction.

(b) Public health hazards.

- (1) A public health hazard is any condition which could be reasonably expected to be responsible for illness, physical injury or death. Any of the following violations are public health hazards which require the permit-issuing official or designated representative to order immediate correction or to immediately institute action as provided in the law and in this Subpart:
 - (i) the condition of the electric service, wiring or electrical system components is such that an imminent fire or shock hazard exists;
 - (ii) the potable water system serving the campground contains contaminants in excess of the maximum contaminant levels prescribed in applicable sections

of Part 5 of this Chapter or section 7-3.13(b) of this Subpart;

(iii) use of an unapproved water supply source;

(iv) insufficient quantity of water to meet drinking or sanitary demands;

(v) the treatment of the campground water system, when required for disinfection or removal of contaminants, is not continuous;

(vi) disinfection which is inadequate to destroy harmful microorganisms or to maintain a specified chlorine residual;

(vii) the presence of cross connections or other faults in the water distribution or plumbing systems which result, or may result, in the contamination of the potable water supply;

(viii) inadequately treated sewage discharging on the ground surface in an area accessible to campground occupants or which may result in pollution of a ground or surface water supply or bathing beach;

(ix) if food service is provided upon the campground by the operator or a food vendor, the presence of any of the public health hazards defined in section 14-1.10(b) and (c) of Subpart 14-1 of Part 14 of this Chapter;

(x) where pools or beaches are provided, the presence of any of the public health hazards defined in sections 6-1.4(b) of Subpart 6-1 of Part 6 of this Chapter or section 6- 2.4(b) of Subpart 6-2 of Part 6 of this Chapter;

(xi) any other condition determined to be a public health hazard, by the permit-issuing official.

7-3.6 Variance and waivers

- (a) In order to allow time to comply with a provision of this Subpart, an operator may submit a written request to the permit-issuing official for a variance. A request for a variance will not be considered unless the operator demonstrates that the health and safety of the public will not be prejudiced by the variance, and that there are practical difficulties or hardships in immediate compliance with the provision. An operator must meet all terms and conditions of an approved variance.
- (b) In order to obtain a waiver permitting alternative arrangements that do not meet the provisions of this Subpart but do protect the health and safety of the occupants and the public, an operator may submit a written request to the permit-issuing official for a waiver from a specific provision of this Subpart. Such request must demonstrate that the alternate arrangements provide adequate protection of the health and safety of the occupants and public. The permit-issuing official shall obtain and be guided by the recommendation of the State Department of Health prior to granting or denying a waiver. An operator must meet all terms of an approved waiver. A waiver will remain in effect indefinitely unless revoked by the permit-issuing official or the facility changes operators.

7-3.7 Notice of construction, enlargement, development, improvement or conversion required; prior approval.

- (a) No person shall construct or enlarge for occupancy or use a campground or any portion or facility thereof, or develop or improve a property for occupancy and use as a campground, or convert a property for use or occupancy as a campground, without giving notice in writing of intent to do so to the permit-issuing official, at least 30 days before the proposed date of beginning of such construction, enlargement, development, improvement or conversion. The notice shall give the name of the city, village, or town in which the property is located, the location of the property

within that area, a brief description of the proposed construction, enlargement, development, improvement, or conversion, and the name and mailing address of the person giving the notice and his or her telephone number, if any.

- (b) Plans and specifications required by the permit-issuing official shall be submitted to the permit-issuing official. Construction, enlargement, development, improvement or conversion shall not commence until required plans or specifications have been approved by the permit-issuing official.
- (c) All new construction including alterations, enlargements, conversions, campsite modifications or relocation of structures, shall conform with the requirements of this Subpart and the Uniform Code. The operator shall submit, prior to occupancy or use of the new facilities, a Certificate of Occupancy issued by the Local Code Enforcement official, when applicable, and a construction compliance certificate. The construction compliance certificate shall state that the facilities have been constructed in accordance with the approved plans.

7-3.8 Campsite space requirements.

- (a) The minimum area per site, for campsites that existed prior to the effective date of this Subpart, shall be either: 1,500 square feet; or, in compliance with subdivision (b) of this section.
- (b) New campsites constructed and existing campsites modified after the effective date of this Subpart shall be a minimum of 1250 square feet. These campsites shall be large enough to allow at least a five foot clearance between the boundaries of the campsite and the exterior surfaces of the camping unit placed on it as well as any add-on structures or appurtenances attached to it, so as to provide for a 10 foot separation distance between camping units on adjacent campsites.

7-3.9 Fire safety. Structures not meeting the definition of a camping unit which are available for overnight transient occupancy, shall meet the fire safety requirements contained in Subpart 7-1 of Part 7 of this Chapter.

7-3.10 Building maintenance/grounds.

- (a) Containers of flammable or combustible liquids must be stored, handled and dispensed in accordance with appropriate provisions of the Uniform Code.
- (b) A campground shall be located so that adequate surface drainage of campsites is provided during the period of operation.

7-3.11 Food service. Any food service operated by the campground operator or other food vendor shall meet the requirements of Part 14 of this Chapter. If the food service is operated by a food vendor other than the operator of the campground, a permit to operate in accordance with the appropriate Subpart of Part 14 of this Chapter must be obtained.

7-3.12 Swimming pools and bathing beaches. A swimming pool or bathing beach operated as a part of a campground for the use of occupants, guests, invitees or employees shall be constructed, maintained and operated so as to comply with the provisions of Subparts 6-1 or 6-2 of Part 6 of this Chapter as appropriate.

7-3.13 Water supply. Every campground potable water supply meeting the definition of a public water system as defined in Subpart 5-1 of Part 5 of this Title shall, in addition to complying with sections 7-3.13(d)- 7-3.13(l), of this Subpart, comply with the applicable requirements of Subpart 5-1 of Part 5 of this Chapter. All other potable water supplies serving campgrounds not meeting the definition of a public water system shall comply with the following requirements:

(a) Treatment

- (1) Minimum treatment for a ground water source shall be disinfection by chlorination or other disinfection methods acceptable to the permit issuing official unless a waiver for disinfection has been issued based upon a satisfactory history of microbiological water quality and all sources of the water supply are properly located, constructed and effectively protected and maintained.
- (2) Minimum treatment for surface water sources or ground water sources directly influenced by surface water shall be filtration and disinfection techniques, approved by the permit issuing official, capable of 99.9 percent removal and/or inactivation of viruses and giardia lamblia cysts.

(b) Maximum contaminant levels (MCL):

Contaminant	MCL
Total Coliform Escherichia Coli (E. Coli)	Any positive sample Any positive sample
Nitrate Nitrite Total Nitrate and Nitrite	10 (as Nitrogen) mg/L 1 (as Nitrogen) mg/L 10 (as Nitrogen) mg/L

(c) Monitoring requirements. Samples shall be collected from the water system(s) for analysis as follows:

- (1) At least one sample collected for microbiological analysis from each system prior to opening for the operating season and at least one additional sample collected from each system during the operating season. For those campgrounds operating more than 90 days in a calendar year microbiological samples shall be collected for each quarter the campground is in operation.

- (2) A sample shall be collected for nitrate and nitrite analysis for new water sources.
- (3) Additional monitoring may be required when determined by the permit-issuing official to be necessary to evaluate water quality.
- (d) Submission of plans; prior approval. A plan for proposed new or modified potable water supply systems shall be submitted to the permit-issuing official at least 30 days prior to beginning construction. No construction of new or modified potable water supply systems shall commence until plans and specifications have been submitted to and approved by the permit-issuing official. Construction shall be in accordance with the approved plans.
- (e) Minimum standards.
 - (1) Potable water shall be adequate in quantity and quality and shall be readily available to occupants of the campground. Only potable water shall be easily accessible.

An adequate supply shall mean at least 55 gallons per day per campsite which includes water use for toilets, hand washing, showers and individual campsite food preparation and clean-up. Additional available capacity for food services, bathing facilities, laundry and demand created by day use of these facilities shall be provided.
 - (2) Structures available for overnight occupancy other than those meeting the definition of a camping unit, shall be supplied with at least 150 gallons of water per unit per day.
- (f) Source protection. All potable water sources and distribution systems shall be designed, located, constructed and maintained to provide protection against contamination or pollution. All pumps, piping fixtures and appurtenances shall be adequately installed and maintained to protect against contamination of any water source.

- (g) Connections prohibited. There shall be no physical connection between the potable water supply and any non potable water supply. Any fixture, installation or equipment which is subject to back-siphonage shall be adequately installed and maintained to protect against contamination of the water source(s)
- (h) A minimum pressure of 20 pounds per square inch, at peak demand, shall be maintained in all parts of the campground distribution system.
- (i) Report on water treatment. When a water treatment process is required to maintain adequate water quality, accurate and complete reports on the operation of the treatment system shall be maintained daily and submitted at least monthly, within 10 days of the end of each month, during periods of operation to the permit-issuing official on a form supplied for this purpose.
- (j) Interruptions, changes in sources or treatments. Any incident or condition which effects the quantity or quality of the on-site potable water supply shall be reported to the permit-issuing official within 24 hours of occurrence. There shall be no changes made to the source, or method of treatment of a potable water supply, either temporary or permanent, without first receiving approval from the permit-issuing official. An adequate supply of potable water must be provided and maintained during all times of operation.
- (k) An adequate supply of potable water shall be provided within 250 feet of all campsites. One water spigot with a soakage pit or other disposal facilities shall be provided for each 10 campsites not provided with individual spigots on the campsites.
- (l) A common drinking utensil shall not be provided. Drinking fountains shall be of adequate sanitary design and construction.

7-3.14 Sewage treatment. Facilities shall be provided and maintained for the satisfactory treatment or scavenging and disposal of sewage. In addition, such facilities shall meet the following requirements:

- (a) Submission of plans. A plan for proposed new or modified sewage treatment facilities or scavenging systems shall be submitted to the permit-issuing official at least 30 days prior to beginning construction.
- (b) Plan approval and construction. A permit or written approval for the sewage system plan(s) shall be obtained from the permit-issuing official and/or the New York State Department of Environmental Conservation . No construction of new or modified sewage treatment facilities shall be commenced until such permit or written approval has been received by the permittee. Construction shall be in accordance with the approved plans.
- (c) The presence of inadequately treated sewage on the surface of the ground is prohibited.
- (d) Privies shall be so located, constructed and maintained that they will not pollute a water supply, surface water, adjacent ground surface, or permit access of flies or rodents to the privy vault. Privy vault contents shall be emptied and/or adequately treated.
- (e) At least one sanitary dumping station for each 100 campsites or less must be provided. Sites provided with individual sewer connections shall not be counted when determining the required number of sanitary dumping stations. Sanitary dumping stations shall not be required at campgrounds for tent or camping cabin use only.
- (f) Seasonal campsites. Seasonal campsites constructed after the effective date of this Subpart, intended for use by self-contained recreational vehicles shall be provided with either: (1) a sewer inlet connection, or; (2) an acceptable operator run scavenger service for routine collection of sewage from each recreational vehicle. Information regarding the scavenger equipment and collection schedule

shall be submitted to the permit-issuing official for review and approval.

7-3.15 Toilets, lavatories and utility sinks.

- (a) General requirements. Toilet facilities shall be provided. These facilities shall be constructed of cleanable materials, and maintained in a sanitary condition and in good repair.
- (b) A minimum of four toilets, two per sex, shall be provided at all campgrounds.

Additional toilets shall be provided as follows:

- (1) Campsites without individual sewer connections.
One toilet per sex for each additional 25 campsites or fraction thereof, after the first 25 campsites, located within 500 feet of each campsite.
- (2) Campsites with individual sewer connections. One toilet per sex for each additional 75 campsites after the first 25 campsites, located within 500 feet of each campsite.
- (3) Urinals may be substituted for up to one-third of the required toilets in the male facilities for campgrounds constructed or enlarged after the effective date of this Subpart.

For campgrounds operating prior to the effective date of this Subpart, one-half of the required toilets for males may be urinals.

- (c) For every two toilets, one handwash facility shall be provided. Handwash facilities shall be located in close proximity to the toilets.
- (d) Utility sinks for disposal of dishwater shall be provided and conveniently located.

7-3.16 **Showers.**

- (a) If showers are provided, they shall be constructed of cleanable materials and maintained in a sanitary condition and good repair and provided with hot and cold running water.
- (b) Hot water shall mean water heated or tempered to provide a temperature of 90° to 110° degrees Fahrenheit at the point of use.

7-3.17 **Electrical.**

- (a) Installation of electrical service, wiring, and fixtures shall conform to the Uniform Code. A certificate of approval provided by a qualified electrical inspector shall be submitted for all new electrical work.
- (b) The electrical service, wiring and fixtures shall be in good repair and safe condition. Where conditions indicate a need for inspection, the electrical service and wiring shall be inspected by a qualified electrical inspector, and a copy of the inspection report and certificate of approval shall be submitted to the permit-issuing official.

7-3.18 **Insect, rodent, and weed control.**

- (a) Grounds, buildings and structures shall be maintained in such a manner as to control insect and rodent infestation. Extermination methods and other measures to control insects and rodents shall conform with the requirements of the permit-issuing official or other agency having jurisdiction.
- (b) The growth of ragweed, poison ivy, poison oak, poison sumac and other noxious weeds shall be controlled to minimize contact by campground occupants.

7-3.19 Refuse storage.

- (a) Adequate facilities shall be provided and maintained for the temporary storage and handling of refuse to prevent nuisance conditions, insect and rodent infestations, and pollution of air and water.

Detailed Tax Parcel Information

4/26/2017

Print Key: 191.-1-30

<u>Owner Name</u>	<u>Owner Address</u>	<u>Property Address</u>
Conway, Jacinta Estate Of	24 Columbia Ave Saratoga Springs, NY 12866	MULDOWNEY RD Saratoga Springs

School District:	Saratoga Springs Csd	Acres:	65
Property Class:	Vac w/imprv	Assessed Land Value:	\$226,000
Property Class Code:	312	Total Assessed Value:	\$233,900
Deed Book:	1628		
Deed Page:	320		
Frontage:	1345		

Intersecting With DEC Wetlands: 1 Results

CLASS	WETID	Coverage (Acres)	Coverage (%)
1	S-25	19.33	29.75

Total Coverage In Acres: 19.33 Total Coverage %: 29.75%

Intersecting With NWI Wetlands: 6 Results

WETLAND TYPE	Coverage (Acres)	Coverage (%)
Freshwater Forested/Shrub Wetland	5.70	8.78
Freshwater Forested/Shrub Wetland	0.78	1.20
Freshwater Pond	5.23	8.05
Freshwater Forested/Shrub Wetland	7.08	10.89
Freshwater Forested/Shrub Wetland	6.97	10.73
Freshwater Forested/Shrub Wetland	0.65	1.00

Total Coverage In Acres: 26.41 Total Coverage %: 40.65%

Intersecting With Floodplains: 1 Results

FSI Zone	Coverage (Acres)	Coverage (%)
AE	18.53	28.51

Total Coverage In Acres: 18.53

Total Coverage %: 28.51%

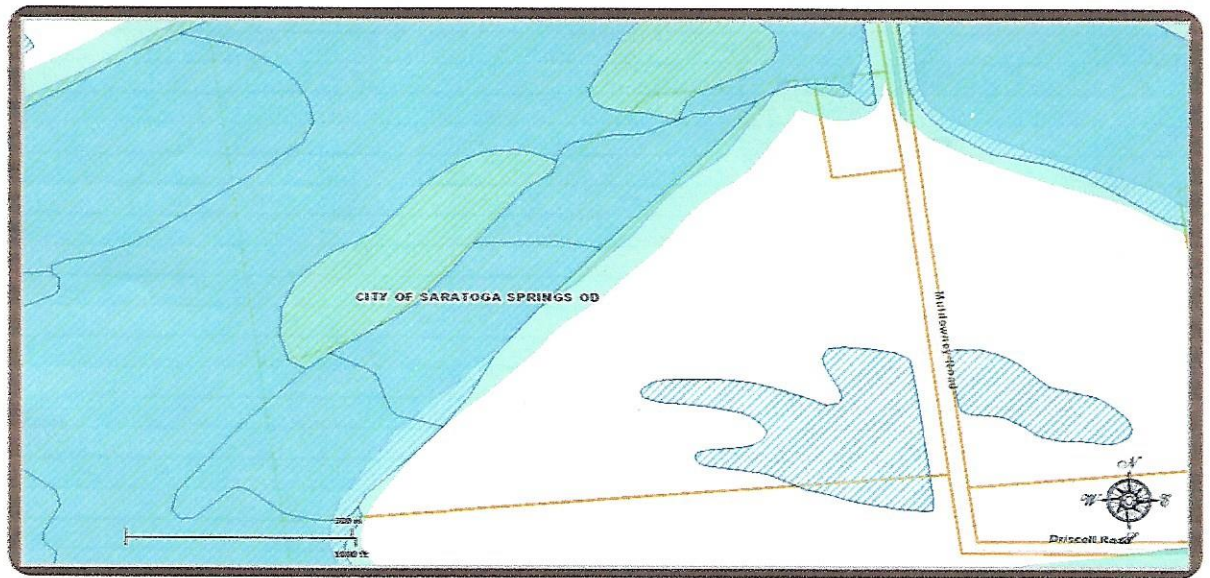
Intersecting With Soils: 5 Results

MUSYM	Coverage (Acres)	Coverage (%)
Pm	5.21	8.02
BtB	21.36	32.86
MvA	12.05	18.55
FI	15.90	24.46
Sn	10.44	16.06

northburg

Legend

-  NW1 Wetlands
-  DEC Wetlands
-  DEC Wetland Buffer 300 Ft
-  County
-  Municipal Boundaries
-  Local Roads
-  Parcels



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthomage) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

August 14, 2017

- Breakdown for reasons of no financial return per existing zoning, 62 Muldowney Rd.

Saratoga Springs, N.Y. 12866

- Current use of land : Vacant.
- City assessed value: \$233,900.00.
- Current tax revenue: \$6500.00 annually.
- Cost of sewer, water, and other updates, ie. road , natural gas to area, would not make the lot feasible to development.
- Existing sewer is located near crecent ave. and rt. 9, water is located at the end of Driscoll rd. and rt. 9 on east side.
- Cost to install utilities would be exceptionally high resulting in no reasonable financial return.
- Water est. cost : $\$250.00 \text{ +/- } . \text{ L.F. } \times 3960 \text{ ft +/- } = \$ \$990,000.00$
- Sewer est. cost : $\$ 300.00 + \text{ per L.F. } \times 14,520 \text{ ft +/- } , 2.75 \text{ miles +/- } = \$ 4,356,000.00$
- The wetland's percentage of the lot of 65 % +/- , prevent's the amount of septic systems as zoned, for proper sewage treatment.
- Current permitted uses would require city sewer and water, and be in line with R. R. conservation design district.

ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING

APPLICANT: WESLEY NORTHBURG

TAX PARCEL NO.: 191.-1-30

PROPERTY ADDRESS: 62 MULDOWNNEY ROAD

ZONING DISTRICT: RURAL RESIDENTIAL

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

Proposed seasonal campground and associated improvements for a total of 85 tent sites over two phases.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s):

240-2.2 Table 2. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☒ Use Variance to permit the following: Campground

☐ Area Variance seeking the following relief:

Dimensional Requirements

From

To

Note: Site plan review required

☒ Advisory Opinion required from Saratoga County Planning Board


ZONING AND BUILDING INSPECTOR

9/5/17
DATE



SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

September 29, 2017

Susan Barden, Sr. Planner
City of Saratoga Springs
City Hall/474 Broadway
Saratoga Springs, NY 12866

RE: SCPB Referral# 17-171-Use Variance-Northburg/Northburg Campgrounds

Develop and operate an 85-site tent-only campground on a 65-acre parcel in the city's RR District.

Muldowney Road, off Driscoll Avenue and adjacent to Saratoga Spa State Park.

Received from the City of Saratoga Springs Zoning Board of Appeals on August 17, 2017.

Reviewed by the Saratoga County Planning Board on September 21, 2017.

Decision: Incomplete; need additional information

Comment:

We note the proposal to be a SEQR Type 1 action based upon its location adjacent to lands of a State Park on the National Register. The proposed use, not permitted in the RR District – or any zoning district in the city, is a temporary/seasonal use proposed for 65 acres of vacant lands (with no improvements) being leased from another party.

Evidence has not been provided to demonstrate that either the owner or applicant has experienced (or does now experience) an unnecessary hardship to use the subject property for any of the RR District's list of permitted uses.

The project is located in a southern gateway of the city, with it and surrounding lands being rural in nature, undisturbed in many areas, and lacking public infrastructure/utilities. The applicant has noted that the property is in a rural setting and will remain so after 16 weeks of use, with low impact and no permanent construction being undertaken. The proposal should be considered in the context of questioning why such a use has been left off the schedule of permitted uses for every zoning district within the city. Consideration needs to be given to whether the use and its proposed location conform to the outlines and objective of the city's comprehensive plan. Rather than pursue a use variance for one particular project site and applicant, it may be more feasible to petition the city council for adding this use to the list of permitted uses in the RR District subject to issuance of a special use permit that provides conditions and protections as warranted.

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX

Short of that, the city zoning board of appeals and planning board (if application proceeds) should have for their review a site plan with the delineation of jurisdictional wetlands, a mapping of the defined parking area that notes the required parking spaces can be provided, and an entrance location that provides safe ingress and egress. It is assumed that no water or sewer service is directly available. The material provided as record of the appeal should indicate whether mobile port-a-johns are to be used, whether there is a well on site, if any means of showering or bathing will be provided, and if there will be any provision of potable water. Review and verification needs to be provided as to whether this particular application is compliant with NYS DOH regulations for campgrounds.



Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

DISCLAIMER: Recommendations made by the Saratoga County Planning Board on referrals and subdivisions are based upon the receipt and review of a "full statement of such proposed action" provided directly to SCPB by the municipal referring agency as stated under General Municipal Law section 239. A determination of action is rendered by the SCPB based upon the completeness and accuracy of information presented by its staff. The SCPB cannot be accountable for a decision rendered through incomplete or inaccurate information received as part of the complete statement.



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Tel: 518-587-3550 fax: 518-580-9480

[FOR OFFICE USE]

(Application #)

(Date received)

APPLICATION FOR:
APPEAL TO THE ZONING BOARD FOR AN
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

APPLICANT(S)*	OWNER(S) (If not applicant)	ATTORNEY/AGENT
Name Edward Diehl	Dolores Diehl	Michele Anderson
Address [Redacted]		48 Union Avenue, Suite 1
		Saratoga Springs NY 12866
Phone [Redacted]		
Email [Redacted]		

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises: ☐ Owner ☒ Lessee ☐ Under option to lease or purchase

PROPERTY INFORMATION

1. Property Address/Location: 578 Lake Avenue Tax Parcel No.: 167 - 2 - 5
(for example: 165.52 - 4 - 37)
2. Date acquired by current owner: 1951 3. Zoning District when purchased: D
4. Present use of property: Garage/repair shop 5. Current Zoning District: _____
6. Has a previous ZBA application/appeal been filed for this property?
☐ Yes (when? _____ For what? _____)
☐ No
7. Is property located within (check all that apply): ☐ Historic District ☐ Architectural Review District
☐ 500' of a State Park, city boundary, or county/state highway?
8. Brief description of proposed action: _____
Interpretation of Zoning Officer's determination that current use is in Violation of Chapter 240 of the Zoning Code, specifically Article 2, Table 2: Article 7 7.4.12 Historic Review and Article 7 7.2.3 Special Use Permit and Site Plan as per the attached notice of violation.
9. Is there a written violation for this parcel that is not the subject of this application? ☒ Yes ☐ No
10. Has the work, use or occupancy to which this appeal relates already begun? ☒ Yes ☐ No
11. Identify the type of appeal you are requesting (check all that apply):
☒ INTERPRETATION (p. 2) ☐ VARIANCE EXTENSION (p. 2) ☐ USE VARIANCE (pp. 3-6) ☐ AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- | | |
|--|---------|
| <input checked="" type="checkbox"/> Interpretation | \$ 400 |
| <input type="checkbox"/> Use variance | \$1,000 |
| <input type="checkbox"/> Area variance | |
| -Residential use/property: | \$ 150 |
| -Non-residential use/property: | \$ 500 |
| <input type="checkbox"/> Extensions: | \$ 150 |

INTERPRETATION – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Chapter 240 Articles 2 and 7

Section(s) _____

2. How do you request that this section be interpreted? _____

The existing use is a pre-existing non-conforming lawful use which began in 1951. Please see attached memorandum of explanation.

3. If interpretation is denied, do you wish to request alternative zoning relief? ☒ Yes ☐ No

4. If the answer to #3 is "yes," what alternative relief do you request? ☒ Use Variance ☐ Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? ☐ Use ☐ Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

USE VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- I. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

A. Submit the following financial evidence relating to this property (attach additional evidence as needed):

1) Date of purchase: _____ Purchase amount: \$ _____

2) Indicate dates and costs of any improvements made to property after purchase:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

3) Annual maintenance expenses: \$ _____ 4) Annual taxes: \$ _____

5) Annual income generated from property: \$ _____

6) City assessed value: \$ _____ Equalization rate: _____ Estimated Market Value: \$ _____

7) Appraised Value: \$ _____ Appraiser: _____ Date: _____

Appraisal Assumptions: _____

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☐ Yes If "yes", for how long? _____
☐ No

1) Original listing date(s): _____ Original listing price: \$ _____

If listing price was reduced, describe when and to what extent: _____

2) Has the property been advertised in the newspapers or other publications? ☐ Yes ☐ No

If yes, describe frequency and name of publications: _____

3) Has the property had a "For Sale" sign posted on it? ☐ Yes ☐ No

If yes, list dates when sign was posted: _____

4) How many times has the property been shown and with what results? _____

2. That the financial hardship relating to this property is unique and does not apply to a substantial portion of the neighborhood. Difficulties shared with numerous other properties in the same neighborhood or district would not satisfy this requirement. This previously identified financial hardship is unique for the following reasons:

3. That the variance, if granted, will not alter the essential character of the neighborhood. Changes that will alter the character of a neighborhood or district would be at odds with the purpose of the Zoning Ordinance. The requested variance will not alter the character of the neighborhood for the following reasons:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance and is set against a dark background.

4. That the alleged hardship has not been self-created. An applicant (whether the property owner or one acting on behalf of the property owner) cannot claim "unnecessary hardship" if that hardship was created by the applicant, or if the applicant acquired the property knowing (or was in a position to know) the conditions for which the applicant is seeking relief. The hardship has not been self-created for the following reasons:

[illegible]

AREA VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

The applicant requests relief from the following Zoning Ordinance article(s) _____

Dimensional Requirements

From

To

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

To grant an area variance, the ZBA must balance the benefits to the applicant and the health, safety, and welfare of the neighborhood and community, taking into consideration the following:

- Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance have been explored (alternative designs, attempts to purchase land, etc.) and why they are not feasible.

- Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood character for the following reasons:

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:

4. Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

ZONING BOARD OF APPEALS APPLICATION FORM

PAGE 8

DISCLOSURE

Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☐ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated City staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

Edward S. Diehl
(applicant signature)

Date: 9-6-17

(applicant signature)

Date: _____

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: Dolores L. Diehl

Date: 9/1/17

Owner Signature: Edward M. Diehl

Date: 9/1/17

**ZONING AND BUILDING INSPECTOR DENIAL
OF APPLICATION FOR LAND USE AND/OR BUILDING**

APPLICANT: _____ TAX PARCEL NO.: _____

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

This applicant has applied to use the identified property within the City of Saratoga Springs for the following:

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)

_____. As such, the following relief would be required to proceed:

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☐ Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE



City of Saratoga Springs Appearance Ticket


TO: Dolores Diehl
Attn: Edward Diehl
578 Lake Ave
Saratoga Springs, NY 12866

PLEASE TAKE NOTICE that you are hereby charged with a violation or violations of:

- ☒ The 2015 International Building Code
Chapter 1: Scope and Administration Violation: Section 111 Use and Occupancy
- ☒ The 2015 International Property Maintenance Code
Chapter 3: General Requirements Violation: Section 302.8 Motor Vehicles
Violation: Section 308.1 Accumulation of Rubbish and Garbage
- ☒ The City Code of Saratoga Springs, Chapter 118: Building Code Administration
Article: 1 Inspection and Administration Violation: 118-4 Building Permits
118-5 Construction Inspections
118-7 Certificates of Occupancy
- ☒ The City Code of Saratoga Springs, Chapter 240: Zoning Ordinance
Article 2: Base Zoning Districts Violation: Table 2: Use Schedule
Article 7: Permits and Approvals Violation: 7.4.12 Historic Review Application
Article 7: Permits and Approvals Violation: 7.2.3 Special Use Permit and Site Plan Review

IN THAT, on the 19th day of January, 2016, the property owner located at 578 Lake Ave, parcel #167.-2-5, had been informed that the use of his property was unlawful and given 30 days to begin the process of bringing the property into compliance by applying for a use variance from the Zoning Board of Appeals. If this variance is received the owner was informed that he would be required to apply to the Planning Board for a Special Use Permit and Site Plan Approval as well as to the Design Review Board for any exterior changes to the building.

I affirm that the foregoing is true to the best of my information and belief.


John Barney Zoning and Building Technician

YOU ARE HEREBY DIRECTED TO APPEAR IN THE CITY COURT OF THE CITY OF SARATOGA SPRINGS, CITY HALL, 474 BROADWAY, SARATOGA SPRINGS, NEW YORK, ON THE 5th DAY OF January, 2017 AT 10:00 AM,

A SUPPORTING DEPOSITION HAS BEEN SUPPLIED WITH THIS DOCUMENT.

**SARATOGA SPRINGS BUILDING DEPARTMENT
SUPPORTING DEPOSITION
TO SUPPORT CODE VIOLATION INFORMATION**

State of New York }
County of Saratoga }

Saratoga Springs City Court

THE PEOPLE OF THE CITY OF SARATOGA SPRINGS, NEW YORK

Against
Dolores Diehl and Edward Diehl

I, John Barney, Zoning and Building Technician of the City of Saratoga Springs, New York pursuant to an order of the Court to file a supporting deposition with the court, and serve a copy thereof on the defendant, state:

That I am the Zoning & Building Technician and the complainant in the captioned proceeding, and I further allege the following to provide reasonable cause to believe that the buildings and property located at 578 Lake Ave, Saratoga Springs, NY is in violation

of the: ☒ 2015 International Building Code
and or ☒ Saratoga Springs City Zoning Ordinance
and or ☒ 2015 International Property Maintenance Code
and or ☒ Saratoga Springs City Code

The violations were observed prior to and on December 1st, 2016.

I observed a motor vehicle repair establishment located at 578 Lake Ave. This is an unlawful use which violates the 2015 International Building Code, the Saratoga Springs City Code and the Saratoga Springs City Zoning Ordinance. The change in use requires a building permit and a use variance from the Zoning Board of Appeals. If this variance is granted the next step would be to apply for Special Use Permit and Site Plan Approval from the Planning Board and also to the Design Review Board for any changes to the buildings' exterior. There were also multiple unregistered vehicles surrounding the property as well as other piles of random debris. This is a violation of the Property Maintenance Code which states that no unlicensed motor vehicles shall be parked, kept or stored on any premises and that exterior properties shall be free from the accumulation of rubbish or garbage.

KRYSTAL MOTORS

461 RT 146

CLIFTON PARK, NY

12065



06/28/17

To whom it may concern,

We have been delivering and picking up vehicles to and from the 578 Lake Avenue address starting 2001 and still deliver there. If you have any questions call our office at the phone number above.

THANKS

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal stroke.

STEVEN LOFGREN
OWNER

**KRYSTAL MOTORS
461 RT 146
CLIFTON PARK, NY
12065**

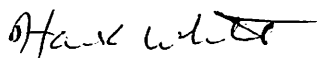


06/28/17

To whom it may concern,

We have been delivering and picking up vehicles to and from the 578 Lake Avenue address starting 2001 and still deliver there. If you have any questions call our office at the phone number above.

THANKS



**HANK WHITE
WHOLESALE BUYER**

1-5-17

To Whom It May Concern,

My name is John Ventrella.
Mansel Diehl was my step-Grandfather.
I started going to his house
approximately 48 years ago. My DOB
is 5-6-59. There has been a
business running from my first
time there to present day. This
business has passed through the
generations, to my uncle and
step-father, and now by my
half brother. Edward S. Diehl.
Any questions please call me at ph. #

[REDACTED] The Address of this property
is 578 LAKE AVE. SHARON SPRING, N.Y. 12866

John M. Ventrella Jr.

John M. Ventrella Jr.
11/10/17

WELLS
FARGO**Acknowledgment by Individual**

State of

Virginia

County of

MecklenburgOn this 10th day of January, 20 17, before me, Charles Ball

Name of Notary Public

the undersigned Notary Public, personally appeared

J. M. V. [Signature]

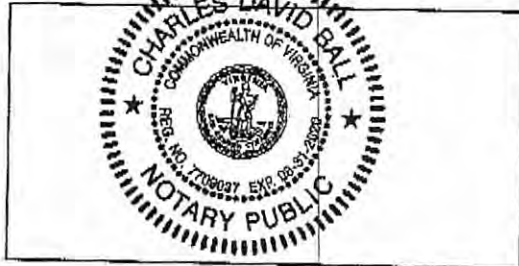
Name of Signer(s)

☐ Proved to me on the oath of _____☐ Personally known to me _____☒ Proved to me on the basis of satisfactory evidence Drivers License

(Description of ID)

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed it.

WITNESS my hand and official seal.



Notary Seal

[Signature]

(Signature of Notary Public)

My commission expires August 31, 2020**Description of Attached Document**

Type or Title of Document

Statement of Business Operation

Document Date

1-5-17

Number of Pages

1

Signer(s) Other Than Named Above _____

Optional: A thumbprint is only needed if state statutes require a thumbprint.

Right Thumbprint of Signer

Top of thumb here



**DOLORES L. DIEHL, RN, BS, MSN ▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲▲**

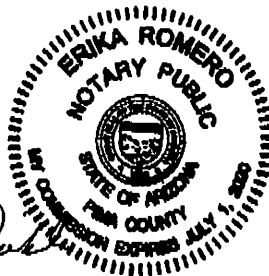
3980 South Thornton Ave. • Tucson, Arizona 85735 • Telephone [REDACTED]

Dec 29, 2016

I have been married to Edward Diehl for the last 49 years. During that time prior to his passing my father-in-law Mansel Diehl had a business that was run from 578 Lake Avenue. That business involved selling cars, repairing cars, selling car parts, body work and building and repairing bicycles. As his sons and grandsons got older they learned the auto repair and body work business. After his passing Mansel's sons and grandsons continued repairing cars and doing body work at that location.

Sincerely,

Dolores L. Diehl, RN, BS, MSN



STATE OF ARIZONA

COUNTY OF PimaThe foregoing instrument was acknowledged before me this 3rd day of January 2017By Dolores L. DiehlNotary Public Erika RomeroMy Commission Expires July 1st 2020

Edward M. Diehl

[REDACTED]

Dec 29, 2016

My name is Edward Diehl and I moved to 578 Lake Avenue in 1952 when I was approximately 8 years old. I do not remember a time when my father was not working in the garage fixing cars, doing body repairs or building bicycles. It was fascinating to me and I spent a lot of time learning from him. As I got older I worked with him in that garage helping him sell and repair cars. As my son's got older they learned the auto repair and body work business. After my father's passing my sons continued repairing cars and doing body work at that location.

Sincerely,

Edward M. Diehl

Edward M. Diehl

STATE OF ARIZONA

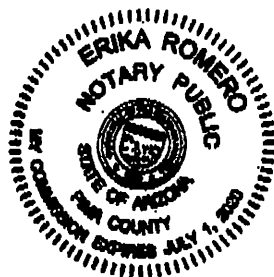
COUNTY OF Pima

The foregoing instrument was acknowledged
before me this 3rd day of January 20 17.

By Edward M. Diehl

Notary Public Erika Romero

My Commission Expires July 1st 2020



Subj: **Letter from Fred Tarrant Jr.**
Date: 1/26/2017 10:13:31 A.M. US Mountain Standard Time
From: [REDACTED]
To: [REDACTED]

Date: January 25, 2017

From: Fred K. Tarrant Jr, [REDACTED]

Phone: [REDACTED]

To: Whom It May Concern:

The purpose of this letter is to state that I, Fred K. Tarrant Jr., now residing in Costa Rica, can testify unequivocally that there has been commercial activity and a business occurring continuously on the property owned by the Diehl Family going back three quarters of a Century, Auto Body and Repair Services including bicycle repair and sales on said property:

578 Lake Avenue, Saratoga Springs, New York 12866, now referred to as Ed's Little Chop Shop.

As Vice President of Tarrant Manufacturing Corp, Saratoga Springs, NY, I personally awarded subcontract work to Mansel Diehl at said above address as far back as the very early nineteen fifties. Subcontract(s) including engine and assembly work. Fine commercial work has been conducted on that Lake Avenue Property for three generations in the Diehl Family.

I can also personally testify as to the honesty and good character of the entire Diehl family, Mansel, Son Edward, and Grandson, Edward Jr. They are, the entire Diehl family, industrious, honest, hard working, good hearted, give back to the Community people.

Additionally, I am proud to say it has been my privilege to know them well for the past three quarters of a Century. The Diehl Family, an old and very well established name in Saratoga Springs, New York.

Should there be any further questions, or any additional information I can provide, I will be more than happy to respond.

Fred K. Tarrant Jr.
[REDACTED]

FKTJr:acta:1/25/17

February 14, 2017

Dear Sir & Madams

I have known Mr. Nicholas Palmateer for over (50) fifty yrs + he is the most honest man I know.

The Diehl family I also know. Manuel & Len Diehl. Their oldest son Edward took over the business of vehicle and know Ed Jr. has the business.

Thank you for your time.

Yours truly
Mrs Sandra H. Langston



Dear Sir or Madam,

My name is Nicholas Palmateer I am writing this letter in regards to the business at 578 Lake Avenue. I am almost 80 years old and have been dealing with the Diehl family for over 60 years.

I bought my first car from Mansel Diehl in 1954.

Over the years I have seen this business pass from Mansel to Ed Sr to Ed Jr who still repairs my vehicles to this day.



The Deibls have always been
honest, hard working, members
of this community.

If I can be of more
assistance please feel free
to contact me at

[REDACTED]

Nicholas Palmateer

[REDACTED]



My Name is Ken Compton
Ed Diehl did some body
work on my 2004 Pick up
I have to say This is the
best work I have seen.

Mr. Diehl is a very honest,
reliable Person. He has a
great business going on -



This business at 578 Lake Ave
is a great asset to the
community, they are hardworking
and reasonable prices.

Ken Companion