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*
George "Skip" Carlson
Gary Hasbrouck
James Helicke
Susan Steer
Cheryl Grey, alternate
Oksana Ludd, alternate

ZBA Meeting
City Council Chambers – 7:00 p.m.

AGENDA

6:30 P.M. **Workshop**

Salute The Flag

Role Call

New Business

1. **#2856.1 MOORE HALL REDEVELOPMENT**
   28 Union Avenue/35 White Street, area variance for proposed demolition of an existing dormitory and construction of 26 dwelling units; seeking relief from the minimum lot size per dwelling unit, minimum side (each) and total side yard setbacks (18-unit condominium building), minimum rear and side yard setbacks (2-unit carriage house), minimum front, side and total side yard setbacks (3-unit row house),minimum rear yard setback (1-unit carriage house), maximum principal building coverage (Union Ave. and White St. parcels) requirements in an Urban Residential – 4 District.

   Documents: 2856.1 MOOREHALL2_APPLICATION_REDACTED.PDF, 2856.1 MOOREHALL2_COUNTYREFERRAL.PDF, 2856.1 MOOREHALL2_UPDATEDVARIANCEREQ5-10-16_REDACTED.PDF, 2856.1 MOOREHALL2_ELEVATIONS.JPG

2. **#2890 BARLOW RESIDENCE**
   2 Cherry Tree Lane, area variance to construct an attached garage and breezeway to an existing single-family residence; seeking relief from the minimum side yard setback requirements in the Rural Residential District.

   Documents: 2890 BARLOWRESIDENCEADDITION_BUILDINSPECTDENIAL.PDF, 2890 BARLOWRESIDENCEADDITION_APP_REDACTED.PDF

3. **#2892 RUTHMAN RESIDENCE**
   3 Garside Road, area variance to construct a new single-family residence; seeking relief from the minimum front yard setback requirements in the Green Acres PUD.

   Documents: 2892 RUTHMANRESIDENCE_BUILDINSPECTDENIAL.PDF, 2892 RUTHMANRESIDENCE_ADDTLINFO_REDACTED.PDF, 2892 RUTHMANRESIDENCE_APP_REDACTED.PDF

4. **#2895 NEEDHAM/KILMER RESIDENCE**
   37 Greenfield Avenue, area variance to construct a new single-family residence; seeking relief from the minimum rear yard, minimum side yard (each), minimum total side yard and maximum principal building coverage requirements in an Urban Residential – 1 District.

   Documents: 2895 NEEDHAMKILMERRESIDENCE_APP_REDACTED.PDF, 2895 NEEDHAM-KILMERRESIDENCE_CORRVLAROWELLETENDRE_REDACTED.PDF

5. **#2893 MARIO'S PIZZERIA HANDICAP RAMP**
   223 Lake Avenue, area variance to construct a handicap ramp to an existing business; seeking relief from the minimum front yard setback requirement in the Urban Residential – 3 District.

   Documents: 2893 MARIOSPIZZERIAHANDICAPRAMP_PHOTOS.PDF, 2893 MARIOSPIZZERIAHANDICAPRAMP_REVISIONS5-13-16_REDACTED.PDF, 2893 MARIOSPIZZERIAHANDICAPRAMP_APP_REDACTED.PDF

Old Business

1. **#2887 DOWNTON WALK APPEAL**
   27 Jumel Place, interpretation of determination of the Zoning and Building Inspector for proposed construction of seven single-family residences (condominiums) in the Urban Residential – 3 District.

   Documents: 2887 ANWHOLDINGSINTERPRETATION_APP_REDACTED.PDF, 2887 ANWHOLDINGSINTERP_5-9-16PRESENTATION.PDF, 2887 ANWHOLDINGSINTERP_CORRANW.PDF, 2887 ANWHOLDINGSINTERP_RESPONSETOCOMMENTS5-18-16_REDACTED.PDF

2. ~~**#2880 ARMER/DESORBO RESIDENCE**~~
   ~~117 Middle Avenue, area variance for additions to an existing single-family residence; seeking relief from the minimum side and rear yard setbacks and maximum principal building requirements in the Urban Residential – 3 District.~~

   ~~Documents: 2880 ARMERDESORBORESIDENCEADD_CORRBLACK_REDACTED.PDF, 2880 ARMERDESORBORESIDENCEADD_REVISEDMAP4-11-16.PDF, 2880 ARMERDESORBORESIDENCEADD_ELEVATIONS5-5-16.PDF, 2880 ARMERDESORBORESIDENCEADD_APP_REDACTED.PDF~~

3. ~~**#2889 CDJT DEVELOPMENT MULTI-FAMILY**~~
   ~~124 Jefferson Street, use variance to convert an existing 6-unit senior housing development to multi-family residential including workforce housing; seeking relief from the permitted uses in the Urban Residential 2 District.~~

   ~~Documents: 2889 CDJTTOWNHOUSES_APP_REDACTED.PDF, 2889 CDJTTOWNHOUSES_BUILDINSPECTDENIAL.PDF, 2889 CDJTTOWNHOUSES_AMILLERCORR4-25-16_REDACTED.PDF~~

4. **#2759.1 ANW HOLDINGS RESIDENTIAL DEVELOPMENT**
   27 Jumel Place, area variance to demolish existing structure and construct seven single-family residences (condominiums); seeking relief from the maximum principal building coverage, minimum front and rear yard setbacks, maximum number of principal structures on one lot and maximum height for a residential fence requirements in the Urban Residential – 3 District.

   Documents: 2759.1 ANWHOLDINGCONDOS_APP_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_ADDTLCORRASOF5-16-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRSHOGAN_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_ADDTLCORRASOF4-18-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_ADDTLCORRASOF3-29-16_REDACTED.PDF, 13-109MV (CITY OF SARATOGA SPRINGS-ANW JUMEL DOWNTON WALK.PDF, 2759.1 ANWHOLDINGSCONDOS_NEIGHBORCORRREVCD3-11--3-13-16_REDACTED.PDF, 2759.1 ANWHOLDINGCONDOS_POWERPOINT3-14-16.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRJVALETTA_RECVD3-9-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRBMCTAGUE_REVD3-9-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRMPETER_RECVD3-1-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_PRESENTATION2-22-16.PDF, 2759.1 ANWHOLDINGSCONDOS_AERIALVIEW_RECVD3-1-16.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRSCOHEN_RECVD3-2-16_REDACTED.PDF, 2759.1 ANWHOLDINGSCONDOS_CORRSBREWTON_RECVD2-29-16_REDACTED.PDF, 2759.1 ANWHOLDINGS_BUILDINSPECTDENIAL.PDF, 2759.1 ANWHOLDINGSCONDOS_NEIGHBORCORRREVCD2-21-16_REDACTED.PDF

Adjourned Items

1. ~~**#2856 MOORE HALL**~~
   ~~28 Union Avenue/35 White Street, area variance to convert the existing building to a 53-unit apartment building; seeking relief from the minimum lot size and minimum parking requirement in the Urban Residential – 4 District.~~

Other Business

1. **APPROVAL OF DRAFT MEETING MINUTES**
   APR. 25
2. **NEXT ZONING BOARD MEETING**
   JUNE 6, 2016

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.

The LA GROUP
Landscape Architecture & Engineering P.C.
People. Purpose. Place.

40 Long Alley
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LETTER OF TRANSMITTAL

TO: Saratoga Springs Planning Department
City Hall
Saratoga Springs, NY 12866

DATE: 3/18/2016 JOB NO.:

RE: Moore Hall

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via_____the following items

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1			ZBA Application w/ Exhibit A & B
1			SEQRA Long Form
1			OPRHP Archaeological Response Letter
1			DEC Natural Heritage Response Letter
1			La Group Variance Site Plan
1			Balzer & Tuck Architectural Renderings
1			Application Fee
			Note: We would appreciate that this application be forwarded
			To the Saratoga County Planning Board as soon as possible
			for consideration of an advisory opinion at their next meeting

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: SIGNED:_____

If enclosures are not as noted, kindly notify us at once.

CITY OF SARATOGA SPRINGS

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[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	Moore Hall, LLC	46 Union Avenue, LLC	Michael J. Toohey, Esq.
Address	18 Division Street, Suite 401 Saratoga Springs, NY 12866	300 South Division Street Buffalo, NY 14204	P. O. Box 4367 Saratoga Springs, NY 12866
Tel./Fax	[redacted]	[redacted]	[redacted]
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

Property Address (No. & St.) 28 Union Avenue/35 White Street Side of St. (north, east, etc.) South of Union Avenue/North of White Street

Tax Parcel No.: 165 . 76 - 1 - 34.13 *(for example: 165.52 – 4 – 37)* Tax District: ☒ Inside ☐ Outside

32, 33, 40 &

1. Date acquired by current owner: 5/13/2009
2. Zoning District when purchased: UR-4
3. Present use of property: Vacant Dormitory, Parking lots
4. Current Zoning District: UR-4
5. Has a previous ZBA application/appeal been filed for this property? ☒ Yes (when? 10/23/06 & 11/20/06 for what? Various Area Variances) ☐ No
6. Is property located within (check all that apply)?: ☒ Historic District ☐ Architectural Review District ☐ 500' of a State Park, city boundary, or county/state highway?
7. Brief description of proposed action: Demolition of existing 6 story dormitory building and construction of 26 new residential units . [See attached Narrative/Exhibit A]
8. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
9. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
10. 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" and attach to top of original application. Fees are cumulative and required for each request below.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☒ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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: _____ 4. Length of extension requested: _____

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".

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 as needed):

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

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

Date	Improvement	Cost
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 ☐ 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 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) See attached Exhibit C .

Dimensional Requirements	From	To
See Attached Exhibit B		

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.

As described in the Narrative two prior plans were fully developed with regard to this site. One involved the adaptive reuse of the existing structure and the other the demolition of th existing structure. This Project attempts to use the concepts that were previously approved to construct condominiums consistent in mass, scale and design with the neighborhood while proposing a use of the land that is economically viable to finance, build and sell. There is no other adjacent land for sale and building two large single structures up to the permitted 70ft would not be consistent with the neighborhood.

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:

As depicted on the attached plans, elevations and streetscapes, the proposed buildings are consistent with the buildings throughout the neighborhood. Most of the original Skidmore buildings have been converted into multi-family structures. The City of Saratoga Springs has recognized this by modifying the Union Avenue property from Institutional Education Zoning to UR-4 (See October 1990 adopted Zoning Map). The removal of a vacant Moore Hall and construction of those residential units will be to the benefit of the nearby properties and be significantly more consistent with the streetscape of Union Avenue and White Street.

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

The reality of this undertaking is that larger numbers of multi-family dwellings are needed to replace the previously approved Moore Hall. The front yard setback for the Union Avenue building is maintained and is at a point that is consistent with the existing structures in close proximity on the south side of Union Avenue. The building on White Street is generally in line with other structures on that side of the street. The placement of the structures on North Lane are also consistent with neighboring improvements. The use of the "build-to line" also allows for structure placement that will allow for the optimum consistency with neighboring structures. Finally, the term "substantial" is not merely a request for a mathematical calculation. It calls on the Board to review "substantiality" in the context of the existing and historic neighborhood. In this case, the requested variances are not "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:

The use of this Property as proposed is consistent not only with the Zoning Code, but the stated "Intent" for this particular Zone. The placement and size of the structure will be consistent with other historic buildings in this area of the City. There will be no demand or requirement to use on-street parking for the proposed number of units. The granting of this variance will replace, with a permitted use, a structure that is wholly inconsistent with the neighborhood and, as a result, will have a positive effect on 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 proposed need for Area Variance, may be self-created, but the adaptive re-use of the legal pre-existing, non-conforming structure, did not appear to be consistent with the wishes of many neighbors. As a result, the construction of an economically viable Project consistent in mass and size with the neighborhood had to be designed. That is what has been done with the proposed utilization of this site. As a result, with the use of some "Area Variances" we have self-created a Project that is consistent with the neighborhood as it actually exists today.

In accord with Article 240-14.4A(1)(b)(6) of the Zoning Ordinance, "any request for an area variance, which shall effect a change in density, shall be applied for and considered as a use variance and decided under criteria for the same". A request that involves any of the following relief will require an application for a use variance and will be decided under the use variance criteria:

(1) Dimensional relief from minimum lot size requirements that would allow additional permitted units and/or uses
(2) Relief from on site parking requirements
(3) Reduction in land area requirements for multi-family units

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.

Moore Hall, LLC

BY: _____
(applicant signature)

_____
(applicant signature)

Sworn to before me this date:

Date: 3/18/16

_____
Notary Public
KEITH M. FERRARA
Notary Public, State of New York
No. 4664215
Qualified in Saratoga County
Commission Expires 5-31-19

EXHIBIT A

Narrative

The history of Skidmore College within Saratoga Springs is that of a quality institution of higher education that has transitioned from approximately 1100 students in 1957 and 80 buildings predominately in the Union Avenue section of the City to its present location on North Broadway. As the college grew so did its need for a more centralized dormitory facility and cafeteria. As a result, in approximately 1957 Moore Hall was completed and dedicated. This facility, with associated parking, spreads from the south side of Union Avenue, across North Lane and up to the north border of White Street. The building itself is constructed of steel and concrete and, if properly maintained, will continue to be a viable structure for decades to come.

Moore Hall continued to be used as a remote Skidmore dormitory until the turn of the Century when it was sold to 46 Union Avenue, LLC, which intended to demolish the building and replace it with a very high end condominium project. The Project for this redevelopment of the site proved not to be an economically viable project, and as a result, the building remained vacant.

In 2014-2015, amid the communal request to find a more affordable living option for the workers in Saratoga Springs, a project was presented to convert the existing building into 53 residential units. This application, which continues to be before the municipal land use boards, brought forth the concept of urban "micro apartments" to reduce the individual units' size and thus rental costs. Although the proximity of the structure to the urban core of the City was ideal for eliminating the need for the tenants to own and/or operate a motor vehicle, this application is opposed by many of the neighbors, because of the need for on street parking. As a result, Moore Hall continues to be vacant and looms over this important entrance to the City.

Project

There are certain realities that exist with this site. The only reasonable adaptive reuse of Moore Hall is not acceptable to many of the neighbors and the previously approved condominium project was not large enough to absorb the cost associated with the full redevelopment of this real property.

As a result, this Project presents a proposed use of this site that is consistent in mass, scale and design with this location and neighborhood, presents on-site parking in full compliance with the Zoning Code, is economically viable, and will result in the removal of Moore Hall from the street scape.

The four tax parcels that are to be used are all located in the UR-4 Zone. As depicted on the Plans, elevations and maps attached, the integrated Project consists of 22 units on the Union Avenue Parcel consisting of 18 units in the structure predominantly facing Union Avenue and two (2) units each in the two (2) connected building on the north side of North Lane. The parcel extending from White Street on the south to the south side of North Lane will consist of three (3) units structure facing White Street and one unit on the north side of the site adjacent to North

Lane for a total of twenty six (26) total units in the project. As specified above, all buildings in this land owner's association will have on-site parking as required by the Code.

To give the developer minor flexibility with regard to the placement of the structures, we are seeking Area Variances that are based on a "build-to" line and not the specific location of the overhang roof line of any one of the structures.

The structures on the Union Avenue parcel will share a foundation that connected all proposed buildings so that only one principal structure is being constructed on that Parcel. The Parcel on White Street will contain one 3 unit building and a single unit building. Section 2.3 (A)(2) and (3) of the City Zoning Code allows for more than one principal building on a lot in this zone.

Table 1 set out in Section Two of the Zoning Code specifies that the Urban Residential 4 (UR-4) Zone of the City is set up to "accommodate a mix of single family, two family and multi-family uses". That is exactly and specifically what this Project is intended to achieve.

EXHIBIT B

Union Avenue frontage

Description	From	To
Side yard setback (West and East)	One side 20 min (total 45)	10 (each side)
Total side yard setback	45	20
Rear yard setback (North Lane)	25	16
Building Lot coverage	25%	52.3%
Density per residential unit	3,000 sf/unit	1901 sf/unit

White Street frontage

Description	From	To
Side yard setback (West and East)	One side 20 min (total 45)	10 (each side)
Total side yard setback	45	20
Front yard setback (White Street)	25	5
Rear yard setback (North Lane)	25	10
Building Lot coverage	25%	39%

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 ☐ Hardship Appeal from Architectural/Historic Review

☐ Use Variance to permit the following: _____

_____

_____

_____

☐ Area Variance seeking the following relief:

Dimensional Requirements	From	To
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

_____

☐ Advisory Opinion required from Saratoga County Planning Board

_____ _____

BUILDING INSPECTOR DATE

Revision date: January 2011

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 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Moore Hall Redevelopment (46 Union Ave. & 35 White Street)		
Project Location (describe, and attach a general location map): 46 Union Avenue and 35 White Street, Saratoga Springs		
Brief Description of Proposed Action (include purpose or need): To re-develop the existing parcels to include 26 residential condominiums. The building on Union Avenue will include 18 units, there are four carriage house/townhouse units with entrances onto North Lane, three row house units front on White Street.		
Name of Applicant/Sponsor: Moore Hall, LLC	Telephone: [redacted] E-Mail: [redacted]	
Address: 18 Division Street, Suite 401		
City/PO: Saratoga Springs	State: NY	Zip Code: 12866
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): 46 Union Avenue, LLC	Telephone: [redacted] E-Mail: [redacted]	
Address: 300 South Division Street		
City/PO: Buffalo	State: NY	Zip Code: 14204

RESET FORM

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 ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Saratoga Springs Planning Board Site Plan Approval	April 2016
c. City Council, Town or Village Zoning Board of Appeals ☑Yes☐No	Saratoga Springs Zoning Board Area Variances	March 2016
d. Other local agencies ☑Yes☐No	Saratoga Springs; Historic Review Approval from Design Review Commission	April 2016
e. County agencies ☑Yes☐No	Saratoga County Planning Board Advisory opinion	March 2016
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No
If Yes,
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☐No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☐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):

_____
_____
_____

RESET FORM

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

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?
City of Saratoga Springs

c. Which fire protection and emergency medical services serve the project site?
City of Saratoga Springs

d. What parks serve the project site?
All parks with the City Limits

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

b. a. Total acreage of the site of the proposed action? 1.29 acres
b. Total acreage to be physically disturbed? 1.29 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.29 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: 12 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: _____

RESET FORM

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				26 condominiums
At completion of all phases				26 condominiums

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☑ 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? ☐ 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☑ Yes ☐ No

If Yes:

i. What is the purpose of the excavation or dredging? Foundation excavation

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): 25 tons
- Over what duration of time? 6 weeks

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Concrete foundation from existing building

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? .75 acres

vi. What is the maximum area to be worked at any one time? .75 acres

vii. What would be the maximum depth of excavation or dredging? 6 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

The excavated foundation will be the site of new structures or parking.

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): _____

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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: Existing 53 room dormitory and dining hall - approx. 12,000 gal/day

i. Total anticipated water usage/demand per day: 6,600 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
- 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

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: Existing 53 room dormitory and dining hall - approx. 12,000 gal/day

i. Total anticipated liquid waste generation per day: 6,600 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

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 County Sewer District #1
- 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

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- Do existing sewer lines serve the project? ☑Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☑No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- 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? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or .96 acres (impervious surface) .88 acres existing

_____ Square feet or 1.29 acres (parcel size)

ii. Describe types of new point sources. the redevelopment project will have storm pipe connections to existing city storm system. Connections to system exist as part of current development.

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)?

Stormwater runoff will be collected on site for infiltration and detention.

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐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? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

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? ☐Yes ☑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) ☐Yes ☐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_2O)
- _____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 Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

RESET FORM

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: 420,000 kWh

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Local grid 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.

i. During Construction:

- Monday - Friday: 7 am - 9 pm
- Saturday: 7 am - 9 pm
- Sunday: 7 am - 9 pm
- Holidays: _____

ii. During Operations:

- Monday - Friday: 24 Hours - residential
- Saturday: 24 Hours - residential
- Sunday: 24 Hours - residential
- Holidays: 24 Hours - residential

RESET FORM

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Construction and Demolition Activities

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Lighting will be included for building entrances and exits, low level lighting along walks, dark-sky friendly lighting for parking spaces between building.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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)? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 4 tons per 12 months (unit of time)
- Operation : 1 tons per 1 month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Cardboard recycling
- Operation: Recycling of all recyclable materials

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Local Hauler
- Operation: Local Hauler

RESET FORM

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: Diasposal of Friable asbestos before building demolition

ii. Generally describe processes or activities involving hazardous wastes or constituents: An abatement contractor removes the identified materials and disposes of them in the proper way. It is a one time handeling of the hazardous material. It is not on going.

iii. Specify amount to be handled or generated _____ tons/month **20 tons total**

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: Albany Landfill

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): Multi-family, Educational, Parkland, Mixed use office/residential

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	.88	.96	+.08
• 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: Lawn	.41	.33	-.08

RESET FORM

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:

Empire State College, Katrina Trask Nursery School at Presbyterian Church, Waldorf School,

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):

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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? < 8 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: WnA Windsor loamy sand 100 %
_____ _____ %
_____ _____ %

d. What is the average depth to the water table on the project site? Average: < 10 feet

e. Drainage status of project site soils: ☑ Well Drained: 100 % of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☑ 0-10%: 100 % of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% 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 _____ 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? ☐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: _____

RESET FORM

m. Identify the predominant wildlife species that occupy or use the project site:
Multiple bird species
Small rodents
Insects

n. Does the project site contain a designated significant natural community? ☐Yes ☑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

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? ☐Yes ☑No

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? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? ☐Yes ☑No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

RESET FORM

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? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Saratoga Springs Downtown District, Union Avenue Historic District

iii. Brief description of attributes on which listing is based:

The structure is within the state listed district. (non-contributing structure)

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? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ 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? ☑ Yes ☐ No

If Yes:

i. Identify resource: All city and state parks within the city limits, Yaddo, NYRA

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, historic gardens, historic race track

iii. Distance between project and resource: up to 5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ 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? ☐ Yes ☐ No

F. Additional Information

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

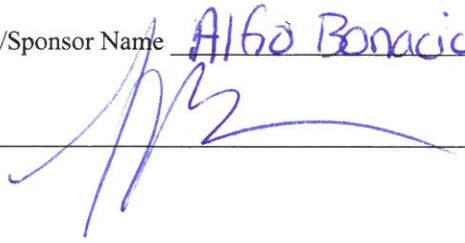
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Alfo Bonacio Jr. Date 3/18/16

Signature _____ Title member



PRINT FORM

RESET FORM

NEW YORK STATE OF OPPORTUNITY. | Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

February 26, 2016

Mr. Michael Hale
The LA Group
40 Long Alley
Saratoga Springs, NY 12866

Re: DEC
Moore Hall Demolition & New Construction
28 Union Avenue, Saratoga Springs, NY 12866
16PR00001

Dear Mr. Hale:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP).

At your request, OPRHP is providing you with our comments regarding the archaeological component of your project's review. During the review OPRHP considers the proposed project's impacts to previously identified archaeological sites as well as the likelihood of there being unidentified archaeological sites and whether or not the project could impact those archaeological resources.

After reviewing the project and our records we determined that there were no previously identified archaeological sites in the project area and the potential for unidentified archaeological deposits being present was limited due to substantial prior ground disturbance from previous development of the site.

OPRHP has no archaeological concerns with the proposed project. Please continue the consultation process as impacts to buildings and structures are still being evaluated by other staff members.

Sincerely,

Daniel A. Bagrow
Scientist (Archaeology)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov

February 10, 2016

Michael Hale
The LA Group
40 Long Alley
Saratoga Springs, NY 12866

Re: Moore Hall student residential building, Union Avenue
Town/City: City Of Saratoga Springs. County: Saratoga.

Dear Michael Hale:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

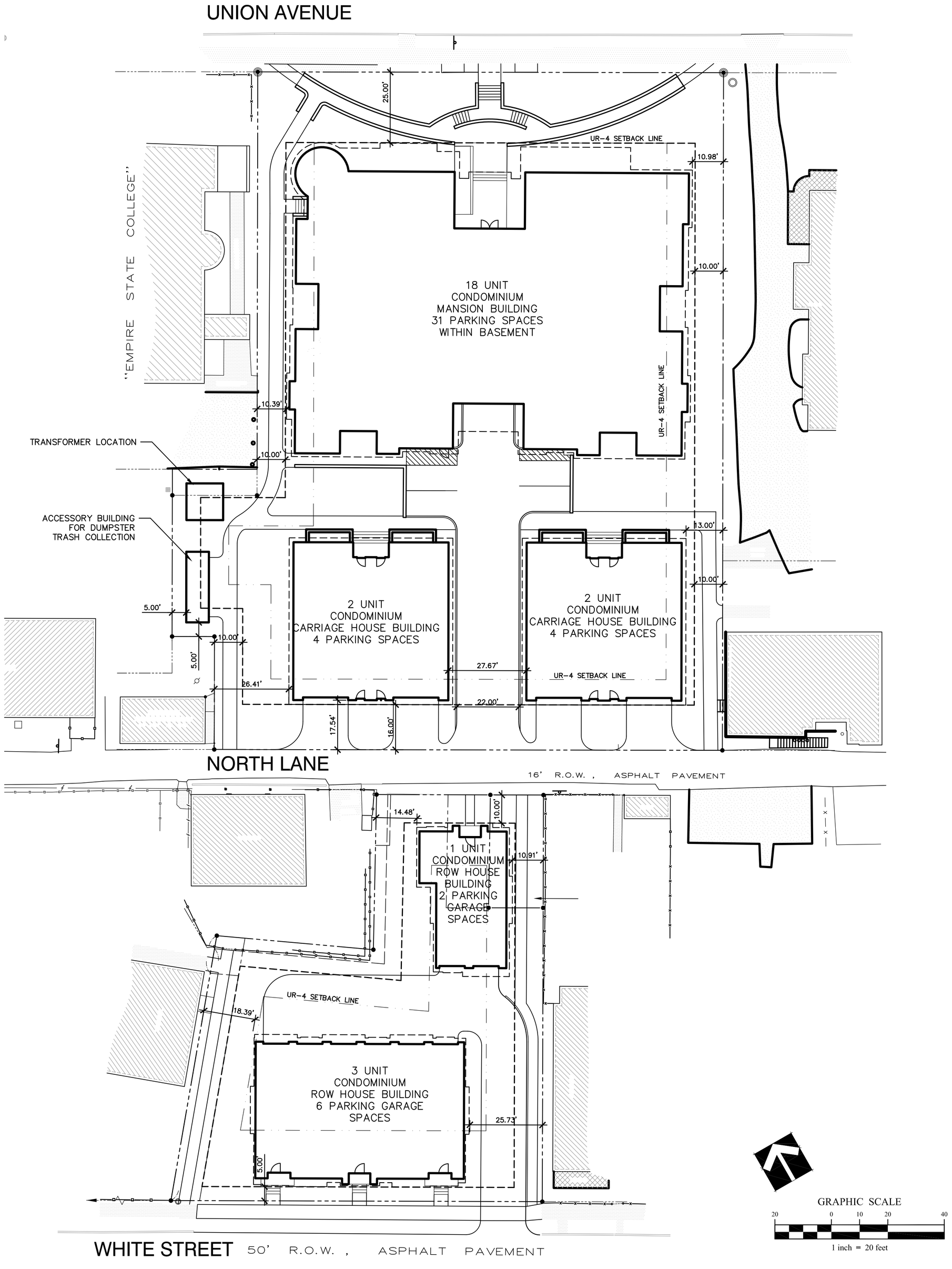
We have no records of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage Database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program



SITE STATISTICS

TAX MAP PARCELS 165.76-1-32, 165.76-1-33, 165.76-1-34.13, 165.76-1-40

EXISTING ZONING – UR-4

PARCEL SIZE – 1.29 ACRES

BUILDING VARIANCES

UNION AVENUE

SIDE YARD SETBACK	REQUIRED –	20' MINIMUM,	45' TOTAL
	PROVIDED –	10', 10'	20' TOTAL
VARIANCE REQUESTED		10'	25'
REAR YARD SETBACK	REQUIRED –	25'	
	PROVIDED –	16' NORTH LANE	
VARIANCE REQUESTED		9'	
MAXIMUM BUILDING COVERAGE PRINCIPAL BUILDING	REQUIRED –	25%	
	PROPOSED –	52.39%	
VARIANCE REQUESTED		27.39%	
DENSITY PER UNIT	REQUIRED	– 3,000 SF PER UNIT	
	PROPOSED	– 1,901 SF PER UNIT	
VARIANCE REQUESTED		– 1099 SF PER UNIT	

WHITE STREET

SIDE YARD SETBACK	REQUIRED –	20' MINIMUM,	45' TOTAL
	PROVIDED –	10', 10'	20' TOTAL
VARIANCE REQUESTED		10'	25'
REAR YARD SETBACK	REQUIRED –	25'	
	PROVIDED –	10' NORTH LANE	
VARIANCE REQUESTED		15'	
MAXIMUM BUILDING COVERAGE PRINCIPAL BUILDING	REQUIRED –	25%	
	PROPOSED –	39%	
VARIANCE REQUESTED		14%	

The LA GROUP
Landscape Architecture & Engineering P.C.
People. Purpose. Place.
40 Long Alley
Saratoga Springs
NY 12866
p: 518-587-8100
f: 518-587-0180
www.thelagroup.com

Unauthorized alteration or addition to this document is a violation of Section 7209 of the New York State Education Law.

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Prepared for:

Moore Hall, LLC
18 Division Street
Suite 401
Saratoga Springs, NY 12866

Project Title:

Moore Hall Redevelopment
46 Union Ave and
35 White St.
Saratoga Springs, NY 12866

Project No.:	2014096
Design:	
Drawn:	Ch'k'd:
Date:	Scale:

Rev:	Description:	Date:

Drawing Title

Drawing No.

Moore Hall - 2014096

The LA GROUP
Landscape Architecture & Engineering P.C.
People. Purpose. Place.

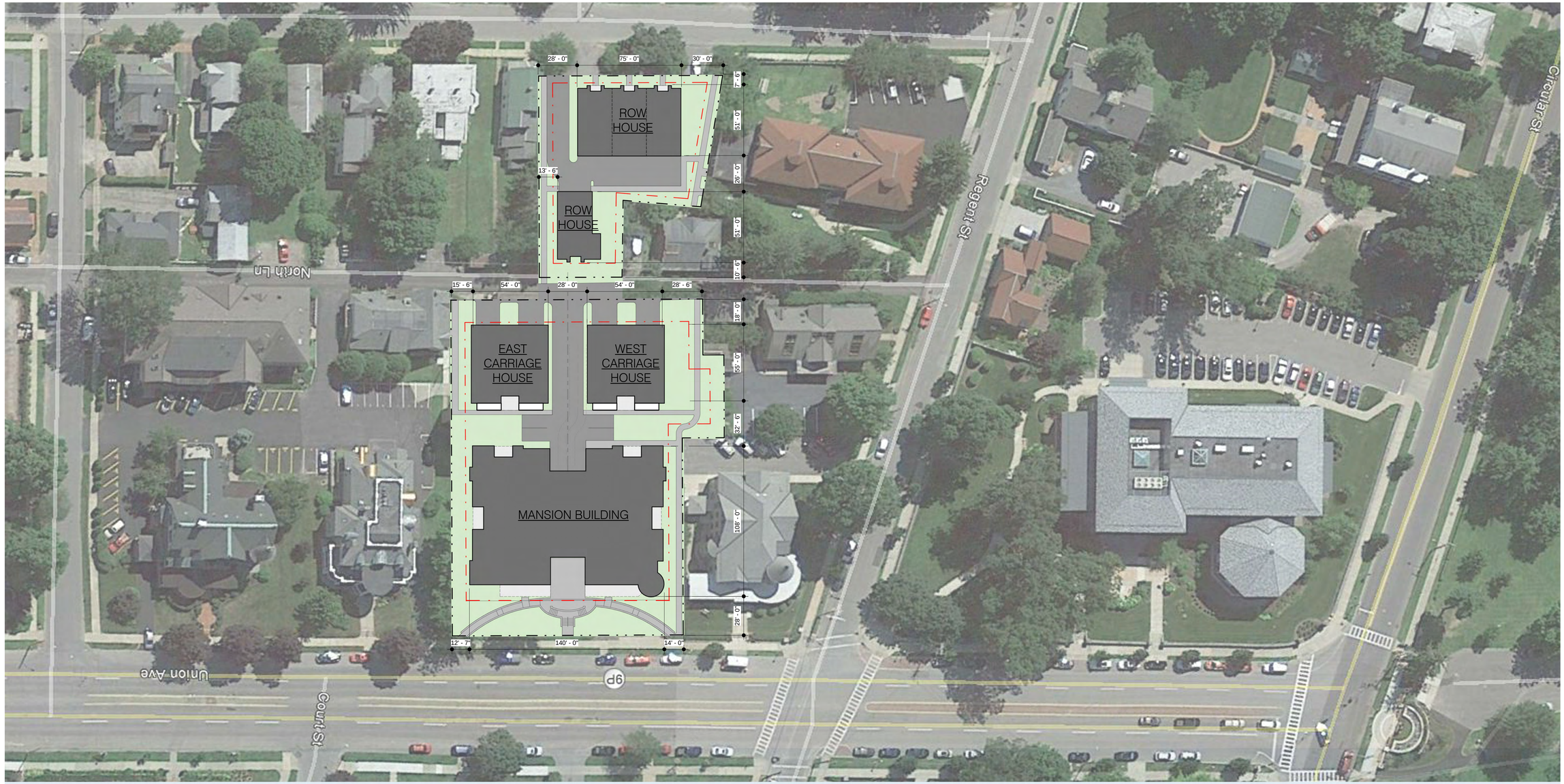
balzer + tuck
architecture

Bonacio Construction Inc.

Union Streetscape Image - Existing
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS

N



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architecture

Bonacio Construction Inc.

Union Streetscape Image
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS
3/10/2016

N

NORTH (UNION AVENUE) ELEVATION

EAST ELEVATION
(WEST SIMILAR)

S0UTH (COURTYARD) ELEVATION

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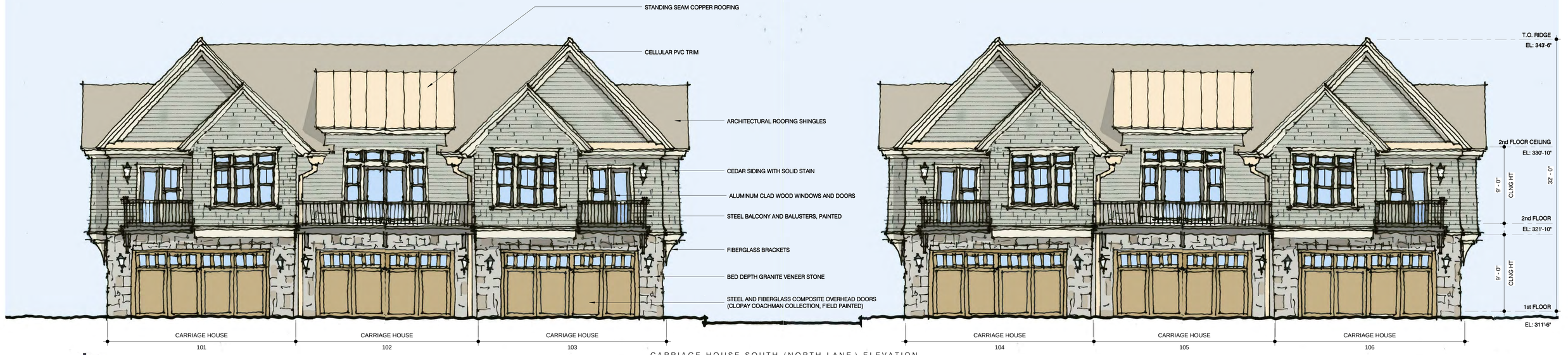
architecture

Bonacio Construction Inc.

Mansion Elevation Studies | UNION AVENUE CONDOMINIUMS
BTA PROJECT NO: 1602
02/29/2016

0' 4' 8'

CARRIAGE HOUSE NORTH (COURTYARD) ELEVATION



CARRIAGE HOUSE SOUTH (NORTH LANE) ELEVATION

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Landscape Architecture & Engineering P.C.
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architecture

Bonacio Construction Inc.

Carriage House North & South Elevations | UNION AVENUE CONDOMINIUMS

BTA PROJECT NO: 1602

3/8/2016

0' 4' 8'

CARRIAGE HOUSE EAST ELEVATION (SIMILAR AT WEST ELEVATION)

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architecture

Bonacio Construction Inc.

Carriage House East Elevation
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS
3/8/2016

0' 4' 8'

ROW HOUSE 102 thru 104 - WHITE STREET ELEVATION

ROW HOUSE 102 thru 104 - SIDE ELEVATION

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architecture

Bonacio Construction Inc.

Union Avenue Perspective
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

April 28, 2016

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

RE: SCPB Referral Review#15-171-Area Variances-Moore Hall LLC/Bonacio
Proposal to demolish existing structures (previous 6-story college residence hall and cafeteria) and obtain variances (setback variances for front yard, side yard, rear yard, and variances for density and maximum building coverage) to construct 26 residential dwelling (condominium) units.
Union Avenue (NYS Route 9P) and White Street

Received from the City of Saratoga Springs Zoning Board of Appeals on March 23, 2016.

Reviewed by the Saratoga County Planning Board on April 21, 2016.

Decision: No Significant County Wide or Inter Community Impact

Previously, in September of 2006, the Saratoga County Planning Board reviewed a near-identical appeal for a special use permit and for area variances that was followed three months later by a referral for site plan review. On September 21, 2006 the SCPB rendered a recommendation of No Significant Countywide or Intercommunity Impact on the area variances and special use permit. On December 21, 2006 the county board approved the site plan associated with Norstar Development's proposal for demolition and construction of 18 residential condominium units. Prior to the Norstar application for redevelopment of the properties under review they were zoned Institutional, then re-zoned to UR-4, and remain so zoned now.

The review of area variances requires the board of appeals to conduct a test in which it considers the benefits sought by the applicant (through the proposed project) in balance with any potential detriment to a community's health, safety and welfare. Just as the previous proposals warranted positive recommendations from this body, we found the newly-proposed concepts as being consistent in mass, scale, and design with the neighborhood and warranting again a positive recommendation (No Significant…).

We noted that the 1.3 acres under consideration are split by an alley and front on two different streets (Union Ave. and White Street), accentuating the need for variances.

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

(518) 884-4705 PHONE
(518) 884-4780 FAX

Additionally, there are no vacant parcels or adjacent lands/lots for sale which might help to minimize or eliminate the need for variances. It does not appear that the option of constructing two large structures up to the permitted height of 70 feet would create residential uses consistent with that of the existing neighborhood. Over the years since the college has relocated to its North Broadway campus, the surrounding neighborhood(s) has/have experienced the conversion of many large single-family residences and former college structures into multi-family residential buildings which have resulted in a mix of residential types along with apartments and offices. We see the proposed development as complementing the existing neighborhood.

In our review of the submitted materials and visits to the project site, we are aware that the same variances as approved in 2006 are being presented with this application (with only minor variation in degrees of measurement for some). We note that from the main visual approach of Union Avenue there is no front yard setback variance required. On White Street the required 25' setback is not met but it should be noted that the setbacks of existing residences are approximately at a build-to line or setback of 5' and the proposed construction is designed to match the context of the existing neighborhood. In regard to the appearance and context of new construction it should be noted that in the April 5, 2016 correspondence from OPRHP the project's demolition and new construction "will have no adverse impact upon the Union Avenue Historic District" if:

1. Bldg materials used are sympathetic to surrounding architecture and work well within the streetscape of the historic district, and
2. Setbacks and lawn areas on both streets are consistent with neighboring properties.

We understand that the project was before the city's DRC last Wednesday night (20th) and it appears that the project was seen as positive for the neighborhood and contextually presented no problem with mass of scale.

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.

From: "Matt Brobston" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: "Michael Toohey" [redacted]>, "Brett Balzer" [redacted], "Mike Ingersoll" [redacted]>, "Tony Bonacio [redacted]" [redacted]>, "Chris Levitas [redacted]" [redacted]>
Sent: Tuesday, May 10, 2016 4:37:42 PM
Subject: RE: Moore Hall

Susan,

We have made some changes to the variances required. I will list the changes below. I will submit a modified variance plan to confirm these variances.

They did not change much.

Remove the yellow highlighted variances because building 5 moved and is now in conformance with the side yard setbacks.
Modify the green highlighted variance because the current version of the building will require this amount. It did fall within the previous 10' we proposed.
Modify the blue highlighted variance to adjust the setbacks to be consist with the zone.

Add three variances for Building 4 the one-unit building on North Lane.

Sideyard setback east side	Required 20'	Proposed 10'	Variance 10' (50%)
Sideyard setback west side	Required 20'	Proposed 14'	Variance 6' (30%)
Sideyard setback total	Requried 45'	Proposed 24'	Variance 21' (47%)

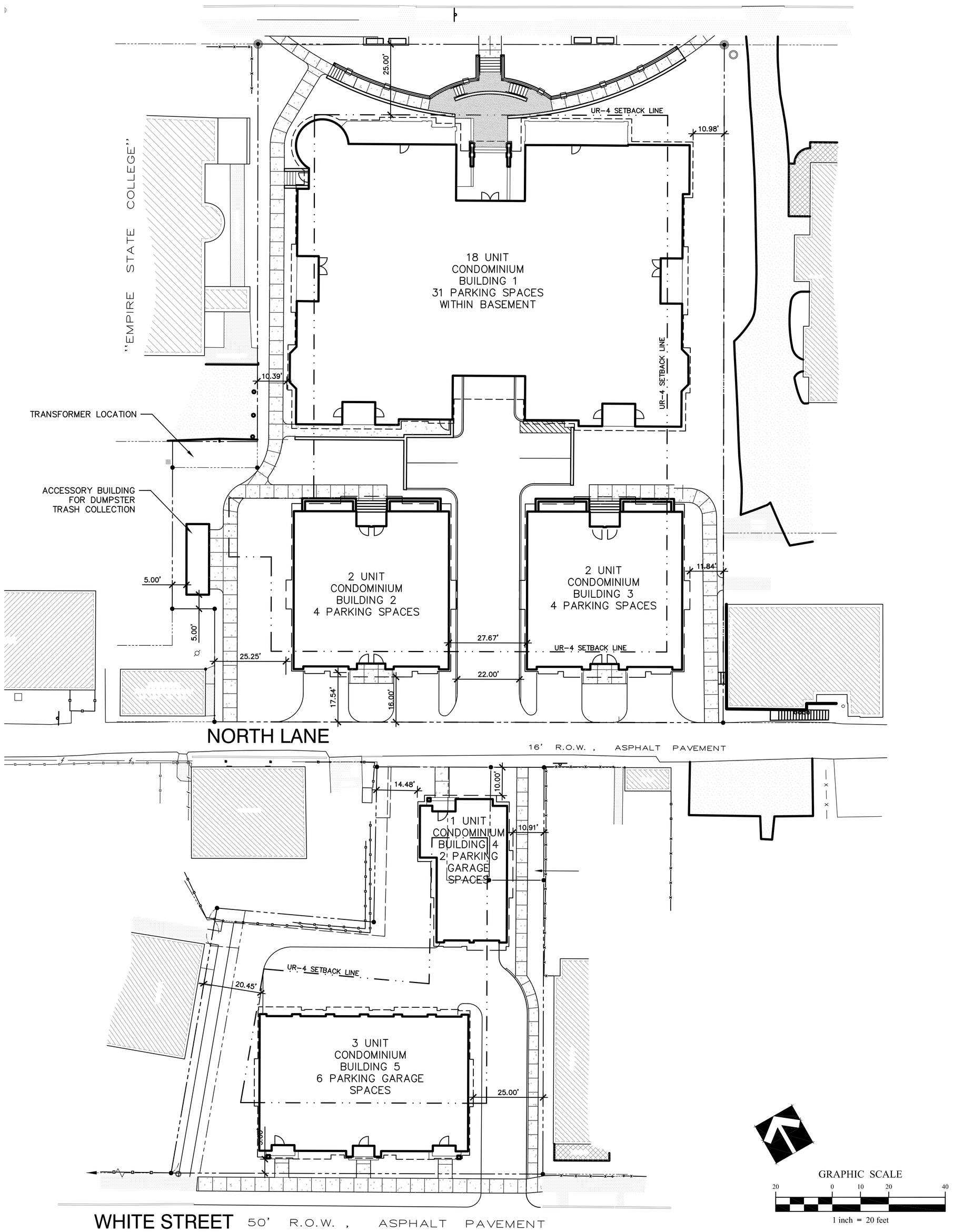
Susan let me know if I am off base with any of these changes.

Talk to you later,

Matthew C. Brobston, RLA
Landscape Architect
The LA GROUP
Landscape Architecture
and Engineering, P.C.
People. Purpose. Place.
40 Long Alley
Saratoga Springs, NY
12866
P: 518/587-8100, [redacted]
F: 518/587-0180
[redacted]

Check out new website!
http://www.thelagroup.com

Twitter | Facebook | LinkedIn



GRAPHIC SCALE

20 0 10 20 40

1 inch = 20 feet

SITE STATISTICS

TAX MAP PARCELS 165.76–1–32, 165.76–1–33, 165.76–1–34.13, 165.76–1–40

EXISTING ZONING – UR–4

PARCEL SIZE – 1.29 ACRES

BUILDING VARIANCES

UNION AVENUE

BUILDING 1
SIDE YARD SETBACK REQUIRED – 20' MINIMUM, 45' TOTAL
PROVIDED – 10' EAST, 10' WEST 20' TOTAL

VARIANCE REQUESTED 10' (50%) 10' (50%) 25' (55%)

BUILDING 2
REAR YARD SETBACK REQUIRED – 25'
PROVIDED – 16' NORTH LANE

VARIANCE REQUESTED 9'(36%)

SIDE YARD SETBACK REQUIRED – 20' MINIMUM
PROVIDED – 11'

VARIANCE REQUESTED 9' (45%)

MAXIMUM BUILDING COVERAGE

PRINCIPAL BUILDING REQUIRED – 25%
PROPOSED – 52.39%

VARIANCE REQUESTED 27.39%

COMBINED PROJECT

DENSITY PER UNIT REQUIRED – 3,000 SF PER UNIT
PROPOSED – 2,161 SF PER UNIT

VARIANCE REQUESTED – 839 SF PER UNIT (28%)

WHITE STREET

BUILDING 4
SIDE YARD SETBACK REQUIRED – 20' MINIMUM, 45' TOTAL
PROVIDED – 10' EAST, 14' WEST 24' TOTAL

VARIANCE REQUESTED 10' (50%), 6' (30%) 21' (47%)

REAR YARD SETBACK REQUIRED – 25'
PROVIDED – 10' NORTH LANE

VARIANCE REQUESTED 15' (60%)

MAXIMUM BUILDING COVERAGE
PRINCIPAL BUILDING REQUIRED – 25%
PROPOSED – 39%

VARIANCE REQUESTED 14% (56%)

The LA GROUP
Landscape Architecture & Engineering P.C.
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40 Long Alley
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NY 12866
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www.thelagroup.com

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Prepared for:

Moore Hall, LLC
18 Division Street
Suite 401
Saratoga Springs, NY 12866

Project Title:

Moore Hall Redevelopment
46 Union Ave and
35 White St.
Saratoga Springs, NY 12866

Project No.:		2014096
Design:		
Drawn:	Ch'k'd:	
Date:	Scale:	

Rev:	Description:	Date:
1	Revised Plan	2016-05-10

Drawing Title

Drawing No.

Moore Hall - 2014096

Plotted By: MATT BROBSTON
Save Date: 5/10/2016 4:55 PM
File Name: G:\Proj\2014\2014096_Moore_Hall\2016\MSC\SZ\2-VARIANCE-PLAN.dwg

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

APPLICANT: CHRISTINA & KRISTOPHER BARLOW TAX PARCEL NO.: 167.-1-61

PROPERTY ADDRESS: 2 CHERRY TREE LANE
ZONING DISTRICT: RURAL RESIDENTIAL

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

Proposed construction of an attached garage and breezeway.

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:

Dimensional Requirements	From	To
Minimum side yard setback:	30 ft.	10 ft.

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

5/5/16
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

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Christina / Kristopher Barlow		Randy Heritage [redacted]
Address	[redacted]		Heritage Family Constr. 2022 Barrett Rd. BS. NY
Phone	[redacted]	/	518 388 / 0534
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: 2 Cherry Tree Lane Saratoga Springs Tax Parcel No.: 167 - 1 - 61 *(for example: 165.52 – 4 – 37)*

2. Date acquired by current owner: 2008 3. Zoning District when purchased: _____

4. Present use of property: Residence 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? NA

8. Brief description of proposed action: Adding 2 car garage + breezeway

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.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☒ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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) 2.3

Dimensional Requirements	From	To
30' SIDE SET BACK	30'	10'

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.

There are no other alternatives then to place to 2 car garage where proposed. Needs to be next to current driveway & existing garage.

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:

It would not & Create an undesireable Change. Most of our neighbors have 3-4 car garages, while we only have a 2 car garage. Adding the additional garage will make our house more consistent with the other houses on our street.

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

We are a family of 5. We need the additional garage space for our children's vehicles & for pool furniture storage. If we don't add garage, we'll have to park additional cars on grass which would be more problematic for our neighbors.

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:

We will not have adverse physical or environmental effects:
(1): additional vehicles stored in garage rather than on road or yard.
(2) Pool furniture stored in garage & not on property.

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:

Our house was placed on property by our builder. We didn't realize house close one side of our house / driveway is to property line.

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.

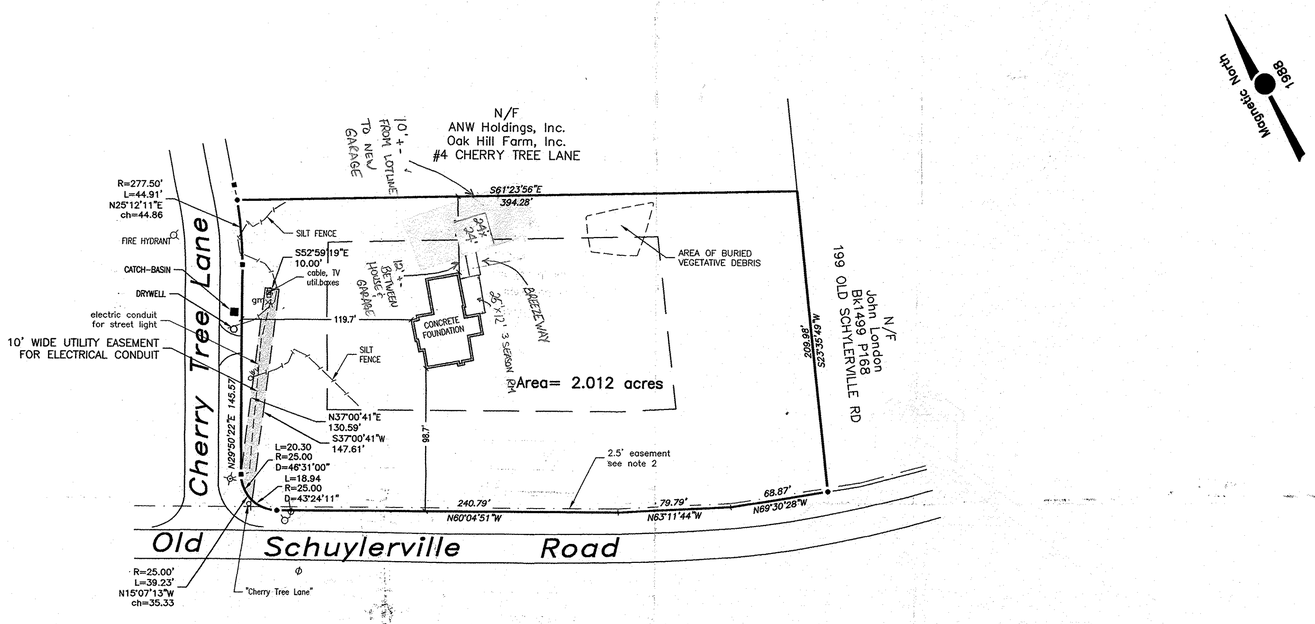
(applicant signature) Date: 3-25-16

(applicant signature) Date: 3-25-16

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

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____



Certification :

IT IS HEREBY CERTIFIED TO:
KRISTOPHER J. BARLOW AND CHRISTINA U. BARLOW;
MONROE TITLE INSURANCE CORPORATION;
SARATOGA NATIONAL BANK & TRUST COMPANY, ITS SUCCESSORS AND/OR ASSIGNS

that the map was prepared in accordance with the current existing Code of Practice for Land Surveyors adopted by the New York State Association of Professional Land Surveyors, Inc. The certification is limited to persons for whom the boundary survey map is prepared, to the title company, the governmental agency, and to the lending institution listed on this boundary survey map.

Map Legend

- • 5/8" steel rod set with a tag
- ○ marker found, labeled
- ⌀ utility pole
- ☼ lamp post

Deed Reference:

Kristopher J. Barlow
and Christina U. Barlow
Deed # 2008030221

Map Reference:

Filed Saratoga County Map 0-107 and C-453A-D.

Notes :

1. Subject to certain Declarations of Covenants, Restrictions and Easements as recorded in Liber 1443, page 549.
2. A blanket access/utility easement 2.5' wide along Old Schuylerville Road is granted to the City of Saratoga Springs.
3. A no-cut buffer being 20' wide along N.Y.S. Route 29 exists. Trimming and thinning of small trees and brush (less than 5" diameter) will be allowed.

DATE	REVISION
10/3/08	SILT FENCE, VEG. DEBRIS
10/2/08	FOUNDATION
8/19/08	PROPOSED SEPTIC TANK
8/13/08	PROPOSED SEPTIC SYSTEM

STATE OF NEW YORK · WILLIAM M. THOMPSON · 49623 · LICENSED LAND SURVEYOR

25 0 25 50
Scale: 1" = 50'

Foundation Survey
for
Kristopher J. and Christina U. Barlow
Situate at
2 Cherry Tree Lane
City of Saratoga Springs, Saratoga County, N.Y.S.

12 Lake Avenue
Saratoga Springs,
NY, 12866
Tel: 518-587-5665
Fax: 518-587-5772

THOMPSON/FLEMING
LAND SURVEYORS, P.C.

DATE: June 24, 2008
TAX MAP: 167-1-61
SURVEYED BY: WMT
JOB NUMBER: S99-18402.17

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 obstruct of title was available.

PURPOSED GARAGE & BREEZEWAY
(24' x 24')

EXSISTING GARAGE/HOUSE

SCALE 3/8" = 1'

LOT LINE

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

APPLICANT: REX AND ELISABETH RUTHMAN TAX PARCEL NO.: 180.17-1-19

PROPERTY ADDRESS: 3 GARSIDE DRIVE
ZONING DISTRICT: GREEN ACRES PUD

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

Proposed construction of a new 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 Appendix C.9. 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
Minimum front yard setback:	25 feet	15 feet

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

5/5/16
DATE

From: "Rex Ruthman" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: "Duane Miller" <Duane.Miller@saratoga-springs.org>
Sent: Thursday, April 14, 2016 12:26:37 PM
Subject: FW:

The Spinney Group

Susan Barden
Senior Planner
City of Saratoga Springs

Re: Rex and Elisabeth Ruthman Variance application
3 Garside Drive, Saratoga Springs NY

Dear Ms. Barden

I enclose pages six and seven of the previously submitted application for a variance with area variance information properly inserted in the correct spaces. Please let me know if there is anything further I should do.

I note as a point of information, that the neighbor at five Garside Drive (Dunn) recently had work done along my southerly lot line including a new deck, fence and parking area that my surveyor advises includes a fence and paved parking area encroaching ten feet inside my southerly lot line. The work is new. The property has been owned by Dunn (from Barter) about three years or so. The encroachment is indicated on the survey maps provided with my application.

I mention this so there is no confusion, if there is a site visit and review regarding the proposed

location of my structure as effecting the neighbors, or if the neighbor at 5 Garside objects on the grounds of proximity to my proposed work. In any case the side yard encroachment does not bear upon the setback issue regarding Garside Road'

Nevertheless, the work at 5 Garside DOES raise a question: How did the deck, fence and etc. for 5 Garside get approved, clearly outside any building envelope for lot 5 Garside, without ME getting a notice of any request for a variance? I would have been agreeable to any variance but not any permitting an encroachment.

I have put the neighbor on notice of the encroachment identified by the survey and frankly don't know what reaction there will be.

Very truly yours

Rex S. Ruthman

Confidentiality/Privilege Notice: This e-mail communication and any files transmitted with it contain privileged and confidential information from the City of Saratoga Springs and are intended solely for the use of the individual(s) or entity to which it has been addressed. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking any other action with respect to the contents of this message is strictly prohibited. If you have received this e-mail in error, please delete it and notify the sender by return e-mail. Thank you for your cooperation.

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image001.jpg
4 KB

20160414114957490.pdf
109 KB

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

The variance requested is not substantial

[1] It would not change the character or use of the land.

[2] It would not be inconsistent with the existing neighborhood

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 an adverse physical or environmental effect. In fact it will stabalize and protect wetland resources and uncontrolled runoff from the Applicant site into the lake; It will stabalize a steep sloope area and the adjacent roadway; it will not adversely affect lake views, but rather preserve them compared to construction closer to the lake front.

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 hardship was not self created. At the time of purchase of the lor for 180,000 Applicant relied upon approved Subdivision plat ~~that did not reference any site restriction related to the topography, the lake front, etc. The Plat did reference elevations and~~ included a 100 year flood notation but nothing indicating the lot was not buildable as shown on the approved subdivision plat, which specified a building envelope with no noted restriction.

No restriction of any kind was know until Applicant was told that his application for a Building Permit would require a letter from ~~DEC regarding wetlands. IN the process of contacting DEC, Applicant was told there were no NYS wetlands, but Applicant should~~ also check the United States Army Corps of Engineers for federal wetlands. There were none of record, but Applicant was nevertheless directed to do a wetland survey, which was done at Applicants expense, resulting in a wetland area that reduced the ~~building envelope to approximately eighteen feet, which was about twelve feet inside the foundation of the proposed home, and~~ severla more feet inside a retaining wall required to stabalize the lot for construction. (see site maps submitted)

As a result of the original 25 foot set back, combined with the wetland determination well after subdivision approval, applicant has no practical way to build within the site envelope and requires a variance. Even with a variance the proposed structure will not be ~~buildable without USAC permit to fill in part of the wetland established. Applicant need the variance to mitigate the Wetland~~ intrusion, and believes the resulting adjustments will serve the purposes of the original PUD, the Subdivision Plat, and Federal Wetland regulatory guidelines.

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

C -127: (Green Acres PUD)

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

Dimensional Requirements	From	To
Extend building envelope shown on subdivision plan by ten feet	25' from Garside	10' from Garside

Other:

My basic request is permission to build a @28 x 40 residence within fifteen feet of Garside instead of twenty five, because of a wetland now established that leaves about 43 feet of buildable lot depth including the present 25 foot 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:

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.

I have applied for a permit to fill in the federal wetland (the application has b een submitted herewith) but even if granted, a federal permit would NOT permit construction of the proposed residence unless the requested variance were also granted.

Ther is no other available relief except a variance, and in fact, if a federal wetland permit is denied, I will have to abandon the submitted bulding permit application entirely. There would not be sufficient area to build another structure more than ten feet deep and still leave necessary space to construct a required retaining wall.

There is no additional land available between Garside drive and Saratoga Lake, and side yard spaces are not an issue.

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:

Existing adjacent properties at 1 and 5 Garside Drive would actually benefit by having the applicant construct with the least intrusion of their lake views, which the requested set back would accomplish.

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
	REX AND ELISABETH RUTHMAN		Rex Ruthman
Name	[redacted]		
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: 3 Garside Drive, Saratoga NY Tax Parcel No.: 180.17-1 -19 _____ - _____ - _____
(for example: 165.52 – 4 – 37)

2. Date acquired by current owner: 1/20/2006 3. Zoning District when purchased: PUD

4. Present use of property: vacant 5. Current Zoning District: PUD(Green Acres)

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 secure a variance of the "set Back" of 25 feet, as provided in the PUD Legislation for the subject lot. The reason is a determination of federally regulated wetlands within the building envelope to an extent prohibiting use of the entire lot.

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.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☑ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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:
   Zoning Ordinance, Appendices, C-127 "Green Acres PUD" (see submission "APPENDIX C" provided herewith.

Section(s) _____

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

I request that the "building envelope" detailed on the Subdivision Map be varied to permit construction of a residence within fifteen feet of Garside Road, rather than the twenty five feet provided, to allow adjustment because of Federally Delineated wetlands in the approved bulding envelope, making its original permitted use impossible. (See wetlands designation, Exhibit "H" provided herewith.

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".

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:
If the matter is considered a "USE" variance, then loss of the building envelope after purchase of the property for @200,000 imposes a severe hardship, as it cannot be used as approved by the City of Saratoga in the first instance, cannot be constructed on as the approved lot shows. and is essentially converted to a green space. I believe the City should have required the wetland determination in the first instance as part of SEQRA, and faillure to do so should not impose a penalty amounting to a confiscation on the applicant.

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

1) Date of purchase: 2006 Purchase amount: $18,000.00

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

Date	Improvement	Cost

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 ☐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: _____
With the current wetland determination the property has lost significant value but I have not had it appraised.

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:
The neighborhood will not be altered by the proposed adjustment of the building envelope. The adjacent owner is already well outside the envelope.

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:
This hardship has been wholly created by the approval of a lake side lot with a building envelope that was never reviewed by other agencies having jurisdiction of Saratoga Lake, the lake front and associated wetlands. The applicant assumed there was no approved building lot that had not been reviewed according to NYS Environmental Review, and that there could not have been an environmental assessment that disregarded NYS DEC and USAC Jurisdiction in the Subdivision Review process.

The only way to remedy the hardship is to do what would have been done if the federal wetland had been disclosed in the first instance, which is to provide the lot owner the reasonable opportunity to develop the site.

If I had notice the site was not buildable as depicted, I would not have purchased it. I feel a little bit swindled.

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:

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.

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.

April 10, 2016

_____ Date: _____
(applicant signature)

April 10, 2016

_____ 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:
Construction of a residential dwelling within the 25 foot set back provided in the PUD for Green Acres, and is not entitle to a permit without a variance.
No variance being had a this time, the applicant is denied.

This application is hereby denied upon the grounds that such use of the property would violate the City Zoning Ordinance article(s)
Green Acres PUD, City Of Saratoga Zoning Ord.
Appendices, C-127. 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
Building Envelope Requirement	25 ft to Road	15 ft to road

Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

_____ _____
ZONING AND BUILDING INSPECTOR DATE

Revised 12/2015

REX S. RUTHMAN
[redacted]

Susan Barden
Senior Planner
City of Saratoga Springs

Duane Miller
Assistant Building Inspector
City of Saratoga Springs

Saratoga City Hall,
474 Broadway Ste 10
Saratoga Springs NY 12866

Re: # 3 Garside Road; Rex and Elisabeth Ruthman, application for a Building Permit; Application for a variance of the set back requirement for a single family lot at Green Acres Subdivision

Dear Ms. Barden, Dear Mr. Miller,

I write this letter to cover different specific and one general object. The general object is to get approval of a building permit for a single family home, the plans for which have been submitted for some time.

At the time of the original submission I was directed to notify the Unites States Corps of Engineers and secure a wetland determination regarding the lot in question, which I have done. I am herewith submitting a copy of the full application presently before the Corps of Engineers.

As you can see the Application has information pertinent both to the building permit presently pending, and the variance I propose.

[1] There is a full original subdivion map, a site plan, a flood plane plan showing the location of the proposed house, copies of plans already submitted to the Building Department, a history of the site, the lot and the Subdivision, photos of the lot in question.

[2] There is a full boundary survey.

[3] There is a full wetland study and wetland boundary map

[4] There is a full detail of the planned structure on the site with topological data.

[5] There is the original legislation and zoning specifications for the Green Acres Subdivision.

[6] There is NYS DEC determination no historic or parkland sites are affected.

The purpose of this data, one set for the Building Department, is to resolve outstanding issues that have or may exist with regard to the property. The set for the Board of Zoning

Appeals is to accompany the enclosed copie(s) of the application for a variance being submitted herewith.

It is my understanding an application for a variance may be made from a finding of the building department denyinig a request for relief. I have requested, and been advised, I am not entitled to construct the planned residence within less than twenty five feet from Garside Road without a variance. I am seeking that variance now.

The basis for the request for a variance is that a hardship now exists by reason of wetland identification. Construction of the proposed residence was planned before any wetland was known to exist, based upon the approved subdivision lot set forth in the Green Acres subdivsion site map and details. That approval was in 1999. There was no note or mention of any wetland on or affecting 3 Garside Drive, nor was such a wetland ever disclosed. It is my view that the SEQRA review of the proposed subdivision should have disclosed actual or possible wetlands, or at least acknowledged the possibility. I paid $180,000 for the property in question in 2006.

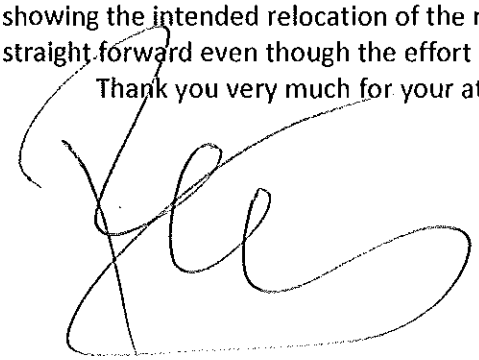
Because of the "overlap" of the planned structure with the new wetland, a permit has to be secured to permit any construction at all. Applicant is seeking permission to fill 2500± square feet of the site, which would create a site for the building and very limited working space.

If the building could be built fiften feet, rather than twenty five feet, from Garside Road, the extra ten feet would not be inconsistent with properties already located on the subdivision (see included subdivision map), and since the Applicant property is the last property on the street, would not impact the street. The House faces Saratoga lake, and the site does not present any "back yard" fronting on Garside Drive in any case. In fact the "back yard " would be used for parking.

The extra frontage facing Sarartoga Lake would open the view for the adjacent properties, allow for grading and terracing between the wetland and the proposed residence, and alleviate a substantial unexpected hardship in having half the lot determined to be a wetland.

In closing, please find submitted with my Application for Variance, a site plan detail showing the intended relocation of the residence, and profile resulting. The request is very straight forward even though the effort to get to this point has not been.

Thank you very much for your attention to this matter.



REX S. RUTHMAN
[redacted]

Susan Barden
Senior Planner
City of Saratoga Springs

Duane Miller
Assistant Building Inspector
City of Saratoga Springs

Saratoga City Hall,
474 Broadway Ste 10
Saratoga Springs NY 12866

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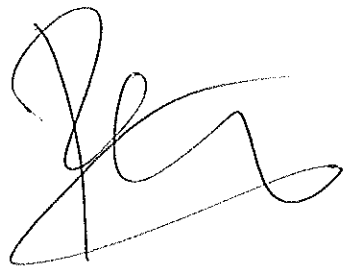
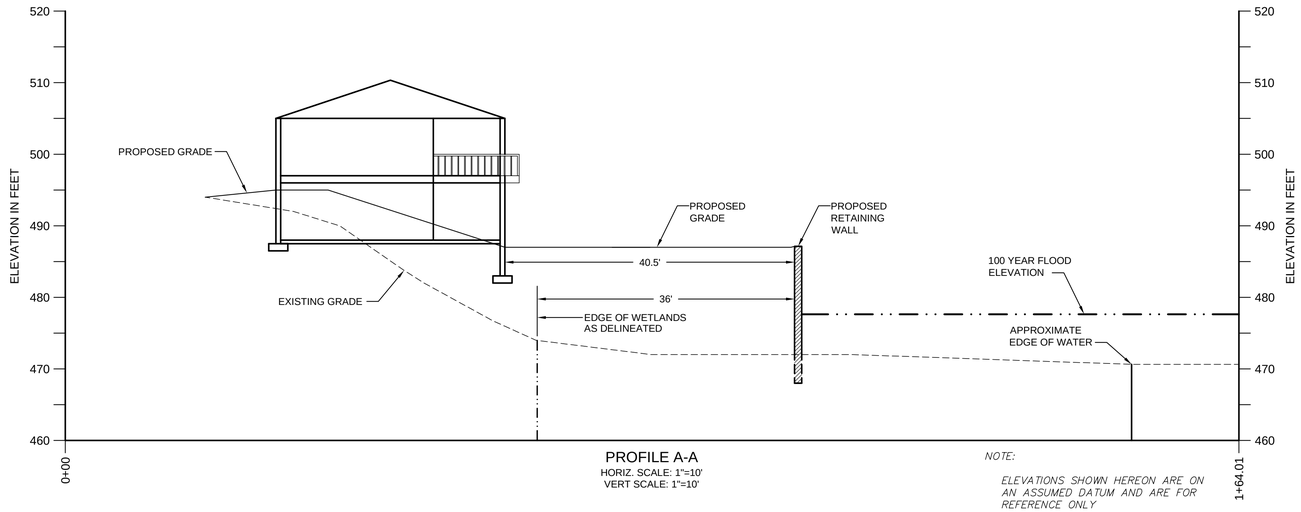
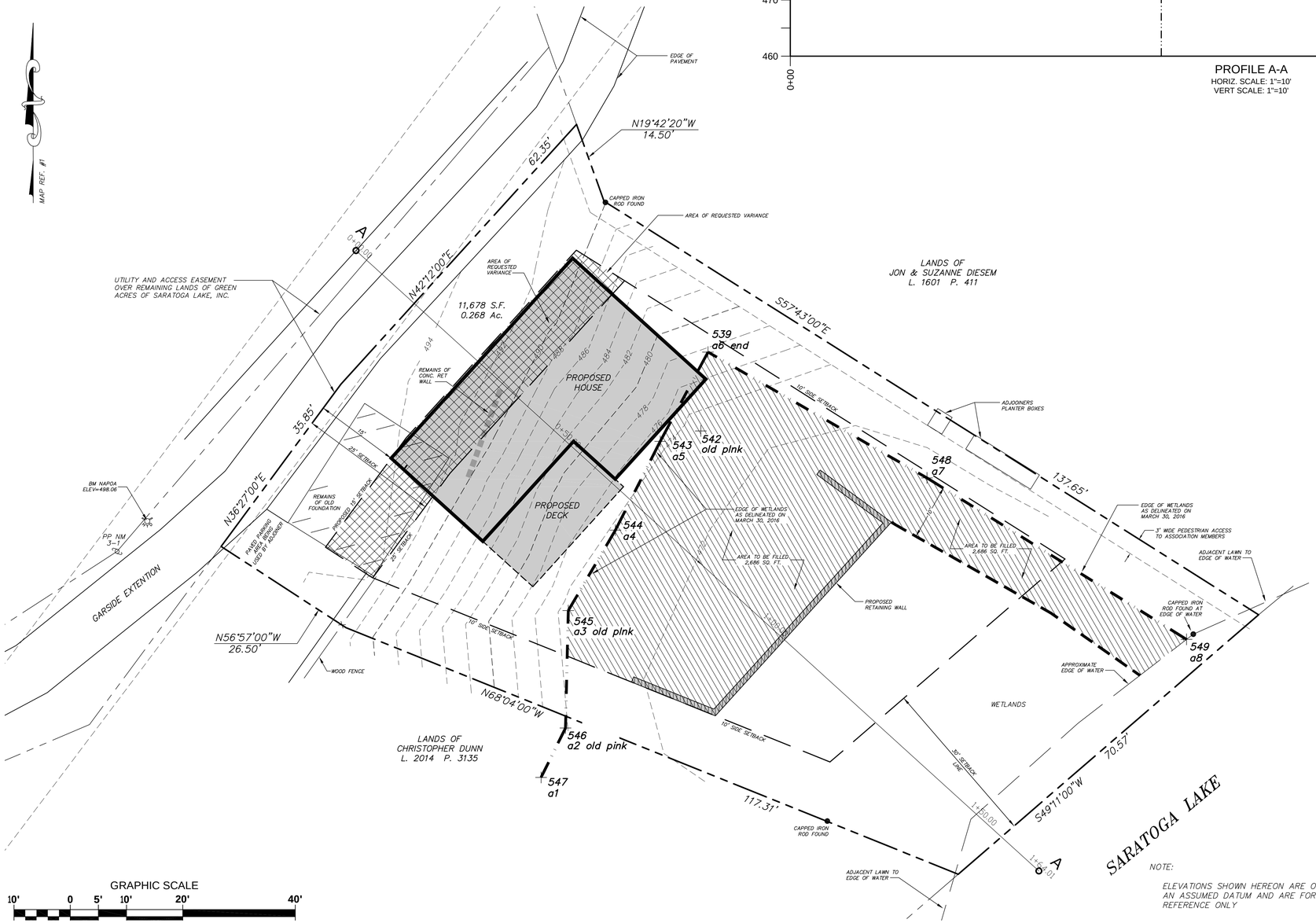


RUTHMWN WORK.dwg



PROFILE A-A
HORIZ. SCALE: 1"=10'
VERT SCALE: 1"=10'

NOTE:
ELEVATIONS SHOWN HEREON ARE ON AN ASSUMED DATUM AND ARE FOR REFERENCE ONLY



GRAPHIC SCALE
10' 0 5' 10' 20' 40'

NOTE:
ELEVATIONS SHOWN HEREON ARE ON AN ASSUMED DATUM AND ARE FOR REFERENCE ONLY

BREWER ENGINEERING ASSOCIATES, P.C.
CONSULTING ENGINEERS * PLANNERS
743 COLUMBIA TURNPIKE, EAST GREENBUSH, NEW YORK 12061
PHONE: 518.477.5233 FAX: 518.477.5233

PROPOSED RESIDENCE OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: FRONT SETBACK - 15 FT. VARIANCE MAP

DRAWN BY:	DATE:	CHECKED BY:	SCALE	REVISION
JDF	04/11/16	TEB	AS SHOWN	
				DATE
				REVISION
				DATE

DRAWING NUMBER: 1 / 1

APN: 15-01

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

BREWER ENGINEERING ASSOCIATES, P.C.

JOINT APPLICATION

FOR

REX S. & ELISABETH A. RUTHMAN

3 GARSIDE ROAD EXTENSION

LOT 3, "GREEN ACRES AT SARATOGA LAKE, PUD"

CITY OF SARATOGA SPRINGS

COUNTY OF SARATOGA

STATE OF NEW YORK

PREPARED BY;

BREWER ENGINEERING ASSOCIATES, P.C.

743 COLUMBIA TURNPIKE

EAST GREENBUSH, NEW YORK 12061

MARCH 2016

BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS - PLANNERS

743 COLUMBIA TURNPIKE - EAST GREENBUSH - NEW YORK 12061 - (518) - 477-5253 - 477-5273

March 19, 2016

Christine Delorier, Senior Project Manager
U. S. Army Corps of Engineers
1 Buffington Street - Bldg. 10, 3rd Floor
Watervliet, New York 12189-4000

RE: PROPOSED RESIDENCE OF REX S. & ELISABETH A. RUTHMAN"
3 GARSIDE ROAD EXTENSION
CITY OF SARATOGA SPRINGS, NY
APPLICATION No. NAN-2015-00404-UDE

Dear Christine:

On behalf of the applicants, Rex S, and Elisabeth A. Ruthman, we are requesting that an Approved Jurisdictional Determination be issued for Application No. NAN-2015-00404-UDE. The application is being submitted for permission to construct a single family residence at 3 Garside Road Extension. (Joint Application is enclosed in Appendix "A").

We also request that you review the data we are submitting in support of our request that the proposed project be considered a "stand-alone-site". The supporting data for the stand-alone-site is enclosed in the Appendices, as is the required information needed to progress the application for the proposed project.

In your letter of October 15, 2015 under Item 3 you state that you checked the Corps records and were unable to find anything pertinent to Green Acres. Following review the City of Saratoga Springs Planning and Zoning Boards meeting minutes from January 2000 to November 2015 we find that Green Acres of Saratoga Lake, Inc., PUD was created by the City of Saratoga Springs by an ordinance for the purpose of promoting flexibility in the development and design of Green Acres by incorporating the area which has existed and been developed over the past 30 years into the City's zoning jurisdiction. There is a statement in the Ordinance that the area had been developed over the past 30 years. Actually development of the area started in 1923 which would have been 67 years prior to the PUD in 1999.

The property was acquired in 1922 by Mary F. Green. Following acquisition of the property lots were created and leased to individuals on which the lessors would construct cottages. The cottages and any other structures that were constructed on the leased lots would be owned by the lessors. According to City tax data, the first cottage was constructed in 1923. That cottage is the structure presently located at 26 Garside Road. According to City tax data several cottages were constructed in 1925, of which eight still remain. Four additional residences were constructed between 1935 and 1978.

Since Green Acres PUD was approved in 1999, two structures that existed at the time of the PUD have been improved and replaced; one at 21 Garside Road and the other at 17 Garside Road. Both were removed and replaced with new residences constructed in 2002 and 2003, respectively. At the time of the approval of the PUD in 1999 Ruthmans', Lot 3 was occupied by a 450 square foot cottage. This is indicated on the enclosed PUD map as well as on the site plan prepared by Richard H. Green, P.E., dated February 16, 2006.

In 1967 Frederick Kmen, George E. Barter and Donald Todd, as trustees for Green Acres Association acquired the property from Grace Green Graham, daughter of Mary Green. At that time, according to the "Declaration of Protective Covenants, Restrictions, Easements and Liens of Green Acres of Saratoga Lake, Inc., (A Homeowners' Association)," all property, (land), was conveyed to the Association by deed dated September 7, 1967 recorded in the office of the Saratoga County Clerk on September 15, 1967 in Liber 816 of Deeds at Page 85. Subsequently, as shown on a Subdivision Plan prepared in 1999 entitled "Green Acres of Saratoga Lake, Inc. PUD" and filed in the office of the Saratoga County Clerk in Drawer "G" as Map No. 291 A & B, the Lot appurtenant to each home, with two homes existing on lot identified as 21/21A Garside Road, was conveyed to the owner of such home and homes. "Green Acres of Saratoga Lake, Inc.," was filed with the State of New York on January 4, 1972.

In 1999 to better control the future development of the site the Green Acres of Saratoga Lake, Inc., a PUD was created by the City of Saratoga Springs by an ordinance entitled - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS "GREEN ACRES PLANNED UNIT DEVELOPMENT". (A copy of the Ordinance is enclosed in Appendix "C").

As evidence that the site occupied by Green Acres has been a long standing cottage development, we have quoted excerpts from portions of the Ordinance:

From Section IV - Purpose: (Page 127)

Historically the area included in Green Acres developed outside the now applicable zoning ordinance. It is the purpose of the Ordinance to provide a means to establish regulations and limit residential growth in the already developed area. It is the further purpose of this Ordinance to promote flexibility in the development and design of Green Acres by incorporating this area which has existed and been developed over the last 30 years into the City's zoning ordinance so as to legislative ratify the residential nature of the area and facilitate the use of land, promote good site design and visual quality and result in a more pleasing environment than otherwise possible. The Comprehensive Plan of the City of Saratoga Springs (as revised) proposes that this area be developed as a PUD.

From Section V - Use and Density: (Page 127 - Quote on Page 128)

Each lot will be established by surveyed descriptions incorporated in this legislation by reference on the attached sketch plan. No further development will be permitted on said lots other than as expressly provided for in this act.

From Section VI: Ownership, Tenancies and Homeowner's Association: (Page 128)

The PUD shall consist of 19 parcels (totaling approximately 7 acres) leased to corporation members and the remaining land (approximately 6 acres) shall be common space retained by the corporation. The leased lots are surveyed and the lot lines described in the PUD will be the same as the lot lines contained in the member's leases. Green Acres retains the right to convey the leased premises to its members or to other persons in fee simple. The common space shall be maintained by the corporation and expenses for the same shall be paid through revenues generated by the leases to the tenants. In the event that the lots are transferred to individuals, the corporation shall require the lot owners as a condition of the conveyance to agree through association or otherwise to contribute sufficient funds to maintain all common property retained by Green Acres.

From Section VII - Sketch Plan: (Page 128)

The attached Sketch Plan, Appendix B, shall be used by the City and the developer as a guide for overall development of "Green Acres Planned Unit Development". It may be amended and modified by the Saratoga Springs Planning Board so long as the use, density and development regulations as set forth in this Ordinance are met.

Sketch Plan, Appendix B, (Page 135) dated August 1999 indicates existing structures and owners as of that date and the area of each lot.

Enclosed is a copy of Green Acres Of Saratoga Lake, Inc. P.U.D., dated September 28, 1999, approved by Planning Board of the City of Saratoga Springs on October 20, 1999 and filed in the Saratoga County Clerk's Office on March 6, 2000. You will note that on each lot it states Lands N/F of Green Acres of Saratoga Lake, Inc. leased to the individual lease holders. Following the filing of the PUD map the lots were Quit Claim deeded to each leaseholder.

We have enclosed property descriptions from the City of Saratoga Springs Tax Records for each of the lots to establish the type of structure, square footage and the year built. The records also indicate the current owners.

The original site plan prepared by Richard H. Green, P.E. dated February 16, 2006 indicated an existing cottage as of that date. The site plan prepared by Richard Green proposed a fill that would impact approximately 5,626 sq. ft. of potential wetlands. A revised site plan has been developed that would employ the construction of a retaining wall that would traverse the site at point approximately 82 feet to the east of the front property line. Constructing the retaining wall at this location would reduce the impact on the potential wetlands to approximately 2,686 sq, ft. (Plans for the original site plan and revised site plan are enclosed in Appendix "G").

The Ruthman's proposed to construct a two-story single family residence with a walk-out basement. The first floor living area will be approximately 1,296 square feet, the same square footage as the walk-out basement. The second floor would have an area of approximately 638 square feet. The total living area would be approximately 1,934 square feet. A retaining wall will be constructed at a point approximately 30 feet to the rear of the residence which will create a level yard area from the walk-out basement. (Building plans are enclosed in Appendix "L").

A portion of the site immediately along the lake is within the 100 year flood as indicated on FEMA Map #36091C0461E. The normal elevation of the lake is 203 feet above sea level with the 100 year flood level at 210. The elevation of Garside Road Extension is 228+- feet, the elevation of the first floor of the proposed structure. The building plan shows a finished basement floor elevation of 217+- feet, approximately 7+- feet above the 100 year flood elevation. (The FEMA Map is included in Appendix "I").

In conclusion, and based on the foregoing, we request that an approved jurisdictional determination be issued allowing for this project to proceed on a "stand-alone basis, and for the project for the project to proceed on the basis of the wetland impact described herein.

As always, thank you for your assistance and help in this matter.

Sincerely,

BREWER ENGINEERING ASSOCIATES, P.C.

Richard Tice
Project Development

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A

JOINT APPLICATION FORM

JOINT APPLICATION FORM

New York State

For Permits/Determinations to undertake activities affecting streams, waterways, waterbodies, wetlands, coastal areas and sources of water withdrawal.

You must separately apply for and obtain separate Permits/Determinations from each involved agency prior to proceeding with work. Please read all instructions.

US Army Corps of Engineers (USACE)

APPLICATIONS TO

1. NYS Department of Environmental Conservation

Check all permits that apply:

- ☐ Stream Disturbance
- ☐ Excavation and Fill in Navigable Waters
- ☑ Docks, Moorings or Platforms
- ☐ Dams and Impoundment Structures
- ☐ 401 Water Quality Certification
- ☑ Freshwater Wetlands
- ☐ Tidal Wetlands
- ☐ Coastal Erosion Management
- ☐ Wild, Scenic and Recreational Rivers
- ☐ Water Withdrawal
- ☐ Long Island Well
- ☐ Aquatic Vegetation Control
- ☐ Aquatic Insect Control
- ☐ Fish Control
- ☐ Incidental Take of Endangered/Threatened Species

☑ I am sending this application to this agency.

2. US Army Corps of Engineers

Check all permits that apply:

- ☑ Section 404 Clean Water Act
- ☐ Section 10 Rivers and Harbors Act
- ☑ Nationwide Permit(s) - Identify Number(s): _____

_____

Preconstruction Notification - ☐ Y / ☐ N

☐ I am sending this application to this agency.

3. NYS Office of General Services

Check all permits that apply:

- ☐ State Owned Lands Under Water
- ☐ Utility Easement (pipelines, conduits, cables, etc.)
- ☑ Docks, Moorings or Platforms

☐ I am sending this application to this agency.

4. NYS Department of State

Check if this applies:

- ☐ Coastal Consistency Concurrence

☐ I am sending this application to this agency.

5. Name of Applicant (use full name)

Rex S. Ruthman

Mailing Address [redacted]

ost Office City [redacted]

State [redacted] Zip Code [redacted]

Telephone (daytime) [redacted]

Email [redacted]

Applicant must be:

- ☑ Owner
- ☐ Operator
- ☐ Lessee

(check all that apply)

Taxpayer ID (If applicant is NOT an individual):

6. Name of Facility or Property Owner (if different than Applicant)

Mailing Address

Post Office City

State Zip Code

Telephone (daytime) Email

7. Contact/Agent Name

Rex Ruthman

Company Name

see above

Mailing Address [redacted]

Post Office City [redacted]

State [redacted] Zip Code [redacted]

Telephone (daytime) [redacted]

Email [redacted]

8. Project / Facility Name

Green Acres OF Saratoga Lake, PUD

Property Tax Map Section / Block / Lot Number

180.17-1-19

Project Location - Provide directions and distances to roads, bridges and bodies of waters:

Saratoga Lake, Saratoga New York

Street Address, if applicable

3 Garside Rd. Ext

Post Office City

Saratoga Springs

State NY Zip Code 12866

Town / Village / City

Saratoga Springs

County

Saratoga

Name of USGS Quadrangle Map

Saratoga NE Quadrant

Stream/Water Body Name

Saratoga Lake

Location Coordinates: Enter NYTMs in kilometers, OR Latitude/Longitude

NYTM-E	NYTM-N	Latitude	Longitude
		43.044848	-73.630073

For Agency Use Only DEC Application Number: USACE Number:

9. **Project Description and Purpose:** Provide a complete narrative description of the proposed work and its purpose. Attach additional page(s) if necessary. Include: description of current site conditions and how the site will be modified by the proposed project; structures and fill materials to be installed; type and quantity of materials to be used (i.e., square ft of coverage and cubic yds of fill material and/or structures below ordinary/mean high water) area of excavation or dredging, volumes of material to be removed and location of dredged material disposal or use; work methods and type of equipment to be used; pollution control methods and mitigation activities proposed to compensate for resource impacts; and where applicable, the phasing of activities. **ATTACH PLANS ON SEPARATE PAGES.**

Please see attached narrative and plans explaining plan to construct a residential dwelling in an approved subdivision.

The lot is a lake front lot showing 98.19 feet of frontage and about 105 feet of depth.
The building envelope shown on the approved subdivision requires a "front yard" of 25 feet, leaving about 80 feet from the furthest part of the building envelope to the water line. The plan would result in construction at an elevation of 211 feet, with the level of the lake shown as 202 feet, and the flood level at 206 feet.
An ACOE representative has visited the land and flagged it at "the base of the slope, as generally shown on the profile submitted hereto.

Applicant respectfully requests a finding the jurisdictional wetland area shown is .10 acre or less. permit to engage in construction, dredging or filling in any jurisdictiional wetland up to .10 acres : a permit to construct the applicants residence within the approved subdivision building envelope, as shown on the submitted site plan.

A copy of the approved subdivision lot, a profile showing the elevation of the proposed finished slab of the new home, A site drawing showing elevations and the building location are included with other papers deemed useful or necessary.

Proposed Use: ☑ Private ☐ Public ☐ Commercial	Proposed Start Date August 1 2015	Estimated Completion Date: December 1 2015

Has Work Begun on Project? ☑ Yes ☐ No If Yes, explain.
The proposed new home in the approved subdivision has been designed.

Will Project Occupy Federal, State or Municipal Land? ☐ Yes ☑ No If Yes, please specify.

10. List Previous Permit / Application Numbers (if any) and Dates:
\ building Permit has been applied for with the City Of Saratoga Springs but is on hold pending wetland review.

11. Will this project require additional Federal, State, or Local Permits including zoning changes? ☑ Yes ☐ No If yes, please list:
[1] NYSDEC has advised no NY wetlands within a mile, but this permit requires submission to DEC and perhaps OGS.
[2] There will be a buiding permit required
[3] Nationwide General Permit Number 29, ACOE

12. **Signatures.** If applicant is not the owner, both must sign the application.
I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than $10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

	Printed Name	Title	Date
Signature of Applicant	Rex S Ruthman	Mr.	May 15 2015
Signature of Owner	Rex S Ruthman	Mr.	May 15 2015
Signature of Agent	Printed Name	Title	Date

For Agency Use Only **DETERMINATION OF NO PERMIT REQUIRED**

Agency Project Number _____

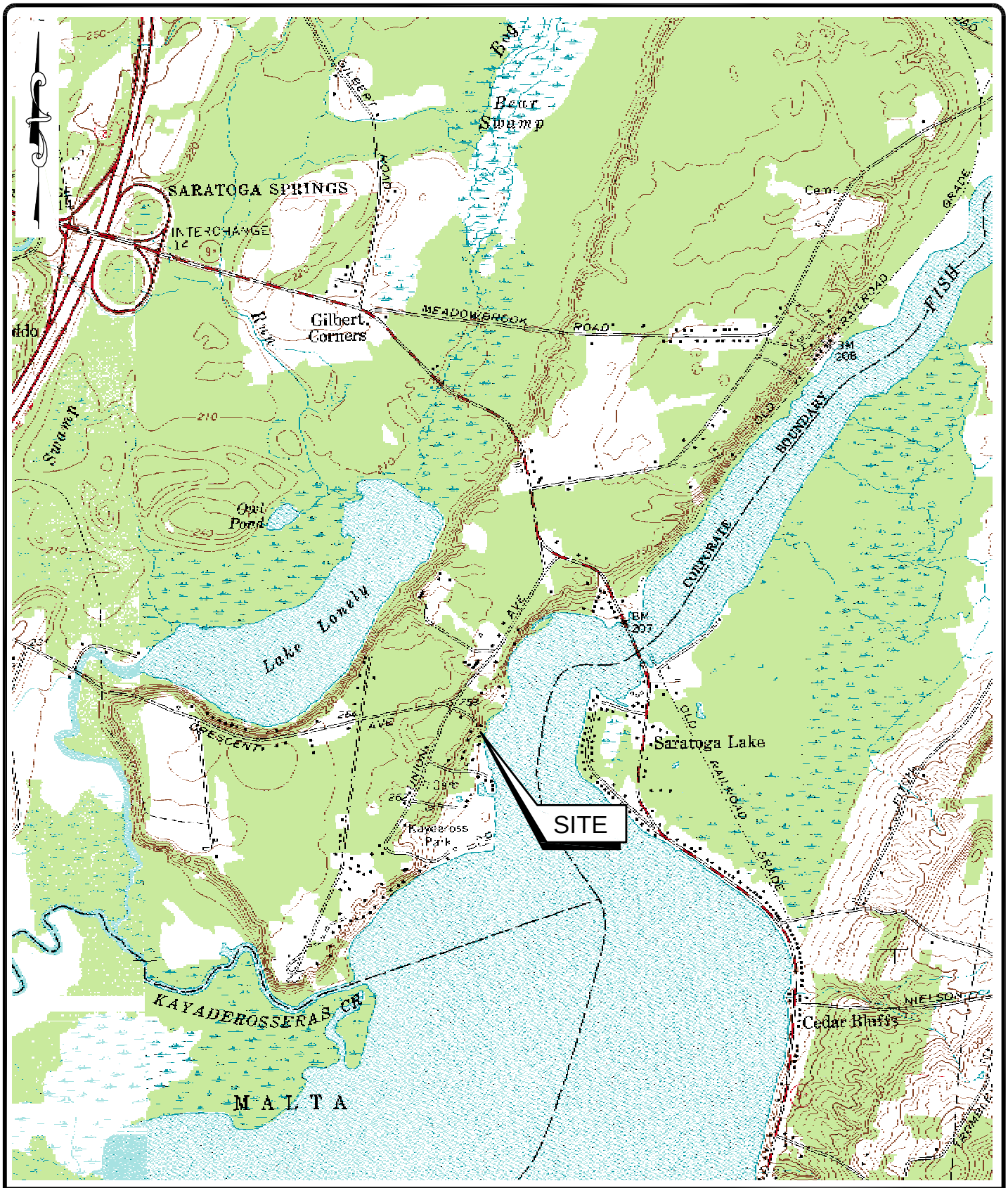
_____ (Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative: Name (printed) _____ Title _____

Signature _____ Date _____

B

SITE VICINITY MAP



SOURCE: U.S.G.S. 7.5' Topographic QUADRANGLE: SARATOGA SPRINGS, NY & QUAKER SPRINGS, NY

SITE VICINITY MAP

SCALE: 1"=2000'

BREWER ENGINEERING ASSOCIATES, P.C.
CONSULTING ENGINEERS * PLANNERS
743 COLUMBIA TURNPIKE, EAST GREENBUSH, NEW YORK 12061
PHONE: 518.477.5253 FAX: 518.477.5233

PROPOSED RESIDENCE OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

C

ORDINANCE CREATING GREEN ACRES

CHAPTER 240
OF THE CITY CODE OF THE CITY OF SARATOGA SPRINGS, NEW YORK
ZONING ORDINANCE

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Appendix C:
9. Green Acres Planned Unit Development (formerly 241.9)

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS "GREEN ACRES PLANNED UNIT DEVELOPMENT"

BE IT ORDAINED by the City Council of the City of Saratoga Springs, New York, following a public hearing as follows:

Section 1 - Name:

This Ordinance shall be known as "Green Acres Planned Unit Development" and amends Chapter 240 of the Code of the City of Saratoga Springs, New York entitled "Zoning" .

Section II - Zoning Change:

The Zoning Ordinance of the City of Saratoga Springs and the zoning map of the City of Saratoga Springs as set forth herein be and the same are hereby amended by changing from the existing zoning district of UR-2 as hereinafter described, and creating within the boundaries of said newly described area a residential planned unit development district to be known and described as "Green Acres Planned Unit Development", hereinafter referred to as "Green Acres".

Section III - Boundaries:

The area of "Green Acres Planned Unit Development" owned by Green Acres of Saratoga Lake,Inc., hereinafter the "Corporation") consists of approximately thirteen (13.2) acres located in the City of Saratoga Springs and is bounded and described as set forth in Appendix A- Legal Description, and Appendix B - Sketch Plan, attached hereto and made a part hereto.

The property is designated on the Assessor's Map of the Outside Tax District as set forth on Appendix C - Tax Map Identification.

Section IV - Purpose:

Historically, the area included in Green Acres developed outside the now applicable zoning ordinance. It is the purpose of this Ordinance to provide a means to establish regulations and limits of residential growth in the already developed area. It is the further purpose of this Ordinance to promote flexibility in the development and design of Green Acres by incorporating this area which has existed and been developed over the last 30 years into the City's zoning ordinance so as to legislative ratify the residential nature of the area and facilitate the use of land, promote good site design and visual quality and result in a more pleasing environment than otherwise possible. The Comprehensive Plan for the City of Saratoga Springs (as revised) proposes that this area be developed as a PUD.

Section V - Uses and Density:

There shall be constructed within the boundaries of "Green Acres Planned Unit Development" residential use types consisting of single family detached dwelling

units.The maximum number of units that can be constructed shall be twenty (20). The maximum number of lots upon which said units can be constructed is nineteen (19). No more than one unit can be constructed upon a lot unless other provided for in this ordinance.

Within the PUD the following uses are allowed:

Single family detached:

Each lot will be established by surveyed descriptions incorporated in this legislation by reference on the attached sketch plan. No further development will be permitted on said lots other than as expressly provided for in this act.

Recreation:

Recreational facilities may be established on the 4.092 acre lot described as remaining lands of Green Acres of Saratoga Lake, Inc., which facilitiesmay include a Clubhouse Center and related recreational amenities (swimming pool, outdoor court games, etc.). PUD site plan approval shall be required for development of the open space and/or common land.

Accessory:

Accessory uses permitted are as follows: private garages, storage sheds,swimming pools, solar/heating/ventilation equipment, private docks (up to110 feet in length), temporary accessory dwelling, antennas and satellite dishes, home occupation and greenhouses (non-commercial).

Section VI: Ownership,Tenancies and Homeowner's Association:

The PUD shall consist of 19 parcels (totaling approximately 7 acres) leased to corporation members and the remaining land (approximately 6 acres) shall be common space retained by the corporation. The leased lots are surveyed and the lot lines described in the PUD will be the same as the lot lines contained in the members' leases. Green Acres retains the right to convey the leased premises to its members or to other persons in fee simple. The common space shall be maintained by the corporation and expenses for the same shall be paid through revenues generated by the leases to the tenants. In the event that the lots are transferred to individuals, the corporation shall require said lot owners as a condition of the conveyance to agree through association or otherwise to contribute sufficient funds to maintain all common property retained by Green Acres.

Section VII - Sketch Plan:

The attached Sketch Plan, Appendix B, shall be used by the City and the developer as a guide for overall development of "Green Acres Planned Unit Development". It may be amended and modified by the Saratoga Springs Planning Board so long as the use, density and development regulations as set forth in this Ordinance are met.

Section VIII - Utilities:

The entire "Green Acres Planned Unit Development" area will be serviced by municipal water and sanitary sewer lines in the manner directed by the Saratoga Springs Planning Board during the PUD site plan review process.

The water lines shall service all units on Garside Road as well as Garside Road Extension. Access to the water lines on Garside Road and Garside Road Extension shall be insured by Green Acres giving to the City a thirty two (32) foot permanent easement to Garside Road and a twenty (20) foot permanent easement to Garside Road Extension for the maintenance of said water lines.

All water lines shall be constructed to City standards and when completed shall be offered for dedication to the City of Saratoga Springs.

All lots shall continue to be serviced by County Sewer District #1. Said sanitary sewer facilities will be owned and maintained by the Saratoga County Sewer District #1.

Development Process:

Prior to the issuance of a building permit to develop any of the residential lots within "Green Acres Planned Unit Development" (other than a building permit which would otherwise be permitted under the Code) the Corporation shall receive PUD site plan approval from the Planning Board of the City of Saratoga Springs pursuant to Chapter 240-3.5. Such PUD site plan approval shall be limited to road improvements and all other right-of-way improvements, on or off-site, utilities and drainage system and shall be in conformance with Chapter 240-3.5 of the Zoning Ordinance of the City of Saratoga Springs. If in the development of the PUD site plan it becomes apparent that certain elements of the Site Plan are infeasible and in need of significant modification, any significant modification thereof must be approved in accordance with the Zoning Ordinance of the City of Saratoga Springs. Any standard concerning the construction of residential units to be constructed within "Green Acres Planned Unit Development" shall be governed by and comply with the appropriate codes, laws, rules and regulations, including the New York State Building Codes in force and effect at the time of site plan approval for the units to be so constructed.

Once PUD site plan approval has been granted for Phase I, PUD site plan approval shall not be required for any residential lot in the PUD.

Section X - Streets Roads:

Garside Road, which services the "Green Acres Planned Unit Development" as indicated upon the Sketch Plan, shall remain owned by Green Acres. It shall be constructed in accordance with city specifications, excluding width, curve radius, turnaround and slope. Its paved width shall be fourteen (14) feet. There shall also be installed along Garside Road wing curbs, along with street lights. No sidewalks will be installed. A permanent easement shall be given to the City for maintenance of the City water lines running under said extension.

Garside Road Extension shall remain owned by Green Acres. It shall be improved by paving of the same to a width of tea (10) feet. A permanent easement shall be given to the City for maintenance of the City water lines running under said extension.

Should any emergency cause the City of Saratoga Springs to operate, maintain or repair Garside Road, Garside Road Extension, or the drainage system in order to protect the health, safety and welfare of the residents, the City Department of Public Works shall be empowered to bill the real property owners of the improved land in an amount to be determined by the Commissioner of Public Works so as to reimburse the Department of Public Works for all expense incurred for such purpose.

Section XI - Off-site Improvements:

The developer, or its successor, shall not be responsible for any curbs, pavement improvements, street trees, street lighting within the existing public rights of ways of that portion of Crescent Street or Kaydeross Park Road that has frontage on the PUD.

Section XII - Phasing:

"Green Acres Planned Unit Development" shall be developed in accordance with the following phasing plan:

PHASE I RESIDENTIAL AREA	
Water System, Drainage, Road Improvements, and Residential Lot Designations	PUD site plan approval must be obtained by December 31, 1999. If not obtained by said date, the zoning for the PUD shall expire and the property shall revert to RR-1 zoning.
PHASE II: RECREATION AREA	
Clubhouse and Recreation Amenities	PUD site plan approval can be obtained at any time. There shall be no expiration date.

The approximate boundaries of these phases are shown on the sketch plan in Appendix B.

Section XIII - Drainage:

Storm Sewer. A storm sewer system for the road improvement shall be constructed that shall be sufficient to convey a 25 year storm.

Storm Management Facility. A storm management facility shall be constructed that shall be sufficient to treat the first flush and will utilize an overflow basin that will

protect sediments and potential pollutants from entering Saratoga Lake.

Section 4IV - Height, Setback, Area and Bulk Regulations (and Exceptions):

A11 lots shall comply with the requirements set forth in Schedule D attached hereto and made a part of this act, subject to the exceptions which appear in the schedule entitled "Green Acres Planned Unit Development, Area and Bulk Schedule Exceptions" attached hereto as Appendix E.

Height setback and area and bulk regulations for recreation facilities shall be determined by the Planning Board during PUD site plan approval for Phase II.

Section XV Reconstruction of Existing Structures:

The owner, its successors, assigns or its lessee of each lot shall have the right to replace, reconstruct or otherwise improve any existing structure including principal buildings and accessory buildings now situate (as shown on the site plan or as permitted pursuant to Appendix E herein) on a lot, whether or not within the area, bulk and/or setback requirements contained herein so long as said replacement, reconstruction, improvement does not require construction outside the existing footprint of said structure or said footprint as permitted in Appendix E.

Section XVI - Severability:

If any provision of this Ordinance shall be held invalid, the remainder of the Ordinance shall not be affected thereby.

Section XVII - Construction Standards:

All construction standards for buildings, private and public improvements and for utilities shall be prepared and approved by licensed architects, landscape architects, or engineers. All costs associated with this shall be borne by the owner whether the plans are provided by the City of Saratoga Springs or by the owner. Further, all completed construction shall he certified to the City of Saratoga Springs by licensed architects, landscape architects, or engineers as being completed in the manner called for in the plans and shall be certified in accordance therewith. City may require any or all costs connected with this to be borne by the owner.

Section XVIII - Change In Ownership:

In the event that ownership of the area wholly encompassed by "Green Acres Planned Unit Development", is transferred or conveyed to any third person, firm, corporation, partnership or other entity by the applicant herein, the City of Saratoga Springs reserves the right to require proof of financial responsibility of the transferee in accordance with the same procedures set forth in Chapter 240-3.5 of the Zoning Ordinance of the City of Saratoga Springs.

Section XIX - Effective Date:

This Ordinance shall take effect the day after publication as provided by the provisions of the City Charter of the City of Saratoga Springs, New York.

ADOPTED: September 22, 1999

APPENDIX "A"
Legal Description

ENVIRONMENTAL DESIGN PARTNERSHIP, LLP

BOUNDARIES OF GREEN ACRES PLANNED UNIT DEVELOPMENT DISTRICT

GREEN ACRES OF SARATOGA LAKE, NY
SARATOGA SPRINGS, NY

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the City of Saratoga Springs, County of Saratoga, State of New York lying along the southeasterly line of Crescent Avenue, County Road No. 22 and the easterly line of Kaydeross Park Road and being further bounded and described as follows:

Beginning at a point marked with a capped iron rod found at the point of intersection of the southeasterly line of Crescent Avenue, County Road No. 22 with the common the division line of lands now or formerly of Saratoga Settlement, Inc. as conveyed in Book 1028 of Deeds at Page 1183 to the northeast and the parcel herein being described to the southwest; thence from said point of beginning along said common division line the following two (2) courses and distances:

1) South 58 deg. 53 min. 50 sec. East, 292.58 feet to a point;

2) South 64 deg. 52 min. 00 sec. East, 304.70 feet to a marked with a capped iron rod found near the west shore line of Saratoga Lake; thence along the west shore line of Saratoga Lake as it winds and turns in a general southerly direction approximately 1,050 feet to the point of intersection of said west shore line with the common division line lands now of formerly of Mary Jane

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Hales and Timothy Ross as conveyed in Book 1191 of Deeds as Page 322 to the south and the parcel herein being described to the north, said shore line having the following twelve (12) tie line courses and distances:

1) South 50 deg. 22 min. 10 sec. West, 115.27 feet to a point;

2) South 49 deg. 11 min. 00 sec. West, 103.45 feet to a point;

3) South 35 deg. 10 min. 00 sec. West, 45.96 feet to a point;

4) South 28 deg. 29 min. 30 sec. West, 47.53 feet to a point;

5) South 18 deg. 52 min. 10 sec. West, 111.98 feet to a point;

6) South 07 deg. 07 min. 10 sec. West, 120.32 feet to a point;

7) South 04 deg. 32 min. 00 sec. West, 59.16 feet to a point;

8) South 10 deg. 07 min. 10 sec. East, 67.14 feet to a point;

9) South 14 deg. 56 min. 20 sec. East, 82.85 feet to a point;

10) South 07 deg. 29 min. 40 sec. East, 94.16 feet to a point;

11) South 12 deg. 06 min. 40 sec. East, 51.98 feet to a point;

12) South 43 deg. 01 min. 30 sec. East, 117.94 feet to a point;

thence along said common division line in part, and the common division line of lands now or formerly of Milton Ross Associates, Inc. as conveyed in Book 1092 of Deeds at Page 201 to the south and the parcel herein being described to the north the following three (3) courses and distances:

1) North 68 deg. 44 min. 40 sec. West, 569.88 feet to a point marked with a concrete monument found;

2) North 39 deg. 29 min. 30 sec. West, 9.70 feet to a point;

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3) North 68 deg. 59 min. 30 sec. West, 328.92 feet to a point marked with an iron rod found in the easterly line of Kaydeross Park Road; thence along the easterly line of Kaydeross Park Road and the southeasterly line of Crescent Avenue, County Road No. 22 the following four (4) courses and distances:

1) North 24 deg. 26 min. 20 sec. East, 524.76 feet to a point;

2) North 23 deg. 07 min. 40 sec. East, 113.48 feet to a point of curvature;

3) Along a curve to the right an arc length of 113.29 feet to a point of tangency, said curve having a radius of 375.00 feet and a chord length of North 31 deg. 45 min. 50 sec. East, 112.86 feet;

4) North 40 deg. 26 min. 10 sec. East, 216.41 feet to a the point or place of beginning containing 13.2± acres of land to be the same more or less.

Said parcel made subject to any and all enforceable covenants, conditions, easements and restrictions of record as they may appear.

The purpose of this description is to describe a proposed P.U.D. and not to be used for the conveyance of Real Property.

Prepared by: TJM
March 18, 1999

E. Daniel Fuller, P.L.S. No. 49,135

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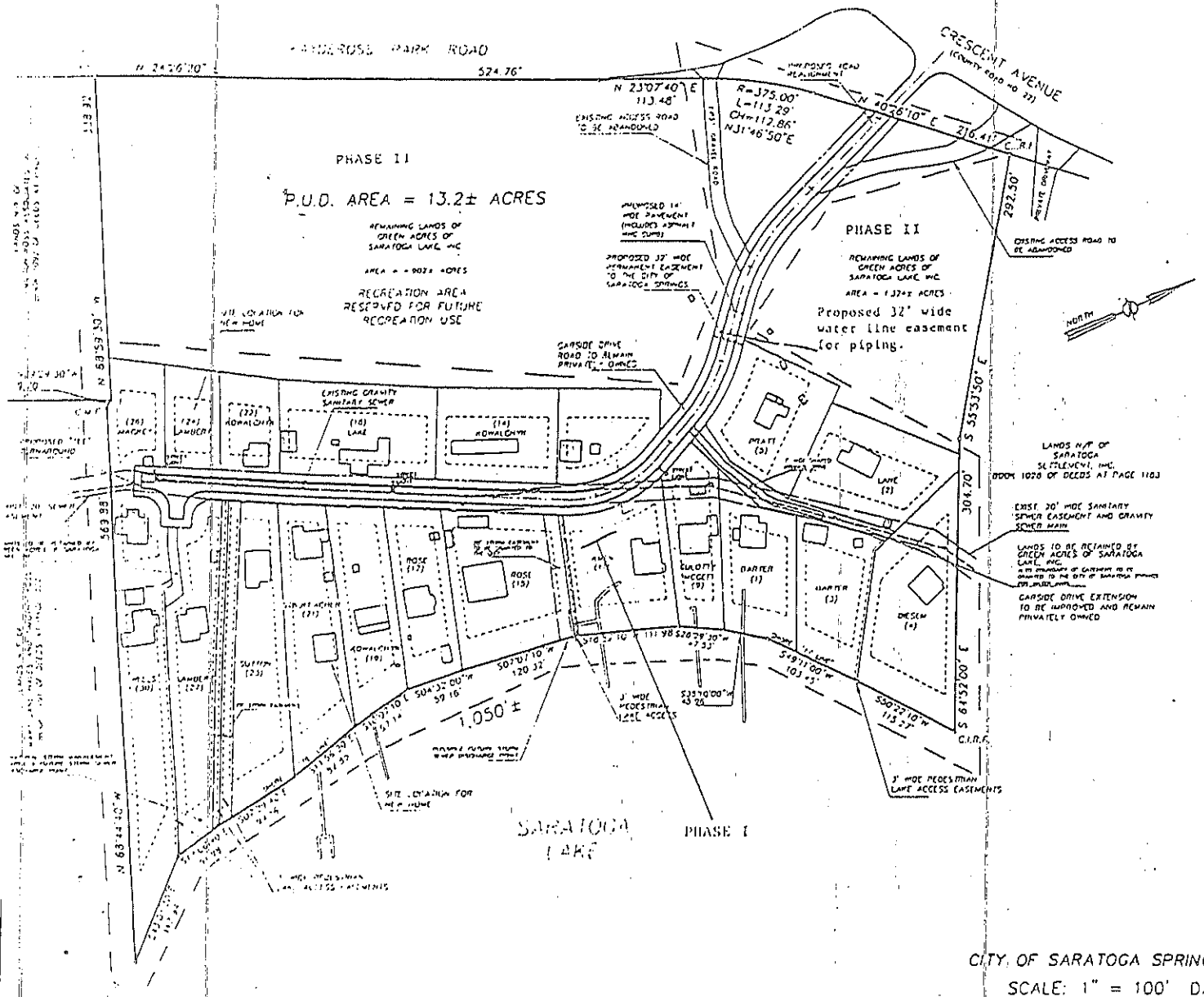


LEGEND:

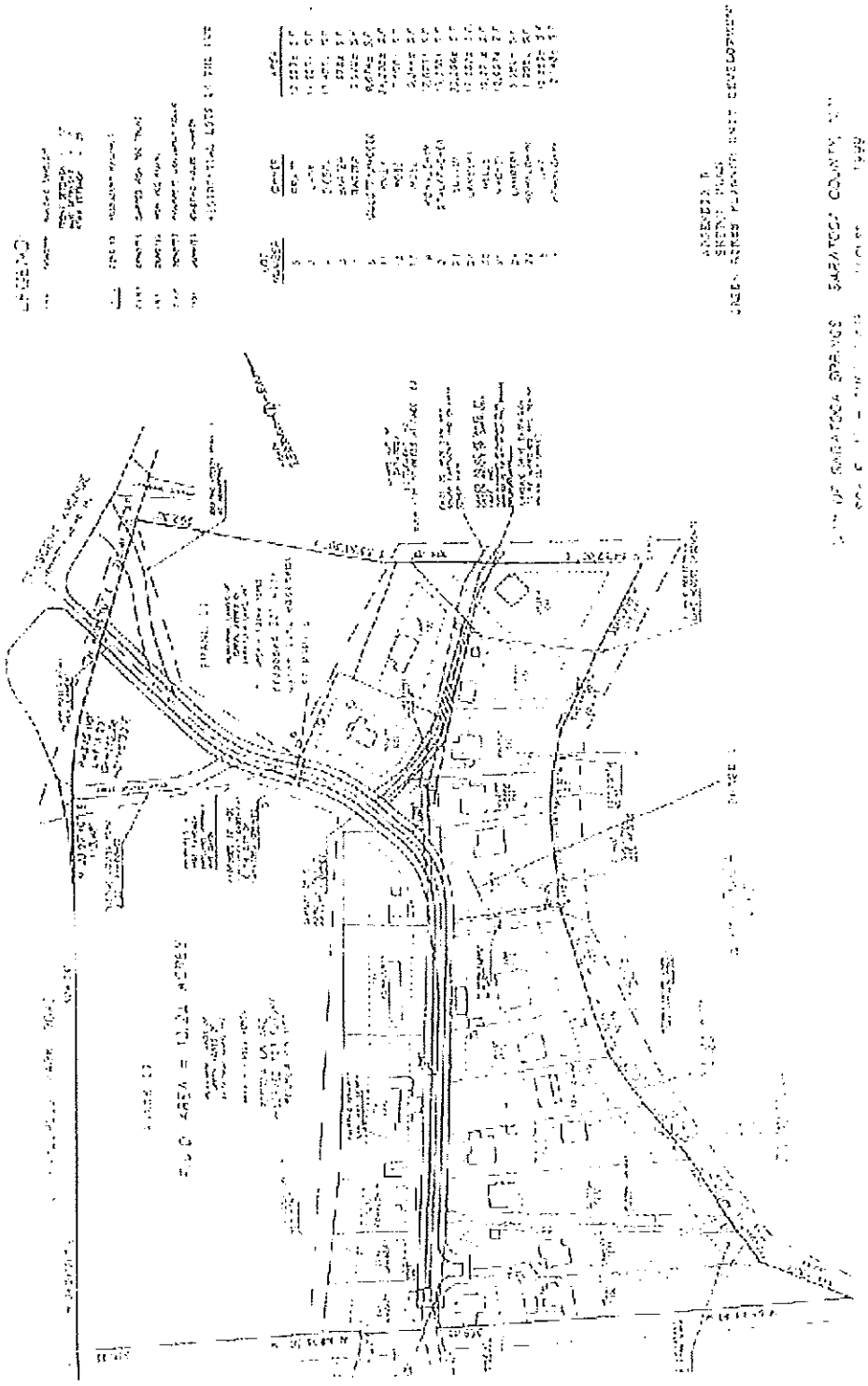
- ..... DENOTES BUILDING ENVELOPE
  - FRONT SETBACK = 15'
  - SIDE SETBACKS = 10'
  - REAR SETBACK = 30'
- [ ] DENOTES ACCESSORY BUILDINGS
- C.I.R.F. DENOTES CAPPED IRON ROD FOUND
- I.R.F. DENOTES IRON ROD FOUND
- C.M.F. DENOTES CONCRETE MONUMENT FOUND
- (18) DENOTES EXISTING HOUSE NUMBER

RESIDENTIAL LOTS IN THE PUD

LOT NUMBER	OWNER	AREA
5	PRATT	12,627± S.F.
2	LAKE	14,226± S.F.
4	DIESEM	19,400± S.F.
3	BARTER	11,670± S.F.
1	BARTER	10,972± S.F.
9	GULOTTY/MCGEE	9,674± S.F.
11	KMEN	24,205± S.F.
15	ROSE	17,500± S.F.
17	ROSE	10,344± S.F.
19	KOWALCHYK	12,023± S.F.
21	STAUFFACHER	15,330± S.F.
23	SUTTON	20,366± S.F.
27	LAMBERT	17,552± S.F.
30	WELLS	16,071± S.F.
26	MACKEY	12,057± S.F.
24	LAMBERT	5,902± S.F.
22	KOWALCHYK	6,205± S.F.
18	LAKE	15,062± S.F.
14	KOWALCHYK	12,140± S.F.

APPENDIX B
SKETCH PLAN
GREEN ACRES PLANNED UNIT DEVELOPMENT

CITY OF SARATOGA SPRINGS SARATOGA COUNTY, N.Y.
SCALE: 1" = 100' DATE: AUGUST 1999



APPENDIX "C"
CURRENT TAX PARCEL OF THE PUD

180.17-1-12 (13.36 acres) Leased as follows:

180.17 1 12 21
180.17-1-12-22
180.17-1-12-23
180.17-1-12-24
180.17-1-12-25
180.17-1-12-26
180.17 1 12 27
180.17-1-12-28
180.17 1 12 29
180.17-1-12-30
180.17-1-12-31
180.17-1-12-32
180.17-1-12-33
180.17-1-12-34
180.17-1-12-35
180.17 1 12 36
180.17-1-12-37
180.17-1-12-38
180.17-1-12-39

APPENDIX "D"
"Green Acres Planned Unit Development
Area and Bulk Schedule Exceptions

General:

a. All lots bordering Saratoga Lake shall be permitted to construct a dock extending to the shoreline.

Specific:

a. The owner or lessee of lot No. 9 shall be permitted to construct a twenty (20) foot by twenty four (24) foot garage extending from and parallel to the northerly line of the principal building. No side setback or lot coverage variance shall be required for construction of the same.

b. The owner or lessee of Lot No. 17 shall be permitted to construct improvements and additions to the principal building (including an attached garage). No side setback or lot coverage variance shall be required so long as the lot coverage shall not exceed sixteen (16) percent for the principal building and eight (8) percent for the ancillary building. In addition, said building shall be permitted to encroach on the southerly side setback only.

c. The owner or lessee of Lot No. 21 shall be permitted to construct or otherwise retain two (2) principal buildings on said lot subject to the following conditions:

1. The existing building located nearest the westerly line of the property shall be limited in size to the footprint currently existing on said lot as shown on the site plan.

2. The second building shall be constructed upon the existing foundation located nearest the easterly line of the property. The owner or lessee shall of Lot No. 21 shall be permitted to construct a twenty eight (28) foot by forty four (44) foot residence, which building shall be confined to the existing northerly and southerly lines of said foundation (i.e. 28 feet) and shall extend the easterly and/or westerly lines of said foundation to a maximum of forty four (44) feet. No side setback or lot coverage variance shall be required for construction of the same.

d. The owner or lessee of Lot No. 27 shall be permitted to construct a twenty (20) foot by twenty four (24) foot garage and ten (10) foot enclosed walkway connecting said garage and principal building. No side setback or lot coverage variance shall be required for construction of the same so long as said garage and walkway shall be located on

the westerly side of the premises and encroach upon the southerly side setback only.

e The owner or lessee of Lot No. 3 shall be permitted to construct a walkway/ramp from the northerly entrance of the principal building to a deck to be constructed on the easterly side of the principal building. No side setback or lot coverage variance shall be required for construction of the same so long as the walkway/ramp is of not in excess of five (5) feet in width and of the minimum length necessary to connect the northerly entrance to said deck.

f. The owner or lessee of lot No. 4 shall be permitted to construct a thirty five (35) foot by thirty five (35) (35) foot garage attached to the principal residence within the required setbacks. In addition, said owner or lessee shall be permitted to construct a thirty (30) foot by thirty (30) foot boathouse over the permitted dock. No set back or lot coverage variance shall be required for construction of the same.

APPENDIX "D"

"Green Acres Planned Unit Development
Heights, Setback, Area and Bulk Schedule
For Residential Lots in Phase I

Maximum Terms of Lot to be Occupied		Minimum Yard Dimensions			Principal Building			Accessory Building Minimum Distance To		
Principal Building	Accessory Building	Front (feet)	Rear (feet)	One Side (feet)	Total Side (feet)	Maximum Height (feet)	Principal Building (feet)	Front Lot Line (feet)	Side Lot Line (feet)	Rear Lot Line (feet)
10	5	25	30	10	20	30	5	25	10	30

APPENDIX "E"
"Green Acres Planned Unit Development
Area and Bulk Schedule Exceptions

General:

a. All lots bordering Saratoga Lake shall be permitted to construct a dock extending to the shoreline which dock shall not exceed 110 feet in length.

Specific:

a. The owner or lessee of lot No. 9 shall be permitted to construct a twenty (20) foot by twenty four (24) foot garage extending from and parallel to the northerly line of the principal building. No side setback or lot coverage variance shall be required for construction of the same.

b. The owner or lessee of Lot No. 17 shall be permitted to construct improvements and additions to the principal building (including an attached garage). No side setback or lot coverage variance shall be required so long as the lot coverage shall not exceed sixteen (16) percent for the principal building and eight (8) percent for the ancillary building. In addition, said building shall be permitted to encroach on the southerly side setback only.

c. The owner or lessee of Lot No. 21 shall be permitted to construct or otherwise retain two (2) principal buildings on said lot subject to the following conditions:

1. The existing building located nearest the westerly line of the property shall be limited in size to the footprint currently existing on said lot as shown on the site plan.

2. The second building shall be constructed upon the existing foundation located nearest the easterly line of the property. The owner or lessee shall of Lot No. 21 shall be permitted to construct a twenty eight (28) foot by forty four (44) foot residence, which building shall be confined to the existing northerly and southerly lines of said foundation (i.e. 28 feet) and shall extend the easterly and/or westerly lines of said foundation to a maximum of forty four (44) feet. No side setback or lot coverage variance shall be required for construction of the same.

d. The owner or lessee of Lot No. 27 shall be permitted to construct a twenty (20) foot by twenty four (24) foot garage and ten (10) foot enclosed walkway connecting said garage and principal building. No side setback or lot coverage variance shall be required for construction of the same so long as said garage and walkway shall be located on the westerly side of-the premises and encroach upon the southerly side setback only.

e. The owner or lessee of Lot No. 3 shall be permitted to construct a walkway/ramp from the northerly entrance of the principal building to a deck to be constructed on the easterly side of the principal building. No side setback or lot coverage variance shall be required for construction of the same so long as the walkway/ramp is of not in excess of five (5) feet in width and of the minimum length necessary to connect the northerly entrance to said deck.

f. The owner or lessee of lot No. 4 shall be permitted to construct a thirty five (35) foot by thirty five (35) (35) foot garage attached to the principal residence within the required setbacks. In addition, said owner or lessee shall be permitted to construct a thirty (30) foot by thirty (30) foot boathouse over the permitted dock. No set back or lot coverage variance shall be required for construction of the same.

D

HISTORY OF GREEN ACRES AT SARATOGA LAKE

HISTORY
OF
GREEN ACRES OF SARATOGA LAKE, INC. P.U.D.

Following review of the City of Saratoga Springs Planning and Zoning Boards meeting minutes from January 2000 to November 2015 and found that Green Acres of Saratoga Lake, Inc., PUD was created by City of Saratoga Springs ordinance for the purpose of incorporating the existing Green Acres development into the City's zoning jurisdiction. There is a statement in the Ordinance that the area had been developed over the past 30 years. Actually development of the area started in 1923 which would have been 67 years prior to the PUD in 1999.

The property was acquired in 1922 by Mary F. Green. Following acquisition of the property lots were created and leased to individuals on which the lessors would construct cottages. The cottages and any other structures that were constructed on the leased lots would be owned by the lessors. According to City tax data, the first cottage was constructed in 1923. That cottage is the structure presently located at 26 Garside Road. According to City tax data several cottages were constructed in 1925, of which eight still remain. Four additional residences were constructed between 1935 and 1978.

Since Green Acres PUD was approved in 1999, two structures that existed at the time of the PUD was approved; one at 21 Garside Road and the other at 17 Garside Road. Both were removed and replaced with new residences constructed in 2002 and 2003, respectively. At the time of the approval of the PUD in 1999 Ruthmans', Lot 3 was occupied by a 450 square foot cottage. This is indicated on the enclosed PUD map as well as on the site plan prepared by Richard H. Green, P.E., dated February 16, 2006. .

In 1967 Frederick Kmen, George E. Barter and Donald Todd, as trustees for Green Acres Association acquired the property from Grace Green Graham, daughter of Mary Green. At that time, according to the "Declaration of Protective Covenants, Restrictions, Easements and Liens of Green Acres of Saratoga Lake, Inc., (A Homeowners' Association)," all property, (land), was conveyed to the Association by deed dated September 7, 1967 recorded in the office of the Saratoga County Clerk on September 15, 1967 in Liber 816 of Deeds at Page 85. Subsequently, as shown on a Subdivision Plan prepared in 1999 entitled "Green Acres of Saratoga Lake, Inc. PUD" and filed in the office of the Saratoga County Clerk in Drawer "G" as Map No. 291 A & B, the Lot appurtenant to each home, with two homes existing on lot identified as 21/21A Garside Road, was conveyed to the owner of such home and homes. "Green Acres of Saratoga Lake, Inc.," was filed with the State of New York on January 4, 1972.

In 1999 to better control the future development of the site the Green Acres of Saratoga Lake, Inc., a PUD was created by the City of Saratoga Springs by an ordinance entitled - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS "GREEN ACRES PLANNED UNIT DEVELOPMENT". (A copy of the Ordinance is enclosed in Appendix "J").

HISTORY
OF
GREEN ACRES OF SARATOGA LAKE, INC. P.U.D.

As evidence that the site occupied by Green Acres has been a long standing cottage development, we have quoted excerpts from portions of the Ordinance:

From Section IV - Purpose: (Page 127)

Historically the area included in Green Acres developed outside the now applicable zoning ordinance. It is the purpose of the Ordinance to provide a means to establish regulations and limit residential growth in the already developed area. It is the further purpose of this Ordinance to promote flexibility in the development and design of Green Acres by incorporating this area which has existed and been developed over the last 30 years into the City's zoning ordinance so as to legislative ratify the residential nature of the area and facilitate the use of land, promote good site design and visual quality and result in a more pleasing environment than otherwise possible. The Comprehensive Plan of the City of Saratoga Springs (as revised) proposes that this area be developed as a PUD.

From Section V - Use and Density: (Page 127 - Quote on Page 128)

Each lot will be established by surveyed descriptions incorporated in this legislation by reference on the attached sketch plan. No further development will be permitted on said lots other than as expressly provided for in this act.

From Section VI: Ownership, Tenancies and Homeowner's Association: (Page 128)

The PUD shall consist of 19 parcels (totaling approximately 7 acres) leased to corporation members and the remaining land (approximately 6 acres) shall be common space retained by the corporation. The leased lots are surveyed and the lot lines described in the PUD will be the same as the lot lines contained in the member's leases. Green Acres retains the right to convey the leased premises to its members or to other persons in fee simple. The common space shall be maintained by the corporation and expenses for the same shall be paid through revenues generated by the leases to the tenants. In the event that the lots are transferred to individuals, the corporation shall require the lot owners as a condition of the conveyance to agree through association or otherwise to contribute sufficient funds to maintain all common property retained by Green Acres.

From Section VII - Sketch Plan: (Page 128)

The attached Sketch Plan, Appendix B, shall be used by the City and the developer as a guide for overall development of "Green Acres Planned Unit Development". It may be amended and modified by the Saratoga Springs Planning Board so long as the use, density and development regulations as set forth in this Ordinance are met.

Sketch Plan, Appendix B, (Page 135) dated August 1999 indicates existing structures and owners as of that date and the area of each lot.

Enclosed is a copy of Green Acres Of Saratoga Lake, Inc. P.U.D., dated September 28, 1999, approved by Planning Board of the City of Saratoga Springs on October 20, 1999 and filed in the Saratoga County Clerk's Office on March 6, 2000. You will note that on each lot it states Lands N/F of Green Acres of Saratoga Lake, Inc. leased to the i

HISTORY
OF
GREEN ACRES OF SARATOGA LAKE, INC. P.U.D.

Individual lease holders. Following the filing of the PUD map the lots were Quit Claim deeded to each leaseholder.

We have enclosed property descriptions from the City of Saratoga Springs Tax Records for each of the lots to establish the type of residence, (Cottage, etc.), square footage and the year the residence was built. The records also indicate the current owners. (The property descriptions are enclosed in Appendix "L").

E

SUBDIVISION MAP

G-291A

SITE IMPROVEMENTS
GREEN ACRES OF SARATOGA LAKE, INC. P.U.D.

CITY OF SARATOGA SPRINGS, O.D. — SARATOGA COUNTY, N.Y.

DATE: SEPTEMBER 28, 1999

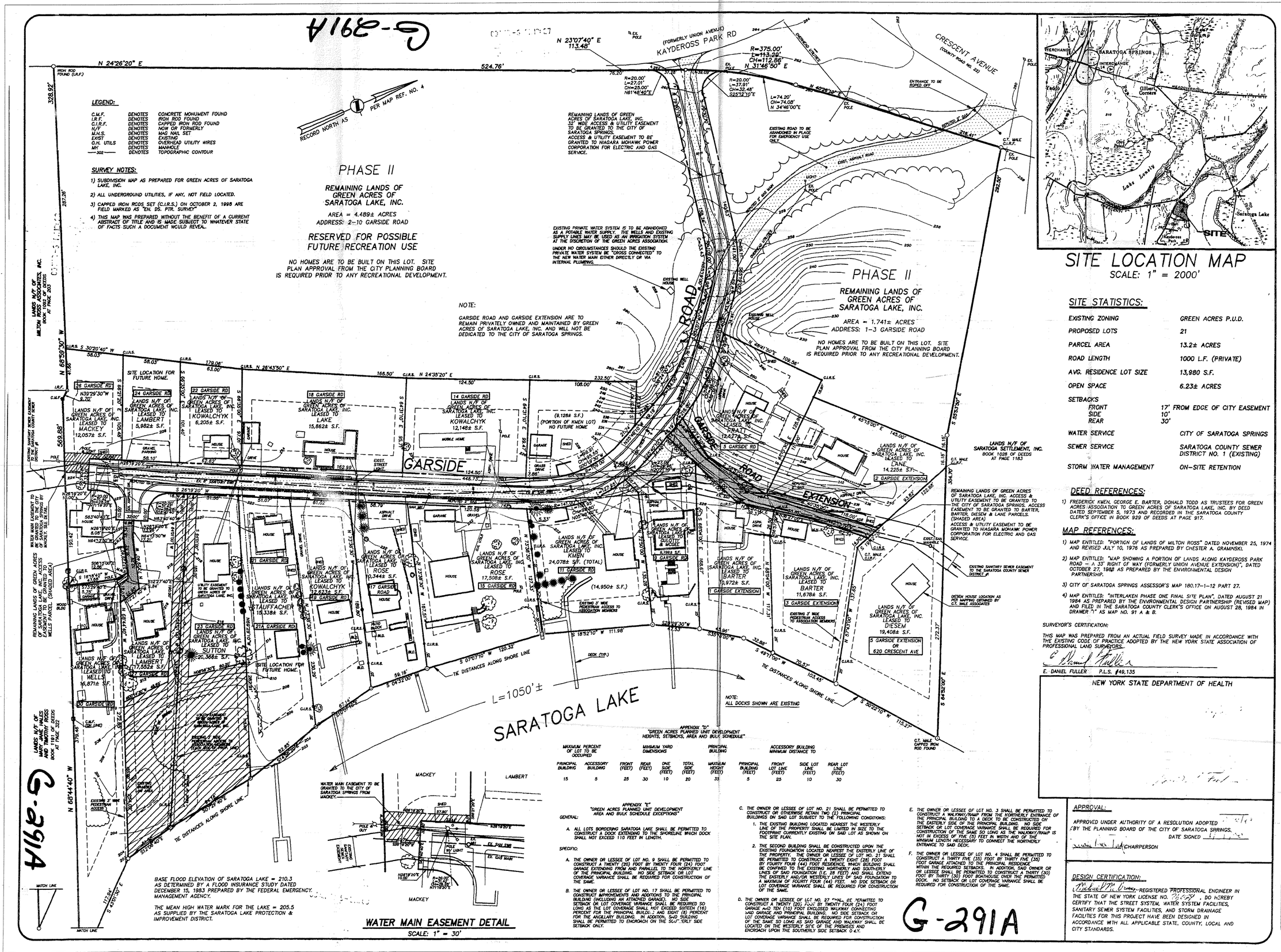
ENVIRONMENTAL DESIGN PARTNERSHIP, LLP
ROUTE 146 CLIFTON PARK, NY 12065 (518) 371-7621
ENGINEERING + LANDSCAPE ARCHITECTURE + LAND SURVEYING

SHEET TITLE

SUBDIVISION PLAN

G-291A

REVISIONS	DATE	BY
PER CITY, PLANNING & ADDITIONAL ENGINEERING COMMENTS	10/22/99	MDM
ORIGINAL PRESENTED AT PUB CITY ENGINEERING COMMENTS	11/16/99	MDM



SITE LOCATION MAP

SCALE: 1" = 2000'

SITE STATISTICS:

EXISTING ZONING	GREEN ACRES P.U.D.
PROPOSED LOTS	21
PARCEL AREA	13.2± ACRES
ROAD LENGTH	1000 L.F. (PRIVATE)
AVG. RESIDENCE LOT SIZE	13,980 S.F.
OPEN SPACE	6.23± ACRES
SETBACKS	
FRONT	17' FROM EDGE OF CITY EASEMENT
SIDE	10'
REAR	30'
WATER SERVICE	CITY OF SARATOGA SPRINGS
SEWER SERVICE	SARATOGA COUNTY SEWER DISTRICT NO. 1 (EXISTING)
STORM WATER MANAGEMENT	ON-SITE RETENTION

"GREEN ACRES PLANNED UNIT DEVELOPMENT HEIGHTS, SETBACKS, AREA AND BULK SCHEDULE"

	MAXIMUM PERCENT OF LOT TO BE OCCUPIED		MINIMUM YARD DIMENSIONS				PRINCIPAL BUILDING	ACCESSORY BUILDING MINIMUM DISTANCE TO			
	PRINCIPAL BUILDING	ACCESSORY BUILDING	FRONT (FEET)	REAR (FEET)	ONE SIDE (FEET)	TOTAL SIDE (FEET)	MAXIMUM HEIGHT (FEET)	PRINCIPAL BUILDING (FEET)	FRONT LOT LINE (FEET)	SIDE LOT LINE (FEET)	REAR LOT LINE (FEET)
	15	5	25	30	10	20	35	5	25	10	30

"E"
"GREEN ACRES PLANNED UNIT DEVELOPMENT AREA AND BULK SCHEDULE EXCEPTIONS"

GENERAL:

A. ALL LOTS BORDERING SARATOGA LAKE SHALL BE PERMITTED TO CONSTRUCT A DOCK EXTENDING TO THE SHORELINE WHICH DOCK SHALL NOT EXCEED 110 FEET IN LENGTH.

SPECIFIC:

A. THE OWNER OR LESSEE OF LOT NO. 9 SHALL BE PERMITTED TO CONSTRUCT A TWENTY (20) FOOT BY TWENTY FOUR (24) FOOT GARAGE EXTENDING FROM AND PARALLEL TO THE NORTHERLY LINE OF THE PRINCIPAL BUILDING. NO SIDE SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED FOR CONSTRUCTION OF THE SAME.

B. THE OWNER OR LESSEE OF LOT NO. 17 SHALL BE PERMITTED TO CONSTRUCT IMPROVEMENTS AND ADDITIONS TO THE PRINCIPAL BUILDING (INCLUDING AN ATTACHED GARAGE). NO SIDE SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED SO LONG AS THE LOT COVERAGE SHALL NOT EXCEED SIXTEEN (16) PERCENT FOR THE PRINCIPAL BUILDING AND EIGHT (8) PERCENT FOR THE ANCILLARY BUILDING. IN ADDITION, SAID BUILDING SHALL BE PERMITTED TO ENCROACH ON THE SOUTHERLY SIDE SETBACK ONLY.

C. THE OWNER OR LESSEE OF LOT NO. 21 SHALL BE PERMITTED TO CONSTRUCT OTHERWISE RETAIN TWO (2) PRINCIPAL BUILDINGS ON SAID LOT SUBJECT TO THE FOLLOWING CONDITIONS:
1. THE EXISTING BUILDING LOCATED NEAREST THE WESTERLY LINE OF THE PROPERTY SHALL BE LIMITED IN SIZE TO THE FOOTPRINT CURRENTLY EXISTING ON SAID LOT AS SHOWN ON THE SITE PLAN.
2. THE SECOND BUILDING SHALL BE CONSTRUCTED UPON THE EXISTING FOUNDATION LOCATED NEAREST THE EASTERLY LINE OF THE PROPERTY. THE OWNER OR LESSEE OF LOT NO. 21 SHALL BE PERMITTED TO CONSTRUCT A TWENTY EIGHT (28) FOOT BY FOURTY FOUR (44) FOOT RESIDENCE, WHICH BUILDING SHALL BE CONFINED TO THE EXISTING NORTHERLY AND SOUTHERLY LINES OF SAID FOUNDATION (I.E. 28 FEET) AND SHALL EXTEND THE EASTERLY AND/OR WESTERLY LINES OF SAID FOUNDATION TO A MAXIMUM OF FOURTY FOUR (44) FEET. NO SIDE SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED FOR CONSTRUCTION OF THE SAME.

D. THE OWNER OR LESSEE OF LOT NO. 27 SHALL BE PERMITTED TO CONSTRUCT A TWENTY (20) FOOT BY TWENTY FOUR (24) FOOT GARAGE AND TEN (10) FOOT ENCLOSED WALKWAY CONNECTING SAID GARAGE AND PRINCIPAL BUILDING. NO SIDE SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED FOR CONSTRUCTION OF THE SAME SO LONG AS SAID GARAGE AND WALKWAY SHALL BE LOCATED ON THE WESTERLY SIDE OF THE PREMISES AND ENCROACH UPON THE SOUTHERLY SIDE SETBACK O.K.Y.

E. THE OWNER OR LESSEE OF LOT NO. 3 SHALL BE PERMITTED TO CONSTRUCT A WALKWAY/RAMP FROM THE NORTHERLY ENTRANCE OF THE PRINCIPAL BUILDING TO A DECK TO BE CONSTRUCTED ON THE EASTERLY SIDE OF THE PRINCIPAL BUILDING. NO SIDE SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED FOR CONSTRUCTION OF THE SAME SO LONG AS THE WALKWAY/RAMP IS NOT IN EXCESS OF FIVE (5) FEET IN WIDTH AND OF THE MINIMUM LENGTH NECESSARY TO CONNECT THE NORTHERLY ENTRANCE TO SAID DECK.

F. THE OWNER OR LESSEE OF LOT NO. 4 SHALL BE PERMITTED TO CONSTRUCT A THIRTY FIVE (35) FOOT BY THIRTY FIVE (35) FOOT GARAGE ATTACHED TO THE PRINCIPAL RESIDENCE WITHIN THE REQUIRED SETBACKS. IN ADDITION, SAID OWNER OR LESSEE SHALL BE PERMITTED TO CONSTRUCT A THIRTY (30) FOOT BY THIRTY (30) FOOT BOATHOUSE OVER THE PERMITTED DOCK. NO SETBACK OR LOT COVERAGE VARIANCE SHALL BE REQUIRED FOR CONSTRUCTION OF THE SAME.

DEED REFERENCES:

1) FREDERICK KMEN, GEORGE E. BARTER, DONALD TODD AS TRUSTEES FOR GREEN ACRES ASSOCIATION TO GREEN ACRES OF SARATOGA LAKE, INC. BY DEED DATED SEPTEMBER 5, 1973 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 929 OF DEEDS AT PAGE 917.

MAP REFERENCES:

1) MAP ENTITLED: "PORTION OF LANDS OF MILTON ROSS" DATED NOVEMBER 25, 1974 AND REVISED JULY 10, 1976 AS PREPARED BY CHESTER A. GRAMINSKI.

2) MAP ENTITLED: "MAP SHOWING A PORTION OF LANDS ALONG KAYDEROSS PARK ROAD — A 33' RIGHT OF WAY (FORMERLY UNION AVENUE EXTENSION)", DATED OCTOBER 27, 1982 AS PREPARED BY THE ENVIRONMENTAL DESIGN PARTNERSHIP.

3) CITY OF SARATOGA SPRINGS ASSESSOR'S MAP 180.17-1-12 PART 27.

4) MAP ENTITLED: "INTERLAKEN PHASE ONE FINAL SITE PLAN", DATED AUGUST 21 1984 AS PREPARED BY THE ENVIRONMENTAL DESIGN PARTNERSHIP (REVISED MAP) AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE ON AUGUST 28, 1984 IN DRAWER "I" AS MAP NO. 91 A & B.

SURVEYOR'S CERTIFICATION:

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.

E. DANIEL FULLER P.L.S. #49,135

E. DANIEL FULLER P.L.S. # 49,135

MICHAEL S. MCNAMARA P.E. # 71,029

NEW YORK STATE DEPARTMENT OF HEALTH

APPROVAL:

APPROVED UNDER AUTHORITY OF A RESOLUTION ADOPTED BY THE PLANNING BOARD OF THE CITY OF SARATOGA SPRINGS.

DATE SIGNED _____

_____ CHAIRPERSON

DESIGN CERTIFICATION:

I, MICHAEL S. MCNAMARA, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NEW YORK LICENSE NO. 71,029, DO HEREBY CERTIFY THAT THE STREET SYSTEM, WATER SYSTEM FACILITIES, SANITARY SEWER SYSTEM FACILITIES, AND STORM DRAINAGE FACILITIES FOR THIS PROJECT HAVE BEEN DESIGNED IN ACCORDANCE WITH ALL APPLICABLE STATE, COUNTY, LOCAL AND CITY STANDARDS.

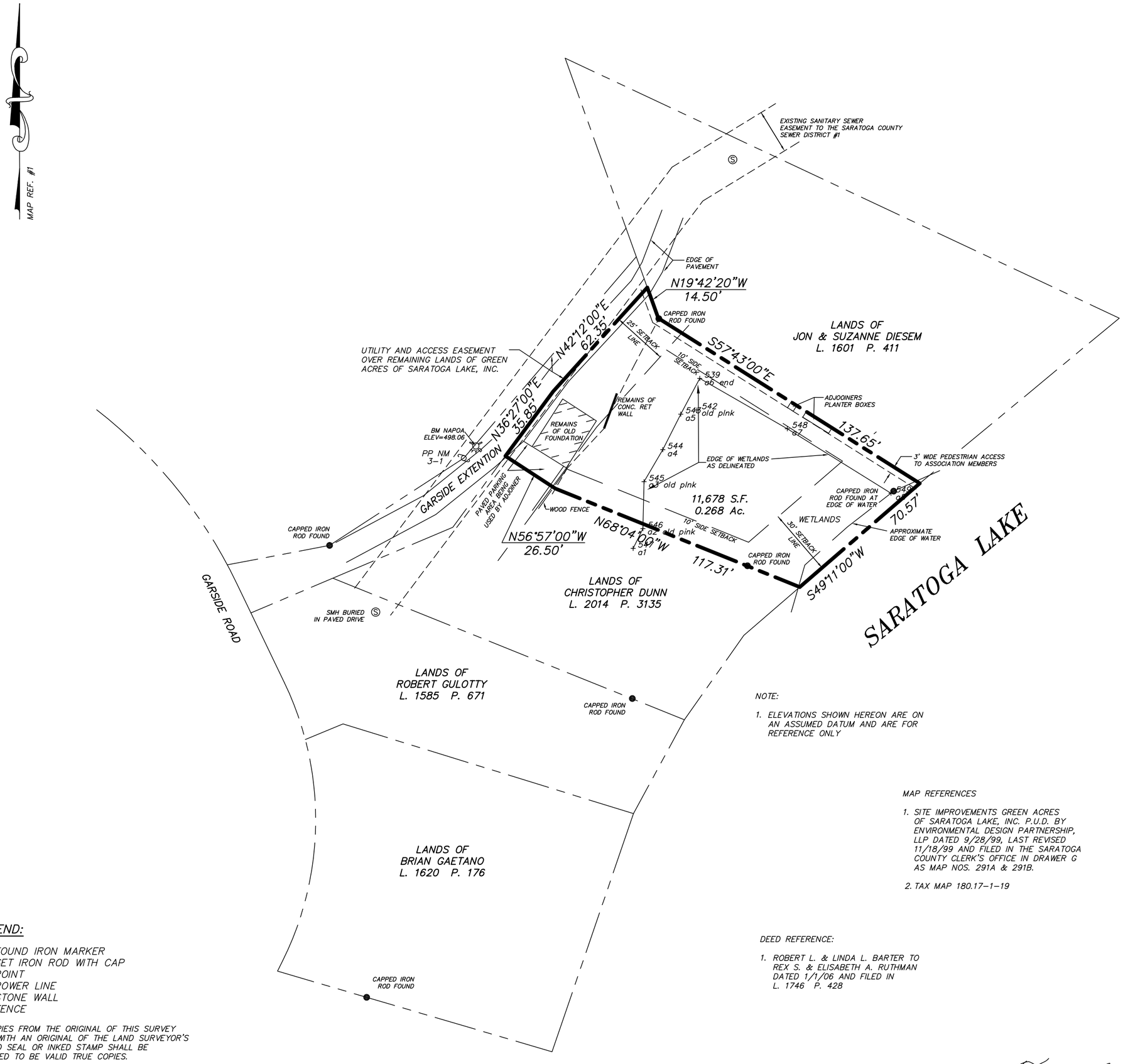
SCALE:	PROJECT NO.	SHEET NO.
1" = 40'		1

G-291A

CITY

F
BOUNDARY SURVEY

\15\15-1009\BOUNDARY



NOTE:

1. ELEVATIONS SHOWN HEREON ARE ON AN ASSUMED DATUM AND ARE FOR REFERENCE ONLY

MAP REFERENCES

1. SITE IMPROVEMENTS GREEN ACRES OF SARATOGA LAKE, INC. P.U.D. BY ENVIRONMENTAL DESIGN PARTNERSHIP, LLP DATED 9/28/99, LAST REVISED 11/18/99 AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE IN DRAWER G AS MAP NOS. 291A & 291B.

2. TAX MAP 180.17-1-19

DEED REFERENCE:

1. ROBERT L. & LINDA L. BARTER TO REX S. & ELISABETH A. RUTHMAN DATED 1/1/06 AND FILED IN L. 1746 P. 428

LEGEND:

- FOUND IRON MARKER
- SET IRON ROD WITH CAP
- POINT
- —E— POWER LINE
- STONE WALL
- —x—x— FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

Timothy P. Dunn

TIMOTHY P. DUNN, LICENSED LAND SURVEYOR NO. 49313

BRWEER ENGINEERING ASSOCIATES, P.C.

BREWER ENGINEERING ASSOCIATES, P.C.
CONSULTING ENGINEERS
PLANNERS
743 COLUMBIA TURNPIKE
EAST GREENBUSH, NEW YORK 12061
PHONE: 518-477-5253 FAX: 518-477-5233

MAP OF SURVEY
OF LANDS OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

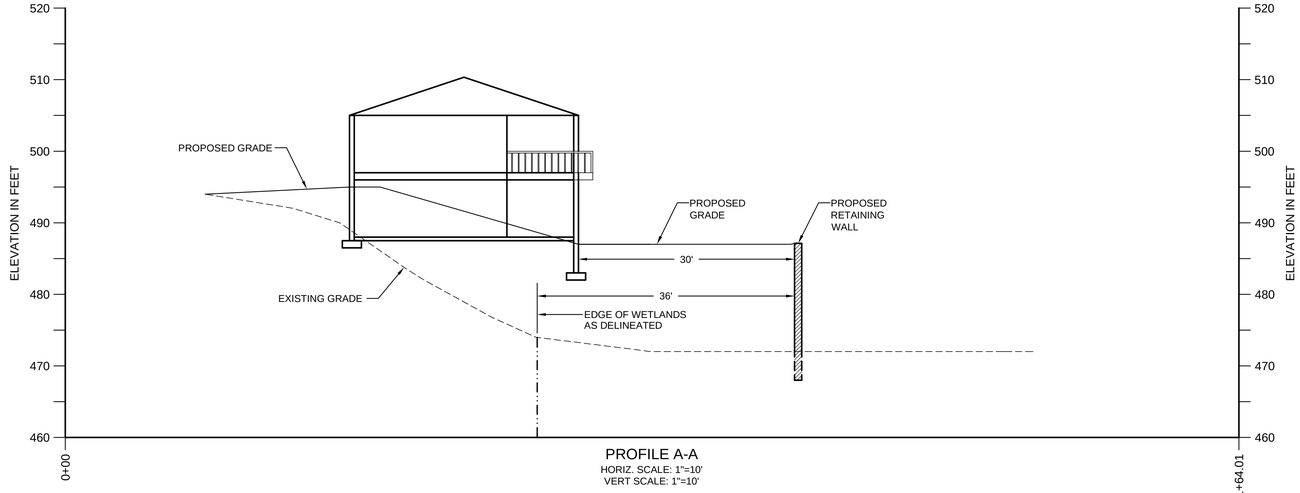
BOUNDARY SURVEY

TITLE:	DRAWN BY: TPD	DATE: 6/16/15	CHECKED BY: RT	SCALE: 1"=30'
				REVISION
				DATE
			REVISION	
			DATE	

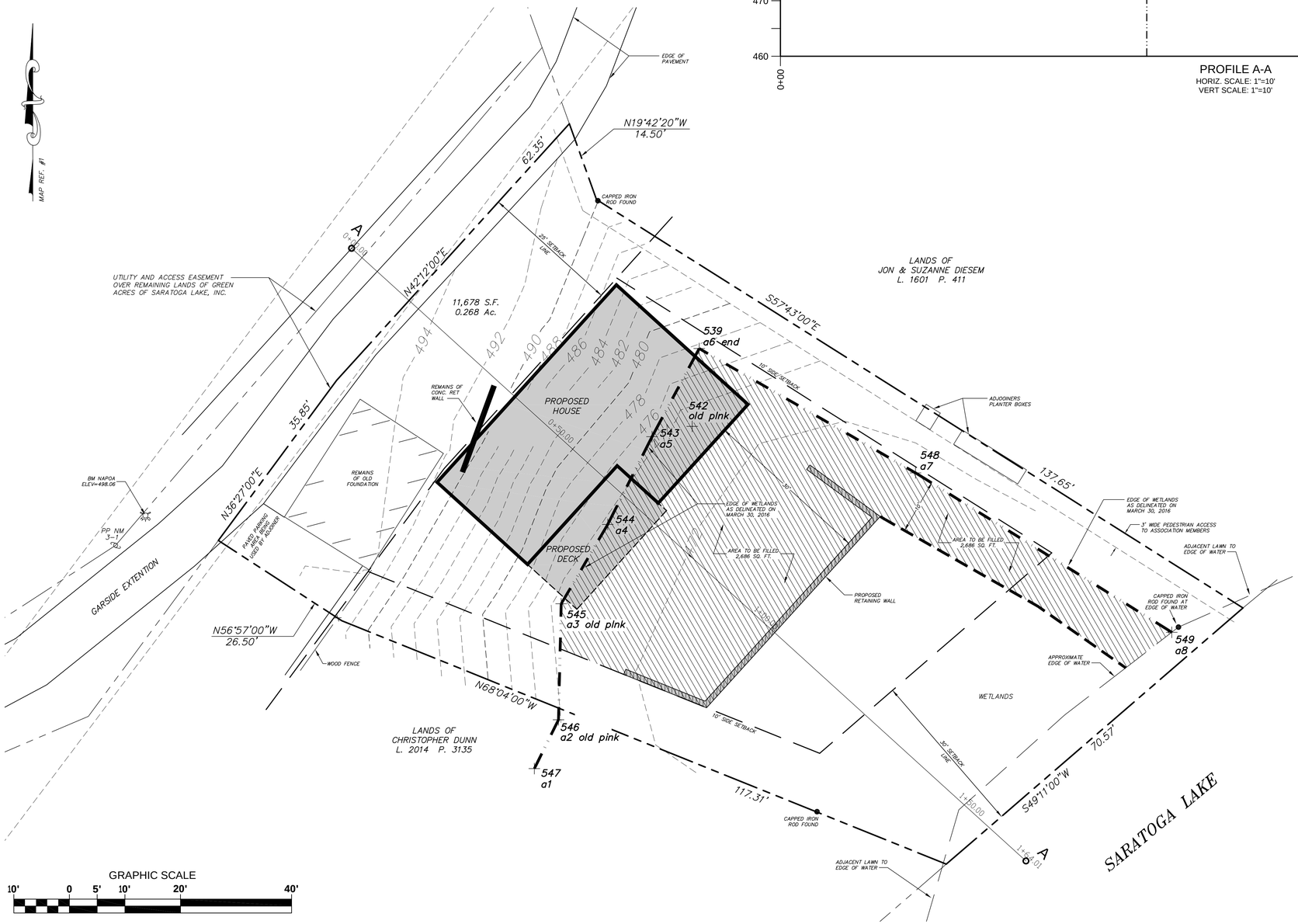
JOB NO. 15-1009

G
SITE PLAN

RUTHMWN WORK.dwg



PROFILE A-A
HORIZ. SCALE: 1"=10'
VERT SCALE: 1"=10'



GRAPHIC SCALE
10' 0 5' 10' 20' 40'

BREWER ENGINEERING ASSOCIATES, P.C.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW

BREWER ENGINEERING ASSOCIATES, P.C.
CONSULTING ENGINEERS * PLANNERS
743 COLUMBIA TURNPIKE, EAST GREENBUSH, NEW YORK 12061
PHONE: 518.477.5233 FAX: 518.477.5233

PROPOSED RESIDENCE OF REX S. & ELISABETH A. RUTHMAN

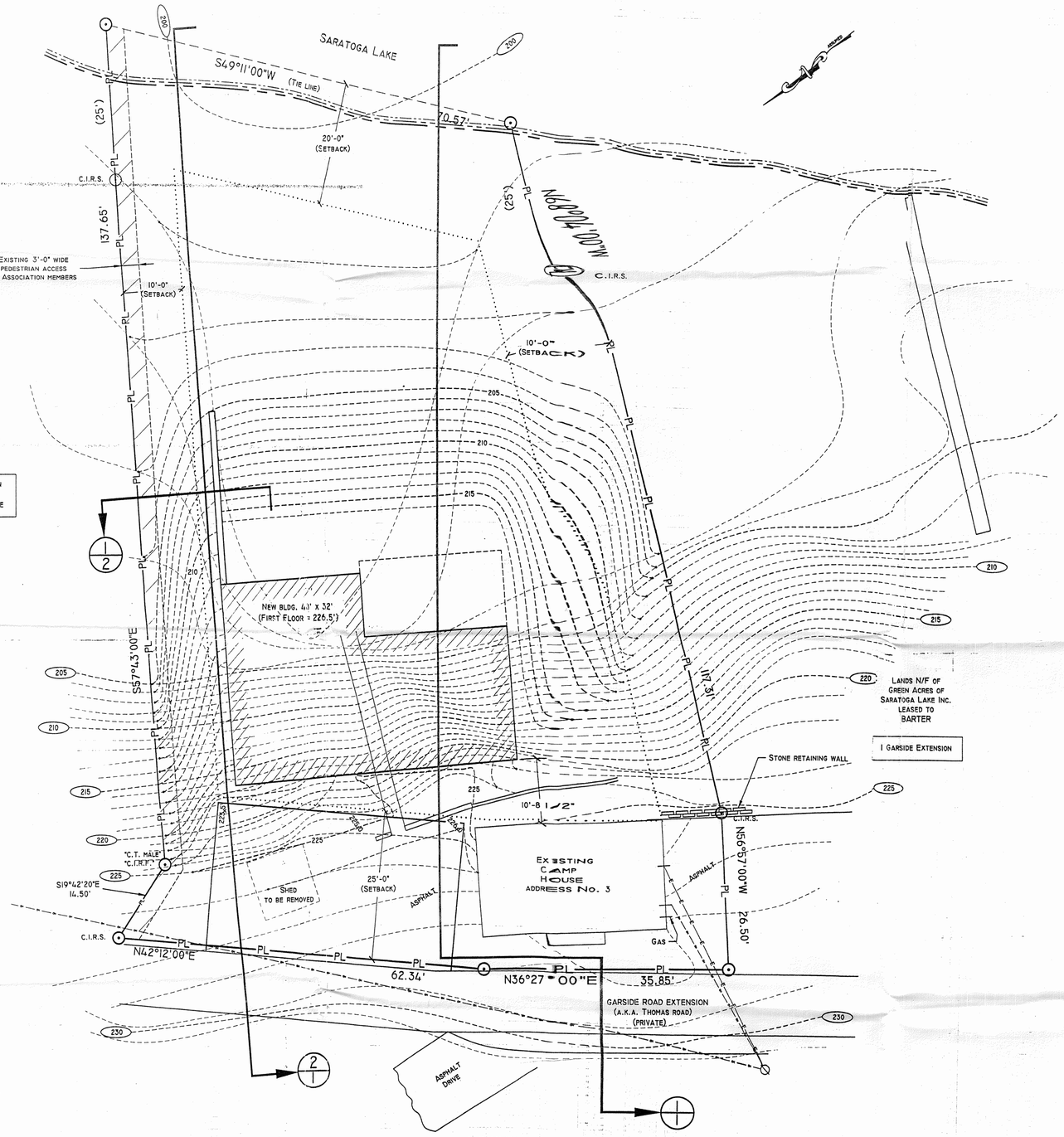
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: SITE PLAN AND PROFILE

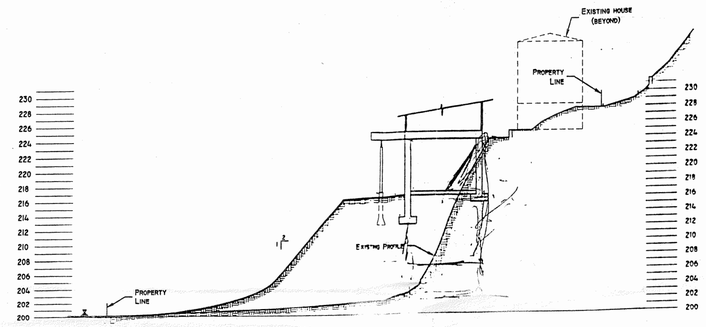
	DRAWN BY:	DATE:	CHECKED BY:	SCALE:
REVISION	JDF	04/04/16	TEB	AS SHOWN
DATE				
REVISION				
DATE				

DRAWING NUMBER: 1 / 1

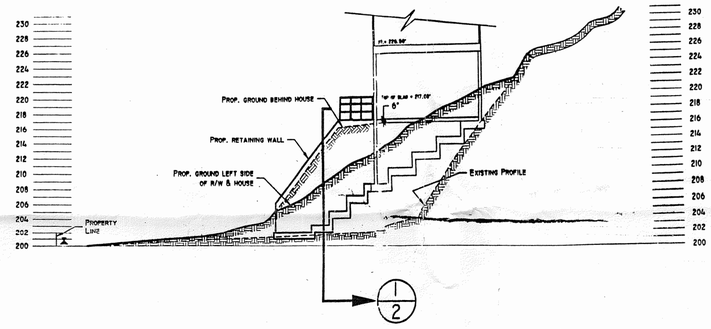
SPN: 15-01



2/1 SITE PLAN
SCALE: 1"=10'-0"



1/1 SITE PROFILE
SCALE: H = 1"=20'-0"
V = 1"=10'-0"



2/1 PROPOSED PROFILE @ RETAINING WALL
SCALE: H = 1"=20'-0"
V = 1"=10'-0"

ESTIMATED FILL REQUIREMENTS	
FOUNDATION	AREA
CENTER	$3.25in^2 \times (20')(10') \times 50' = 32{,}500$ SQ.FT.^{3}
RIGHT SIDE	$3.25in^2 \times \frac{(20')(10')}{2} \times 20' = 6{,}500$ FT.^{3}
LEFT SIDE (RETAINING WALL)	$\frac{(20')(10')}{2} \times 70' = 3{,}500$ FT.^{3}
TOTAL	42,500 FT.^{3} = 1,574 CU.YD.

OWNER: REX RUTHMAN 475-9088

REVISIONS			
No.	DATE	DESCRIPTION	BY

LICENSED PROFESSIONAL ENGINEER RICHARD H. GREEN 63776 STATE OF NEW YORK

SITE PLAN
3 GARSIDE EXTENSION
SARATOGA, NY

ALTERATION OF THIS DOCUMENT, EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL

RICHARD H. GREEN P.E.,P.C.
CONSULTING ENGINEERS
321 DELAWARE AVE.
DELMAR, N.Y., 12054
(518) 439 6674
FAX: (518) 439 6678
P.E.# 063776

JOB No: 05-11-26
DATE: 2-16-06
SCALE: AS SHOWN
BY: PLL
CHK: RHG
DWG. No: 1 OF 2

FILENO: 05-11-26 SITE PLAN Drive: E

H

WETLAND DELINEATION,

LETTER, PHOTOS AND DELINEATION MAP

ROGER J. CASE, PROFESSIONAL SOIL SCIENTIST
DIVERSIFIED SOIL SERVICES, LTD.
POST OFFICE BOX 489, CLAVERACK, NY 12513

TO: Dick Tice @ April 1, 2016
Brewer Engineering

RE: Garside Extension Property

Dear Dick,

On Wednesday March 30, 2016 I went to the property on Garside Road Extension on the west shore of Saratoga Lake near the north end of the Lake.

The upland on the property consists of a "bench" of old stable fill material on the east side of Garside Road Extension with a steep bank extending down to the edge of the wetland. There is an additional narrow strip of old stable fill along the north edge of the wetland placed to extend the lawn area of the adjacent landowner. The lawn area goes out to the edge of the Lake.

The wetland between the base of the steep slope and the Lake is very well defined. The vegetative community between the upland and the edge of the lake is 100 percent hydrophytic plants including sensitive fern, cattails and sphagnum moss over saturated mucky silt.

The wetland boundary is flagged along the base of the steep slope from south to north and then along the edge of the filled lawn area out to the edge of the Lake. There are eight flags in the wetland boundary.

It may be possible for the client to construct steps down the steep bank at the north edge of the parcel to the lawn area that extends out to the lake and then get a permit to build a dock for recreational access to the lake.

The other option may be to reconstruct the ruins of the stairway down the steep bank to the edge of the wetland. Then get a permit to construct a boardwalk across the wetland to the edge of the Lake and build a dock there.

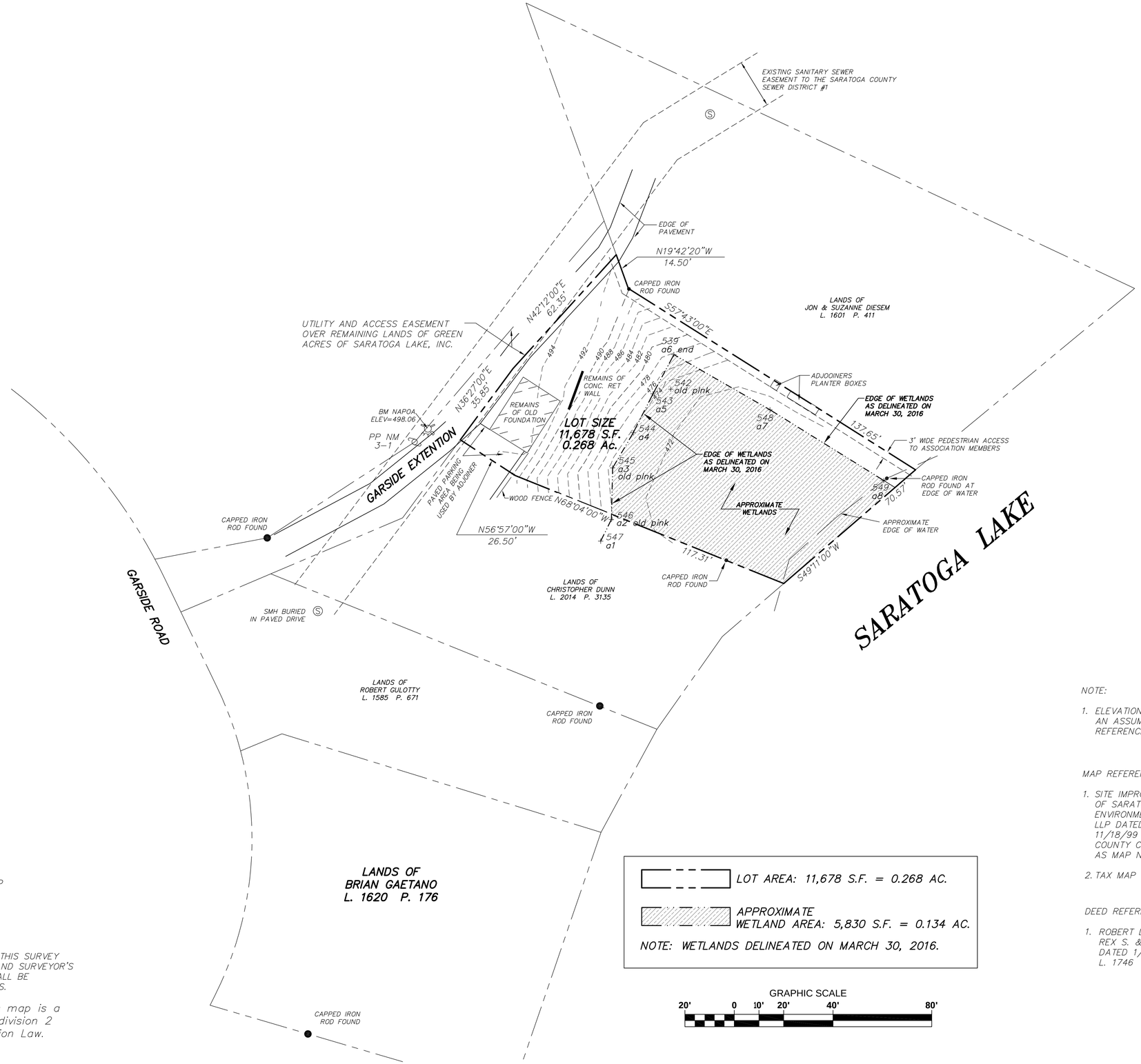
If I can be of any further assistance please don't hesitate to call.

Sincerely,

Roger J. Case, CPSS, CPSC
President, D.S.S., ltd

Wetland Delineation.dwg

MAP REF. #1



LEGEND:

- ● FOUND IRON MARKER
- ○ SET IRON ROD WITH CAP
- ⊙ POINT
- —E— POWER LINE
- ○○○○○ STONE WALL
- —x—x— FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

LOT AREA: 11,678 S.F. = 0.268 AC.

APPROXIMATE WETLAND AREA: 5,830 S.F. = 0.134 AC.

NOTE: WETLANDS DELINEATED ON MARCH 30, 2016.

GRAPHIC SCALE

20' 0 10' 20' 40' 80'

NOTE:

1. ELEVATIONS SHOWN HEREON ARE ON AN ASSUMED DATUM AND ARE FOR REFERENCE ONLY

MAP REFERENCES

1. SITE IMPROVEMENTS GREEN ACRES OF SARATOGA LAKE, INC. P.U.D. BY ENVIRONMENTAL DESIGN PARTNERSHIP, LLP DATED 9/28/99, LAST REVISED 11/18/99 AND FILED IN THE SARATOGA COUNTY CLERK'S OFFICE IN DRAWER G AS MAP NOS. 291A & 291B.
2. TAX MAP 180.17-1-19

DEED REFERENCE:

1. ROBERT L. & LINDA L. BARTER TO REX S. & ELISABETH A. RUTHMAN DATED 1/1/06 AND FILED IN L. 1746 P. 428

BREWER ENGINEERING ASSOCIATES, P.C.
CONSULTING ENGINEERS * PLANNERS
743 COLUMBIA TURNPIKE, EAST GREENBUSH, NEW YORK 12061
PHONE: 518.477.5233 FAX: 518.477.5233

PROPOSED RESIDENCE OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

WETLAND DELINEATION MAP

TITLE:	DRAWN BY:	TD	DATE:	04/05/16	
	CHECKED BY:	TEB	SCALE:	AS SHOWN	
	REVISION		DATE	REVISION	

DRAWING NUMBER: 1 / 1

APN: 15-16

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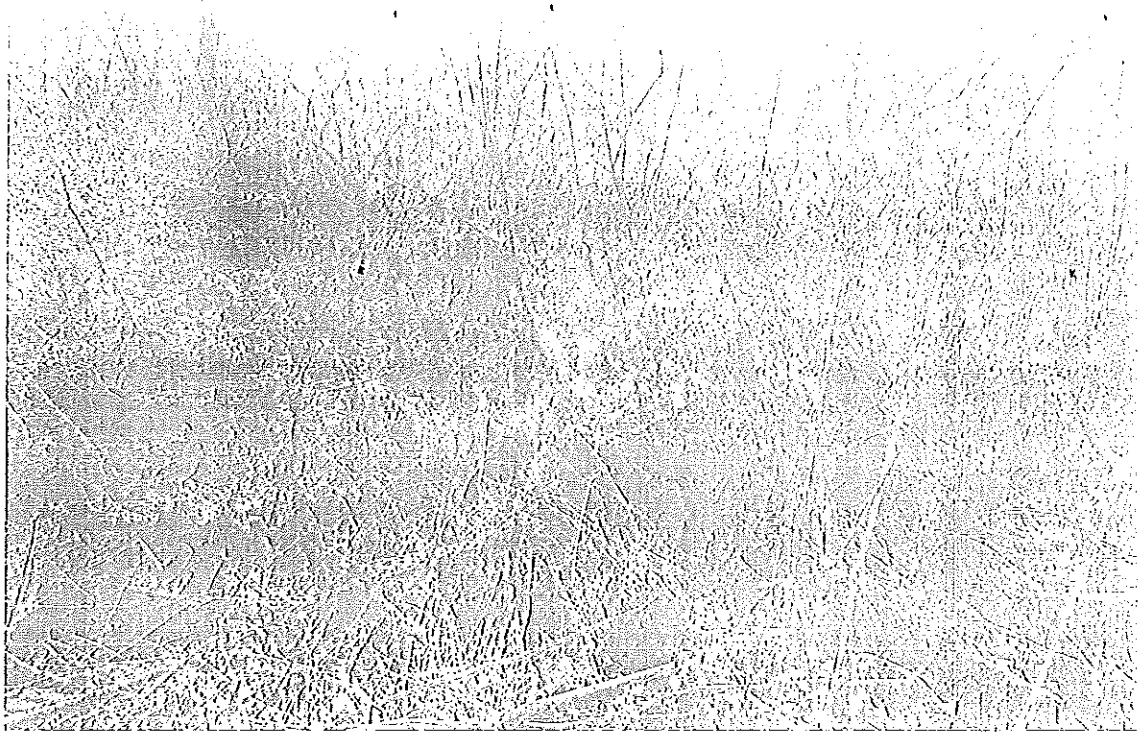
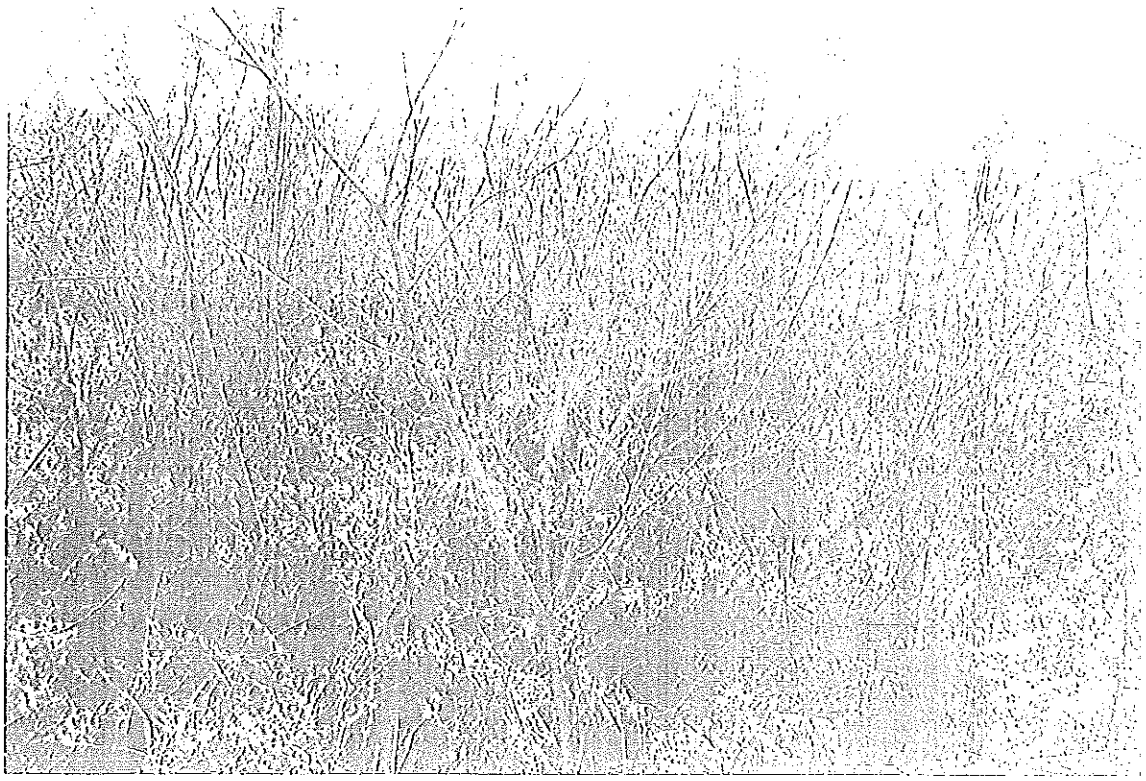
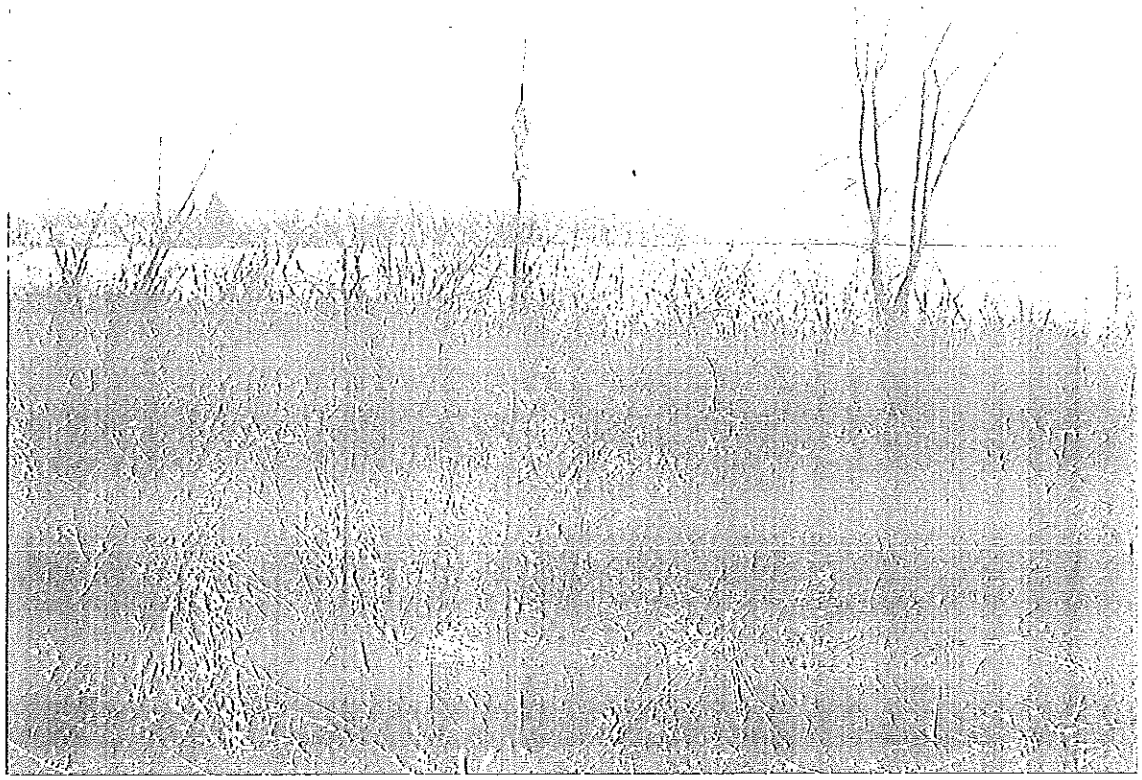


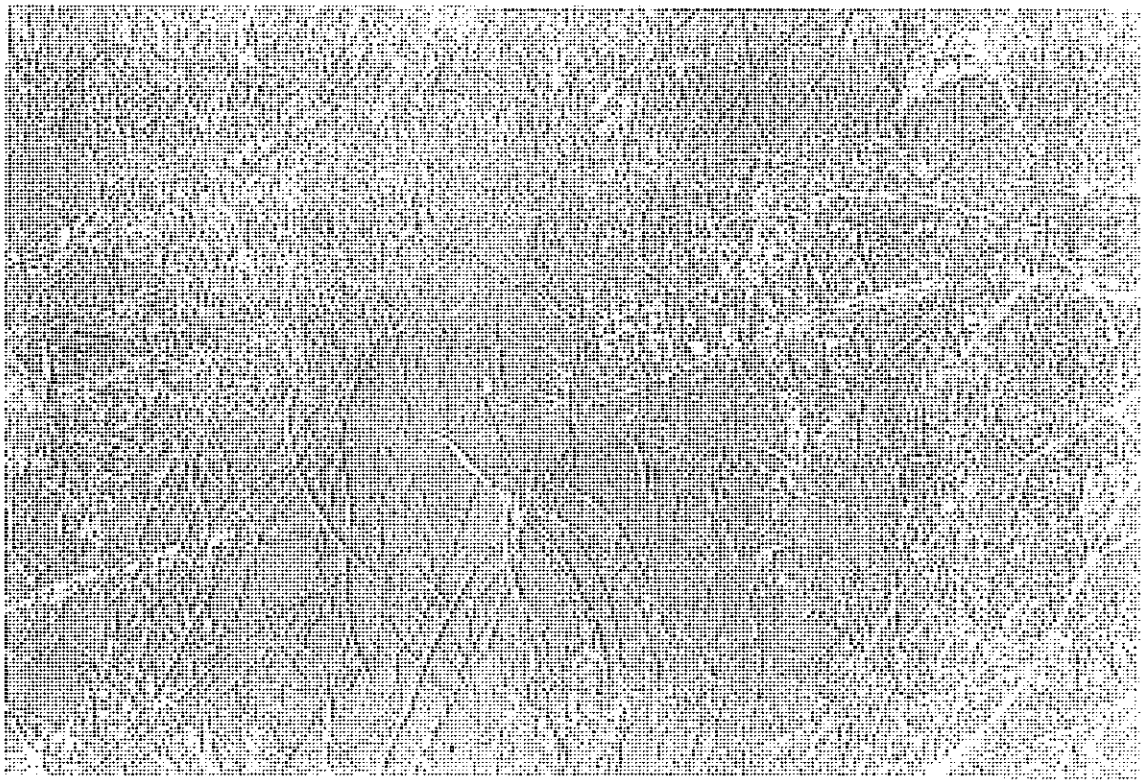
Above: The herbaceous layer in the wetland is nearly a monoculture of sensitive fern (FACW).

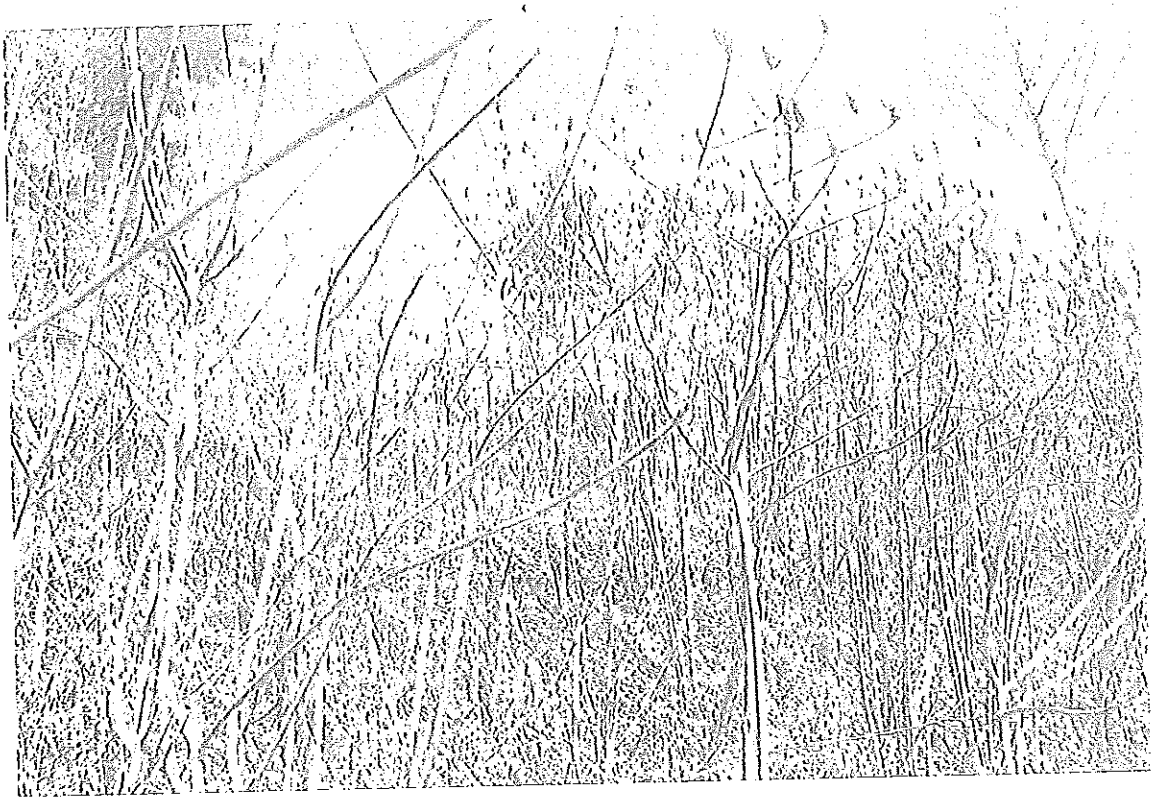
Below: The shrub layer in the wetland is composed of silky dogwood, stiff gray dogwood and speckled alders (FACW).





Above: There are a couple of small patches of cattails (OBL) on mucky silt sediment.
Below: Near the south property line at the base of the steep bank there is a mossy seep with ankle deep water.





Above: The upland has staghorn sumac (FACU) on a steep bank of old stable fill material including some CD and other non soil materials. There is a narrow nearly level apron of overgrown upland between the top of the steep bank
and Garside Extension.

I

FEMA 100 YEAR FLOOD PLAIN MAP

APPROXIMATE
PROPERTY LIMITS
PROPOSED
HOUSE

J
AERIAL PHOTO

Aerial.dwg

GRAPHIC SCALE
40' 0 20' 40' 80' 160'

2001 AERIAL MAP

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PROPOSED RESIDENCE OF
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CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: SITE LOCATION AND 2001 AERIAL MAP

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APN: 15-01

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K
PROPERTY PHOTOS

PhotoLoc.dwg

PHOTO 1A

PHOTO 1B

PHOTO 1C

LOCATION 1

PHOTO 6A

LOCATION 6

PHOTO 5A

PHOTO 5B

LOCATION 5

PHOTO 4A

PHOTO 4B

LOCATION 4

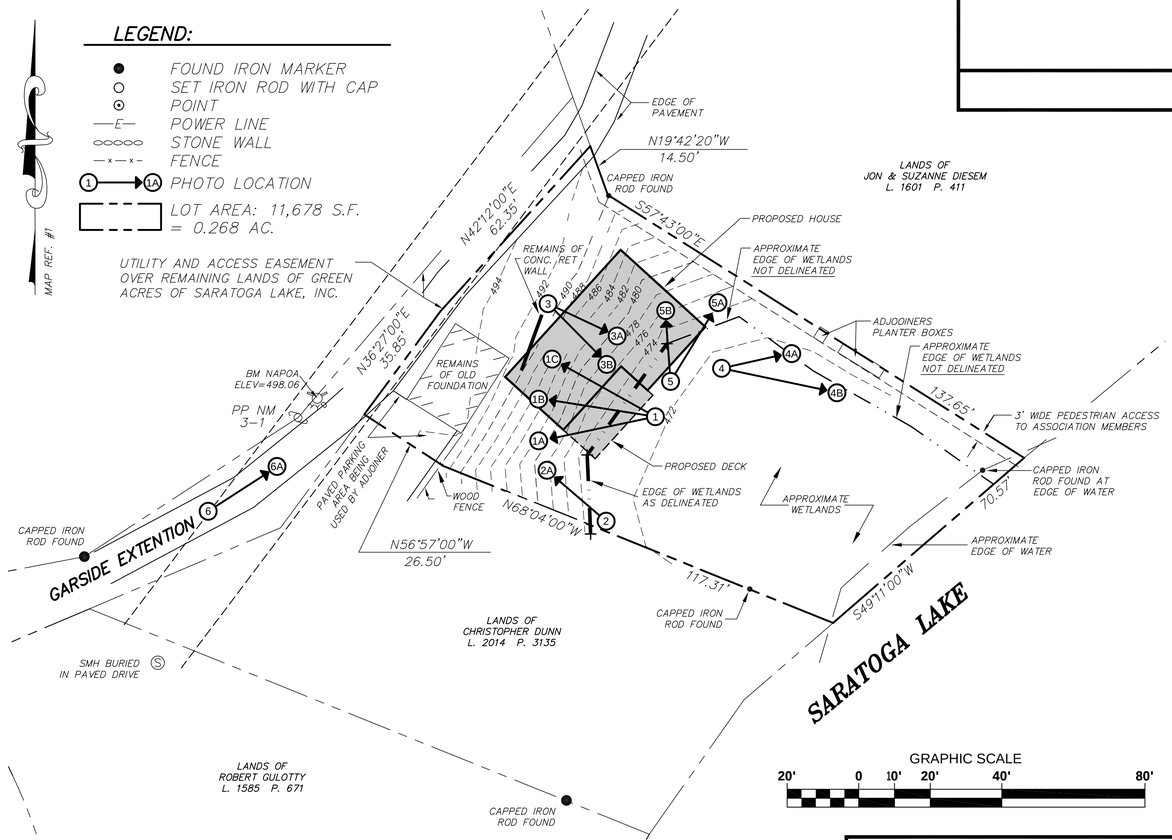
PHOTO 2A

LOCATION 2

PHOTO 3A

PHOTO 3B

LOCATION 3



2006 - PHOTO LOCATIONS

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PHONE: 518.477.5233 FAX: 518.477.5233

PROPOSED RESIDENCE OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: 2006 - PHOTO LOCATION MAP

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		REVISION				DATE	REVISION
DATE							

DRAWING NUMBER: 1 / 1

APN: 15-16

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BREWER ENGINEERING ASSOCIATES, P.C.

PhotoLoc.dwg

LOCATION 2

PHOTO 2A

PHOTO 2B

PHOTO 2C

LOCATION 1

PHOTO 1A

PHOTO 1B

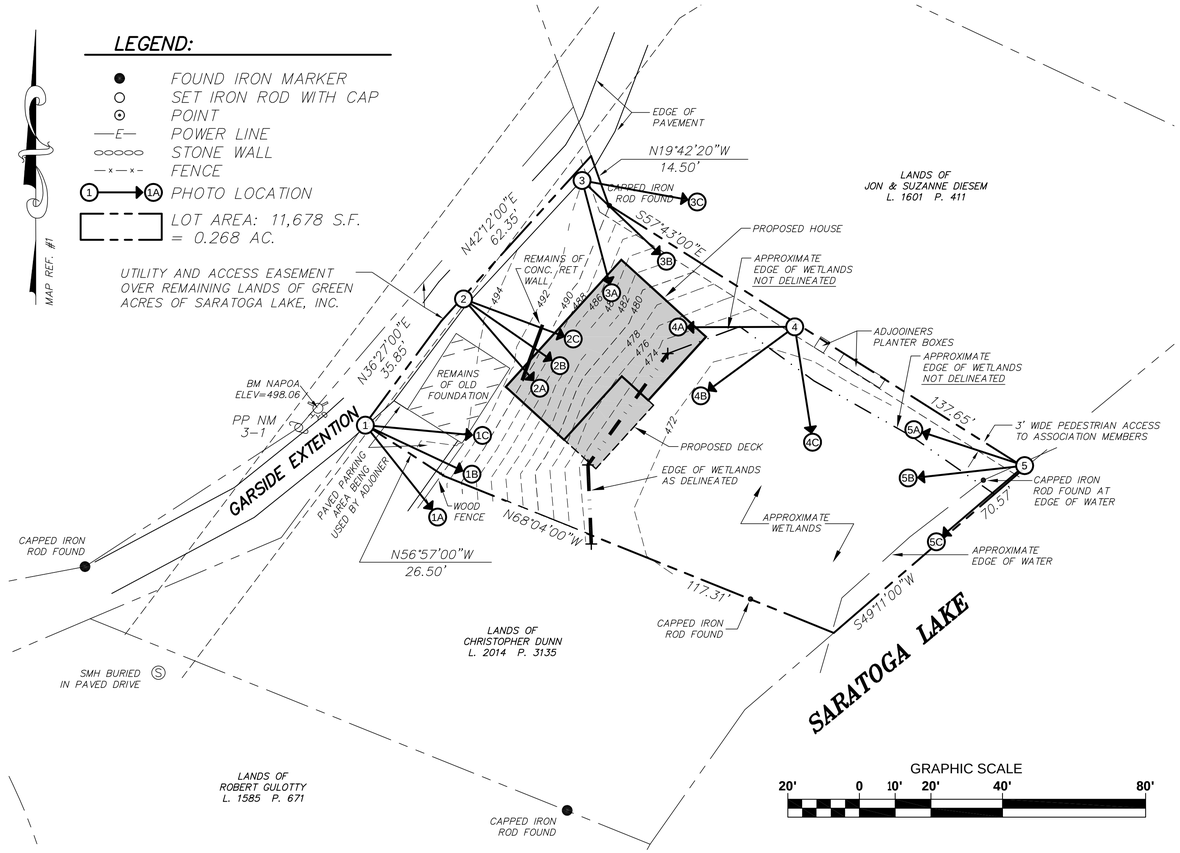
PHOTO 1C

LOCATION 3

PHOTO 3A

PHOTO 3B

PHOTO 3C



LOCATION 4

PHOTO 4A

PHOTO 4B

PHOTO 4C

LOCATION 5

PHOTO 5A

PHOTO 5B

PHOTO 5C

2015 - PHOTO LOCATIONS

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PHONE: 518.477.5233 FAX: 518.477.5233

PROPOSED RESIDENCE OF
REX S. & ELISABETH A. RUTHMAN
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: 2015 - PHOTO LOCATION MAP

DRAWN BY:	TD	DATE:	11/04/15	CHECKED BY:	TEB	SCALE:	AS SHOWN
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DRAWING NUMBER: 1 / 1

APN: 15-16

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BREWER ENGINEERING ASSOCIATES, P.C.

L
BUILDING PLANS - FOUNDATION & ELEVATIONS

EXTERIOR DOOR & WINDOW SCHEDULE

MANF. IS SUBJECT TO CHANGE. ANY CHANGE MUST MEET LIGHT, VENT, AND EGRESS REQUIREMENTS.

	MANUFACTURER	STYLE	QTY.	NOTES	R.O. (WxH)	EGRESS	LIGHT	VENT
1	ANDERSEN	CxW155-3	3		9'-0 5/8" x 5'-5 3/8"	12.60	3.9.30	25.20
2		Cx25	4		5'-3 1/4" x 5'-0 3/8"	9.80	20.70	19.60
3		AN 351	1		3'-5 3/8" x 1'-9"	1.50	4.00	1.50
4		CxW155-2	1		6'-0 1/2" x 5'-5 3/8"	12.60	26.20	25.20
5		CW155	4	w/CTR2410	2'-4 7/8" x 6'-5 7/8"	9.40	10.00	9.40
6		PSD55	1	w/PTR5D0	5'-0 7/8" x 6'-5 7/8"	NA	23.00	NA
7		A31	3		3'-0 1/2" x 2'-0 5/8"	1.30	4.30	1.30
8		CW35	1		7'-1 1/8" x 5'-0 3/8"	8.60	27.60	17.20
9		C14	1		2'-0 5/8" x 4'-0 1/2"	5.60	5.90	5.60
10		Cx25	1		5'-3 1/4" x 5'-0 3/8"	9.80	20.70	19.60
11		CxW35	1		3'-0 1/2" x 3'-5 3/8"	7.50	7.90	7.50
12		PSD50	1		5'-0 3/8" x 5'-0 3/8"	NA	21.10	NA
13		Custom	2	SEE B.S. #1	2'-7" x 5'-1"	NA	7.60	NA
14		"	2	"	2'-7" x 5'-1"	NA	7.60	NA
15		"	2	"	5'-0" x 4'-6"	NA	7.35	NA
16								
17								
18								
19								
20								
21								
22								
A	THERMA-TRU	#210 (3/0)	1	(2) S.L. & 1' TRANSOM	5'-5 1/2" x 7' 11 1/2"	NA	→	→
B	ANDERSEN	FWG6006 11	2		6'-0" x 6'-11" "	15.31	24.86	15.31
C	NANA	FOLDING	1		18'-0" x 7'-0" "	NA	→	→
D								
E								
F								
G								

NOTE: CHECK ALL DIMENSION ON SITE

LIGHT & VENT CHART

ROOM	AREA	LIGHT REQ	LIGHT ACT	VENT REQ	VENT ACT
GREAT RM	483.00	38.64	155.85	19.32	73.90
KIT/DIN	448.50	35.88	114.06	17.94	78.11
BEDRM #1	122.76	9.82	24.70	4.91	21.10
BEDRM #2	148.50	11.88	27.60	5.94	17.20
MASTER SUITE	257.08	20.56	51.15	10.28	27.10

WARNING: IT IS A VIOLATION OF NEW YORK STATE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT, TO ALTER THIS DOCUMENT IN ANY WAY. IF A DOCUMENT BEARING THE SEAL OF AN ARCHITECT IS ALTERED, THE ALTERING ARCHITECT SHALL AFFIX TO SUCH DOCUMENT HIS OR HER SEAL AND A NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DISCRIPTION OF THE ALTERATION.

NOTE: THIS STRUCTURE MUST BE BUILT IN ACCORDANCE TO ALL KNOWN BUILDING CODES AND REGULATION OF THE TOWN IN WHICH IT IS ERECTED AND NEW YORK STATE BUILDING CODES, INCULDING THE NEW YORK STATE ENERGY CONSERVATION CONSTRUCTION CODE.

TABLE OF CONTENTS

1	COVER/D&W/L&V	9	BUILDING SECTION
2	FOUNDATION	10	BUILDING SECTION
3	FLOOR PLAN		
4	FLOOR PLAN		
5	ELEVATIONS		
6	ELEVATIONS		
7	BUILDING SECTION		
8	BUILDING SECTION		

STAMP

FILE# : DC19-Cx

CHECKED:

LAKE HOUSE
SARATOGA LAKE, NY

DONE BY: RKO

COVER/D&W/L&V/ENERGY AUDIT

SCALE:

DeRaven Design & Drafting
321 Delaware Ave.
Delmar NY 12054
518-478-0630

R.H. Green PE PC
321 Delaware Ave.
Delmar NY 12054
518-439-6474
(fax)518-438-6475

DATE: FEB 1506

SHEET OF

OWNER RUTHKAR

BUILDER

RHG #: 051126A

4"(3000psi)CONCRETE OVER 6 MIL POLY VAPOR BARRIER OVER FILL COMPACTED TO CODE.4" DRAIN TILE RUN UNDER SLAB PERIMETER CONNECTING TO SUMP PIT,IF REQ.

8"x48" CONC FILLED SONA TUBES ;BULBED 24"+/- @ BASE
INSTALL POST BRACKETS ON TOP OF SONA TUBE AS PER MANF SPEC'S TO SUPPORT 6x6 P.T. POSTS

24'-0"
22'-0"
2'-0"
6'-9"
3'-2"
10'-8 1/8"
3'-0"
12'-0"
18°
RETAIN WALL (SEE RHG DRAWING)
(2)2x12
(3)1 3/4"x16" PARALLAM=HEADER
2x10 FLOOR JOISTS 16"o.c. CROSS BRACED MID SPAN DOUBLED UNDER PARTIONS
(3)2x10 W/(2) 1/2" PLY CORE
2x8 DECK JOISTS 16"o.c.
6'-0"
10'-0"
9'-8"
5'-6"
3'-0"
22'-10 1/2"
9'-6 1/2"
6°
11'-9 1/4"
6'-9 1/4"
SOLID BEARING
W12x35 d=12 1/2"w=6 1/2"
4"x7"x13" BEAM POCKET
3-4"ADJUST or CONC.FILLED STEEL COLUMNS OVER 2'x2'x1' CONC.PAD W/ 2#4 REBAR EACH WAY
2" RIGID INSULATION FROM TOP OF FOOTING TO TOP OF SLAB & 24" UNDER SLAB
11'-0"
10'-6 1/2"
6'-11"
UP
4"x8"x10" BEAM POCKET
(4)1 3/4"x11 7/8" PARALLAM
20'-8"
22'-0"
16"x8" PILASTER
(3)1 3/4"x11 7/8" PARALLAM
4"x6"x10" BEAM POCKET
11'-4"
11'-10 1/4"
16'-6 3/4"
10'-4"
3'-0"
2'-9"
23'-4"
36'-0"
32'-0"
15'-0"
4'-0"
6'-9"
3'-2"
23'-5"
8'-1"
16'-6"
48'-0"

STANDARD FOUNDATION WALLS
8"POURED CONCRETE W/P.T.2x6 SILL PLATE & SILLSEAL. 2#4 REBAR @ TOP OF WALL(CONT)
1/2" DIA ANCHOR BOLTS,12" FROM ALL INTERSECTIONS & 6'0"o.c.
WEATHER PROOFING APPLIED TO EXTERIOR OVER 24"x12" CONT.CONC.FTG'S W/3#4 REBAR(CONT.) AND #5 VERT.REBAR ;24"o.c. 48"HIGH
4" DRAIN TILE IN 12"x12" GRAVEL FILLED TRENCH @ FOOTING'S EXTERIOR PERIMETER CONNECTING TO REQUIRED DRAINAGE SYSTEM. OR TO DAYLIGHT

FOUNDATION INSULATION
2x4 STUDS; 24"o.c.
2x4 P.T. SILL PLATE W/ SILL SEAL
R-13 INSULATION W/ VAPOR BARRIER
KEEP INSULATION 15"+/- ABOVE SLAB

2"or+ LEDGE W/ METAL FLASHING FOR CONC SUPPORT

FOUNDATION 9' walls

NOTE: STEPPED FOOTING TO BE INSTALLED AS PER FIELD AND CODES REQUIRES.
ALL FOOTING TO BE 48" BELOW GRADE

ALL CONC TO BE 3000psi

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126-A

NEW RESIDENCE
SARATOGA LAKE; NY

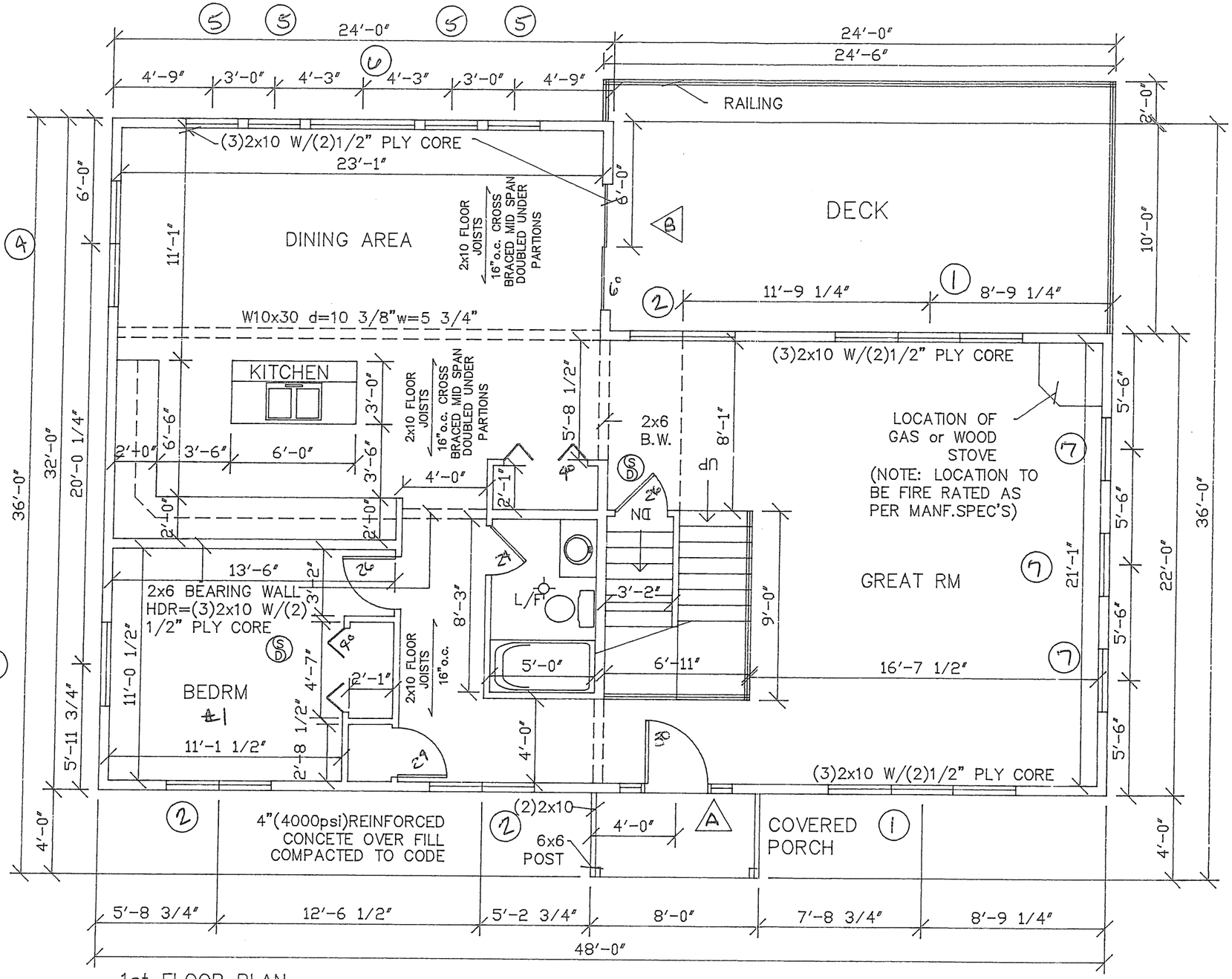
FOUNDATION

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

CHECKED:
DONE BY: RKO
SCALE: 3/16"=1'

FILE # DC19-RX



1st FLOOR PLAN
Sq.Ft.=1296.00
9' CEILING

(S) SMOKE DETECTOR WIRED TOGETHER ON SAME CURCUIT W/BATTERY BACK UP & CARBON MONOXIDE ALARM

NEW RESIDENCE
SARATOGA LAKE; NY

FLOOR PLAN

DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126-A

CHECKED:
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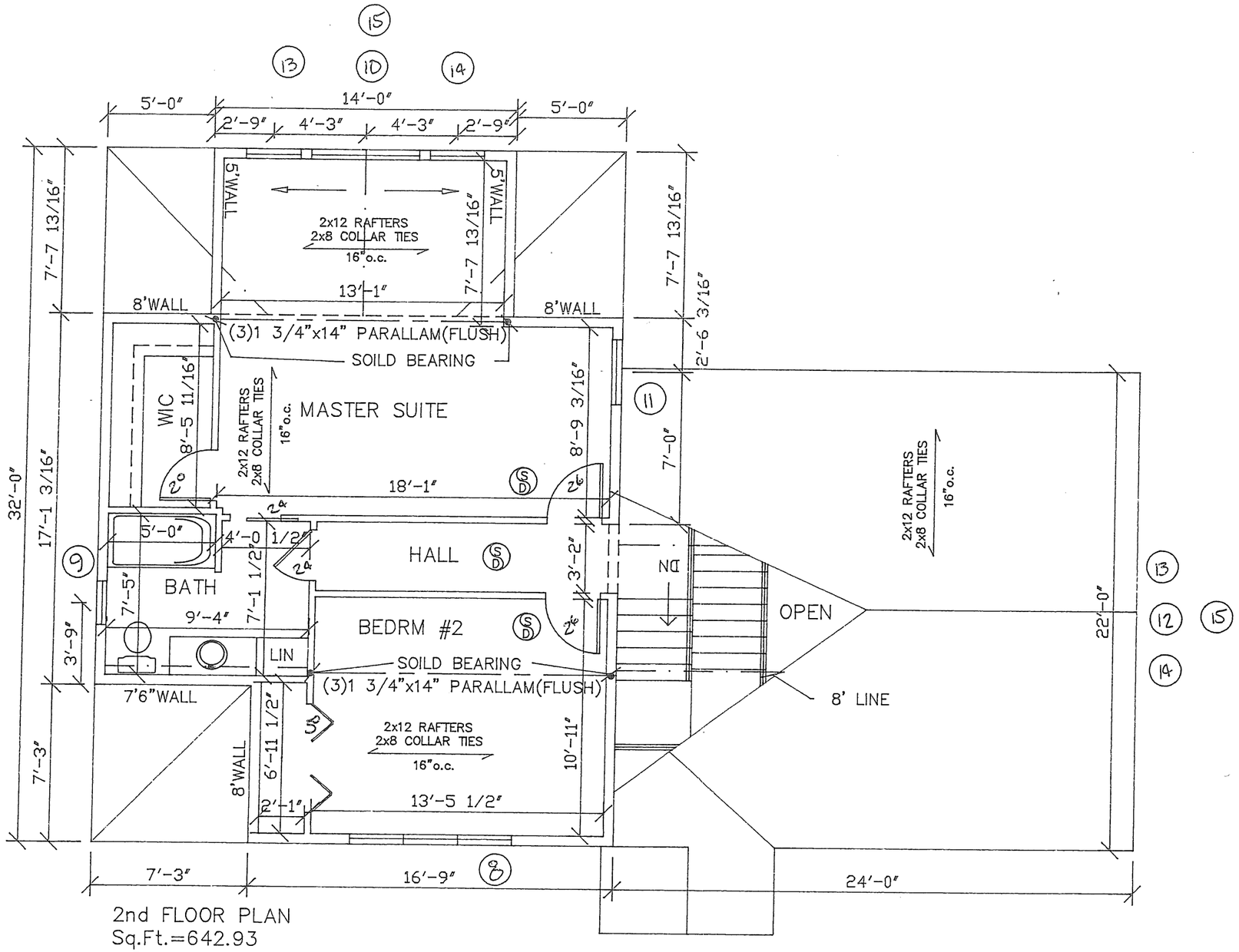
SCALE: 3/16"=1'

FILE # DC19-RX



2nd FLOOR PLAN
Sq.Ft.=642.93

(SD) SMOKE DETECTOR WIRED TOGETHER ON SAME CURCUIT W/BATTERY BACK UP & CARBON MONOXIDE ALARM

NOTE: INSTALL 22"x30" ATTIC ACCESS AS PER CODE REQ. LOCATED ON SITE.

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126-A

NEW RESIDENCE
SARATOGA LAKE; NY

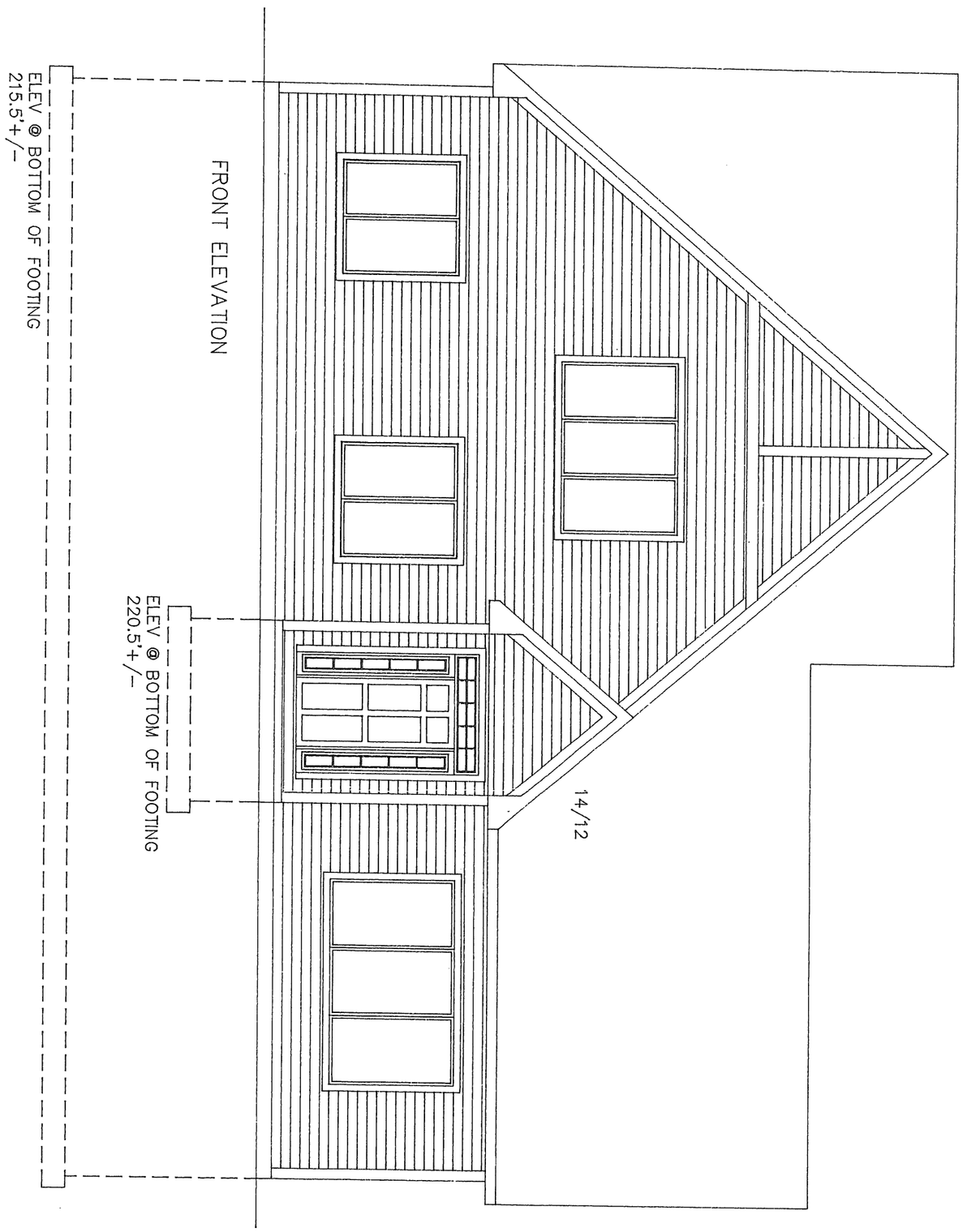
FLOOR PLAN

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

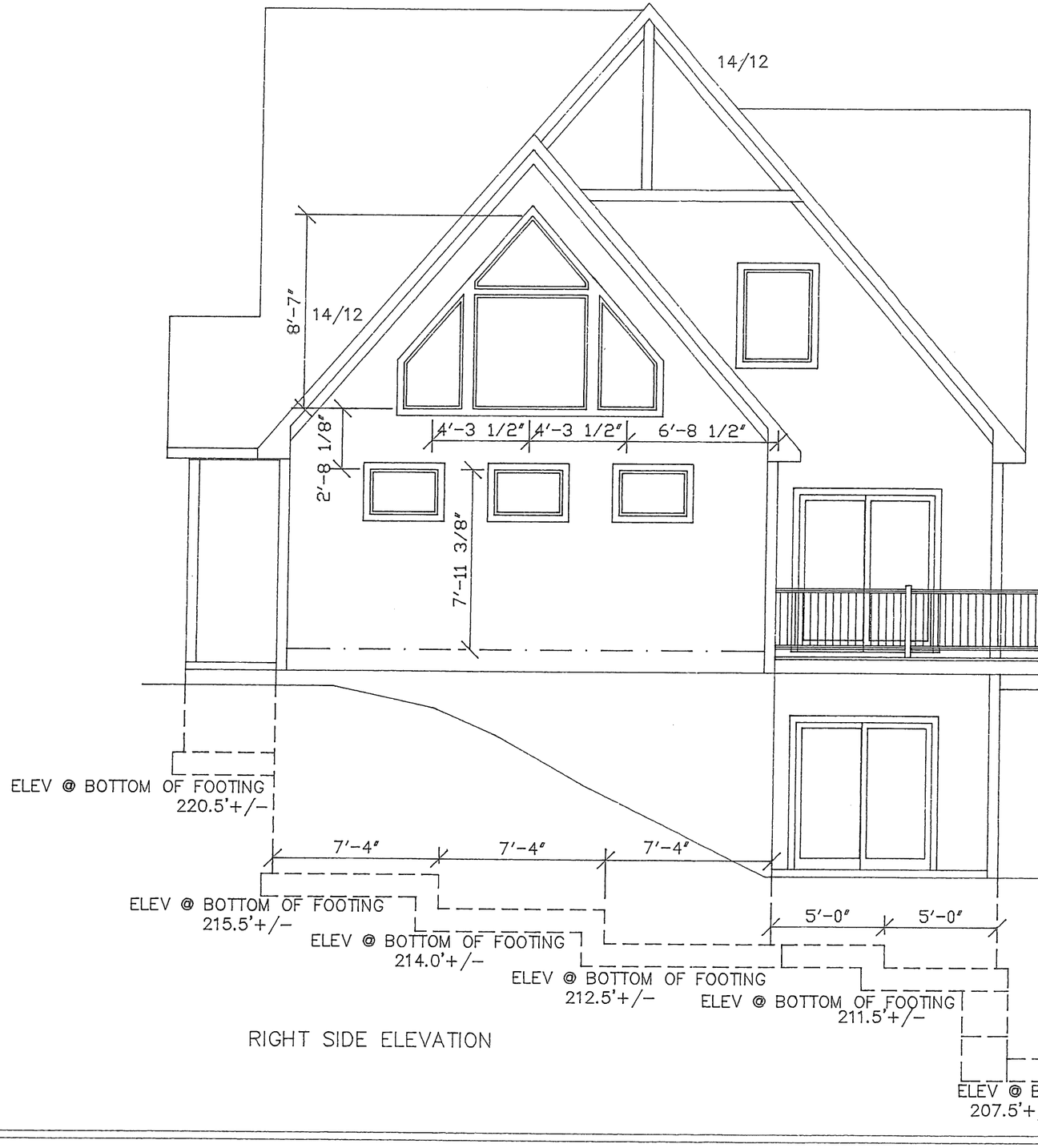
DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

CHECKED:
DONE BY: RKO
SCALE: 3/16"=1'

FILE # DC19-RX



	CHECKED:	NEW RESIDENCE SARATOGA LAKE; NY		DATE 2/14/06 SHEET OF
	DONE BY: RKO	ELEVATION		OWNER RUTHMAN
FILE # DC19-RX	SCALE: 3/16"=1'	DeRaven Design & Drafting 321 Delaware Ave; Delmar NY 518*478*0630	R.H.Green PE PC Consulting Engineers 321 Delaware Ave; Delmar NY 518*439*6474/fax 439*6475	CONTRACTOR RHG# 051126-A



RIGHT SIDE ELEVATION

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126-A

NEW RESIDENCE
SARATOGA LAKE; NY

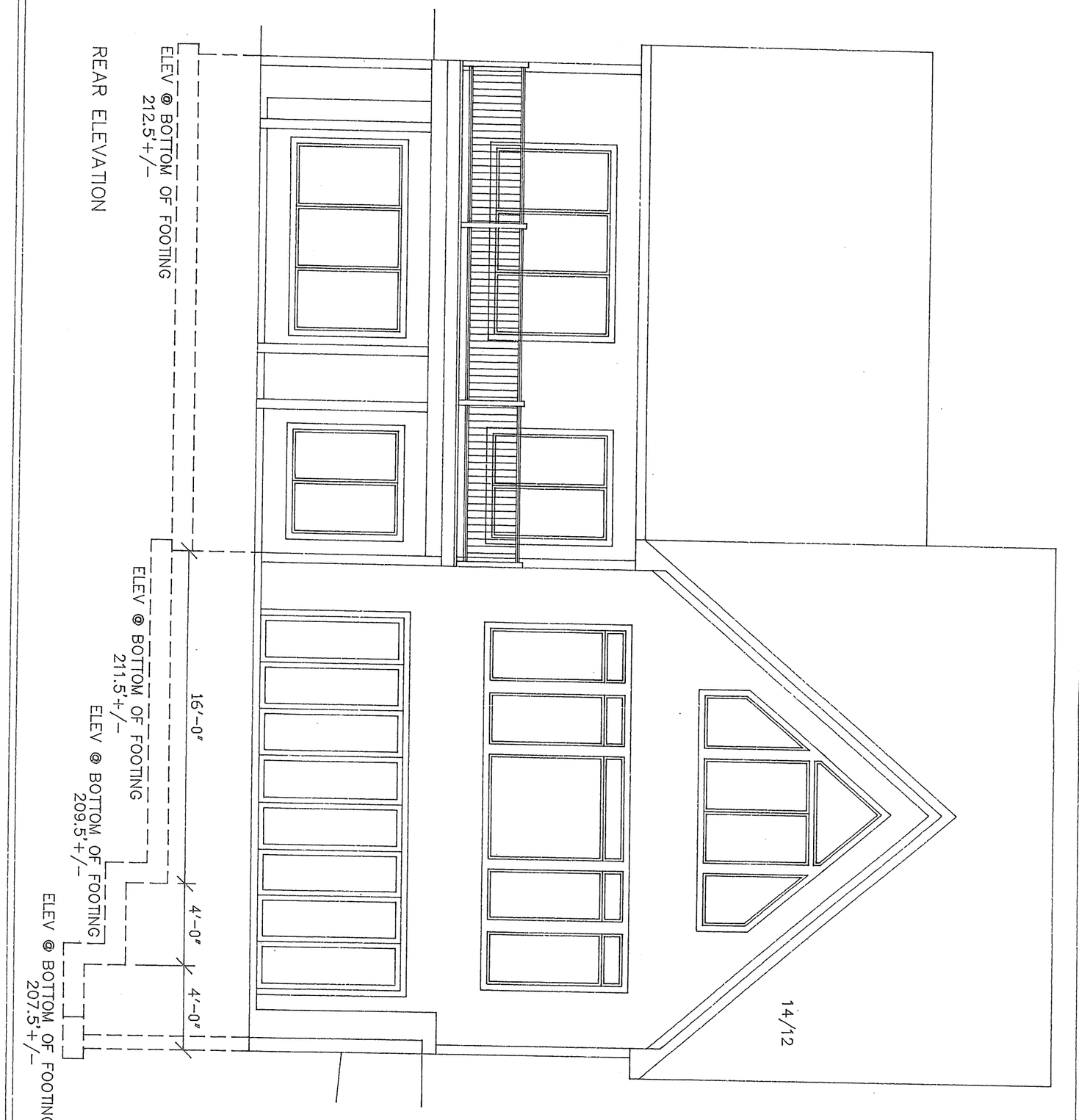
ELEVATION

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave;Delmar NY
518*439*6474/fax 439*6475

DeRaven Design & Drafting
321 Delaware Ave;Delmar NY
518*478*0630

CHECKED:
DONE BY: RKO
SCALE: 3/16"=1'

FILE # DC19-RX



	CHECKED:	NEW RESIDENCE SARATOGA LAKE; NY		DATE 2/14/06 SHEET OF
	DONE BY: RKO	ELEVATION		OWNER RUTHMAN
FILE # DC19-RX	SCALE: 3/16"=1'	DeRaven Design & Drafting 321 Delaware Ave; Delmar NY 518*478*0630	R.H.Green PE PC Consulting Engineers 321 Delaware Ave; Delmar NY 518*439*6474/fax 439*6475	CONTRACTOR RHG# 051126-A

NEW RESIDENCE
SARATOGA LAKE; NY

ELEVATION

DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126-A

CHECKED:
DONE BY: RKO
SCALE: 3/16"=1'

FILE # DC19-RX

LOADS
1st FLOOR=55#/sqft
2nd FLOOR=45#/sqft
ROOF =70#/sqft
WIND =15#/sqft

CONT RIDGE VENT

14/12

26'-1 7/16"

2x12 W/2x8 EXTENSION
RIDGE BOARD

STANDARD ROOF SYSTEM
25yr ASPHALT or F.G. SHINGLES
OVER 15# ROOFING FELT
OVER 5/8"OSB or+ DECKING
OVER 2x12 RAFTERS;16"o.c.
& 2x8 COLLAR TIES;16"o.c.

18'-5 1/4"

R-38

8'-1 1/8"

4'-8"

MAIN STAIRS
15 RISERS(7 15/16")
14 TREADS(10 1/8")

RAIL SPACING=4"o.c.
RAILING HEIGHT
3'0"

(3)2x10 W/
(2)1/2" PLY
CORE

5'-2 1/2"

8'-1"

4'-0"

0'-7 15/16"

STANDARD EXTERIOR WALL
2x6 STUDS;16"o.c.
5 1/2" F.G. BATTEN-(R-21)
7/16" OSB SHEATHING
HOUSE WRAP IF REQ.
VINLY SIDING(EXTER)
1/2" GYP.BOARD(INTER)
HDR=(2)2x10 W/2 1/2"
INSULATION TO THE INSIDE
UNLESS NOTED.
IF UNFACED FIBERGLASS
IS USED INSTALL 4 MIL
POLY AS VAPOR BARRIER

5'-5"

6'-11 3/8"

5'-11 7/16"

5'-3 1/2"

(4)1 3/4"x11 7/8"
PARALLAM

HAND RAIL HEIGHT
2'10"(MIN)

9'-1 1/8"

6'-11 3/8"

5'-5"

3/4" T&G DECKING
GLUED & SCREWED
DOWN

2x10 FLOOR JOISTS;16"o.c.

2x10 FLOOR JOISTS;16"o.c.

10'-4"

4'-0"

3'-2"

(3)2x10 W/
(2)1/2" PLY
CORE

BASE STAIRS
15 RISERS(7 11/16")
14 TREADS(10 1/8")

8'-9 1/2"

4'-5 13/16"

4'-7 11/16"

6'-11 3/8"

5'-1"

STANDARD FOUNDATION WALL
8" POURED CONCRETE W/P.T.2x6
SILL PLATE & SILLSEAL
2#4 REBAR CONT @ TOP OF WALL
1/2" DIA ANCHOR BOLTS,12" FROM
ALL INTER SECTIONS & 6'0"o.c
WEATHER PROOFING APPLIED TO
OVER 24"x12" CONT.CONC. FTG'S
W/3#4 REBAR(CONT.) AND #5 VERT.
48" HIGH: 24"o.c.
ALL CONCRETE TO BE 3000psi
INSTALL STEPPED FOOTINGS AS PER
SITE & CODE REQUIRE; 48"(MIN)DEPTH

2" RIGID INSULATION

20'-8"

BUILDING SECTION #1

22'-0"

STANDARD SLAB
4"(3000psi)CONCRETE OVER
6 MIL POLY VAPOR BARRIER
OVER 4" GRAVEL COMPACTED TO CODE
4" DRAIN TILE RUN UNDER SLAB
PERIMETER,CONNECTING TO
SUMP PIT; IF REQ.

4" DRAIN TILE IN 12"x12"
GRAVEL FILLED TRENCH
(RED ROSIN PAPER COVER,IF REQ.)
CONNECTING TO REQUIRED DRAINAGE
SYSTEM. OR DAYLIGHT

2x6 SUB FASCIA/RAKE
ALUM or VINYL FINISH
METAL DRIP EDGE
INSTALL ICE & WATER SHEILD
(24" min. UP THE ROOF)
INSTALL HURRICANE CLIPS

1" OVERHANG
W/ CONT.VENTED
SOFFIT & PROPER
VENT

12'-0"

2'-0"

RAIL SPACING=4"o.c.

RAILING HEIGHT
3'0"

3'-0"

2x6 BULL NOSED DECKING

2x8 DECK JOISTS;16"o.c.

(2)2x12

8'-8"

6x6 POST

METAL POST BRACKET
INSTALLED AS PER MANF.
SPEC'S

10'-0"

9'-8"

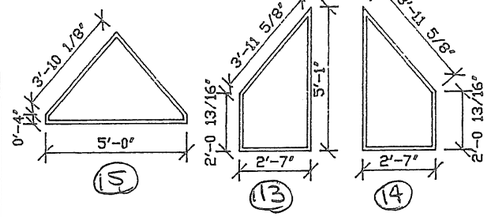
4'-0"

8"x48" CONC.FILLED
SONA TUBE; BULBED
24"+/- ?@ BASE

1'-0"

4'-0"

WINDOW DESIGNS



DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126A

NEW RESIDENCE
SARATOGA LAKE; NY

BUILDING SECTION

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

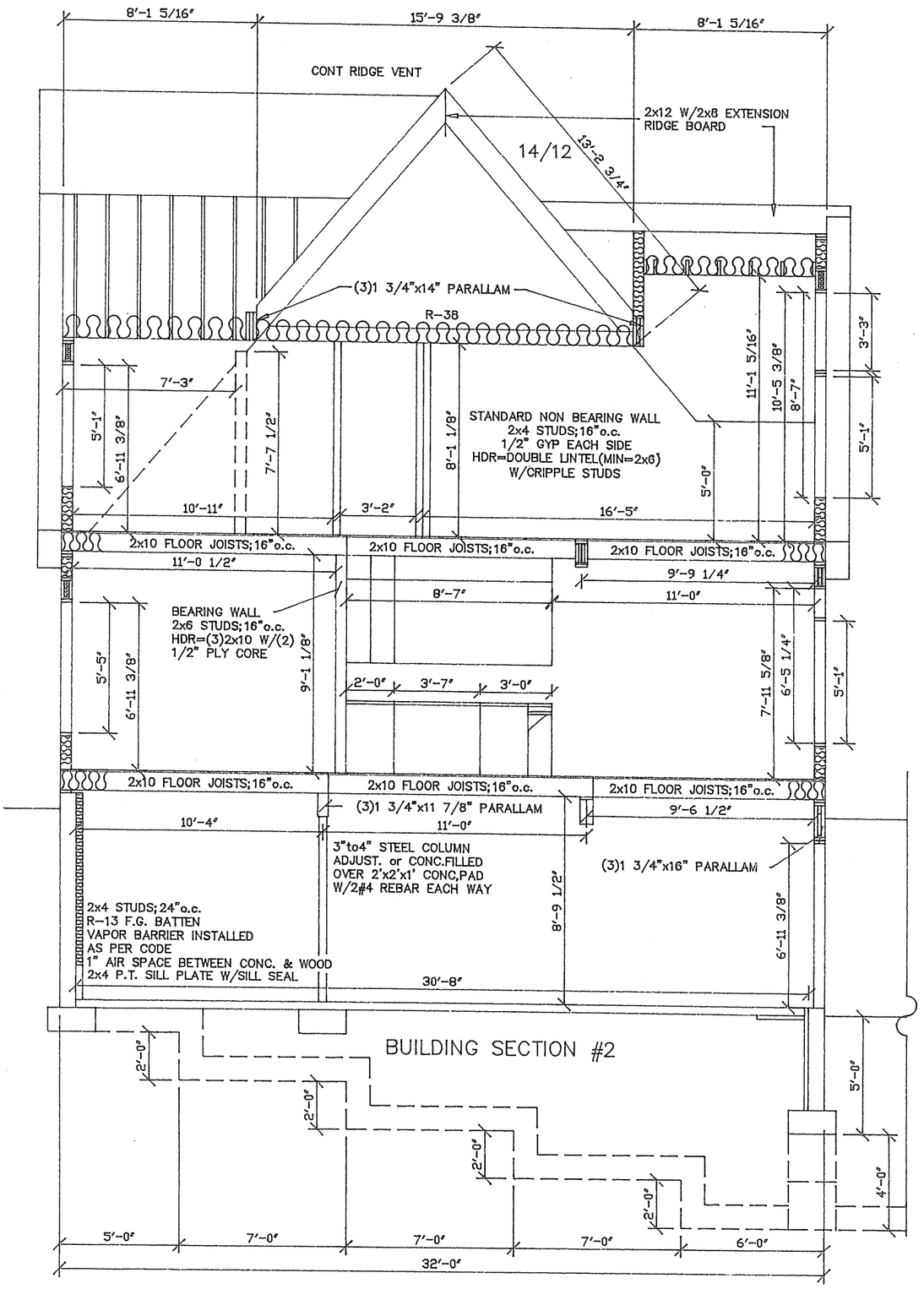
DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

CHECKED:

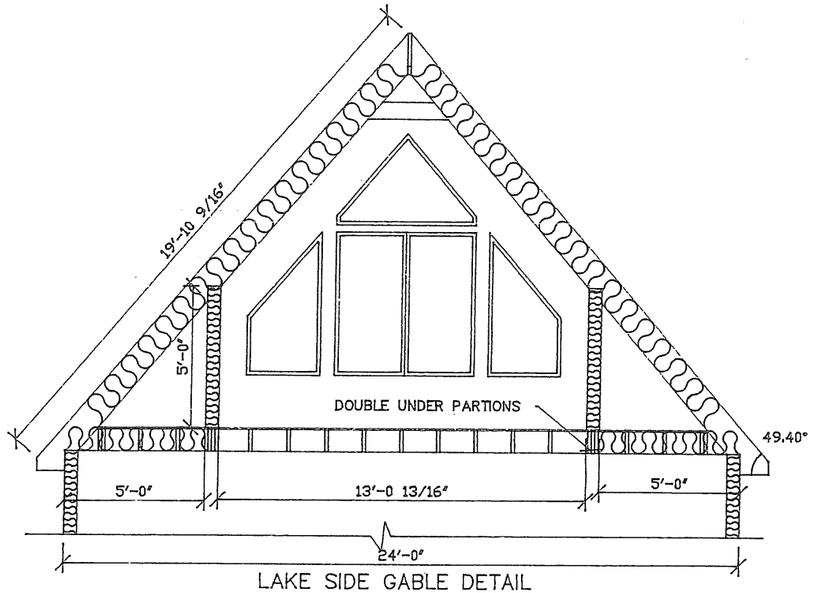
DONE BY: RKO

SCALE: 3/16"=1'

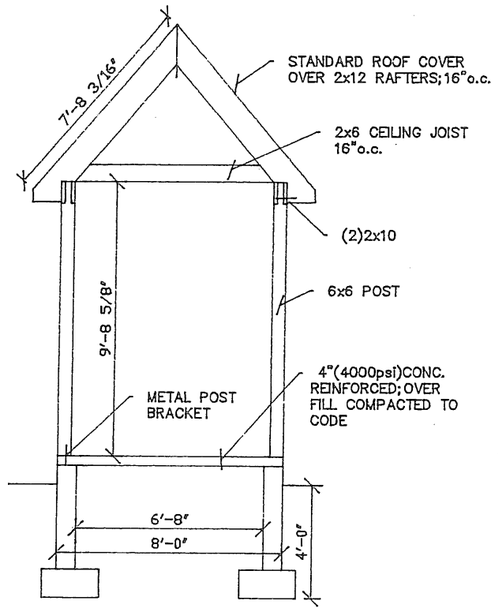
FILE # DC19RXSC



	CHECKED:	NEW RESIDENCE SARATOGA LAKE; NY		DATE 2/14/06 SHEET OF
	DONE BY: RKO	BUILDING SECTION		OWNER RUTHMAN
FILE # DC19RXSC	SCALE: 3/16"=1'	DeRaven Design & Drafting 321 Delaware Ave; Delmar NY 518*478*0630	R.H.Green PE PC Consulting Engineers 321 Delaware Ave; Delmar NY 518*439*6474/fax 439*6475	CONTRACTOR RHG# 051126A



LAKE SIDE GABLE DETAIL



PORCH DETAIL

DATE 2/14/06
SHEET OF
OWNER RUTHMAN
CONTRACTOR
RHG# 051126A

NEW RESIDENCE
SARATOGA LAKE; NY

BUILDING SECTION

R.H.Green PE PC
Consulting Engineers
321 Delaware Ave; Delmar NY
518*439*6474/fax 439*6475

DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

CHECKED:
DONE BY: RKO
SCALE: 3/16"=1'

FILE # DC19RXSC

M
PROPERTY DESCRIPTIONS FROM TAX RECORDS

Results are sorted by Street Address. To re-sort, click on column heading.

OWNER NAME	ADDRESS	SECTION, BLOCK & LOT NUMBER	LOT SIZE	PROPERTY TYPE	BUILDING STYLE	YEAR BUILT	SQ.FT.	BEDROOMS/ BATHROOMS/ FIREPLACES
DEMASI, JAMES M	GARSIDE RD	180.17-1-31	58.1 x 0	Vacant Land	0 -			
TEVLIN, JOHN	5 GARSIDE RD	180.17-1-16	95.89 x 0	Residential	8 - Old Style	1950	1,422	3 / 2.5 / 0
GULOTTY, ROBERT J	9 GARSIDE RD	180.17-1-21	61.42 x 0	Residential	8 - Old Style	1925	1,590	2 / 2.5 / 0
GAETANO, BRIAN	11 GARSIDE RD	180.17-1-22	106.28 x 0	Vacant Land	0 -			
KOWALCHYK, JOSEPH	14 GARSIDE RD	180.17-1-34	124.5 x 0	Residential	0 -			
ROSE, DEBORAH G	15 GARSIDE RD	180.17-1-23	120.58 x 0	Residential	9 - Cottage	1925	1,026	3 / 1 / 0
ROSE, HAL S	17 GARSIDE RD	180.17-1-24	58.79 x 0	Residential	6 - Contemporary	2003	2,531	3 / 2.5 / 0
WOLF, KENNETH	18 GARSIDE RD	180.17-1-33.1	134.61 x 0	Residential	9 - Cottage	1925	1,076	2 / 1 / 1
KOWALCHYK, JOSEPH	19 GARSIDE RD	180.17-1-25	61.02 x 0	Residential	9 - Cottage	1925	612	2 / 1 / 0
STAUFFACHER, MICHAEL R	21-23 GARSIDE RD	180.17-1-26	51.07 x 0	Residential	6 - Contemporary	2002	1,200	2 / 2 / 0
MCDOWELL, THOMAS	22 GARSIDE RD	180.17-1-37	91 x 0	Residential	9 - Cottage	1948	582	2 / 1 / 0
DZEKCIORIUS, JOYCE M	25 GARSIDE RD	180.17-1-27	51.56 x 0	Residential	9 - Cottage	1935	858	2 / 1 / 0
BEACH, ALAN C	26 GARSIDE RD	180.17-1-30	32.66 x 0	Residential	9 - Cottage	1923	832	2 / 1 / 0
DEMASI, JAMES M	27 GARSIDE RD	180.17-1-28	59.81 x 0	Residential	9 - Cottage	1925	810	2 / 1 / 0
DUNN, CHRISTOPHER T	1 GARSIDE RD EXT	180.17-1-20	97.37 x 0	Residential	9 - Cottage	1925	609	3 / 1 / 0
LEONCAVALLO, NICHOLAS	2 GARSIDE RD EXT	180.17-1-17	118 x 0	Residential	9 - Cottage	1925	576	1 / 1 / 0
RUTHMAN, REX S	3 GARSIDE RD EXT	180.17-1-19	98.19 x 0	Vacant Land	0 -			
DIESEM, JON	5 GARSIDE RD EXT	180.17-1-38	14.56 x 0	Residential	9 - Cottage	1978	1,440	2 / 2 / 1
KREBS, THOMAS K	30 GARSIDE RD-REAR	180.17-1-29	0.39 acres	Residential	9 - Cottage	1925	896	3 / 1 / 0

19 records

Property Description Report For: 30 Garside Rd-Rear, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-29
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.39	**School District:**	Saratoga Springs
Land Assessment:	2015 - $191,500	**Total Assessment:**	2015 - $286,200
Full Market Value:	2015 - $366,923		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5Ptj
Deed Book:	1654	**Deed Page:**	700
Grid East:	697750	**Grid North:**	1536942

Area

Living Area:	896 sq. ft.	**First Story Area:**	896 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	3	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	Porch-screen	**Porch Area:**	128.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Thomas K Krebs
15 Hemlock Dr
Clifton Park NY 12065

Robin L Krebs
15 Hemlock Dr
Clifton Park NY 12065

Property Description Report For: 5 Garside Rd Ext, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-38
		Property Class:	210 - 1 Family Res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.57	**School District:**	Saratoga Springs
Land Assessment:	2015 - $172,000	**Total Assessment:**	2015 - $199,000
Full Market Value:	2015 - $255,128		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5Pth p/o lot 5 Former - Diesem L C
Deed Book:	1601	**Deed Page:**	411
Grid East:	697951	**Grid North:**	1537738

Area

Living Area:	1,440 sq. ft.	**First Story Area:**	720 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	720 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	2 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	1	**Basement Type:**	Full
Porch Type:	Porch-up opn	**Porch Area:**	264.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Average
Year Built:	1978		

Owners

Jon Diesem
5 Garside Road Ext

Suzanne G Diesem
5 Garside Road Ext

Property Description Report For: 5 Garside Rd, Municipality of City of Saratoga Springs, Outside

Total Acreage/Size:	0.29
Land Assessment:	2015 - $79,400
Full Market Value:	2015 - $265,128
Equalization Rate:	----
Deed Book:	1665
Grid East:	697708

Status:	Active
Roll Section:	Taxable
Swis:	411589
Tax Map ID #:	180.17-1-16
Property Class:	210 - 1 Family Res
Site:	RES 1
In Ag. District:	No
Site Property Class:	210 - 1 Family Res
Zoning Code:	PUD
Neighborhood Code:	15832
School District:	Saratoga Springs
Total Assessment:	2015 - $206,800
Legal Property Desc:	Lot 5
Deed Page:	402
Grid North:	1537658

Area

Living Area:	1,422 sq. ft.
Second Story Area:	120 sq. ft.
Additional Story Area:	0 sq. ft.
Finished Basement:	0 sq. ft.
Finished Rec Room	0 sq. ft.

First Story Area:	1,032 sq. ft.
Half Story Area:	0 sq. ft.
3/4 Story Area:	270 sq. ft.
Number of Stories:	2

Structure

Building Style:	Old style
Bedrooms:	3
Fireplaces:	0
Porch Type:	Porch-enclsd
Basement Garage Cap:	0
Overall Condition:	Normal
Year Built:	1950

Bathrooms (Full - Half):	2 - 1
Kitchens:	1
Basement Type:	Partial
Porch Area:	108.00
Attached Garage Cap:	0.00 sq. ft.
Overall Grade:	Average

Owners

John Tevlin
630 Stratford Rd
Baldwin NY 11510

Carol Tevlin
630 Stratford Rd
Baldwin NY 11510

Property Description Report For: 3 Garside Rd Ext, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-19
		Property Class:	311 - Res vac land
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	311 - Res vac land
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.27	**School District:**	Saratoga Springs
Land Assessment:	2015 - $169,300	**Total Assessment:**	2015 - $169,300
Full Market Value:	2015 - $217,051		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5S Lot 3
Deed Book:	1746	**Deed Page:**	428
Grid East:	697894	**Grid North:**	1537652

Area

Living Area:	0 sq. ft.	**First Story Area:**	0 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	0
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	0	**Bathrooms (Full - Half):**	0 - 0
Bedrooms:	0	**Kitchens:**	0
Fireplaces:	0	**Basement Type:**	0
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	0	**Overall Grade:**	
Year Built:			

Owners

Rex S Ruthman
14 Aspen Heights
Slingerlands NY 12159

Elisabeth A Ruthman
14 Aspen Heights
Slingerlands NY 12159

Property Description Report For: 2 Garside Rd Ext, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-17
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.33	**School District:**	Saratoga Springs
Land Assessment:	2015 - $81,800	**Total Assessment:**	2015 - $162,500
Full Market Value:	2015 - $208,333		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5 Ptk Lot 2
Deed Book:	2007	**Deed Page:**	17758
Grid East:	697797	**Grid North:**	1537742

Area

Living Area:	576 sq. ft.	**First Story Area:**	576 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	1	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Partial
Porch Type:	Porch-enclsd	**Porch Area:**	96.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Nicholas Leoncavallo
142 Hill Trace Trl
Irmo SC 29063

Kathleen M Leoncavallo
142 Hill Trace Trl
Irmo SC 29063

Property Description Report For: 1 Garside Rd Ext, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-20
		Property Class:	210 - 1 Family Res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.25	**School District:**	Saratoga Springs
Land Assessment:	2015 - $165,600	**Total Assessment:**	2015 - $210,600
Full Market Value:	2015 - $270,000		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5B Lot 1
Deed Book:	2014	**Deed Page:**	3135
Grid East:	697838	**Grid North:**	1537593

Area

Living Area:	609 sq. ft.	**First Story Area:**	609 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	3	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Partial
Porch Type:	Porch-enclsd	**Porch Area:**	252.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Christopher T Dunn
108 Tallwood Lane
Lincroft NJ 07738

Stephanie A Dunn
108 Tallwood Lane
Lincroft NJ 07738

Property Description Report For: 27 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-28
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.40	**School District:**	Saratoga Springs
Land Assessment:	2015 - $193,300	**Total Assessment:**	2015 - $261,600
Full Market Value:	2015 - $335,385		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5L Lot 27
Deed Book:	2009	**Deed Page:**	29911
Grid East:	697714	**Grid North:**	1537013

Area

Living Area:	810 sq. ft.	**First Story Area:**	810 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	Porch-screen	**Porch Area:**	100.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

James M Demasi
27 Garside Rd
Saratoga Springs NY 12866

Judith Dunn
27 Garside Rd
Saratoga Springs NY 12866

Property Description Report For: 26 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-30
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.28	**School District:**	Saratoga Springs
Land Assessment:	2015 - $78,800	**Total Assessment:**	2015 - $133,300
Full Market Value:	2015 - $170,897		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5Q Lot 26
Deed Book:	2007	**Deed Page:**	44513
Grid East:	697459	**Grid North:**	1537051

Area

Living Area:	832 sq. ft.	**First Story Area:**	832 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Full
Porch Type:	Porch-enclsd	**Porch Area:**	96.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1923		

Owners

Alan C Beach
80 Smith St
Lynbrook NY 11563

Rina Beach
80 Smith St
Lynbrook NY 11563

Property Description Report For: 25 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-27
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.47	**School District:**	Saratoga Springs
Land Assessment:	2015 - $154,700	**Total Assessment:**	2015 - $222,400
Full Market Value:	2015 - $285,128		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5R Lot 23
Deed Book:	2014	**Deed Page:**	24266
Grid East:	697701	**Grid North:**	1537081

Area

Living Area:	858 sq. ft.	**First Story Area:**	858 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	Porch-enclsd	**Porch Area:**	70.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1935		

Owners

Donald M Dzekciorius
78 Hampton St
Delmar NY 12054

Joyce Dzekciorius
78 Hampton St
Delmar NY 12054

Property Description Report For: 22 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-37
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.21	**School District:**	Saratoga Springs
Land Assessment:	2015 - $70,600	**Total Assessment:**	2015 - $125,000
Full Market Value:	2015 - $160,256		
Equalization Rate:	----	**Legal Property Desc:**	Lot 22&p/o18 also 1750/99 2013/26218
Deed Book:	2013	**Deed Page:**	26215
Grid East:	697500	**Grid North:**	1537174

Area

Living Area:	582 sq. ft.	**First Story Area:**	582 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Average
Year Built:	1948		

Owners

Thomas Mcdowell
22 Garside Rd
Saratoga Springs NY 12866

Georgia L Hinchman
22 Garside Rd
Saratoga Springs NY 12866

Property Description Report For: 21-23 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-26
		Property Class:	280 - Res Multiple
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.35	**School District:**	Saratoga Springs
Land Assessment:	2015 - $184,100	**Total Assessment:**	2015 - $442,800
Full Market Value:	2015 - $567,692		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5P Lot 21
Deed Book:	1559	**Deed Page:**	10
Grid East:	697711	**Grid North:**	1537144

Area

Living Area:	1,200 sq. ft.	**First Story Area:**	780 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	420 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1.5
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Contemporary	**Bathrooms (Full - Half):**	2 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	216.00 sq. ft.
Overall Condition:	Good	**Overall Grade:**	Average
Year Built:	2002		

Owners

Michael R Stauffacher
23 Garside Rd
Saratoga Springs NY 12866

Marilyn Cordell
23 Garside Rd
Saratoga Springs NY 12866

Property Description Report For: 19 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-25
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.29	**School District:**	Saratoga Springs
Land Assessment:	2015 - $173,000	**Total Assessment:**	2015 - $200,000
Full Market Value:	2015 - $256,410		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5N Lot 19
Deed Book:	1585	**Deed Page:**	684
Grid East:	697715	**Grid North:**	1537203

Area

Living Area:	612 sq. ft.	**First Story Area:**	612 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	Porch-screen	**Porch Area:**	224.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Joseph Kowalchyk
1100 25th St
Watervliet NY 12189

Helen Kowalchyk
1100 25th St
Watervliet NY 12189

Property Description Report For: 18 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-33.1
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.30	**School District:**	Saratoga Springs
Land Assessment:	2015 - $89,000	**Total Assessment:**	2015 - $129,600
Full Market Value:	2015 - $166,154		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5T also1657/552 2013/26216
Deed Book:	2011	**Deed Page:**	29468
Grid East:	697547	**Grid North:**	1537270

Area

Living Area:	1,076 sq. ft.	**First Story Area:**	1,076 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	1	**Basement Type:**	Slab/pier
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Fair	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Kenneth Wolf
3293 Harbor Point Rd

Shelley T Wolf
3293 Harbor Point Rd

Property Description Report For: 17 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-24
		Property Class:	210 - 1 Family Res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.24	**School District:**	Saratoga Springs
Land Assessment:	2015 - $162,100	**Total Assessment:**	2015 - $470,000
Full Market Value:	2015 - $602,564		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5P Lot 17
Deed Book:	1580	**Deed Page:**	765
Grid East:	697723	**Grid North:**	1537259

Area

Living Area:	2,531 sq. ft.	**First Story Area:**	1,252 sq. ft.
Second Story Area:	1,279 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	2
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Contemporary	**Bathrooms (Full - Half):**	2 - 1
Bedrooms:	3	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Full
Porch Type:	Porch-open/deck	**Porch Area:**	252.00
Basement Garage Cap:	0	**Attached Garage Cap:**	540.00 sq. ft.
Overall Condition:	Good	**Overall Grade:**	Average
Year Built:	2003		

Owners

Hal S Rose
P.O. Box 3406
Saratoga Springs NY 12866

Property Description Report For: 15 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-23
		Property Class:	210 - 1 Family Res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	210 - 1 Family Res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.40	**School District:**	Saratoga Springs
Land Assessment:	2015 - $193,300	**Total Assessment:**	2015 - $286,300
Full Market Value:	2015 - $367,051		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5 Ptd Lot 15
Deed Book:	1558	**Deed Page:**	394
Grid East:	697751	**Grid North:**	1537346

Area

Living Area:	1,026 sq. ft.	**First Story Area:**	1,026 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Cottage	**Bathrooms (Full - Half):**	1 - 0
Bedrooms:	3	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Slab/pier
Porch Type:	Porch-screen	**Porch Area:**	451.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Normal	**Overall Grade:**	Economy
Year Built:	1925		

Owners

Deborah G Rose
169 Bay St
Glens Falls NY 12801

Jean Gilardi
169 Bay St
Glens Falls NY 12801

Property Description Report For: 14 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-34
		Property Class:	270 - Mfg housing
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	270 - Mfg housing
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.28	**School District:**	Saratoga Springs
Land Assessment:	2015 - $78,800	**Total Assessment:**	2015 - $93,800
Full Market Value:	2015 - $120,256		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5Ptd Lot 14
Deed Book:	1585	**Deed Page:**	686
Grid East:	697606	**Grid North:**	1537399

Area

Living Area:	0 sq. ft.	**First Story Area:**	0 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	0	**Bathrooms (Full - Half):**	0 - 0
Bedrooms:	0	**Kitchens:**	0
Fireplaces:	0	**Basement Type:**	0
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	0	**Overall Grade:**	
Year Built:			

Owners

Joseph Kowalchyk
1100 25th St
Watervliet NY 12189

Helen Kowalchyk
1100 25th St
Watervliet NY 12189

Property Description Report For: 11 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-22
		Property Class:	311 - Res vac land
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	311 - Res vac land
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.55	**School District:**	Saratoga Springs
Land Assessment:	2015 - $224,300	**Total Assessment:**	2015 - $224,300
Full Market Value:	2015 - $287,564		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5 Pti Lot 11
Deed Book:	1652	**Deed Page:**	72
Grid East:	697783	**Grid North:**	1537460

Area

Living Area:	0 sq. ft.	**First Story Area:**	0 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	0
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	0	**Bathrooms (Full - Half):**	0 - 0
Bedrooms:	0	**Kitchens:**	0
Fireplaces:	0	**Basement Type:**	0
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	0	**Overall Grade:**	
Year Built:			

Owners

Brian Gaetano
201 Sanger Ave
New Hartford NY 13413

Property Description Report For: 9 Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-21
		Property Class:	260 - Seasonal res
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	260 - Seasonal res
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.22	**School District:**	Saratoga Springs
Land Assessment:	2015 - $155,200	**Total Assessment:**	2015 - $301,300
Full Market Value:	2015 - $386,282		
Equalization Rate:	----	**Legal Property Desc:**	S-16 B-B L-5 Pte Lot 9
Deed Book:	1585	**Deed Page:**	671
Grid East:	697782	**Grid North:**	1537545

Area

Living Area:	1,590 sq. ft.	**First Story Area:**	1,060 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	530 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	1.5
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	Old style	**Bathrooms (Full - Half):**	2 - 1
Bedrooms:	2	**Kitchens:**	1
Fireplaces:	0	**Basement Type:**	Full
Porch Type:	Porch-open/deck	**Porch Area:**	488.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	Good	**Overall Grade:**	Average
Year Built:	1925		

Owners

Robert J Gulotty
9 Garside Rd
Saratoga Springs NY 12866

Frances M McGee
9 Garside Rd
Saratoga Springs NY 12866

Property Description Report For: Garside Rd, Municipality of City of Saratoga Springs, Outside

No Photo Available

		Status:	Active
		Roll Section:	Taxable
		Swis:	411589
		Tax Map ID #:	180.17-1-31
		Property Class:	311 - Res vac land
		Site:	RES 1
		In Ag. District:	No
		Site Property Class:	311 - Res vac land
		Zoning Code:	RR1
		Neighborhood Code:	15832
Total Acreage/Size:	0.14	**School District:**	Saratoga Springs
Land Assessment:	2015 - $67,100	**Total Assessment:**	2015 - $67,100
Full Market Value:	2015 - $86,026		
Equalization Rate:	----	**Legal Property Desc:**	Lot 24
Deed Book:	2009	**Deed Page:**	29911
Grid East:	697479	**Grid North:**	1537106

Area

Living Area:	0 sq. ft.	**First Story Area:**	0 sq. ft.
Second Story Area:	0 sq. ft.	**Half Story Area:**	0 sq. ft.
Additional Story Area:	0 sq. ft.	**3/4 Story Area:**	0 sq. ft.
Finished Basement:	0 sq. ft.	**Number of Stories:**	0
Finished Rec Room	0 sq. ft.		

Structure

Building Style:	0	**Bathrooms (Full - Half):**	0 - 0
Bedrooms:	0	**Kitchens:**	0
Fireplaces:	0	**Basement Type:**	0
Porch Type:	0	**Porch Area:**	0.00
Basement Garage Cap:	0	**Attached Garage Cap:**	0.00 sq. ft.
Overall Condition:	0	**Overall Grade:**	
Year Built:			

Owners

James M Demasi
27 Garside Rd
Saratoga Springs NY 12866

Judith Dunn
27 Garside Rd
Saratoga Springs NY 12866

N
DEED TO PROPERTY

2503313417

This Indenture,

Made the first day of January two thousand and Six

Between

Robert L. Barter and Linda L. Barter, husband and wife, residing at 1 Garside Road Ext., Saratoga Springs New York 12866

, party of the first part, and

R+R Rex S. Ruthman and Elisabeth A. Ruthman, husband and wife, residing at 14 Aspen Heights, Slingerlands New York 12159

party of the second part.

WITNESSETH *that the party of the first part in consideration of Ten and 00/100 ($10.00) Dollars lawful money of the United States, and other good and valuable consideration paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs, successors and assigns forever*

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the City of Saratoga , County of Saratoga and State of New York, known as 3 Garside Road Extension, as more particularly described on Schedule "A" attached hereto and made a part hereof.

BEING the same premises as conveyed to Robert L. Barter and Linda Barter, husband and wife, by deed from Green Acres of Saratoga Lake, Inc., dated June 29, 2000, and recorded in the office of the Saratoga County Clerk on September 24 2001, in Book 01591 of Deeds at page 00709.

SUBJECT TO *any and all enforceable covenants, conditions, easements and restrictions of record and affecting said premises, including specifically The By Laws of Green Acres Association of Saratoga Lake as filed in the office of the Saratoga County Clerk in Book 1375 of Deeds at Page 169, or as amended according to law and as provided therein.*

TOGETHER *with the appurtenances and all the estate and rights of the party of the first part in and to said premises,*

TO HAVE AND TO HOLD *the premises herein granted unto the parties of the second part, their heirs, successors and assigns forever.*

Filed 01/27/2006 2:10 PM
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D2006036?
Saratoga County Clerk

AND *said party of the first part covenant as follows:*

FIRST, *that the parties of the second part shall quietly enjoy the said premises;*

SECOND, *that the party of the first part will forever* WARRANT *the title to said premises.*

THIRD, *that, in compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.*

IN WITNESS WHEREOF, *the party of the first part has hereunto set his hand and seal the day and year first above written.*

IN PRESENCE OF

L.S.

ACKNOWLEDGMENT OF CONVEYANCE

State of New York)
)ss:
County of ALBANY)

On this 20th day of JANUARY in the year 2006 before me, the undersigned, a Notary Public in and for the State, personally appeared **Robert L. Barter and Linda L. Barter,** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

DONALD V. TOSTI
Notary Public, State of New York
No. 01TO4638238
Qualified in Saratoga County
Commission Expires Aug. 30, 2006

SCHEDULE "A" DESCRIPTION

3 GARSIDE ROAD EXT. SARATOGA SPRINGS NEW YORK

All that tract, piece or parcel of land, situate lying and being in the City of Saratoga Springs, Saratoga County, New York, known as 3 Garside Road Extension, of Subdivision Plan, entitled "site improvements, Green Acres of Saratoga Lake, Inc. P.U.D." dated September 28, 1999, prepared by Michael S. McNamara, P.E. #71,029 and E. Daniel Fuller, P.L.S. #49,135 and filed in the Saratoga County Clerk's Office in Drawer "G" as Map No. 291 A&B.

Together with an undivided one-nineteenth tenancy in common interest as described in a Capital Certificate dated April 29, 2000 from Green Acres of Saratoga Lake Inc. to Robert L. Barter and Linda L. Barter. Said Capital Certificate attached to and runs with the above described property conveyed herein.

Kathleen A. Marchione
County Clerk

LaFinn Sanders
Deputy County Clerk

Lorey Wilkins
Deputy County Clerk

Saratoga County Clerk's Office

Saratoga County Municipal Center
40 McMaster Street, Ballston Spa, NY 12020
Telephone (518) 885-2213 FAX (518) 884-4726

AFTER 5 DAYS RETURN TO

SARATOGA COUNTY CLERK'S OFFICE
40 McMASTER STREET
BALLSTON SPA, NEW YORK 12020

Kathleen A. Marchione
County Clerk

Congratulations on the acquisition of your new property!

Enclosed you will find your original deed that has been officially recorded in my office.

Through recording, your valuable document has been protected. Each deed has been indexed and scanned into our computer system. We also microfilm recorded documents. We keep a working copy of this microfilm here at the County Clerk's Office. The original microfilm is sent to a separate offsite storage facility. This facility provides secure, temperature controlled storage which safeguards our records should any catastrophe (such as fire, flood, etc.) occur. Should the need ever arise, certified copies of the original document could be produced quickly.

We want to assure you that your very important documents are well cared for. If I can be of further service, please do not hesitate to contact me.

Sincerely,

Kathleen A. Marchione

Kathleen A. Marchione
Saratoga County Clerk

O

CORRESPONDENCE - NEW YORK STATE DEPARTMENT ENVIRONMENTAL CONSERVATION DIVISION OF FISH, WILDLIFE & MARINE RESOURCES

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • Fax: (518) 402-8925
Website: www.dec.ny.gov

April 06, 2016

Richard Tice
Brewer Engineering Associates, P.C.
743 Columbia Turnpike
East Greenbush, NY 12061

Re: Single family residence at 3 Garside Road Extension, Lot 3, Green Acres at Saratoga Lake
Town/City: City Of Saratoga Springs. County: Saratoga.

Dear Richard Tice:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significan t natural communities, and other significant habitats maintained in the Natural Heritage Database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 4 Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

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BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS - PLANNERS

743 COLUMBIA TURNPIKE - EAST GREENBUSH - NEW YORK 12061 - (518) - 477-5253 - 477-5273

March 11, 2016

New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
625 Broadway, 5th Floor
Albany, New York 12233-4757

Attn: Ms. Jean Pietrusiak, Information Services

RE: PROPOSED RESIDENCE OF REX S. & ELISABETH A. RUTHMAN"
3 GARSIDE ROAD EXTENSION
LOT 3, "GREEN ACRES AT SARATOGA LAKE, PUD"
CITY OF SARATOGA SPRINGS, NY

Dear Ms. Pietrusiak:

Our clients, Rex and Elisabeth Ruthman, intend to construct a single family residence on the property located at 3 Garside Road Extension, Lot 3, "Green Acres At Saratoga Lake, PUD". On their behalf we are requesting information on the presence of endangered or threatened species in the vicinity of our proposed project.

In 1999 to better control the future development of the site the Green Acres of Saratoga Lake, Inc., a PUD was created by the City of Saratoga Springs by an ordinance entitled - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS "GREEN ACRES PLANNED UNIT DEVELOPMENT".

There is a statement in the Ordinance that the area had been developed over the past 30 years. Actually development of the area started in 1923 which would have been 67 years prior to the PUD in 1999.

The property was acquired in 1922 by Mary F. Green. Following acquisition of the property lots were created and leased to individuals on which the lessors would construct cottages. The cottages and any other structures that were constructed on the leased lots would be owned by the lessors. According to City tax data, the first cottage was constructed in 1923. That cottage is the structure presently located at 26 Garside Road. According to City tax data several cottages were constructed in 1925, of which eight still remain. Four additional residences were constructed between 1935 and 1978.

Since Green Acres PUD was approved in 1999, two structures that existed at the time of the PUD was approved; one at 21 Garside Road and the other at 17 Garside Road were removed and replaced with new residences constructed in 2002 and 2003, respectively. At the time of the approval of the PUD in 1999 Ruthman's, Lot 3 was

E-Mail - brewer_engineering@email.com Facsimile - (518) 477-5233

occupied by a 450 square foot cottage. This is indicated on the enclosed PUD map as well as on the site plan prepared by Richard H. Green, P.E., dated February 16, 2006.

In 1967 Frederick Kmen, George E. Barter and Donald Todd, as trustees for Green Acres Association acquired the property from Grace Green Graham, daughter of Mary Green. At that time, according to the "Declaration of Protective Covenants, Restrictions, Easements and Liens of Green Acres of Saratoga Lake, Inc., (A Homeowners' Association)," all property, (land), was conveyed to the Association by deed dated September 7, 1967 recorded in the office of the Saratoga County Clerk on September 15, 1967 in Liber 816 of Deeds at Page 85. Subsequently, as shown on a Subdivision Plan prepared in 1999 entitled "Green Acres of Saratoga Lake, Inc. PUD" and filed in the office of the Saratoga County Clerk in Drawer "G" as Map No. 291 A & B, the Lot appurtenant to each home, with two homes existing on lot identified as 21/21A Garside Road, was conveyed to the owner of such home and homes. "Green Acres of Saratoga Lake, Inc.," was filed with the State of New York on January 4, 1972.

Following the approval and filing of the PUD in the office of the Saratoga County Clerk the individual lots were "Quit Claim" deeded to each lessee.

To assist you in your review of our request we have included the items listed below:

VICINITY MAP:

SUBDIVISION MAP:

SITE PLAN:

COPY OF ORDINANCE:

AERIAL:

On an aerial photo flown in 2001 we have indicated the location of the Ruthman's property, the cottage that existed at that time and the proposed new structure.

SITE PHOTOS:

Site Photos taken in 2006 at the time the Ruthman's purchased the property and in 2015. At the time of the property was purchased there was an existing 450 sq. ft. cottage on the site and is shown in photo's taken at the time of purchase. The cottage was removed in 2007.

Thank you for your assistance in this matter.

Very truly yours,

BREWER ENGINEERING ASSOCIATES, P.C.

Richard Tice
Project Administrator

Enclosures

P
CORRESPONDENCE
NEW YORK STATE
OFFICE OF PARKS, RECREATION &
HISTORIC PRESERVATION

BREWER ENGINEERING ASSOCIATES, P.C.

CONSULTING ENGINEERS - PLANNERS

743 COLUMBIA TURNPIKE - EAST GREENBUSH - NEW YORK 12061 - (518) - 477-5253 - 477-5273

March 11, 2016

Ms. Ruth L. Pierpont
Deputy Commissioner
New York State Office of Parks, Recreation and Historic Preservation
Peebles Island Resource Center
PO Box 189
Waterford, New York 12188-0189

RE: PROPOSED RESIDENCE OF REX S. & ELISABETH A. RUTHMAN"
3 GARSIDE ROAD EXTENSION
LOT 3, "GREEN ACRES AT SARATOGA LAKE, PUD"
CITY OF SARATOGA SPRINGS, NY

Dear Ms. Pierpont:

Our clients, Rex and Elisabeth Ruthman, intend to construct a single family residence on the property located at 3 Garside Road Extension, Lot 3, "Green Acres At Saratoga Lake, PUD". On their behalf we are requesting information as to any impact the proposed project may have upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

In 1999 to better control the future development of the site the Green Acres of Saratoga Lake, Inc., a PUD was created by the City of Saratoga Springs by an ordinance entitled - AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF PLANNED UNIT DEVELOPMENT DISTRICT TO BE KNOWN AS "GREEN ACRES PLANNED UNIT DEVELOPMENT".

There is a statement in the Ordinance that the area had been developed over the past 30 years. Actually development of the area started in 1923 which would have been 67 years prior to the PUD in 1999.

The property was acquired in 1922 by Mary F. Green. Following acquisition of the property lots were created and leased to individuals on which the lessors would construct cottages. The cottages and any other structures that were constructed on the leased lots would be owned by the lessors. According to City tax data, the first cottage was constructed in 1923. That cottage is the structure presently located at 26 Garside Road. According to City tax data several cottages were constructed in 1925, of which eight still remain. Four additional residences were constructed between 1935 and 1978.

Since Green Acres PUD was approved in 1999, two structures that existed at the time of the PUD was approved; one at 21 Garside Road and the other at 17 Garside Road were removed and replaced with new residences constructed in 2002 and 2003, respectively. At the time of the approval of the PUD in 1999 Ruthman's, Lot 3 was

E-Mail - brewer_engineering@email.com Facsimile - (518) 477-5233

occupied by a 450 square foot cottage. This is indicated on the enclosed PUD map as well as on the site plan prepared by Richard H. Green, P.E., dated February 16, 2006.

In 1967 Frederick Kmen, George E. Barter and Donald Todd, as trustees for Green Acres Association acquired the property from Grace Green Graham, daughter of Mary Green. At that time, according to the "Declaration of Protective Covenants, Restrictions, Easements and Liens of Green Acres of Saratoga Lake, Inc., (A Homeowners' Association)," all property, (land), was conveyed to the Association by deed dated September 7, 1967 recorded in the office of the Saratoga County Clerk on September 15, 1967 in Liber 816 of Deeds at Page 85. Subsequently, as shown on a Subdivision Plan prepared in 1999 entitled "Green Acres of Saratoga Lake, Inc. PUD" and filed in the office of the Saratoga County Clerk in Drawer "G" as Map No. 291 A & B, the Lot appurtenant to each home, with two homes existing on lot identified as 21/21A Garside Road, was conveyed to the owner of such home and homes. "Green Acres of Saratoga Lake, Inc.," was filed with the State of New York on January 4, 1972.

Following the approval and filing of the PUD in the office of the Saratoga County Clerk the individual lots were "Quit Claim" deeded to each lessee.

To assist you in your review of our request we have included the items listed below:

VICINITY MAP:

SUBDIVISION MAP:

SITE PLAN:

COPY OF ORDINANCE:

AERIAL:

On an aerial photo flown in 2001 we have indicated the location of the Ruthman's property, the cottage that existed at that time and the proposed new structure.

SITE PHOTOS:

Site Photos taken in 2006 at the time the Ruthman's purchased the property and in 2015. At the time of the property was purchased there was an existing 450 sq. ft. cottage on the site and is shown in photo's taken at the time of purchase. The cottage was removed in 2007.

Very truly yours,

BREWER ENGINEERING ASSOCIATES, P.C.

Richard Tice
Project Administrator

Enclosures:

Needham/Kilmer Residence
Zoning Board of Appeals
Variance Application — 37 Greenfield Avenue

City of Saratoga Springs, New York

May 9, 2016

Scott Rand Architects

SCOTT
LEONARD
RAND AIA

ARCHITECT

02 May 2016

City of Saratoga Springs
474 Broadway
Saratoga Springs, NY 12866

RE: 37 Greenfield Avenue

Attention: Zoning Board Members

The subject lot is a nonconforming UR-1 lot with dimensions similar to a UR-3 lot. Two dimensions hamper the design of a house that conforms to the size and scale of the neighborhood: 1) The average width is 69.5' instead of the UR-1 minimum of 100' and 2) The lot size is 11,454 sq. ft. instead of the UR-1 minimum of 12,500 sq. ft..

Greenfield Avenue is the dividing line between zoning districts UR-1 and UR-3. The lot is located on the UR-1 side of Greenfield, across the street from UR-3 houses, and between UR-1 properties (including a 9-unit condominium).

UR-1 allows 20 percent lot coverage for the principal structure plus 8 percent for an accessory structure, 28% total coverage. UR-3 permits 30 percent for the principal structure plus 10 percent for an accessory structure, 40% total coverage. UR-1 requires 30' combined side setbacks (12' minimum) and a 30' rear yard setback. UR-3 only requires a 12' combined side yard setback (4' minimum) and a 25' rear setback.

The intent of the Applicant is to build a single family house that complements the neighborhood — size, scale, and architecture — while, at the same time, accommodating the owner's health need for an attached 2-car garage.

Due to the unique circumstances, we request the following variances:

1. ***Coverage.*** *Lot coverage of 27.2% for house & attached garage, plus 3.5% for roof overhangs, and 2.1% for the front open porch, 32.8% total coverage.*
2. ***Side Yard Setbacks.*** *Combined side yard of 21' (19' including roof overhangs) and single side of 9' (8' including roof overhangs).*
3. ***Rear Yard Setback.*** *Only on one corner - Rear yard setback of 27.5' (25' with overhang).*

The Owner tried to purchase: 1) a driveway easement from 35 Greenfield, 2) a driveway easement from 45 Greenfield, and 3) side yard land from 35 Greenfield. No agreement could be finalized.

There is precedent of homes in this neighborhood for both increased lot coverage and reduced setbacks. Extensive time and effort have gone into considering design options. This submission is the most viable. It meets the needs of the applicant, enhances the neighborhood, and minimizes the relief requested.

We trust that this will help clarify our request.

Sincerely -

Scott L. Rand

Scott L. Rand AIA

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	[redacted]		[redacted]
Phone	[redacted]	/	[redacted]
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: 37 GREENFIELD AVENUE Tax Parcel No.: 165 . 35 - 1 - 15.1
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: JULY 31, 2015 3. Zoning District when purchased: UR-1

4. Present use of property: UNIMPROVED LOT 5. Current Zoning District: UR-1

6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? 12/2014 For what? Lot line adjustment
Lot width - adjacent lot)
☐ 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: CONSTRUCT NEW SINGLE FAMILY DWELLING ON UNIMPROVED LOT.

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.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☒ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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	From	To
REAR YARD SETBACK	30'	25'
SIDE YARD SETBACK - TOTAL	30'	21' (w/o roof) 19' (with roof)
SIDE YEAR SETBACK - MINIMUM	12'	9' (w/o roof) 8' (with roof)
COVERAGE - PRINCIPAL BUILDING	20%	27.2% (w/o roof & porch)
		32.8% (with roof & porch)

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 APPLICANT EXPLORED NUMEROUS DESIGNS OVER THE PAST 10 MONTHS. AS THE LOT IS ALREADY NONCONFORMING, ALL OF THE DESIGNS EXCEEDED THE 20% LOT COVERAGE, THE 30' TOTAL AND 12' MINIMUM SIDE YARD SETBACKS, AND THE 30' REAR YARD SETBACK. THE APPLICANT ATTEMPTED TO PURCHASE:
1) A DRIVEWAY EASEMENT FROM 35 GREENFIELD
2) A DRIVEWAY EASEMENT FROM 45 GREENFIELD
3) SIDE YARD LAND FROM 35 GREENFIELD.

NO AGREEMENT COULD BE FINALIZED.

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:

A. THIS NONCONFORMING UR-1 LOT IS UNIQUE -- SMALLER THAN THE MINIMUM SIZE UR-1 LOT, ACROSS THE STREET FROM UR-3 HOUSES, AND ADJACENT TO LARGE UR-1 STRUCTURES, INCLUDING A 9-UNIT CONDO.

B. THE CHALLENGE IS TO FIND BALANCE -- A HOUSE DESIGN THAT ADDS BEAUTY TO THE STREETSCAPE, PROVIDES OPENNESS BETWEEN PROPERTIES, AND MEETS THE OWNER'S PROGRAM.

C. THE HOUSE HAS THE ARCHITECTURAL ELEMENTS, SCALE, AND OPENNESS TO ENHANCE THE CHARACTER OF THE NEIGHBORHOOD.

D. THE INTENT IS TO RETAIN AS MANY TREES AS POSSIBLE AND LANDSCAPE EXTENSIVELY WITH NATIVE SPECIES.

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

A) COVERAGE WILL BE 27.2% FOR THE HOUSE AND ATTACHED GARAGE (WHEN IT COULD BE 28% FOR A PRINCIPLE STRUCTURE AND AN ACCESSORY STRUCTURE). THE OPEN FRONT PORCH WILL BE 2.1% AND OVERHANGS WILL BE 3.5%. THE FRONT PORCH AND OVERHANGS WILL BE IN HARMONY WITH THE POSITIVE CHARACTERISTICS OF NEARBY BUILDINGS.

B) ONE SMALL LOCATION WILL HAVE A REAR YARD SETBACK OF 27.5' (25' WITH OVERHANG) WHEN IT COULD BE 5' FOR AN ACCESSORY STRUCTURE.

C) THE HOUSE WILL BE 49' WIDE (INCLUDING OVERHANGS). A HOUSE ON A CONFORMING UR-1 LOT COULD BE 70' WIDE. BECAUSE THIS LOT IS VERY NARROW, SIDE YARD SETBACKS TO STRUCTURE TOTAL 21' (9' AND 12' SINGLE SIDES) AND 19' TO OVERHANGS (8' AND 11' SINGLE SIDES). THESE PROPORTIONS ARE IN HARMONY WITH THE CHARACTER OF THE SIDE NEIGHBORS. MORE THAN 50' OF OPEN SPACE REMAINS ON EACH SIDE.

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:

A) THE HOUSE WILL BE ARCHITECTURALLY IN HARMONY WITH THE REST OF THE NEIGHBORHOOD.

B) THE INTENT IS TO LEAVE AS MANY TREES AS POSSIBLE AND CREATE MAXIMUM GREEN SPACE WHICH MAY BE VISIBLE FROM GREENFIELD AVENUE AND STATE STREET.

C) THE PROJECT WILL SOLVE ANY EXISTING GRADE AND RUN-OFF PROBLEMS.

D) THE INTENT IS TO UTILIZE THE LATEST TECHNOLOGIES FOR ENERGY AND WATER EFFICIENCIES.

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:

NO. THE DIFFICULTY EXISTS BECAUSE OF THE SIZE AND SHAPE OF THIS UR-1 NONCONFORMING LOT.

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.

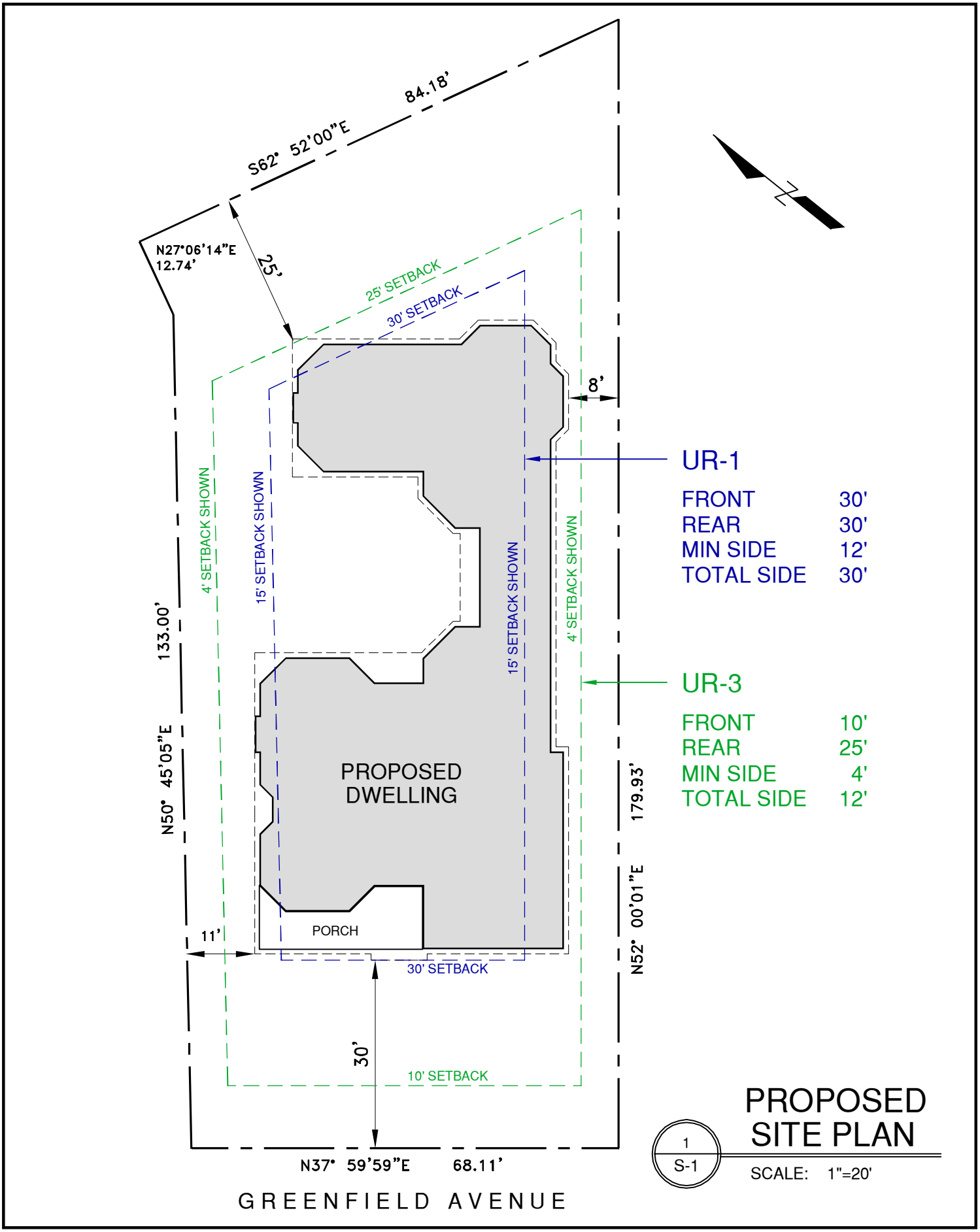
Judith Needham
(applicant signature) Date: 02 May 2016

(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:_____



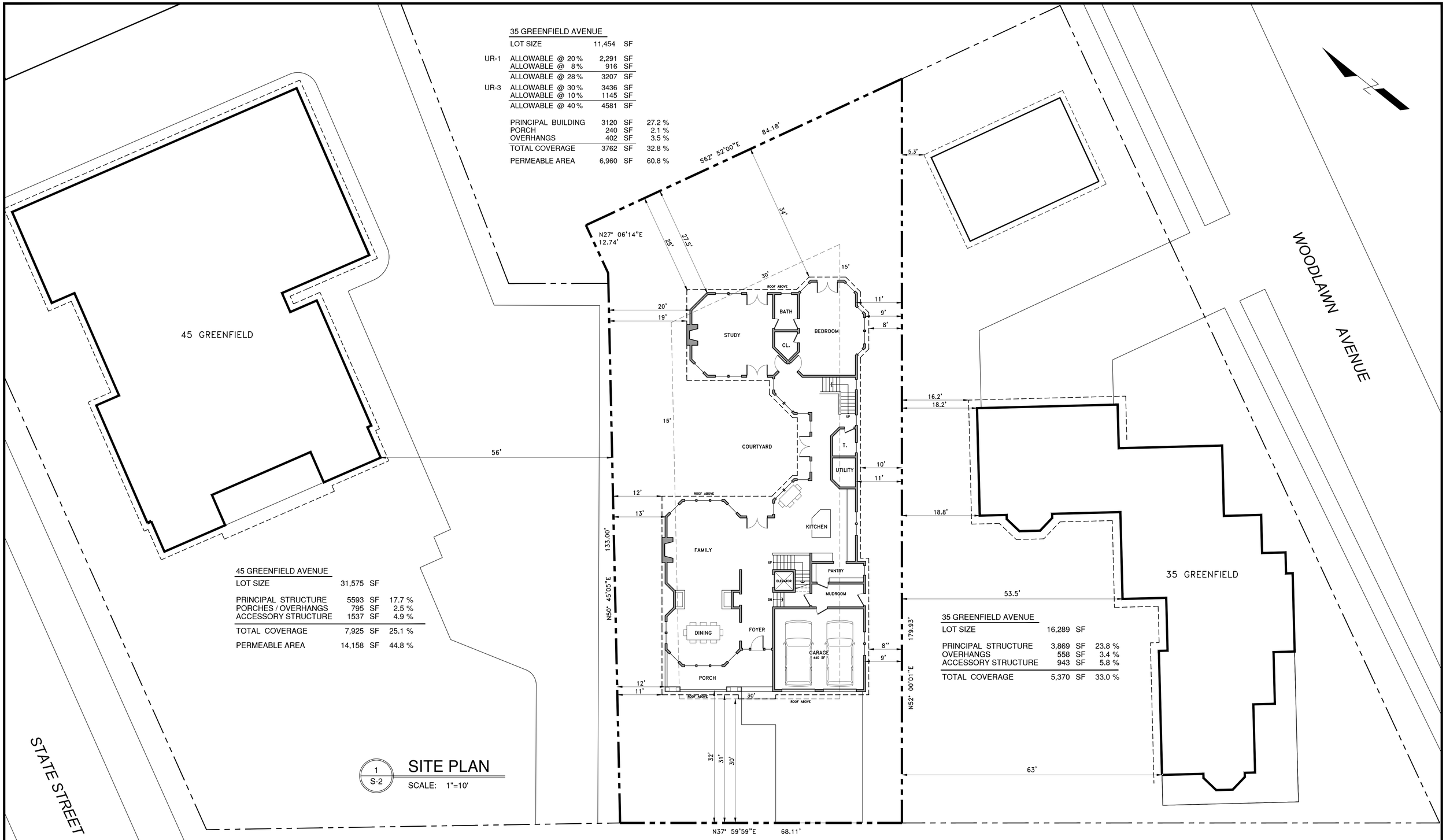
SCOTT L. RAND AIA
Architecture Planning Interior Design

419 FOURTH STREET
ANNAPOLIS, MD 21403
TEL: (410) 263-5860
WWW.SCOTTRANDARCHITECTS.NET

PROJECT: NEEDHAM/ KILMER RESIDENCE
SCALE: 1" = 20'
DATE: 02 MAY 2016

Relief Requested (New Construction)

37 Greenfield Ave. Lot	EXISTING	UR-1	UR-3	PROPOSED	UR-1 RELIEF REQUESTED
Lot Size	**11,454 Sq. Ft.**	**12,500 Sq. Ft. minimum**	**6,600 Sq. Ft. minimum**	N/A	N/A
Average Lot Width	**69.5’**	**100’**	**60’**	N/A	N/A
Side Setback **Total/Minimum**	N/A	**Total sides: 30’ Minimum: 12’**	**Total sides: 12’ Minimum: 4’**	**With Overhang Total sides: 19’ Minimum: 8’**	**With Overhang Total Sides Relief: 11’ Minimum Relief: 4’**
Rear Setback	N/A	**30’**	**25’**	**At one location With Overhang 25’**	**At 1 location With Overhang 5’ Relief**
Coverage: Principal Bldg. Accessory Bldg.	N/A	**Principal: 20% Accessory: 8% Total: 28%**	**Principal: 30% Accessory: 10% Total: 40%**	**Principal: 27.2% Roof Overhang: 3.5% Open Porch: 2.1% Accessory: 0% Total = 32.8%**	**4.8% Relief**



35 GREENFIELD AVENUE

	LOT SIZE	11,454	SF
UR-1	ALLOWABLE @ 20 %	2,291	SF
	ALLOWABLE @ 8 %	916	SF
	ALLOWABLE @ 28 %	3207	SF
UR-3	ALLOWABLE @ 30 %	3436	SF
	ALLOWABLE @ 10 %	1145	SF
	ALLOWABLE @ 40 %	4581	SF
	PRINCIPAL BUILDING	3120	SF 27.2 %
	PORCH	240	SF 2.1 %
	OVERHANGS	402	SF 3.5 %
	TOTAL COVERAGE	3762	SF 32.8 %
	PERMEABLE AREA	6,960	SF 60.8 %

45 GREENFIELD AVENUE

LOT SIZE	31,575	SF
PRINCIPAL STRUCTURE	5593	SF 17.7 %
PORCHES / OVERHANGS	795	SF 2.5 %
ACCESSORY STRUCTURE	1537	SF 4.9 %
TOTAL COVERAGE	7,925	SF 25.1 %
PERMEABLE AREA	14,158	SF 44.8 %

35 GREENFIELD AVENUE

LOT SIZE	16,289	SF
PRINCIPAL STRUCTURE	3,869	SF 23.8 %
OVERHANGS	558	SF 3.4 %
ACCESSORY STRUCTURE	943	SF 5.8 %
TOTAL COVERAGE	5,370	SF 33.0 %

1 / S-2 SITE PLAN
SCALE: 1"=10'

(SEE FULL SIZE 24"x36") 02 MAY 2016 XX

GRAPHIC SCALE 0 10 20 30 40 50

Project: NEEDHAM/ KILMER RESIDENCE
Location: 37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

Proj. No. 36001 | By XX
Date 2016 | Rev. No.

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Architecture Planning Interior Design
[redacted]
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S-2

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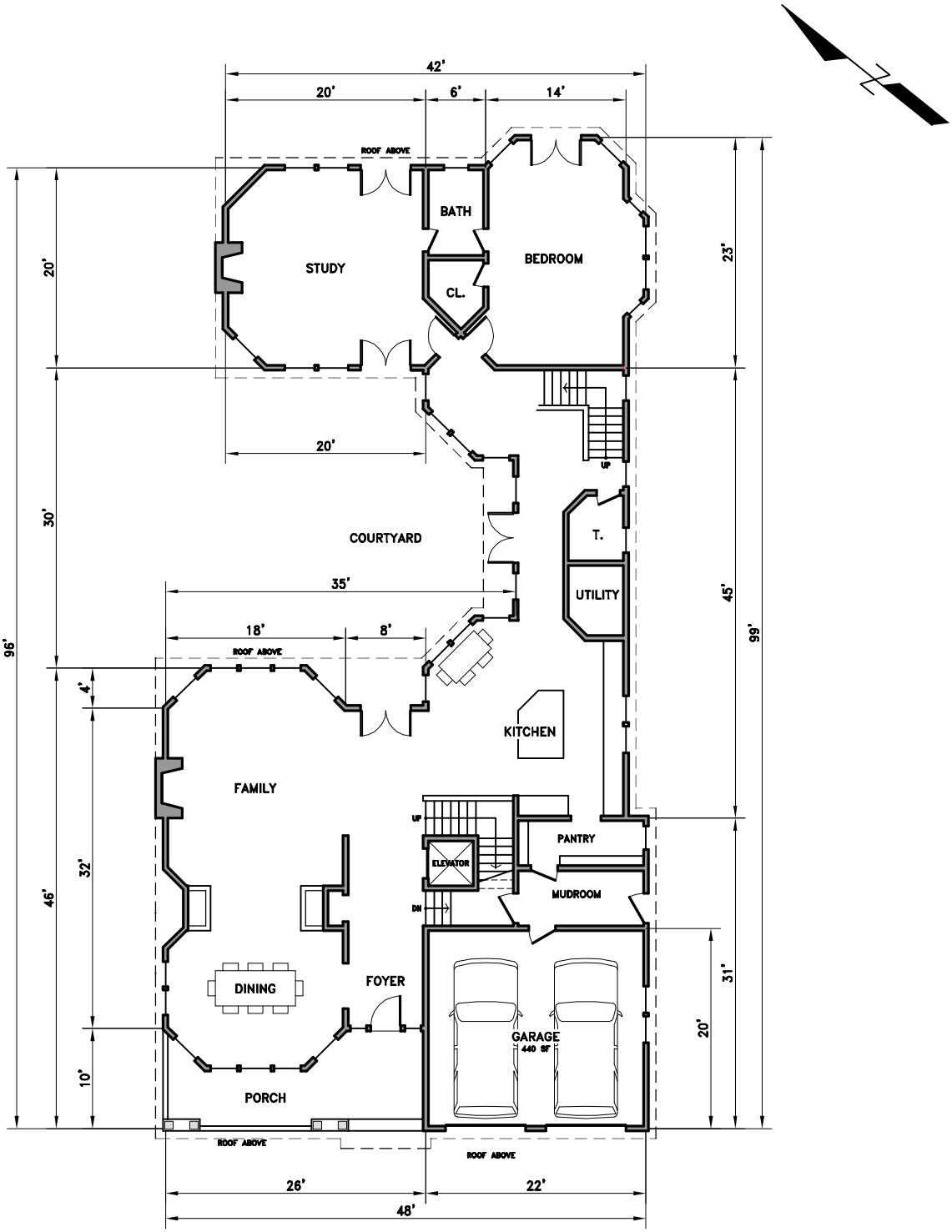

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A-1

FIRST FLOOR PLAN

SCALE: 1"=16'

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[redacted]

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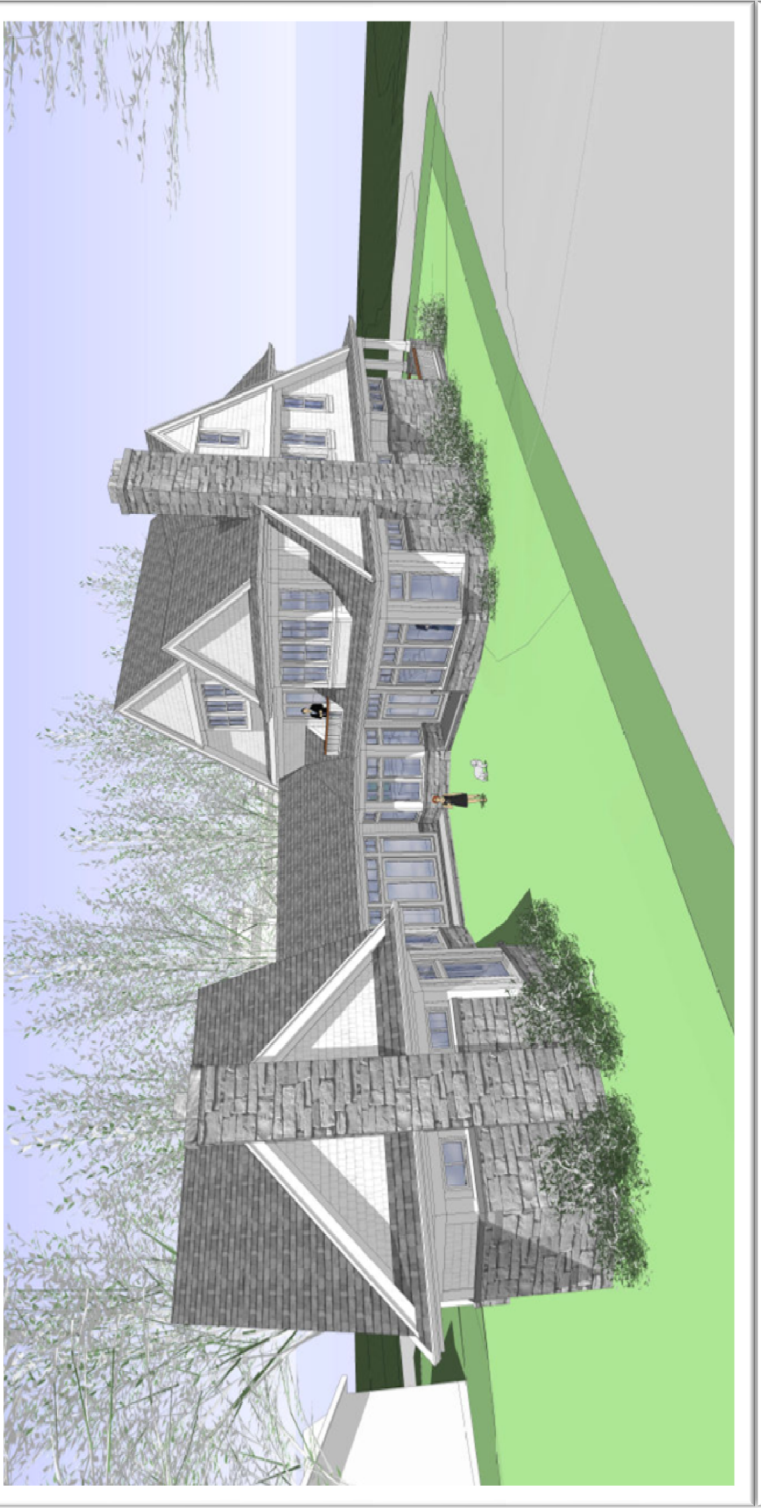
PROJECT: NEEDHAM/ KILMER RESIDENCE
SCALE: 1/16" = 1'-0"
DATE: 02 MAY 2016

VIEW 1

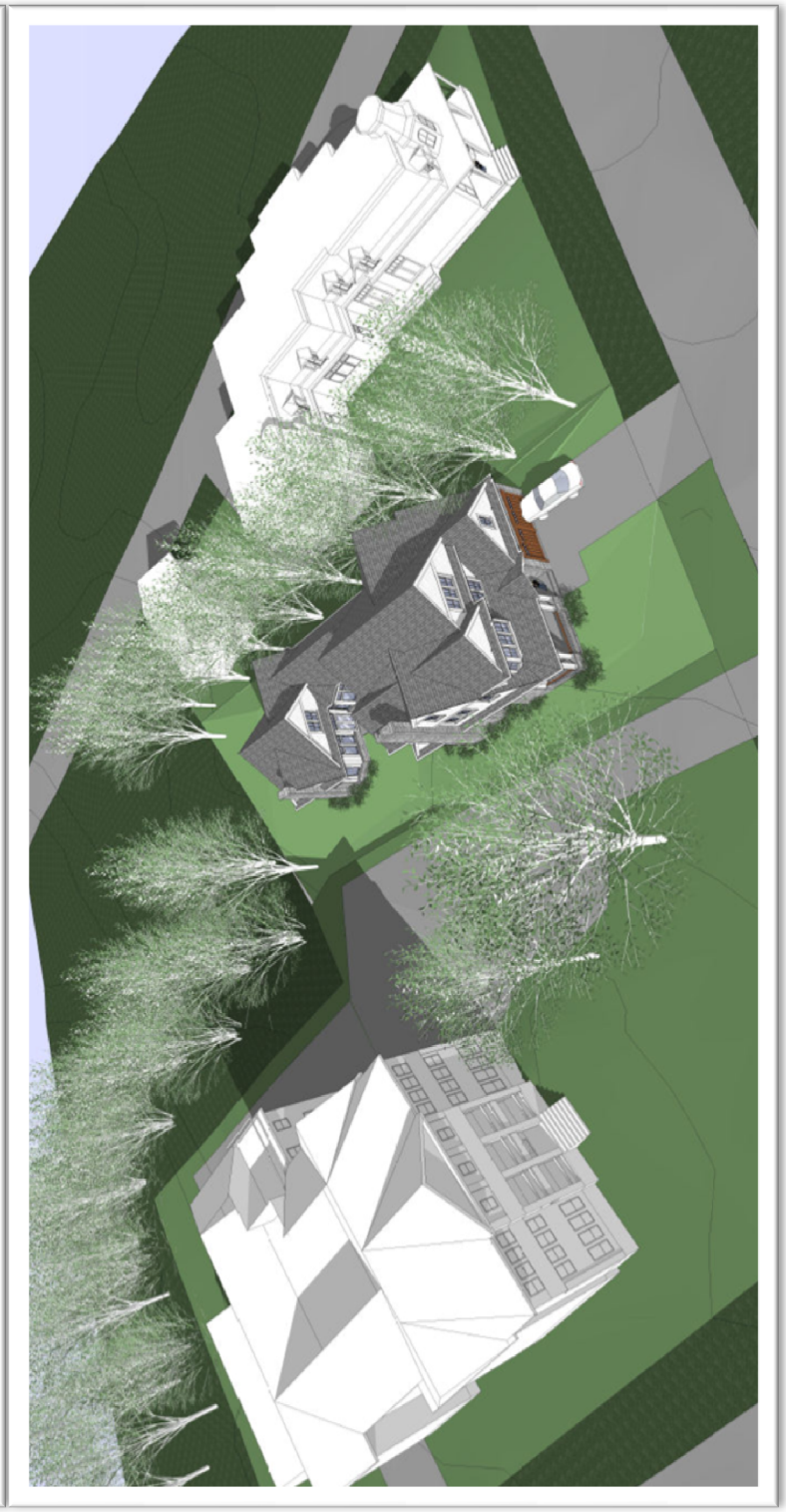
VIEW 2

NEEDHAM / KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

SCOTT L. RAND AIA
ARCHITECT



VIEW 3



VIEW 4

NEEDHAM / KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

SCOTT L. RAND AIA
ARCHITECT

Aerial View - Comparing Surrounding Buildings

UR-1
203 Woodlawn
New Construction
Principal (27%)
Accessory (3%)
14,000SF (est.)

UR-1
45 Greenfield Ave
9 unit condo
Coverage - 25.1%
31,575 SF

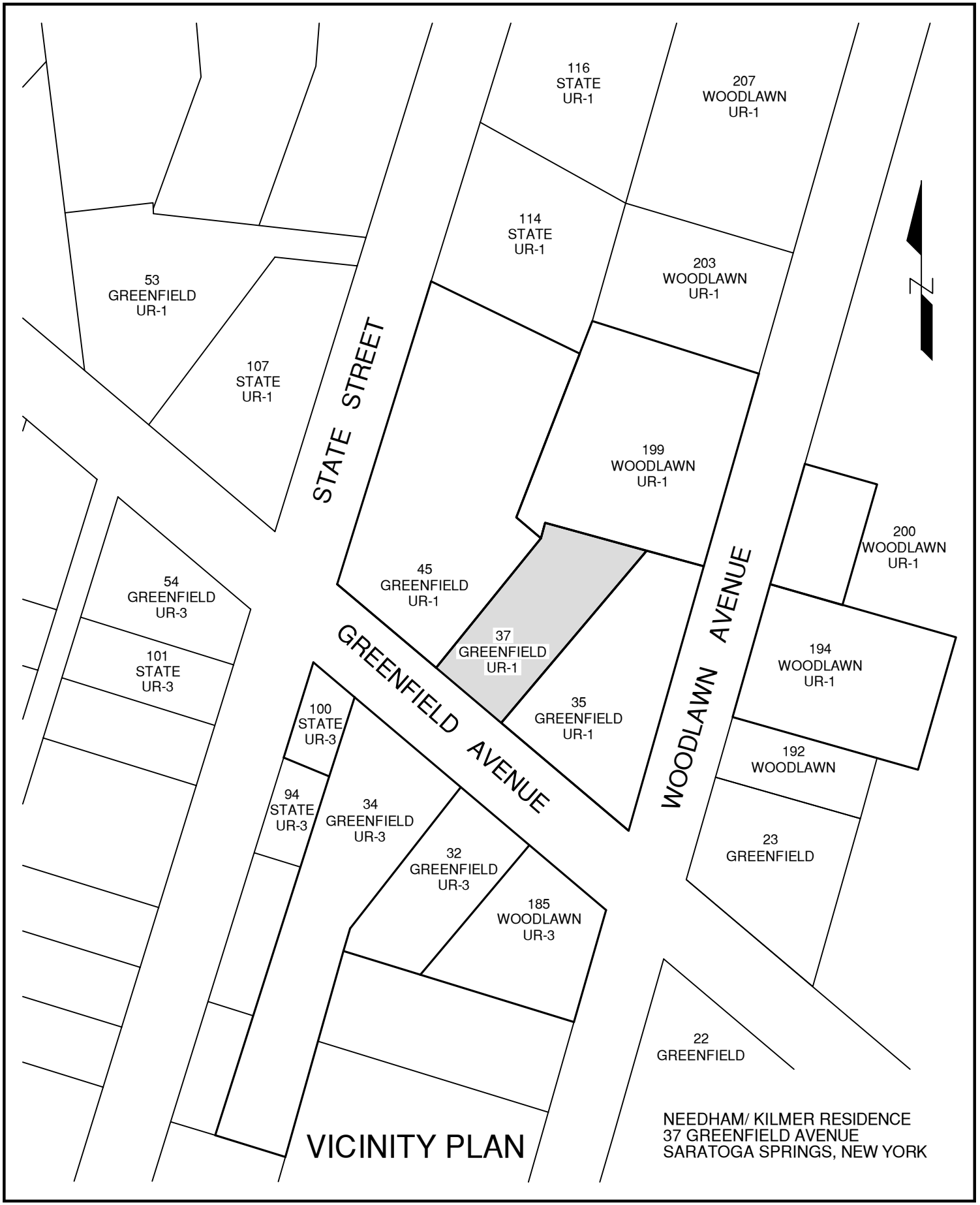
UR-3
100 State St.

UR-1
37 Greenfield Ave
Lot
69' Wide
11,454 SF

UR-3
34 Greenfield Ave

UR-1
35 Greenfield Ave
Coverage - 33%
16,289 SF
Setbacks Variances

UR-3
32 Greenfield Ave. - new construction
Variance: 9 ft. combined side setback



VICINITY PLAN

NEEDHAM/ KILMER RESIDENCE
37 GREENFIELD AVENUE
SARATOGA SPRINGS, NEW YORK

SCOTT L. RAND AIA
Architecture Planning Interior Design

[redacted]
WWW.SCOTTRANDARCHITECTS.NET

PROJECT: NEEDHAM/ KILMER RESIDENCE
SCALE: 1" = 100'
DATE: 02 MAY 2016

Neighboring Homes

UR-1 - 35 Greenfield Avenue
16,289 SF
Total Coverage: 33.0%
Setback Variances

UR-1 - 45 Greenfield Avenue - 9 Unit Condo
31,575 SF (est.)
Total Coverage: 25.1%

UR-1 - 203 Woodlawn Avenue
14,000 SF (est.)
Total Coverage: 30.0%

UR-2 - 32 Greenfield Avenue
Across the Street from Needham
10,150 SF (est.)
Total Coverage: 30% (est.)
Side Yard Variance - 9' Total

Existing Site Photos

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:
VARIANCE: COVERAGE, REAR YARD SETBACK, SIDE YARD SETBACK - TOTAL & MINIMUM

Project Location (describe, and attach a location map):
37 GREENFIELD AVENUE, SARATOGA SPRINGS

Brief Description of Proposed Action:
CONSTRUCT NEW SINGLE FAMILY DWELLING ON UNIMPROVED LOT.

Name of Applicant or Sponsor:	Telephone: [redacted]
JUDITH NEEDHAM	E-Mail: [redacted]

Address:
[redacted]

City/PO:	State:	Zip Code:
[redacted]	[redacted]	[redacted]

	NO	YES
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.	☑	☐
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:	☑	☐

3.a. Total acreage of the site of the proposed action? .263 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

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): 9-Unit Condominium
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
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?	☐	☑
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: _____	☐	☑
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑
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?	☑	☐
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: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☑ Suburban

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	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:	☑	☐
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:	☑	☐
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:	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Judith Needham Date: 02 May 2016

Signature: Judith Needham

PRINT FORM

FAX COVER SHEET

TO	Lindsey Gonzalez
COMPANY	City of Saratoga Springs
FAXNUMBER	15185809480
FROM	Volney LaRowe
DATE	2016-05-18 01:23:23 GMT
RE	Needham Request for Area Variance at 37 Greenfield Avenue

COVER MESSAGE

Fax of letter opposing an area variance for 37 Greenfield Avenue.

Volney LaRowe & Linda LeTendre
[redacted]Greenfield Avenue
Saratoga Springs, NY 12866-1503

May 17, 2016

City of Saratoga Springs
Zoning Board of Appeals
City Hall – 474 Broadway
Saratoga Springs, NY 12866

Re: Needham Request for Area Variance at 37 Greenfield Avenue

Dear Zoning Board of Appeals:

We are vehemently opposed to granting an area variance for the proposed new construction for 37 Greenfield Avenue. We are tired of people coming into our neighborhood, buying a substandard sized lot and then expecting to build a mansion which would be more appropriate for a lot twice the size.

The Needhams, which we are sure are lovely people, knew the size of the lot when they purchased it and should have planned for house that would fit into the size requirements of said lot. Having large homes "shoehorned" onto small lots, especially when subdivided from other properties, has significantly detracted from the character and quality of our neighborhood, two reasons we moved here in the first place.

This has also caused an increase in the density of the housing on Greenfield Avenue, affecting traffic, noise and parking. It is no longer the quiet and tranquil neighborhood it use to be, again reasons we moved here over a decade ago.

We understand that Saratoga Springs is a popular residential destination and everybody wants to live here. We hope the Zoning Board of appeals will maintain what's left of the character and integrity of Greenfield Avenue, deny this request, and encourage the Needhams to design a building that fits the size requirements of the lot as stipulated by the existing zoning regulations.

Thank you for your time and kind consideration of our concerns.

Sincerely,

Volney LaRowe and Linda LeTendre

SCHOOL
SPEED LIMIT
15

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

TELEPHONE (518) 584-1500
FACSIMILE (518) 584-1503

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

ANNE MARIE ZSAMBA

OF COUNSEL
LOREN N. BROWN*

*RETIRED JUSTICE
NEW YORK STATE
SUPREME COURT

Sharie T. Walerstein
Paralegal

May 13, 2016

Susan Barden, Planner
City of Saratoga Springs
474 Broadway
Saratoga Springs, New York 12866

VIA: Hand Delivered and Email
RE: 223 Lake Avenue, City of Saratoga Springs, New York

Dear Susan,

Thank you very much for your insight and patience with regard to this Zoning Application. I enclose to you a hard copy of the two new elevations of the property and the revision to the written section of the Area Variance Application (Pages 6 and 7). I would ask you to insert those pages into the original Application. We have also forwarded this information to you via email for distribution as you deem appropriate.

If any further information is needed, please do not hesitate to contact me.

Very truly yours,

Michael J. Toohey

MJT/cb

Enclosures

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

Dimensional Requirements	From	To
Front yard setback	10 ft	.35 ft
Principal Building Coverage	30%	32%

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 necessity for a handicap ramp is a relatively new requirement. There is only one practical way for the length of the ramp to be extended to allow access to into the public space of the business. A ramp on the east side of the property would interfere with parking and at its turn, would still intrude on the front yard setback. This would also require a handicapped person to make two turns on the ramp to get into the building. The Principal Building as it presently exists is code compliant. It is only when you add the mandatory handicap ramp to the building that the percentage exceeds the permitted percentage.

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 use and function of the building is not being effected by the ramp, as a result, there will be no functional change to the use of the property other than the positive change allowing handicap persons, or those for whom steps are a challenge, better access to the business. No one would recognize that approximately 180 sq ft more is covered by the expanded Principal Building, but they will recognize the positive change, that making the building handicap accessible, will have on the patrons.

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

The placement of the structure on the Property in relative close proximity to Lake Avenue pre-exists the Zoning Code. The introduction of the ramp is not only a code requirement, but is also societally beneficial. The ramp, while close to the property line, still leaves the sidewalk and greenstrip between it and the paved portion of Lake Avenue. As a result, the impact of the placement of the ramp will not be substantial. The addition of 180 sq ft of coverage on this parcel for this purpose is not 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:

The non-conforming use of the site has been established over time and by the granting of variances. The introduction of a ramp for the handicapped, injured or elderly will have a POSITIVE physical and environmental impact on the neighborhood not an ADVERSE one. The limited additional lot coverage caused by the construction of the ramp will not have an adverse effect.

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 requirement for the ramp was not self created by the Applicant, it is a statutory requirement imposed on the property for communal good.

1
A-206

RAMP ELEVATION

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

SITEWORKS
ASSOCIATES, LLC
DRAFTING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801
[redacted]

Stewart Remodel
Owner: Rodney Stewart

223 Lake Ave.
Saratoga Springs, NY 12801

DRAWING TITLE: SOUTH ELEV. AT RAMP

PROJECT NO:

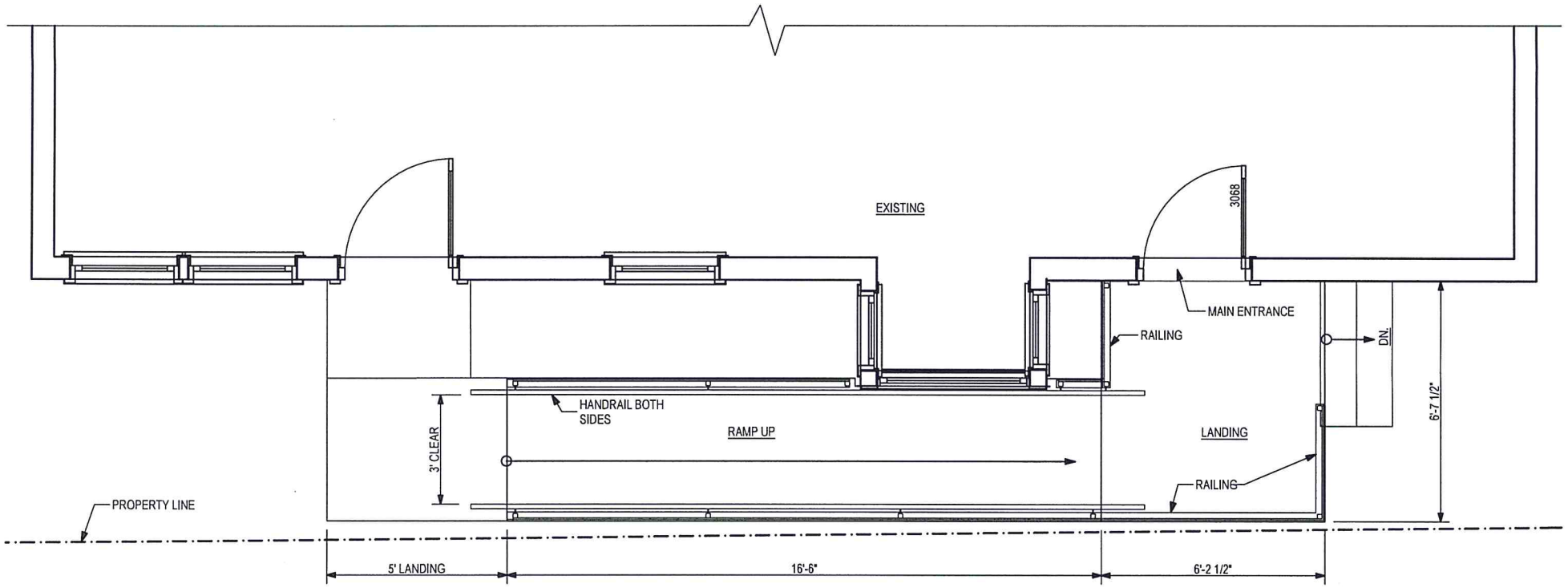
DRAWN BY: MS

CHK'D BY: MS

REVISIONS:		
0	5/12/16	ISSUED FOR ZBA APPROVAL
MARK	DATE	DESCRIPTION

DRAWING NO.

A-206



1 / A-206

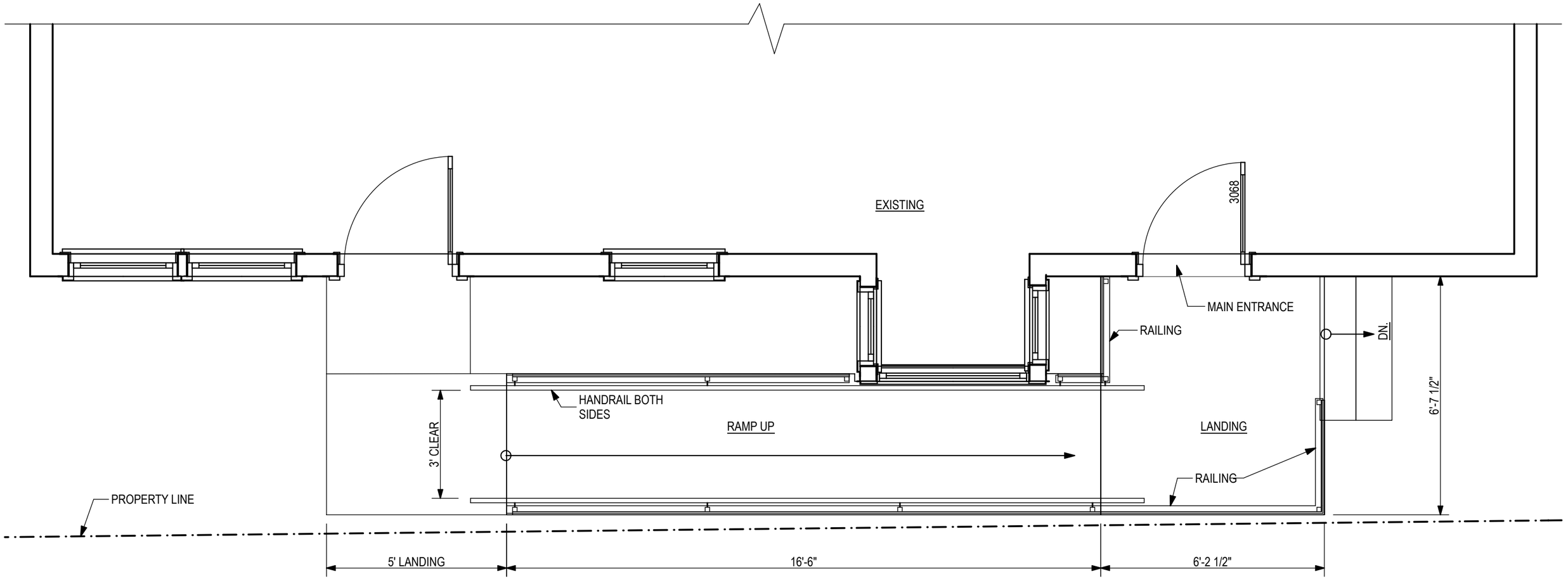
1 / A-105 **RAMP PLAN**

SCALE: 3/8" = 1'-0"

SITEWORKS ASSOCIATES, LLC DRAFTING & DESIGN SERVICES 45 LEXINGTON AVE. GLENS FALLS, NY 12801 [redacted]	Stewart Remodel Owner: Rodney Stewart 223 Lake Ave. Saratoga Springs, NY 12801	DRAWING TITLE: RAMP PLAN PROJECT NO: DRAWN BY: MS CHK'D BY: MS

REVISIONS:		
0	5/12/16	ISSUED FOR ZBA APPROVAL
MARK	DATE	DESCRIPTION

DRAWING NO. A-105



1
A-206

1
A-105

RAMP PLAN

SCALE: 3/8" = 1'-0"

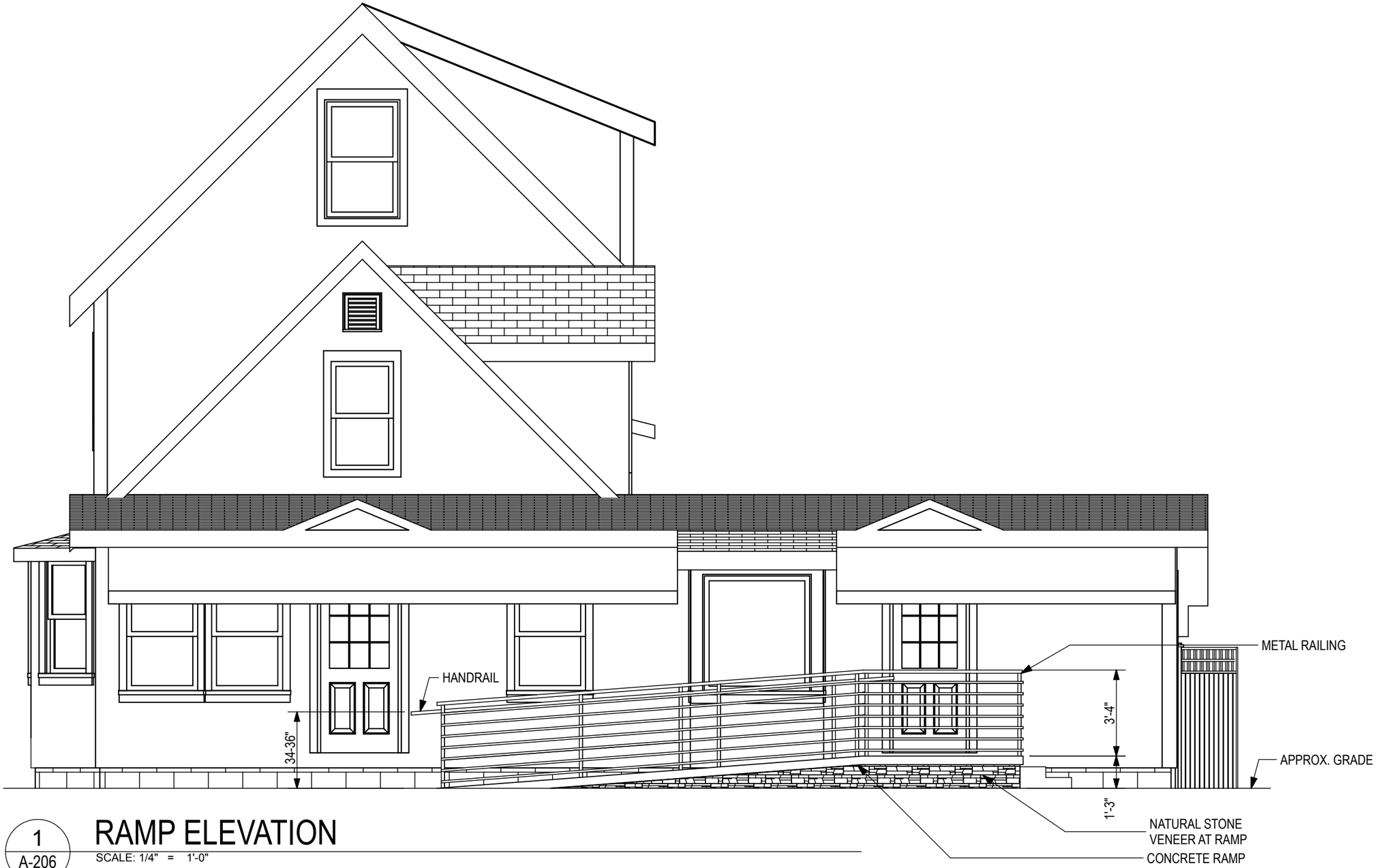
SITEWORKS ASSOCIATES, LLC DRAFTING & DESIGN SERVICES 45 LEXINGTON AVE. GLENS FALLS. NY 12801 [redacted]	Stewart Remodel Owner: Rodney Stewart 223 Lake Ave. Saratoga Springs, NY 12801	DRAWING TITLE: RAMP PLAN PROJECT NO: DRAWN BY: MS CHK'D BY: MS

REVISIONS:

MARK	DATE	DESCRIPTION
0	5/12/16	ISSUED FOR ZBA APPROVAL

DRAWING NO.

A-105



1
A-206

RAMP ELEVATION

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

SITEWORKS
ASSOCIATES, LLC
DRAFTING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801
[redacted]

Stewart Remodel
Owner: Rodney Stewart

223 Lake Ave.
Saratoga Springs, NY 12801

DRAWING TITLE:
SOUTH ELEV. AT RAMP

PROJECT NO:
DRAWN BY: MS
CHK'D BY: MS

REVISIONS:

MARK	DATE	DESCRIPTION
0	5/12/16	*ISSUED FOR ZBA APPROVAL*

DRAWING NO.
A-206

Zoning Requirements for Zoning District UR-3

				MAX. BLDG COVERAGE PERCENTAGE		EXISTING BLDG. COVERAGE PERCENTAGE		SETBACK REQUIREMENTS							
MIN. LOT SIZE	EXIST. LOT SIZE	MIN. AVG. WIDTH	EXIST. AVG. WIDTH	PRINCIPAL BLDG.	ACCESS. BLDG.	PRINCIPAL BLDG.	ACCESS. BLDG.	MIN.FRONT	EXIST. FRONT	MIN. REAR	EXIST. REAR	MIN. EA. SIDE	EXIST. SIDES	MIN.TOTAL SIDE	EX. TOTAL SIDE
8,000 SF (2 UNITS)	9,008 SF	80 FT. (2 UNITS)	70 FT. (2 UNITS)	30% (2,702 SF)	10% (901 SF)	32% (2,856 SF)	8% (732 SF)	10'	.35'	25'	7.4'	4'	9' &16.2'	12'	25.2'

MIN. % TO REMAIN PERMEABLE	% PERMEABLE
25% (2,252 SF)	39% (3,531 SF)

PARKING SPACE CALCULATIONS:		
CODE REQUIREMENT	REQUIRED # OF SPACES	NOTES
QTY. OF EMPLOYESS AT PROPOSED CONVENIENCE RETAIL SALES LOCATION (1 SPACE PER 200 SF. OF SALES FLOOR AREA)	4 REQ'D	
1 SPACE PER 2 EMPLOYEES	2 REQ'D	
2 SPACES PER APT.	4 REQ'D	(2 IN GARAGE, 2 IN PARKING AREA)
Total Required	8 TOTAL	(does not include garage parking)
Total Provided	10 TOTAL	

1 SUP-1 Parking Plan-223 Lake Ave.

SCALE: 1" = 10'

SUP-1

ISSUED 5/12/16 REV. 0

STEWORKS ASSOCIATES, LLC
DRAWING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801
[redacted]

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	223 Lake Avenue, LLC	223 Lake Avenue, LLC	Michael J. Toohey, Esq.
Address	162 Woodlawn Avenue Saratoga Springs, NY 12866	162 Woodlawn Avenue Saratoga Springs, NY 12866	P. O. Box 4367, 160 West Avenue Saratoga Springs, NY 12866
Phone	[redacted]	[redacted]	[redacted]
Email	[redacted]	[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: 223 Lake Avenue Tax Parcel No.: 166 . 46 - 2 - 59
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 1/9/2015 3. Zoning District when purchased: UR-3

4. Present use of property: Deli/Pizza shop with commercial kitchen 5. Current Zoning District: UR-3

6. Has a previous ZBA application/appeal been filed for this property?
☑ Yes (when? 7/20/88 For what? Use Variance /Commercial Kitchen/Deli
☐ No 12/22/00 Use Variance (Sign)
12/22/00 Area Variance (Cooler)

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 install a handicap ramp to the front (South) entrance to the business.
See Narrative Attachment "A".

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.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☑ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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".

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 as needed):

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

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

Date	Improvement	Cost

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 ☐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 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) Table 3: Area and Bulk Schedule

Dimensional Requirements	From	To
Front yard setback	10 ft	.35 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:

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 necessity for a handicap ramp is a relatively new requirement. There is only one practical way for the length of the ramp to be extended to allow access to into the public space of the business. A ramp on the east side of the property would interfere with parking and at its turn, would still intrude on the front yard setback. This would also require a handicapped person to make two turns on the ramp to get into the building.

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 use and function of the building is not being effected by the ramp, as a result, there will be no functional change to the use of the property other than the positive change allowing handicap persons, or those for whom steps are a challenge, better access to the business.

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

The placement of the structure on the Property in relative close proximity to Lake Avenue pre-exists the Zoning Code. The introduction of the ramp is not only a code requirement, but is also societally beneficial. The ramp, while close to the property line, still leaves the sidewalk and greenstrip between it and the paved portion of Lake Avenue. As a result, the impact of the placement of the ramp will not be 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:

The non-conforming use of the site has been established over time and by the granting of variances. The introduction of a ramp for the handicapped, injured or elderly will have a POSITIVE physical and environmental impact on the neighborhood not an ADVERSE one.

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 requirement for the ramp was not self created by the Applicant, it is a statutory requirement imposed on the property for communal good.

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.

223 Lake Avenue, LLC

_____ 4/ 26 /2016
(applicant signature) Date:_____

_____ Date:_____
(applicant signature)

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

223 Lake Avenue, LLC

Owner Signature: _____ 4/ 26 /2016 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

Name of Action or Project:
Construction handicap ramp - 223 Lake Avenue

Project Location (describe, and attach a location map):
223 Lake Avenue, Saratoga Springs, New York 12866

Brief Description of Proposed Action:
To construct a handicap ramp to the front entrance of the business at 223 Lake Avenue, Saratoga Springs, New York

Name of Applicant or Sponsor:	Telephone: [redacted]
223 Lake Avenue, LLC	E-Mail: [redacted]

Address:
162 Woodlawn Avenue

City/PO:	State:	Zip Code:
Saratoga Springs	NY	12866

	NO	YES
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.	☑	☐
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:	☑	☐

3.a. Total acreage of the site of the proposed action? 9100 ~~acres~~ sq ft
b. Total acreage to be physically disturbed? 96 ~~acres~~ xxxx sq ft
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 9100 ~~acres~~ sq ft

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Recreational
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐	
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?	☐	☑	
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: _____	☑	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☑	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☑	☐	
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?	☑	☐	
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: _____	☑	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☑ NO ☐ YES	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☑ NO ☐ YES		

	NO	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: _____	☑	☐
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: _____	☑	☐
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: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: 223 Lake Avenue, LLC Date: 4/ 26 /2016

Signature: _____

PRINT FORM

Attachment A

Narrative

The building located at 223 Lake Avenue has had a history of a mixed-residential use and commercial use prior to the modern zoning code being introduced to the City of Saratoga Springs. Attached as Exhibit "A" is a page from the 1960 Saratoga Springs Directory showing this property as the residence of William J. Davis and the William J. Davis Grocery Store. This mixed use utilization of this structure was augmented by the granting of a Use Variance on July 20, 1988, allowing the building to be used as a commercial kitchen and deli.

The position of the front of the building, facing Lake Avenue, is as it was historically. Attached is a copy of the 1954 Sandborn Map, the original of which is located in the "Saratoga Room" of the City of Saratoga Springs Public Library. See attached Exhibit "B". The relative position of the building in relation to Lake Avenue is the same was it was in 1954.

The Project site is located within the Urban Residential 3 Zone (UR-3) and the Owner intends to make an Application to the City of Saratoga Springs Planning Board to use the property as a Commercial Sales location, which is a use that is permitted in this Zone upon the granting of a Special Use Permit and Site Plan Approval.

The sole reason for this Application is to allow for the construction of a handicap ramp to the only public entrance to this building.

THE SARATOGIAN
Saratoga County's Daily Newspaper Since 1854

KAYDEROSS AVENUE
From Arrowhead Inn across bridge southerly to Nelson av. K-13
(Covered by RD1)

KINGFORD STREET
L-8

LAFAYETTE STREET
From 48 Henry east to 109 Circular. J-6

Left
11 Mrs Sophia S Covkin △494J ◎
15 Vacant
15 Vacant
19 Hyman Sherman
19-19½ Mrs Jennie Sherman, rooms △414J ◎
25 Vacant
25 A J Farone Inc, garage △3901
Right
12 A F & A D Burdick, plmbrs △1626
14 Mrs Tessie Gross
18 Mrs Lilly Zeller, rooms
18 Mrs Lilly Zeller
20 Fred H Kenyon △414W ◎
20 Vacant
24 Mrs Gussie Fahrer △494W ◎
26 Esther M Wasserman △411M ◎
30 John Wilhelm △3739 ◎

LAKE AVENUE
From 474 Broadway at City Hall byd Henning rd. K-4

Left
Lower City Hall
1 Public Toilets
5 Comm Public Works
5 Entrance to City Hall
5 Comm of Finance △144
5 Receiver of Taxes △144
7-9 Police Headquarters △1800
— **Maple av crosses**
21-27 Lake Av Esso Ser Center △4491
— **High Rock av begins**
31-35 Roy's Esso Ser Center △3642
37 Paul D Ferrara
37 Mrs Elizabeth Billstrom △4685M
37 Mrs Myrtle Gay △2766
37 Jerry's Rstr △2607
37 Fred J Green
41-43 Bob's Sinclair Sta
— **Henry crosses**
59 R W Walton & Son, ser sta and sporting goods △1518
61-65 State Armory △128
67 Saratoga Rug & Furn Clnrs △2600
67 Alvin Atwell △2600
67 Jean McDowell
67 Edward L Atwell △1334
69 James H Loucks △655R
75 William R Ernst ◎
79 Samuel Sherman (1) △4181 ◎
79 Mrs Mary Rowe △655J
79 Richard Peer
81 Schache Apts
Jerry Fisher (1) △5042
Margaret H Mades (2) △895M
Arnold A Glassman, dentist △294
Joseph H Mintzer, phys (4) △426
Ruth E Wells (5) △1654R
Marion F Dillenbeck (6) △261
Mrs Evelyn Krautheimer (7) △4012
William H Lyons (8)
81 William Schacht △885R
81 William W White △1881
81 Edwin M Rogers, Jr △1654M
— **Circular crosses**
105 Kark & Tunison Funeral Home △277
105 Mahlon C Tunison, Jr △277
107 Roy O Swanner △68 ◎
107 Marie-Helen Pauly △5240
107 Mrs Grace M Swanner, phys △68
109 Margaret C Walbridge △3049R ◎
121 John K Reeves △1126 ◎
— **E Harrison begins**
125 Dudley G Lester △40 ◎
131 Vacant
135 Vincent R Kelleher △850
135 Vincent R Kelleher, phys △850
137 Edwin S Cope
137 Mrs Gertrude McKenna △2533 ◎
137 M J Fields △3496J
141 Mrs Myrtle Duprey △4229
141 Santo J Flavia △282
141 Minnie Clark △3545 ◎
141 Mrs Louise George △3234M
149 St Paul's Evangelical Luth Ch △3427M
— **Nelson av crosses**
157 Lynch & Lynch, lwyrs and real est △3456—3457
157 Ashton Companies Inc △3130
157 Saratoga County Democratic Committee
157 Ashton Ready Mix △3130
159 S Algot Anderson △3527R
159 Valentine Lundgren △4027
161 Waldo W Adams
161 Vacant
163 Mrs Rose Maloney
163 John E Burns △1223R
163 Mrs Helen Hays △1774 ◎
163 Thomas Veitch △5327
165 Garrett S Smith
165 Vincent J Angelo △732 ◎
165½ James J McDonald △1387
167½ Albert F Leu △3935J
167 J Raymond Amyot △3045
169 Mrs Bertha M Bradshaw △1550W ◎
171 Ralph Bloomingdale △2788
171 Guy Perry △1571
— **Warren begins**
173 Peppers Lake Ave Mkt, meats, provision △124 ◎
175 John S Parazynski △124
175 Harry B Wheeler △4270J
177 John J Hickey △478 ◎
179 Raymond Hill △1848
179 John C Reed △5289W
181 John J Hays △3527R ◎
183 Harry A White △5289J
183 Randall C McClure △5214
185 John J Mahoney, Jr △756
185 Arthur W Mendell △5061 ◎
187 Emma Ryan △5335 ◎
189 Anthony J Fusco △2655 ◎
191 Agnes H Hennessey △2244 ◎
193 Millard R Hanna △4583
193 William C Lucas △1639W
195 William R Bozony △3527J ◎
197 Richard M Kenyon △4209J
199 Mrs Margaret D Darling △3527W
201 Elihu Solomon △4663 ◎
203 Roger A Kiley, Jr △3621 ◎
— **East av crosses**
207 A Walter Ward △192 ◎
209 Mrs Mildred Dyer △231 ◎
— **Pinewood av begins**
211 Anthony F DeSessa △738 ◎
213 Robert A Remington △1513 ◎
215 Mrs Genevieve M Callahan △1352 ◎
217 Roblee W Towne △1040W ◎
219 C Donald Fowler △656 ◎
221 James B Dorsey △615 ◎
221 James B Dorsey, phys △615
223 William J Davis
223 William J Davis, gro △3115
— **Forest av begins**
225 John Fedush △4354R ◎
227 Mrs Mary A Millard △1562 ◎
— **Ritchie pl begins**
229 Daniel P Roohan △4633 ◎
231 Sisters of Notre Dame △1802
231 St Clement's Roman Catholic Ch
231 Very Rev James Patrick Clune
231 St Clement's Parochial Sch
231 St Clement's Infirmary and Rest Home
231 St Clement's College Mission House of the Redemptorist Fathers △340
231 Edward B Marcil △5489
— **Excelsior Springs av begins**
— **Springwood dr begins**
289 Vacant
289 Frank L Buffardi △2039 ◎
— **Elizabeth la begins**
— **Patricia la begins**
— **Crommelin dr begins**
— **Eureka av begins**
Robert A Richard △3905J
Right
6 Salvatore Como (1) △3422M
6 Dorothy M Hosford (2)
6 Mrs M Margaret Gordon (3) △2077
6 Mrs Florence Cobb (4) △3160
6 Mark Hickey (5)
6 James A Lawlor △4689J
12 P H Sigel Furn Store △1059
14 Frank Viscusi △2063W
14 Cook's Luncheonette △4190 ◎
16 Carl L McMahon, lwyr △360
16 Theodore A Knapp, lwyr △360
16 John L McMahon, lwyr △360
16 Edward J McMahon, lwyr △360
18 Salvation Army △2726
18 Winifred T Howell △2726
— **Maple av crosses**
20 The Saratogian, newspaper △2580
26 Ideal Household Supplies △2845
26 Vacant
26 Vacant
26 Vacant
26 Vacant
28 Vacant
28 Vacant
28 Vacant
28 Vacant
— **Pavilion pl ends**
30-38 Ray Clark's Flying A Ser △1615
40 Rocco's Rstr △2084
— **Henry crosses**
44-46 Cal's Garage △1812
48 Vacant
48 John W Bryant
50 Vacant
50 Roberts TV & Radio Ser △3782
60 Central Fire Sta △594—595
— **Hodgeman ends**
79 George J Lambert △4015J ◎
80 John A Esposito, phys △1007
— **Circular crosses**
90 William Cohn
90 Robert N McKelvey △790 ◎
90 Mrs Marion M Butler △1045
94
94
96
96

CONGRESS GAS & OIL CO. INC. Oil Burners Sales and Service
MARION AVE. off EXCELSIOR AVE. Phone 3700 SARATOGA SPRINGS, N. Y.

(continued)
100 Vacant
100 Mrs Emily Loop △654
— **Regent ends**
124-128 Saratoga Springs High Sch △1875
124-128 Supt of Sch △3232
124-128 Office Medical Inspector and Sch Nurse △3578
124-128 Board of Education, office △1875
124-128 High Sch Library
— **Marion pl ends**
142 Knights of Columbus Home △246
148 Mrs Hilma A Howe △1825
154 Ida M Page △2619
154 Ida's Beauty Salon △2619
154 Mary Hayward △2268
154 East Side Pharmacy △2349
154 Kaye's Pharmacy △2399
154 Northrup's Delicatessen △2405
— **Nelson av crosses**
158 Charles J Abdalla △5071 ◎
160 Paul M Kahn △5151 ◎
162 Avard S Dake △3332 ◎
166 Garry M Barnes △1550J ◎
170 George A Roulston △3132W
170 David S Nicol
170 Ronald G Freehling
170 Joseph J Cariozzi
170 John Bammann △4984
170 Charles S Casna
— **Ludlow ends**
172 Mrs Cora Caperonis △5067R
172 Mrs Ethel G Ayen △2032
176 Maurice D Ewing, dentist △2209
176 John E Reardon △5145
178 John M Lake △5440 ◎
178 Lakes TV Sales and Ser
180 Louise E Hladky △1053 ◎
182 James L Reynolds △5410
182 Daniel Balmuth △5263
182 Louis F Farone △2118
184 Charles F Alden, chiropractor △2586 ◎
184 Charles F Alden △2586 ◎
184 Lawrence Ruffo
184½ Vacant
184½ Vacant
186 Thomas F Walsh △1581 ◎
188 Charles A Wilbur △3055 ◎
188 Paul E Mansfield
190 Eugene P Lynch △2558 ◎
194 Percy W Dake △1065 ◎
196 Albert J Smith △2382 ◎
198 Victor J Hazard, Jr △1201 ◎
— **East av crosses**
200 Julius Zucker △3109 ◎
202 Paul J Bailey △4209R ◎
204 Paul Pyryemybida △3913 ◎
204 Joseph F McNally △3527M
206 C H Morrison & Son, pntrs △2383
206 Mrs Dora Morrison △1030 ◎
206½ Mrs Mary A Armstrong △4354 ◎
208 George Goldstein △2553
208 rear Harold A Morrison △2383
210 Roy J Snyder ◎
212 MacFinn Drugs Co △539
— **Granger av begins**
Saratoga Springs Athletic Field and Recreation Pk
— **Schuyler dr begins**
256 Summer residence
— **Benton dr begins**
260 Kenneth L Savard △559 ◎
262 William P Thorne △5363 ◎
292 Theodore C Schellehn △5470 ◎
294 William J Fitzpatrick △5150 ◎
— **Foxhall dr begins**
298 John Galcik △1925 ◎
Maurice J Severino △2250 ◎
— **Wagner rd begins**
Mrs Mina C Bennett △2663 ◎
— **Henning rd begins**
William T Henning △3027 ◎
James D McBride △4084 ◎
Joseph E Roman △4838 ◎
Francis J Cunningham △3961 ◎
Vacant
Ferris W Livingston △1925R
Donald F Clark △1925R ◎
James E Richmond △4675 ◎
Ernestine Henning △2196 M
John A Perry △2196J
Walter H Float △2196R ◎

LAKE ROAD
Union av out limits west side Saratoga Lake covered by RD1 ◎ N-6

LAKESIDE ROAD
Easterly from Loughberry rd to Gick rd. L-3

Right
Marvin J Van DeMark △4093
Left
Nils Nilson △1377

LATHROP AVENUE
From Clinton southwesterly. H-3
No houses

LAWRENCE STREET
From 79 Church north to Clement av. I-5

Right
— **Railroad av crosses**
62 Consolidated Home Ser
62 Storkland Diaper Ser
— **Walton ends**
— **Van Dam crosses**
— **Pine alley crosses**
98 Evan R Williams △1283W ◎
102 John R Murray △3099M
— **Waterbury crosses**
106 James P Coleman △708R
108 John W Adams △2865M
Left
61-63 Freeman & Shea Co, plumbing, heating and ventilating △121
— **Railroad alley crosses**
65 Mrs Mary Main
65 Chester J Allen △2014
65 Chester J Allen, plumbing △2014
65 Vacant
67 James H White, Jr
67 Mrs Freda M Morehouse
67 Vacant
67 Mrs Ruby Camerro
69 John M Gritt △2094J
69 Gritt's Washer Ser △2094J
69 Sidney Taylor △3710
73 Charles V Sess
73 Mrs Mary Powers △1791J
75 Joseph Patterson
75 Robert J Schallenn △2081M
79 Mrs Bessie M Clark △1114M ◎
81 Melburn W MacDonald △3887
— **Van Dam crosses**
— **Pine alley crosses**
97 George P Waring △1767J ◎
99 Delbert A Curtis
101 Maurice M Mulholland
— **Waterbury crosses**
107 Thomas H Salmon △5244 ◎
115 Remick G Thompson △1452

LEFFERTS STREET
From 137 East av to Forest av. J-3

Left
15 Henry C Foote △2661 ◎
— **Pinewood av crosses**
23 Irving Goldsmith △3998
25 Walter I Dillabaugh △1716 ◎
27 Mrs Margaret Allerdice △1310 ◎
29 John L Davison △3582 ◎
Right
16 Melvin I Weiskopf △3412
— **Pinewood av crosses**
28 Roy R Mellen △3670

LENOX AVENUE
From Parkview ter east to Crescent. J-9

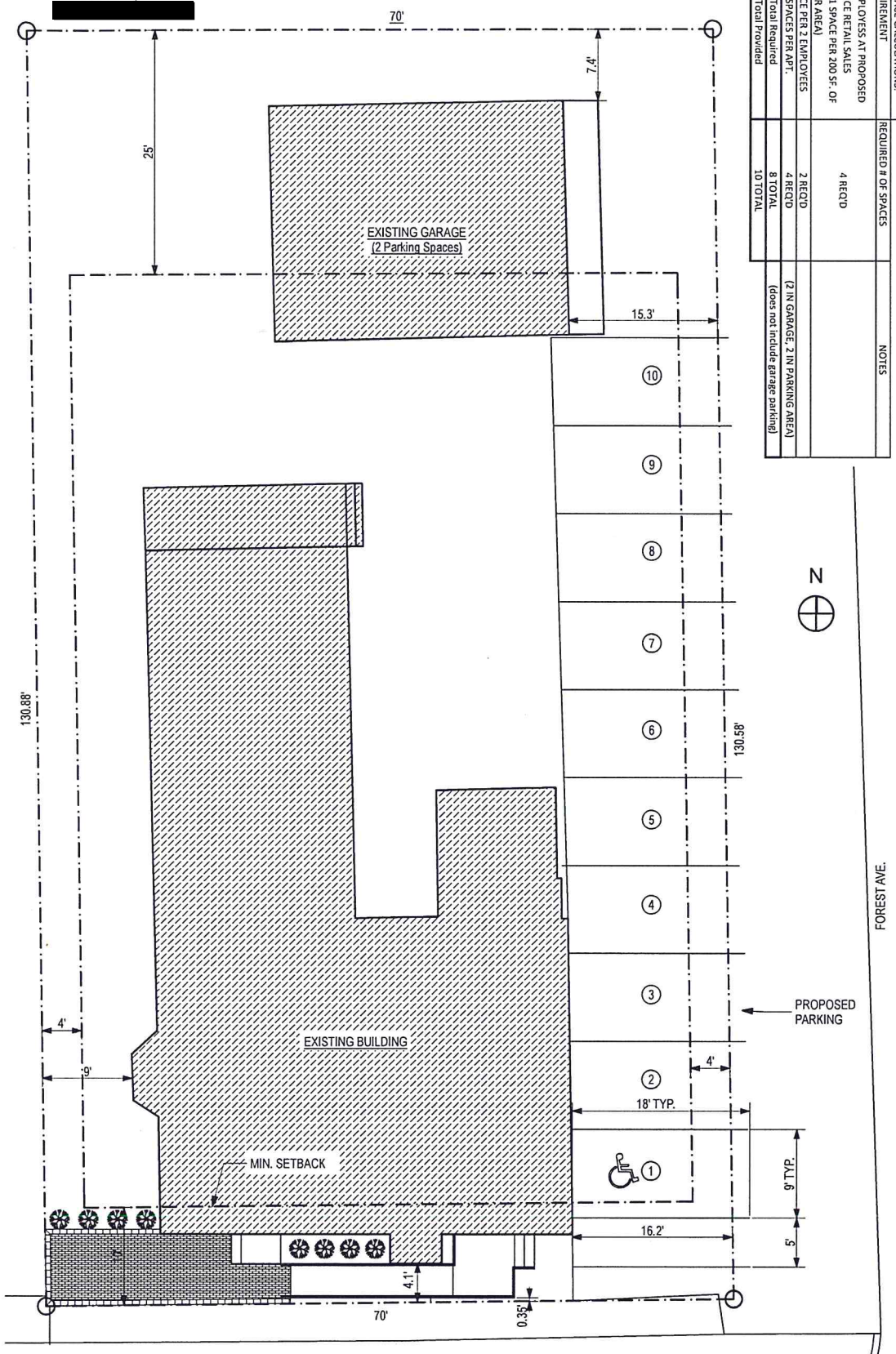
LEVINGSTON STREET
H-8

LINCOLN AVENUE
From opp 97 Ballston av east to High and Saratoga Racing Association Pk. J-7

Left
— **Union crosses**
Old Indian Encampment
23 Anthony J Arpei △3217 ◎
— **Hamilton crosses**
25 Mrs Helen Erb ◎
25 Leonard E White △5445
27 Joseph A Engerstrom
27 Gladys E Porter △3522
— **Broadway crosses**
41 Morris A Sannenberg ◎
41 Morris A Sannenberg, tourist home
— **Whitney pl begins**
47-49 Mallery & LaBrake, monuments △2942
51 James T Quinn, Jr △4291J
51 William O Hug
51 Vacant
51 Frank R Quinn
51 Vacant
53 George H Ross
57 William H Sutton
— **Regent begins**
65 Vacant
71 Jay Hanna △163
— **South East begins**
75 Lawrence J Mahar
77 Vacant
79 Sarah E Rougier △3171R ◎
81 Robert L Quinn △321
83 Mrs Christine Schrade △3506J ◎
85 Samuel H George △4282
87 Louis V Stevens △1418W ◎
89 Charles Adinolfi △2884 W
89 Gene A Phillips △1221M
93 Dixon's Five Point Mkt
93 Charles H Dixon
— **Park pl ends**
— **Clark begins**
107 Vacant
109 Vacant
109 rear Vacant
111 Leon W Eychnaur △4543J ◎
111 Vacant
113 Sherrill G Cudney △1691J ◎
115 Duncan M Ritchie △1763R ◎
— **Stratton begins**
117 Joseph F Steigerwald
121 Mrs Margaret L Downs △976R
121 Frederick J Johns △1710J
123 Simon Caplan △2636 ◎
125 Ferris E Hapeman ◎
127 Charles W Maddock △1221W
127 Andrew Denko
127 Carol J Wright △2687J
129 Thomas F Berrigan, 3rd △3980

EXHIBIT A

SITEWORKS
ASSOCIATES, LLC
DRAFTING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801
[redacted]



1 SUP-1 **Parking Plan-223 Lake Ave.**
SCALE: 1" = 10'

PARKING SPACE CALCULATIONS:		
CODE REQUIREMENT	REQUIRED # OF SPACES	NOTES
QTY. OF EMPLOYEES AT PROPOSED CONVENIENCE RETAIL SALES LOCATION (1 SPACE PER 200 SF. OF SALES FLOOR AREA)	4 REQ'D	(2 IN GARAGE, 2 IN PARKING AREA)
1 SPACE PER 2 EMPLOYEES	2 REQ'D	
2 SPACES PER APT.	4 REQ'D	
Total Required	8 TOTAL	
Total Provided	10 TOTAL	(does not include garage parking)

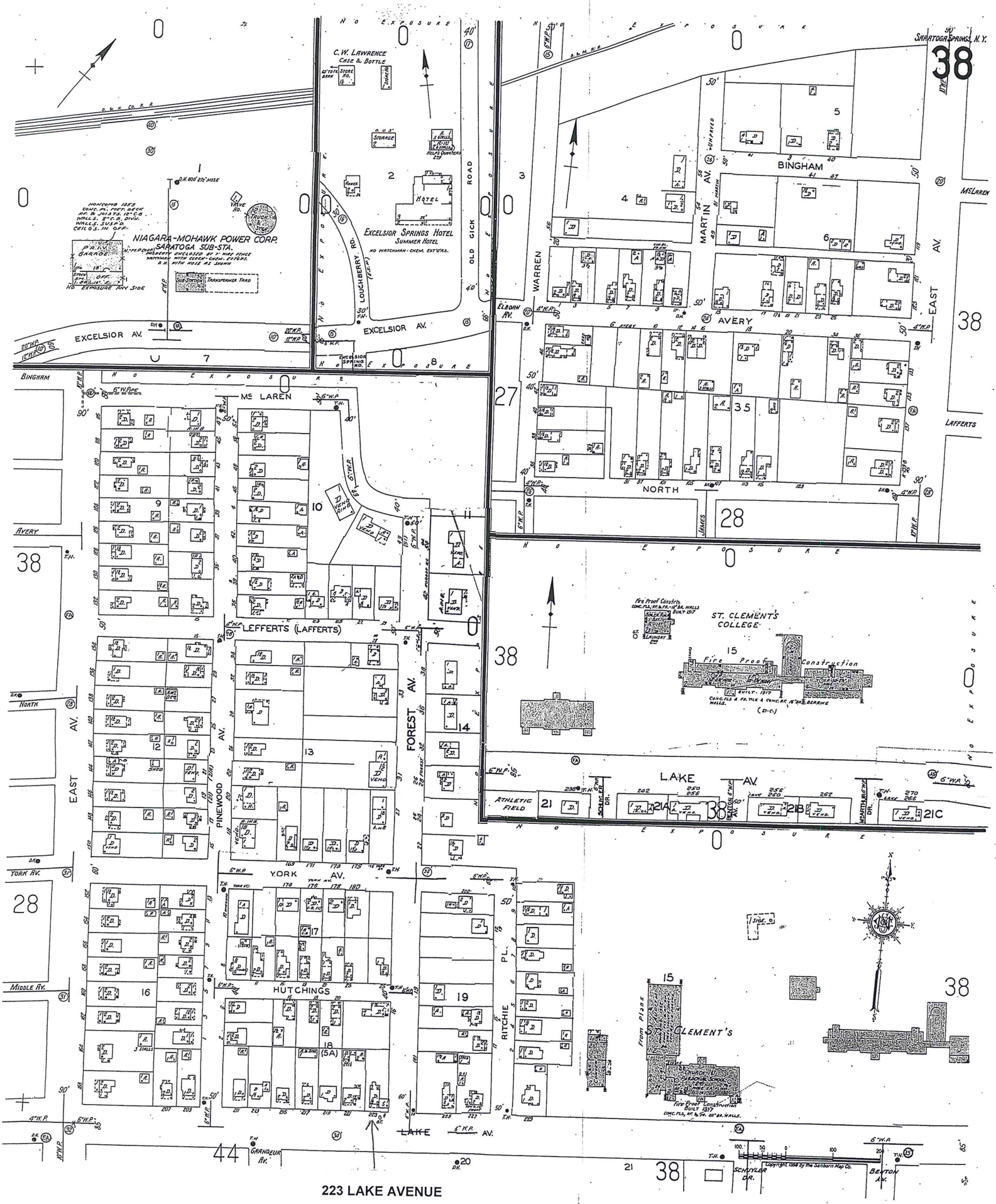
MIN. % TO REMAIN PERMEABLE	% PERMEABLE
25% (2,252 SF)	39% (3,497 SF)

Zoning Requirements for Zoning District UR-3

	MIN. LOT SIZE	EXIST. LOT SIZE	MIN. AVG. WIDTH	EXIST. AVG. WIDTH	MAX. BLDG COVERAGE PERCENTAGE		EXISTING BLDG. COVERAGE PERCENTAGE		SETBACK REQUIREMENTS						
					PRINCIPAL BLDG.	ACCESS. BLDG.	PRINCIPAL BLDG.	ACCESS. BLDG.	MIN. FRONT	EXIST. FRONT	MIN. REAR	EXIST. REAR	MIN. EA. SIDE	EXIST. SIDES	MIN. TOTAL SIDE	EX. TOTAL SIDE
	8,000 SF (2 UNITS)	9,008 SF	80 FT. (2 UNITS)	70 FT. (2 UNITS)	30% (2,702 SF)	10% (901 SF)	27% (2,448 SF)	8% (715 SF)	10'	35'	25'	7.4'	4'	9' &16.2'	12'	25.2'

SUP-1

ISSUED 4/18/16 REV. 0



223 LAKE AVENUE

EXHIBIT B

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)*	Applicant's ATTORNEY/AGENT
Name	Samuel Brewton, Gerald & Debra Mattison, Sandra Cohen	ANW Holdings, LLC (contract vendee)	Jonathon B. Tingley, Esq. Tuczinski, Cavalier & Gilchrist, PC
Address	[redacted]	563 North Broadway	54 State Street, Suite 803
	[redacted]	Saratoga Springs, New York 12866	Albany, New York 12207
Phone	[redacted]	[redacted] /	463-3990 /
Email	[redacted]	unknown	[redacted]

~~*An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.~~
Applicants are persons aggrieved by the February 22, 2016 Determination of the Zoning and Building Inspector concerning the Downton Walk Project.

Applicant's interest in the premises: ~~☒ Owner~~ ~~☒ Lessee~~ ~~☐ Under option to lease or purchase~~
[x] Persons Aggrieved

PROPERTY INFORMATION

1. Property Address/Location: 27 Jumel Place Tax Parcel No.: 166.13 - 1 - 50.2
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: Contract Vendee 3. Zoning District when purchased: UR-3

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

6. Has a previous ZBA application/appeal been filed for this property?
☒ Yes (when? February 22, 2016 (approx) For what? Area Variances)
☐ 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: Project Developer ANW Holdings, Inc. seeks to construct seven-unit condominium project. This Application appeals from the February 22, 2016 Determination of the Zoning and Building Inspector, which determined that no use variance was required.

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

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.

☒ Interpretation	$ 400
☐ Use variance	$1,000
☐ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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) Article 2, Table 1, Section 2.2, Table 2

2. How do you request that this section be interpreted? The UR-3 zoning district does not permit multi-family residential use. The Downton Walk seven-unit condominium project is a multi-family residential use proposed for property located in the UR-3 zoning district. A use variance is required. See attached Letter Memorandum and Exhibits.

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".

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 as needed):

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

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

Date	Improvement	Cost

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 ☐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 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 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.

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 persons aggreived by the February 22, 2016 Determination concerning 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.~~

S/ Samuel Brewton
(applicant signature) Date: 3/18/2016

(applicant signature) Date:

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

Owner Signature: Not Applicable - Applicants Are Persons Aggrieved by February 22, 2016 Determination of Zoning and Building Inspector Date:

Owner Signature: Date:

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

the persons aggreived by the February 22, 2016 Determination concerning
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.~~

S/ Debra Mattison
(applicant signature) Date: 3/18/16

(applicant signature) Date:

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

Owner Signature: Not Applicable - Applicants Are Persons Aggrieved by February 22, 2016 Determination of Zoning and Building Inspector Date:

Owner Signature: Date:

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 persons aggrieved by the February 22, 2016 Determination concerning ~~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.~~

S/ Sandra Cohen
(applicant signature) Date: 3/18/2016

(applicant signature) Date:

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

Owner Signature: Not Applicable - Applicants Are Persons Aggrieved by February 22, 2016 Determination of Zoning and Building Inspector Date:

Owner Signature: Date:

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

*****See Exhibit A for Zoning and Building Inspector Determination*****

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

*****See Exhibit A for Zoning and Building Inspector Determination*****

Revised 12/2015

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

ATTORNEYS AT LAW

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T: (518) 463-3990
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March 18, 2016

VIA HAND DELIVERY

Zoning Board of Appeals
City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, New York 12866

Re: Interpretation Request
Appeal from Zoning and Building Inspector Determination, February 22, 2016
Tax Parcel No. 166.13-1-50.2
Project: ANW Holdings, LLC, 27 Jumel Place

Dear Zoning Board of Appeals:

We represent Samuel Brewton, Gerald and Debra Mattison, and Sandra Cohen (hereinafter, "***Appellants***") in connection with the above-referenced matter.

Submitted herewith are the following exhibits:

Exhibit A February 22, 2016 Determination of the Zoning and Building Inspector

Exhibit B Project Application Materials for the Downton Walk Project, 27 Jumel Place, S/B/L 166.13-1-50.2

Exhibit C Relevant Excerpts of 2015 Comprehensive Plan

Exhibit D Tax Map Showing Proximity of Project Site to Appellants' Properties

The Appellants hereby appeal from the Zoning and Building Inspector Determination dated February 22, 2016 (the "***February 22, 2016 Determination***"), wherein the Zoning and Building Inspector determined that only area variances were required for the seven-unit condominium Downton Walk project (the "***Project***") proposed by ANW Holdings, LLC (the "***Developer***") for 27 Jumel Place (Tax Map Parcel No. 166.13-1-50.2) (the "***Project Site***"). See Exhibit A.

For the reasons that follow, the Project is not a permitted use in the Urban Residential-3 (UR-3) zoning district, and therefore, a use variance is required. The February 22, 2016 Determination finding that no use variance is required for the Project was erroneous and must be reversed.

1. Mr. Brewton, Mr. and Mrs. Mattison, and Ms. Cohen Have Standing to Prosecute this Appeal and To Seek the Interpretation Requested.

The Appellants each live at or own property located at [redacted] Lake Avenue are located adjacent to the Project Site. See Exhibit D. As such, Appellants are persons aggrieved by the February 22, 2016 Determination and have standing to appeal therefrom (Matter of Bonded Concrete, Inc. v. Zoning Bd. of Appeals, 268 AD2d 771, 772 [3d Dep't 2000]; Matter of Sun-Brite Car Wash v. Bd. of Zoning & Appeals, 69 NY2d 406, 413 [1987]).

2. This Appeal Seeking an Interpretation Stays All Proceedings in Furtherance of the February 22, 2016 Determination, Including any Decision on the Currently Pending Area Variance Application for the Downton Walk Project.

Please be advised that the filing of this appeal automatically stays all proceedings in furtherance of the February 22, 2016 Determination.

The City's Zoning Code purports to only stay "enforcement proceedings relating to any violation under appeal" (Zoning Ordinance, § 8.4.2 (C)). However, N.Y. General City Law § 81-a [6] stays "all proceedings in furtherance of the action appealed from". The City's Zoning Code does not purport to supersede state law in this regard, and even if it did, it would not be effective to render N.Y. General City Law § 81-a [6] inapplicable (see Kamhi v. Town of Yorktown, 74 NY2d 423, 434–35 [1989]; Cohen v. Bd. of Appeals, 100 NY2d 395 [2003]). Therefore, N.Y. General City Law § 81-a [6] applies to stay "all proceedings in furtherance of the [February 22, 2016 Determination]".

The currently pending area variance application before the Board is a proceeding "in furtherance of the [February 22, 2016 Determination]". The review and decision on the area variance application is therefore automatically stayed until this interpretation appeal is decided. No further proceedings may be taken or any decision rendered on the area variance application until this interpretation appeal has been decided.

3. The Proposed Use of the Lot is Prohibited in the UR-3 Zoning District and a Use Variance is Required.

The Project proposes a seven-unit condominium on a single lot in the UR-3 zoning district. See Exhibit B at 1, 9, 22, 23, 24.

The Zoning Code provides that the district intent of the UR-3 Zoning District is

> "[t]o conserve, maintain and encourage single family and two-family residential uses" (Zoning Ordinance, Article 2, Table 1).

Multi-family residential uses are not intended for the UR-3 zoning district, unlike other zoning districts, including the UR-4/4A zoning district, the intent of which is "[t]o accommodate a mix of single, two-family, and multi-family residential uses", and the UR-5 zoning district, the intent of which is "[t]o accommodate multi-family residential development at moderately high densities and to encourage a mix of housing types" (Zoning Ordinance, Article 2, Table 1 [emphasis added]).

The Zoning Ordinance thus draws a clear distinction between zoning districts intended to accommodate multi-family residential uses, and those intended to be limited to single family and two-family residential uses. The UR-3 zoning district is not intended for multi-family uses.

The term "use" is defined in the Zoning Ordinance as "[t]he specific use for which land or a building is designed, occupied or maintained" (Zoning Ordinance, Appendix A, at 18). A "use" is a "permitted use" where it is a "use which is or may be lawfully established in a particular district" (Zoning Ordinance, Appendix A, at 19). For the UR-3 zoning district, any use not specifically identified as "permitted" in the Table of Uses is a prohibited use (Zoning Ordinance, § 2.2(E)(1)).

For the UR-3 zoning district, the Table of Uses identifies single-family and two-family residential uses as permitted, but does not identify multi-family residential uses as permitted. The Table of Uses does provide that such multi-family uses are permitted in the UR-4/4-A, UR-5, and NCU-3 zoning districts.

Here, the specific "use" proposed by the Developer for the Project Site is a seven-family residential use. Although the Developer represents that each of the seven homes will be occupied by a single family, seven families will be using a single lot. Therefore, the Developer proposes a multi-family residential use as the "specific use for which the land . . . is designed, occupied or maintained" (Zoning Ordinance, Appendix A, at 18).

There will be seven dwelling units on the Project Site, which the Developer does not intend to subdivide into seven lots. The Developer intends to use the lot as a "condominium," which is defined as a "multi-family dwelling containing individually owned dwelling units, wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the development" (Zoning Ordinance, Appendix A, at 7). Multi-family residential uses (condominiums or otherwise) are not permitted in the UR-3 zoning district. In fact, condominiums are only permitted in the T-4, T-5, and T-6 zoning districts (Zoning Ordinance, § 2.2(E)(1); Article 2, Table 2).

Under the 2015 Comprehensive Plan, the Project Site falls within a portion of the Core Residential Neighborhood-1 and Residential Neighborhood-2 designations. With respect to such designations, the 2015 Comprehensive Plan states:

> "***Core Residential Neighborhood-1 (CRN-1), Core Residential Neighborhood-2 (CRN-2), and Core Residential Neighborhood-3 (CRN-3)***
>
> The Core Residential Neighborhood-1, -2, and -3 designations provide a transition from the Downtown Core and Complementary Core to the predominately residential neighborhood areas and represent the historic residential village. These areas are primarily residential in use, with single and two-family homes allowed in all three CRN designations, while multi-family uses are allowed only in the CRN-2 and CRN-3 areas. . . .
>
> . . . .
>
> ***Residential Neighborhood-1 (RN-1) and Residential Neighborhood-2 (RN-2)***
>
> The Residential Neighborhood-1 and Residential Neighborhood-2 designations are characterized by single family residential uses and moderate density two-family. . . ." Exhibit C, at 6–7.

The Project at issue proposes a seven-unit multi-family residential use, and attempts to characterize it as a "single-family" use by separating each unit by a few feet. See Exhibit B at 24. The fact remains, however, that the "use" proposed for the single lot Project Site is a multi-family condominium, a use that is expressly prohibited in the UR-3 zoning district (but permitted elsewhere) and a use that is discouraged for this particular area of the City in the 2015 Comprehensive Plan.

Accordingly, the February 22, 2016 Determination was erroneous in that it failed to require the Developer to secure a use variance to permit the otherwise prohibited multi-family use of the Project Site. The February 22, 2016 Determination must be reversed, and Appellants request that the Zoning Board of Appeals issue an interpretation that the Project is a multi-family use that is prohibited in the UR-3 zoning district in the absence of a use variance.

Importantly, the requested reversal of the February 22, 2016 Determination and interpretation does not equate to disapproval of the Project. It merely enforces the current zoning for the UR-3 zoning district, effectuates the 2015 Comprehensive Plan's intent for this area, and requires the Developer to demonstrate its entitlement to a use variance to permit the Project as currently proposed, or alternatively, to secure subdivision approval to create separate lots so that the use of each lot is either a single-family permitted use or a two-family permitted use.

We thank the Board for its consideration of this appeal.

Very truly yours,

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

By: _____
Jonathon B. Tingley

EXHIBIT A

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

APPLICANT: ANW HOLDINGS, INC. TAX PARCEL NO.: 166.13-1-50.2

PROPERTY ADDRESS: 27 JUMEL PLACE
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 seven-unit condominium project (detached single-family residences).

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 A., Table 3 and 6.4.5 A. 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
Max principal building coverage: 7 units combined	30%	46%
Max principal buildings on one lot:	1	7
Minimum front yard setback:	10 ft.	1 ft.
Minimum rear yard setback:	25 ft.	6 ft.
Maximum height residential fence:	6 ft.	8 ft.

☒ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR 2/22/16 DATE

EXHIBIT B

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)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	AJW Holdings Inc.		
Address	563 North Broadway Saratoga Springs NY 12866		
Tel./Fax	587-4113 / 587-0260	/	/
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

Property Address (No. & St.) 27 Jumel Place Side of St. (north, east, etc.) North

Tax Parcel No.: 166.13-50-2 *(for example: 165.52-4-37)* Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: Under Contract 2. Zoning District when purchased: UR3
3. Present use of property: Multi Family - Ballet Studio 4. Current Zoning District: UR3
5. Has a previous ZBA application/appeal been filed for this property? ☒ Yes (when? 10/31/13 for what?) ☐ No
6. Is property located within (check all that apply)?: ☐ Historic District ☐ Architectural Review District ☐ 500' of a State Park, city boundary, or county/state highway?
7. Brief description of proposed action: Tear down existing building and build seven unit single family condominium project.
8. Is there a written violation for this parcel that is not the subject of this application? ☐ Yes ☒ No
9. Has the work, use or occupancy to which this appeal relates already begun? ☐ Yes ☒ No
10. 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" and attach to top of original application. Fees are cumulative and required for each request below.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☑ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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: 5/1/14 2. Type of variance granted? ☐ Use ☑ Area

3. Date original variance expired: 11/1/15 4. Length of extension requested: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?: We were unable to close on the property due to it being held up in probate for the last several months. We are anticipating to close within the next few weeks.

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:

Nothing has changed to this area & no new development

on or near this site.

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".

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 as needed):

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

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

Date	Improvement	Cost

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 ☐ 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 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 Requirements	From	To	→ To
Fencing (exterior fence only)	6'	8'	
Lot Coverage	30%	(Prev. Appr.) 43.5%	46.0%
Front Yard Setback	10'	(Pre. Appr.) 5'	1'

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.

   Our fencing request is new, asking for the height limit to go from 6 – 8' (exterior fence only). This creates privacy along the perimeter, a benefit to both sides of the fence. What is currently there is dilapidated and run down, hence aesthically a great improvement. Our modified request for front setback of 1' is what currently exists and consistent with surrounding homes. The 5' granted does not allow for our (2) front porches to be placed on the unit. This style entry fits with the street scape. Finally, the area coverage request of 46% is what was originally asked for, and necessary for the option of adding additional back porches on the homes; an opportunity for our clients to enjoy their backyards, since their fronts are quite limited in size. These variance alternatives are reasonable and contiguous with the urban feel of downtown.

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 area variance will enhance the neighborhood by creating privacy, align the two front porches with the neighboring homes, and allow only 2.5% more in area coverage which was originally requested.

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

This request is minimal and less than what currently exists on the property. The fence height increase is not substantial and benefits both the current and new homeowners.

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 one lot, seven homes, a singular curb cut and permissable use of the land in lieu of its current non conforming commercial use. Permeability exceeds the minimum, peaking at 35.10%, parking accommodations are onsite and traffic is reduced due to the applicable Urban Residential 3 zone. The lot will be properly cleaned and abated, a favorable influence both physically and environmentally on 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 was created by the need to change a non-conforming structure to a residential economically feasible solution. A win for all involved; neighbors, city, and a proper sustainable usage by City Standards.

In accord with Article 240-14.4A(1)(b)(6) of the Zoning Ordinance, "any request for an area variance, which shall effect a change in density, shall be applied for and considered as a use variance and decided under criteria for the same". A request that involves any of the following relief will require an application for a use variance and will be decided under the use variance criteria:

(1) Dimensional relief from minimum lot size requirements that would allow additional permitted units and/or uses
(2) Relief from on site parking requirements
(3) Reduction in land area requirements for multi-family units

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)

Sworn to before me this date:

Date: _____

_____
(applicant signature)

_____
Notary Public

Revised: January 2011

Revised 01/05/2011

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR: ANW Holdings
2. PROJECT NAME:

3. PROJECT LOCATION: 27 Jumel Place
   Municipality: Saratoga Springs, NY County: Saratoga
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) ✓

5. PROPOSED ACTION IS: ☒ New ☐ Expansion ☐ Modification/alteration
6. DESCRIBE PROJECT BRIEFLY:
   7 Individual Condominiums

7. AMOUNT OF LAND AFFECTED: Initially: _____ (acres) Ultimately: _____ (acres)
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
   ☒ Yes ☐ No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
   ☒ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other
   Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
    ☒ Yes ☐ No If Yes, list agency(s) name and permit/approvals: Bldg Dept - Saratoga Springs
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
    ☐ Yes ☒ No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
    ☐ Yes ☒ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☐ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)
INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts that **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Res 1 App

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

RECEIVED
OCT 31 2013
ACCOUNTS DEPARTMENT

IN THE MATTER OF THE APPEAL OF
ANW Holdings, Inc. of 564 Broadway
Saratoga Springs, NY 12866

from the Building Inspector's Denial of Application for Land Use and/or Building for the premises at 27 Jumel Place, Saratoga Springs, New York, identified as Tax Parcel No.: 166.13-1-50.2 in the inside district of the City.

The Applicant has applied for an area variance for relief from the current City Zoning Ordinance applicable to the Urban Residential - 3 zoning district to construct a seven unit condominium development seeking relief from the maximum principal buildings permitted on one lot, maximum principal building coverage, the minimum front yard setback requirements for the two units fronting on Jumel Place, and from the minimum rear yard setback requirements for the two units located at the rear of the property, and public notice having been duly given of a hearing on said application on July 9, 2013 and October 28, 2013.

In consideration of the balance between the benefit to the Applicant with the detriment to the health, safety and welfare of the community, the Board makes the following resolution that the requested area variance for the following relief or such lesser amount, as described in the submitted application, BE APPROVED:

Type of Requirement	Required	Existing	Proposed	Total Relief Requested
Maximum Principal Buildings on one lot	One (1)	One (1)	Seven (7)	6 (600)%
Maximum Building Coverage	30%	49.4%	43.5%	13.5% (45%)
Minimum Front Yard Setback for the 2 units fronting on Jumel Place	10 feet	1 foot	5 feet	5 feet (50%)
Minimum Rear Yard Setback for the 2 units located at the rear	25 feet	.7 foot	6 feet	19 feet (76%)

1. The Applicant has demonstrated that this benefit cannot be achieved by other means feasible. This Board has been asked to consider several prior applications to redevelop this property. It is currently used for mixed commercial and residential purposes with a large cement structure, formerly a manufacturing facility, located on the property. The current use is not conducive to a residential neighborhood and the noise and traffic generated by the current use has been an issue of concern for many of the neighbors. The unique nature

of this property and the prior failed attempts to arrive at a use for this property that is acceptable to neighbors, conforming with the neighborhood and economically feasible has demonstrated that the redevelopment of this property raises unusual and distinct issues. Not only has the Applicant explored alternate means to achieve the requested benefit including a smaller number of units which were evaluated and found to be economically unfeasible, but prior applicants have also attempted to use the structure for varied uses, all of which demonstrates that other alternatives have not been shown to be practical or economically feasible. The applicant has demonstrated that redeveloping this property from an unsightly cement structure used for commercial purposes into a seven unit residential condominium development is the best economically feasible use as shown on the proposed site plan for this property.

2. The Applicant has demonstrated that granting these variances will not create an undesirable change in neighborhood character or a detriment to nearby properties. Applicant had shown that removal of the current cement structure and construction of a seven unit condominium will result in a development that substantially conforms with the residential homes in the neighborhood. The Applicant has demonstrated, and several neighbors have testified in support, that this redevelopment will have a very beneficial impact on the neighborhood. The granting of these variances will result in the removal of a varied use (ballet school), unauthorized use (karate school) and prior nonconforming use (manufacturing facility) and result in a conforming use which is in keeping with the character of the neighborhood. We note that the City Planning Board issued a favorable advisory opinion identifying that "This site can adequately accommodate development of this scale, and that the overall density proposed is compatible with the surrounding neighborhood." Based on the foregoing, the granting the variances will improve the appearance of the property and will not create an undesirable change in neighborhood character or impact on nearby properties, but rather a desirable and valuable change.

3. The relief requested may be considered substantial, but is mitigated by the fact that the current existing structure is non-conforming and by the fact that the lot, at 34,765.50 square feet, would accommodate either five single-family lots or four two-family buildings for total of eight residences. The requested variance, for seven units, is one less than the permitted 8 residences. In order to develop this property in a manner that is most conducive to current needs of our citizens, creating smaller free standing condominiums is beneficial. The construction of one continuous unit would have eliminated the need for a variance for seven units, but would not have resulted in a project that meets the current needs of some members of the community. The minimum front and rear setback variances are necessary to maximize the available parking and the need for service vehicles to access the property. Due to the non-conformance of the current structure and some of the existing structures in the neighborhood, these variances will not have a substantial impact on the neighborhood and therefore mitigates the substantial nature of the variances.

4. The Applicant has demonstrated that the variance will not have a significant adverse physical or environmental effect on the neighborhood. The Applicant has demonstrated, and several neighbors have testified in support, that this redevelopment will have a significant beneficial physical impact on the neighborhood. Not only will the current commercial use with resulting traffic and noise generated by such use no longer interfere with the quiet residential neighborhood, but the physical change to the property will be a significant improvement to the appearance of the neighborhood. Additionally, the proposed construction will improve the permeability of the lot to 35.1%, in excess of the required 25%.

5. The alleged difficulty may be considered self-created in that the Applicant desires to re-develop this property in a manner that will meet the needs of residents of Saratoga Springs who are looking to down size and still create a development that conforms to the neighborhood as a residential development in an economic

manner, however, this is not necessarily fatal to the application.

Notifications/Approvals/Conditions of Approval:
Prior variances are discontinued.
Saratoga Springs City Planning Board site plan review is required – the Planning Board will address local concerns as identified by the Saratoga County Planning Board.
Saratoga County Planning Board issued a finding of no significant county side or inter community impact.

Adopted by the following vote:

AYES: 6 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson, O. Ludd)
NAYES: 0

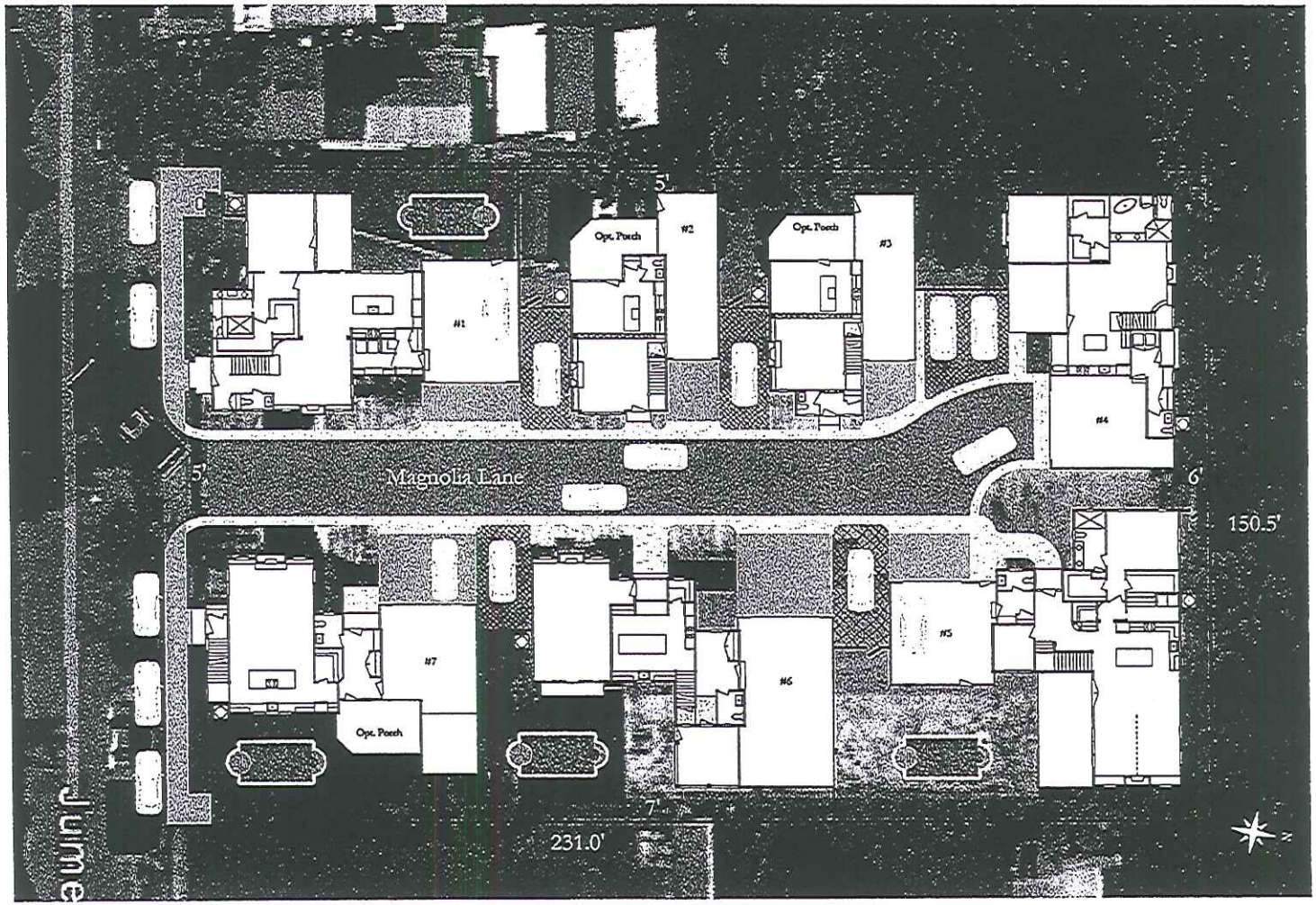
Dated: October 28, 2013

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

10/30/13
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, six members of the Board being present.



MAP OF
the Neighborhood of
MAGNOLIA LANE
in SARATOGA SPRINGS
Witt Construction
2013

Lot Coverage			
Residence	Footprint	Roof OH	Coverage
#1	2,449	286	2735
#2	1,337	179	1,516
#3	1,472	160	1,632
#4	2,079	153	2,249
#5	2,719	221	2,917
#6	2,545	255	2,543
#7	2,070	220	2,290
	14,526	1,443	15,958
			34,766
			46.0%

Permeable/Non Statistics	
Size of Development (Sq. Ft)	34,766

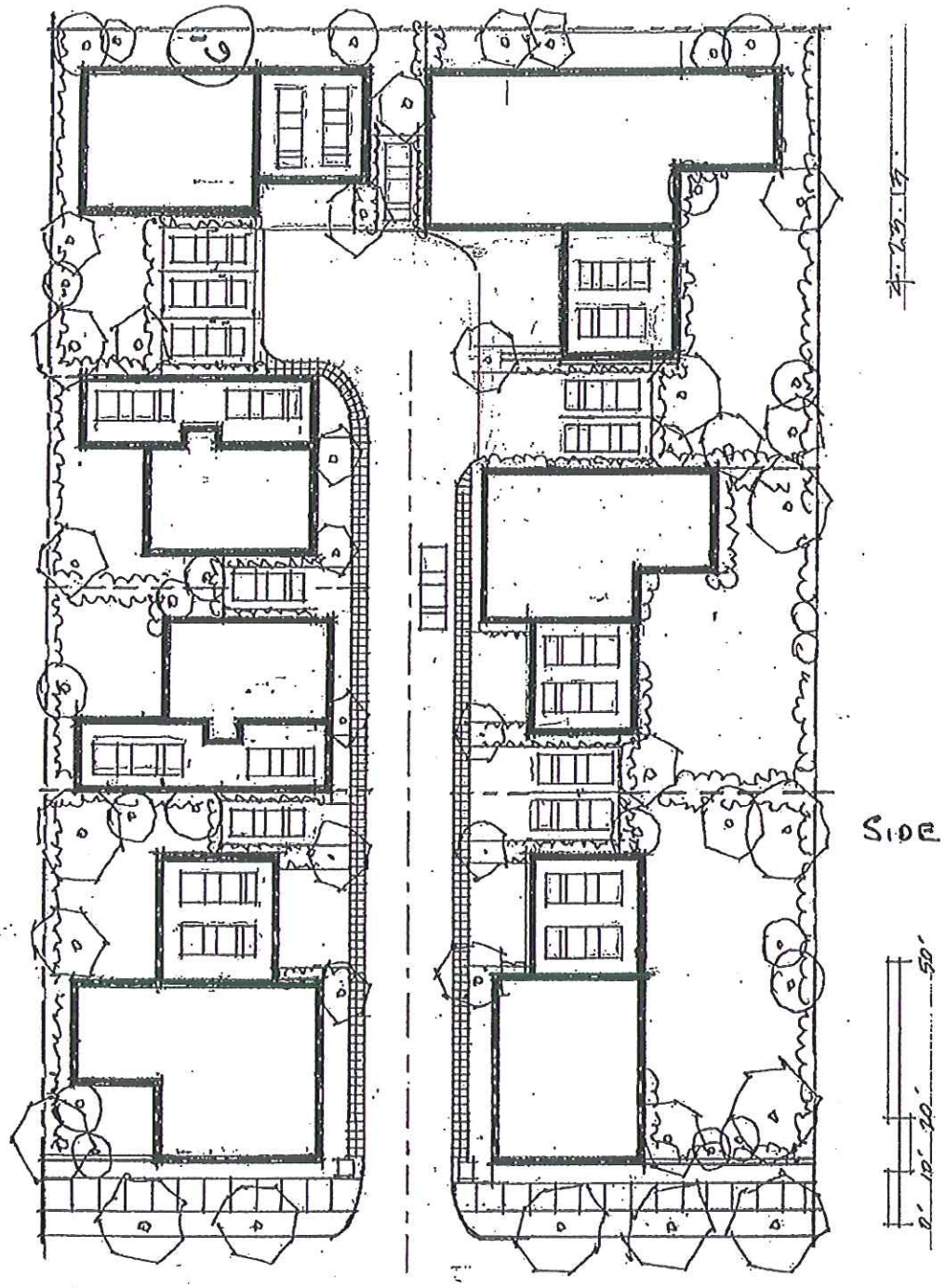
Non-Permeable Areas (Sq. Ft)		
Road	3,305	
Driveway	3,536	
Patios	1,740	
Living	5,865	
Porches	1,656	
Garages	4,173	
Total Non-Permeable	21305	61.3%

Permeable Areas (Sq. Ft)		
Turf Paved	1,588	
Landscaped	11,870	
Total Permeable	13459	38.7%

Scale of Feet

1 5 10 25 50 100

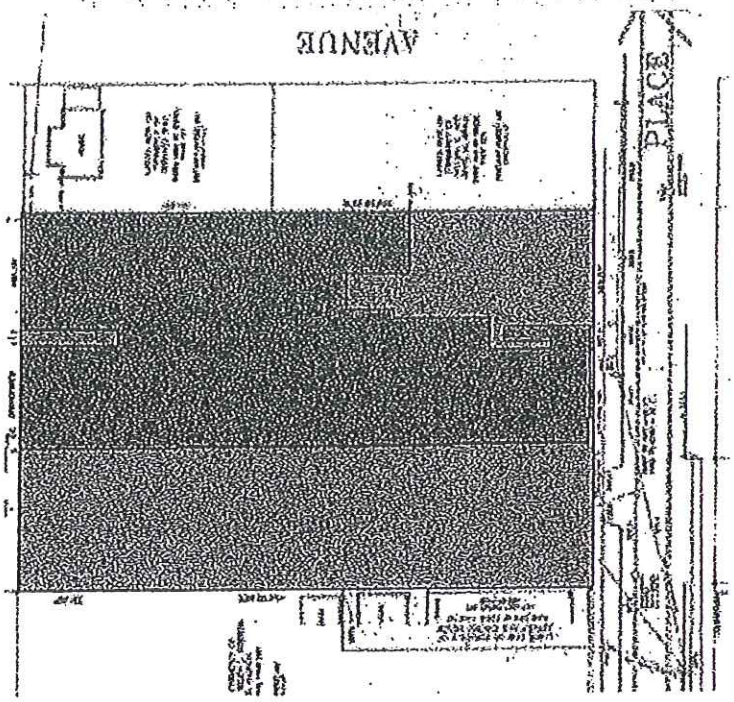
REAR



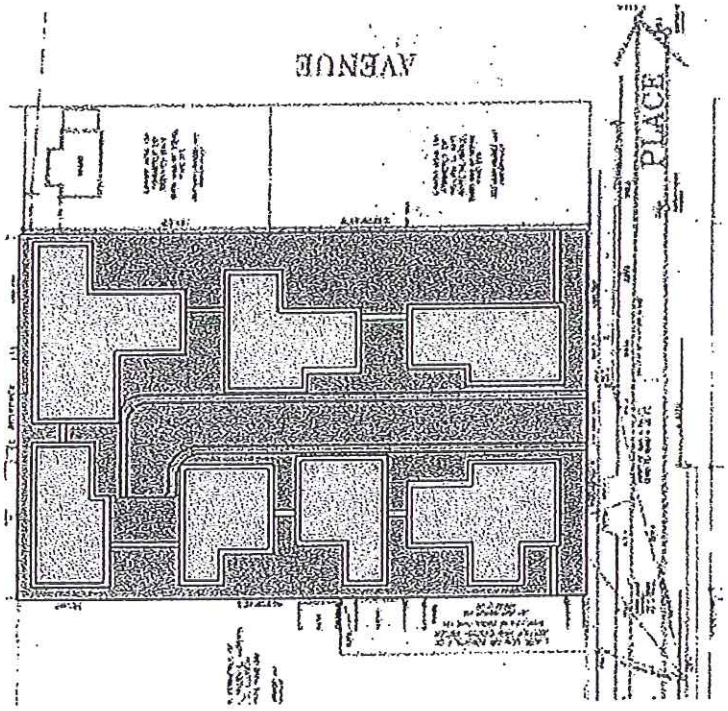
SIDE

SIDE

FRONT



Site Plan with Existing Building



Concept Site Plan

27 Jumel Place
Saratoga Springs NY

Witt Construction
3/10/2014

	Depth	Width	Area (sq. ft.)
Lot Size	231	150.5	34,765.50

Area	Existing	% of Lot	As Drawn	% of Lot
Principle Building and Overhang	17,161	49.4%	15,589	46.00%
Accessory Building	160	0.5%		
Total				46.00%
Driveways/Road	6,357	18.3%	7,157	20.60%
Permeable Areas	11,088	31.9%	12,191	35.10%

Setbacks	To the overhangs
Front	1
Rear	6
Right Side	7
Left Side	5

NO PARKING
24 HRS

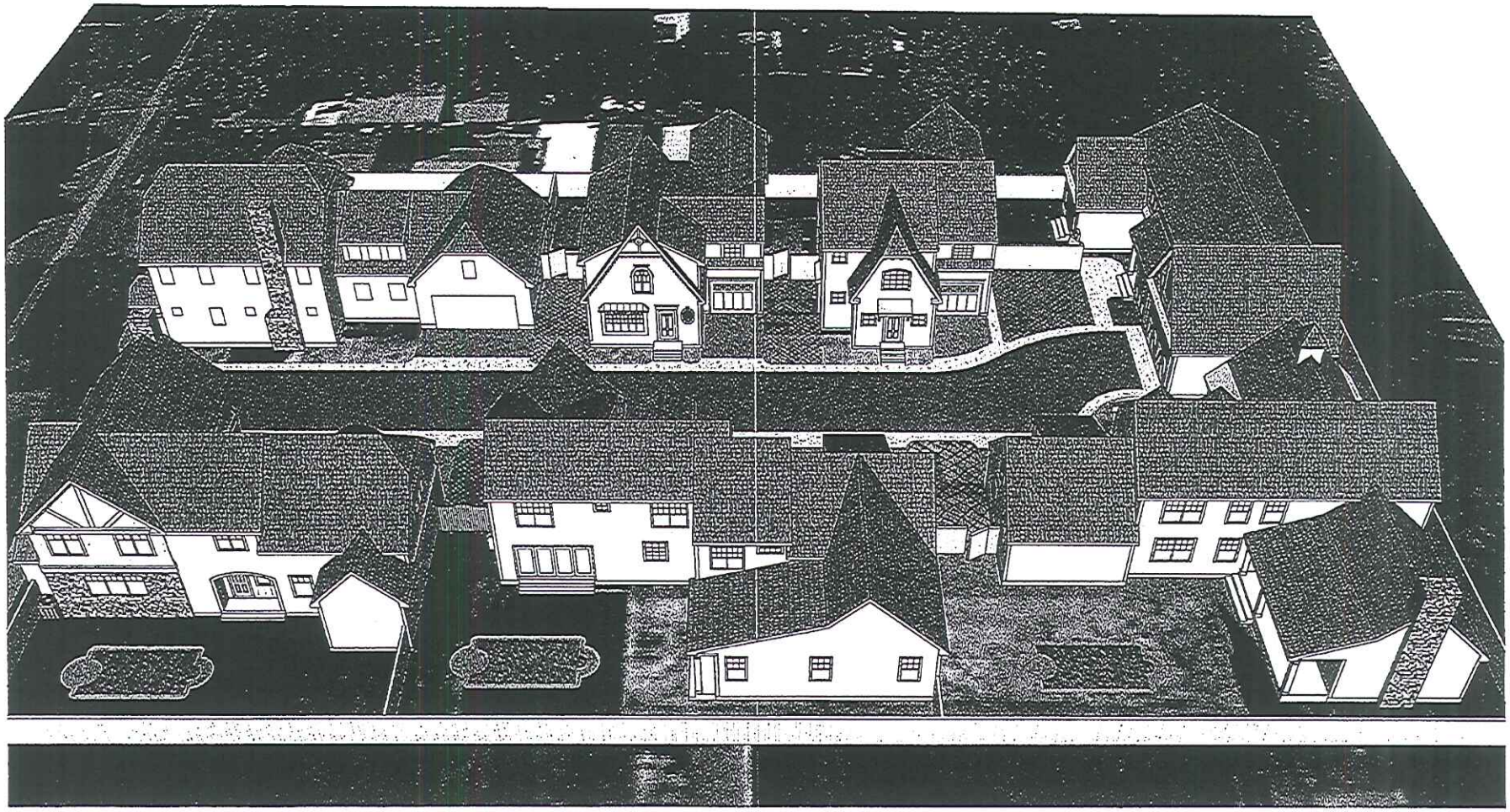
Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27.2014, 2013

Magnolia Lane

Street Views



Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27.2014, 2013

Magnolia Lane

Street Views

Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27,2014, 2013

Magnolia Lane

Street Views

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

Jumel/Downton Walk - Witt Construction, Inc.

Name of Action or Project:
Downton Walk

Project Location (describe, and attach a location map):
27 Jumel Place

Brief Description of Proposed Action:
7 Individual Family Condominiums

Name of Applicant or Sponsor:	Telephone: 518-587-4113
John Witt	E-Mail: [redacted]

Address:
563 N. Broadway

City/PO:	State:	Zip Code:
Saratoga Springs	NY	12866

	NO	YES
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.	☑	☐
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	☐	☑

3.a. Total acreage of the site of the proposed action? .791 acres
b. Total acreage to be physically disturbed? .791 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .791 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
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?	☐	☑
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:	☑	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Per site plan approval we need to add a new water-main that runs from Jumel up the private drive.	☐	☑
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑
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?	☑	☐
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: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	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: _____	☑	☐
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: _____	☑	☐
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: _____ There as been asbestos found on location. We have an asbestos report and working with Cristo Demolition who is licensed and experienced in moving this hazardous waste properly.	☐	☑

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

PRINT FORM

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
Oksana Ludd
James Helicke

Appeal #2759
IN THE MATTER OF THE APPEAL OF
ANW Holdings, Inc.
564 Broadway
Saratoga Springs, NY 12866

from the Building Inspector's Denial of Application for Land Use and/or Building for the premises at 27 Jumel Place, Saratoga Springs, New York, identified as Tax Parcel No.: 166.13-1-50.2 in the inside district of the City.

The Applicant has applied for modification to Appeal # 2714, a variance granted October 23, 2013, seeking modification of the relief from the maximum principal building coverage and the minimum front yard setback requirements for the two units fronting on Jumel Place, and for additional relief from maximum height of a residential fence, all as provided in the current City Zoning Ordinance applicable to the Urban Residential - 3 zoning district, and public notice having been duly given of a hearing on said application on April 21, 2014 and April 28, 2014.

In consideration of the balance between the benefit to the Applicant with the detriment to the health, safety and welfare of the community, the Board makes the following resolution that the requested area variance for the following relief or such lesser amount, as described in the submitted application, BE APPROVED:

Type of Requirement	Required/ Permitted	Previously Approved	Proposed	Total Relief Requested
Maximum Building Coverage	30%	43.5%	46%	16% (53%)
Minimum Front Yard Setback for the 2 units fronting on Jumel Place	10 feet	5 foot	1 feet	9 feet (90%)
Maximum Height residential fence	6 feet	N/A	8 feet	2 feet (33%)

1. The Applicant has demonstrated that this benefit cannot be achieved by other means feasible. This Board has previously determined in Appeal #2714 that the Applicant has demonstrated that redeveloping this property from an unsightly cement structure used for commercial purposes into a seven unit residential condominium development is the best economically feasible use as shown on the proposed site plan for this property. The modifications to the maximum principal building coverage and the minimum front yard setback requested by Applicant, subject to the conditions provided below, do not change the Board's prior determinations. The request to increase the maximum height of the residential fence is requested to ensure added privacy for the units and for adjacent neighbors. Providing this privacy cannot be achieved by other means due to the limited size of the property.

2. The Applicant has demonstrated that granting the modification to these variances will not create an undesirable change in neighborhood character or a detriment to nearby properties. In granting variance #2714, the Board concluded the granting the variances will improve the appearance of the property and will not create an undesirable change in

neighborhood character or impact on nearby properties, but rather a desirable and valuable change. The modifications do not change this conclusion. Additionally, granting the variance for an increased height in the fence will enhance the character of the neighborhood.

3. The modifications to the relief requested may be considered substantial. However, due to the proximity of the proposed developed structures to the neighbors and to one another, the Board finds the benefit of privacy fencing to offset the adverse impact.

4. The Applicant has demonstrated that the modification of the variances will not have a significant adverse physical or environmental effect on the neighborhood. In the prior Appeal, the Applicant demonstrated and several neighbors testified in support, that this redevelopment will have a significant beneficial physical impact on the neighborhood. The modifications requested in this application do not alter the conclusions reached by this Board in Appeal #2714. Additionally, the request for an increase in the height of the fence does not have an adverse physical or environmental effect on the neighborhood.

5. The alleged difficulty may be considered self-created, however, this is not necessarily fatal to the application.

Notifications/Approvals/Conditions of Approval:
The minimum front yard setback of 5 feet previously approved in Appeal #2714 is modified only to permit front stoops or stairways within the 5 foot setback to the 1 foot setback.

No eight (8) foot fence shall be permitted to be constructed along Jumel Place or extending beyond the front foundation line along Jumel Place.

County Planning Board issued a decision of "No Significant County Impact" on April 17, 2014.

Adopted by the following vote:

AYES: 7 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson O. Ludd and J. Helicke)

NAYES: 0

Dated: April 28, 2014

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

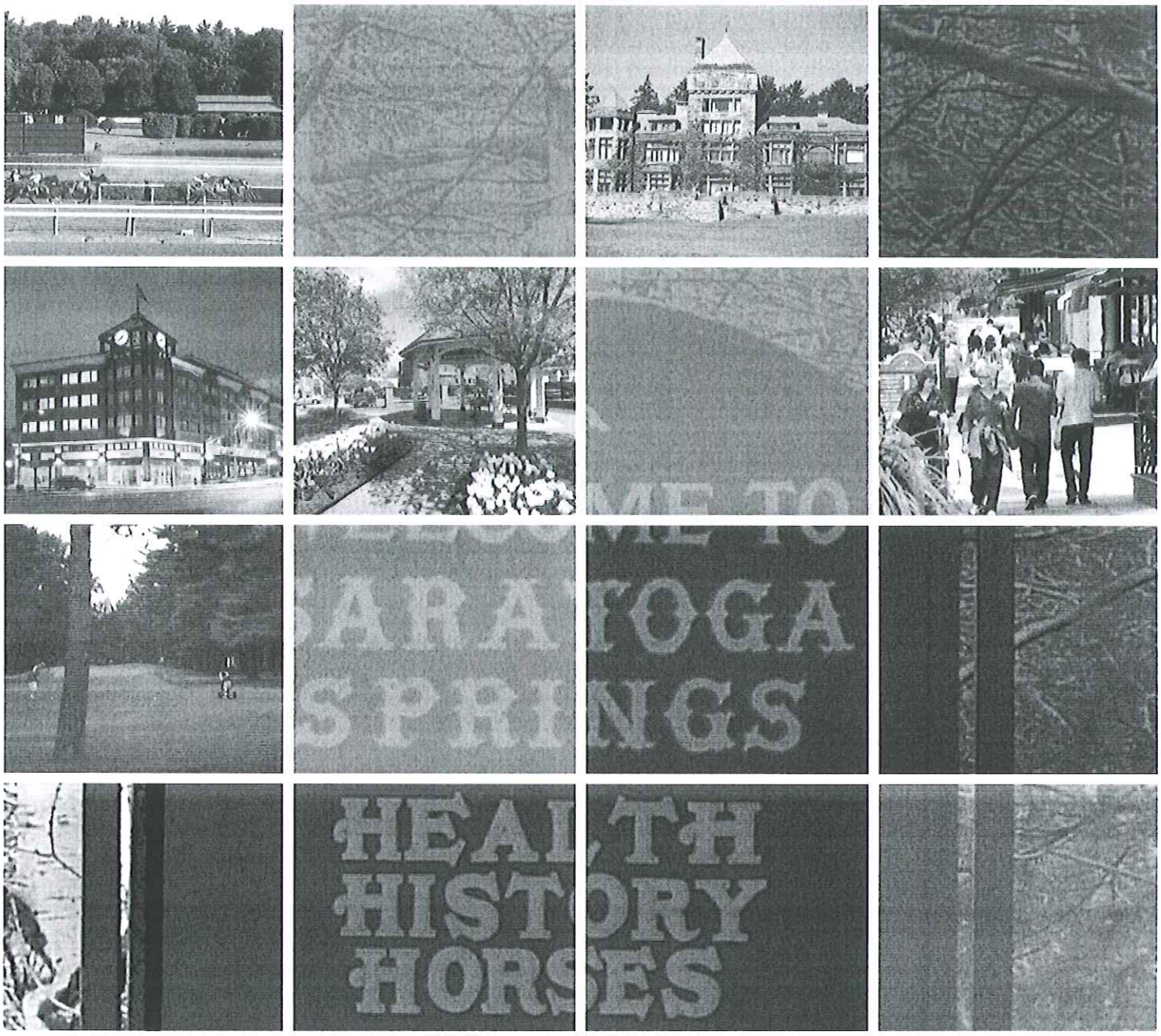
5-1-14
Date

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, seven members of the Board being present.

RECEIVED
MAY 06 2014
ACCOUNTS DEPARTMENT

EXHIBIT C



City of Saratoga Springs

2015 Comprehensive Plan

Adopted by City Council 6-16-15

Exhibit C, Page 1

In May 2013, the City Council initiated an update to the City's Comprehensive Plan and associated maps.

On December 18, 2014, following 19 months of much dialogue and discussion including 19 public meetings, four public workshops, a 2-day open house and numerous focus groups, the Saratoga Springs Comprehensive Plan Committee voted to send to the City Council its "final work product" consisting of the November 2014 version of the Draft Comprehensive Plan and a list of 53 possible amendments to this draft.

The City Council discussed this work product and the list of possible amendments over the course of four City Council workshops, occurring on February 24, March 24, March 31, and April 14, 2015. At its last workshop, the City Council confirmed consensus on the desired language to be included in this Plan.

On June 16, 2015, following a SEQRA Negative Declaration of Environmental Significance, the City Council voted 5-0 to adopt this 2015 Comprehensive Plan update.

Acknowledgements

Saratoga Springs City Council
(Finalized and approved 2015 Comprehensive Plan Update)

- Joanne D. Yepsen, Mayor
- John P. Franck, Commissioner of Accounts
- Michele Madigan, Commissioner of Finance
- Chris Mathiesen, Commissioner of Public Safety
- Anthony "Skip" Scirocco, Commissioner of Public Works

- Former Mayor Scott Johnson

Comprehensive Plan Committee

(Produced committee "Final Work Product" and provided to City Council.)

- Geoff Bornemann, Chair (1/14-12/14)
- Clifford Van Wagner, Chair (5/13-1/14)
- Jamin Totino, Vice Chair
- Sonny Bonacio
- Theresa Capozzola
- Devin Dalpos
- Tom Denny
- Casey Holzworth
- James Letts
- Oksana Ludd (Zoning Board of Appeals)
- Steven Rowland (Design Review Commission)
- Todd Shimkus
- Mark Torpey (Planning Board)
- Charles Wait
- Janice White (5/13-4/14)

- This document was prepared with assistance from MJ Engineering & Surveying PC and the staff of the City's Office of Planning and Economic Development.

FUTURE LAND USE 4.0

If the City is to be successful in preparing for the future, it must have increased flexibility to accommodate the rapidly changing needs of business, commerce, and our residents. In addition, the City must have increased accountability to ensure and enhance the physical, cultural, and social amenities that make Saratoga Springs an attractive and vibrant locale.

Fortunately, Saratoga Springs is currently in a good position to capitalize on its collective strengths and enthusiasm at a time when many other communities cannot. To maintain and improve upon the City's current position, a close look was given to the City's future land uses and the Comprehensive Plan Future Land Use Map (Map). The Map sets the direction for future land uses within the City. It illustrates the City's vision by identifying broad categories of land use. The Map is not a zoning map. However, the zoning map must follow the direction set forth in the Comprehensive Plan in accordance with General City Law §28-a. The zoning ordinance is typically the regulatory document that addresses densities, area, bulk, and specific permitted uses.

A key factor in revising the Map for this update is to ensure it reflects the City's vision. The vision for the City remains relatively unchanged from the 2001 Comprehensive Plan and, therefore, the Map will appear very similar. That vision includes the most intense uses and greatest mix of uses at the City's Core (Broadway). The intensity of uses becomes less as one travels away from the Core. The concept of the greenbelt, which was represented by the Conservation Development District (CDD) in the 2001 Comprehensive Plan, is reinforced in this updated Map.

The various land use categories shown on the map represent the intended uses and densities desired or anticipated for the community in the future. There are a number of important points to note about these land use categories:

- The land use categories in the Map are not zoning districts. The land use categories are broader and more general than zoning districts.
- The boundaries for each of the land use categories are intentionally non-precise and are meant to be fluid. The boundaries of the zoning districts are far more specific and detailed.
- The land use categories are general guides to future zoning or other regulations. State law mandates that zoning must be in conformance with the policies of the Comprehensive Plan. This means that the

density within the zoning for a particular area must be equal or less than that what is described within this document. When areas are to be rezoned, the uses and densities permitted within the zoning district must be compatible with the ranges presented in the land use category.

- The land use categories reflect a vision for the City in the future. It may take many years for the proposed changes to occur. The vision is something to aim for and work towards. Since zoning is the primary tool to implement this plan, the zoning for an area may be changed or upgraded several times in an effort to reflect community input.

The following descriptions are offered for the proposed land use category designations. The descriptions are intended to include the purpose or intent of the category, an overview of general uses and a description of the character for each land use category.

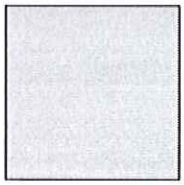
Downtown Core (DC)

Downtown Core (DC)

The Downtown Core designation represents the heart of the City of Saratoga Springs. It includes areas of the highest density commercial, office, civic, and residential uses that support a highly compact and walkable core, as well as multi-modal transportation options. While the Downtown Core serves local uses, it also attracts people regionally and globally as a vibrant commercial center, employment center, entertainment center, and historic and cultural center.

The Downtown Core is characterized by mixed use buildings with architecturally-interesting facades, streetscape design with ample room for street trees, sidewalks, benches, and other amenities that make the streets pedestrian-friendly. The designation also provides for mid to high-rise residential projects and mixed use projects incorporating housing above non-residential uses.

Looking forward, the Downtown Core will continue to be highly urban in character, with a mix of commercial and residential uses, and a balance between dense infill through development and redevelopment and the creation of attractive public spaces such as plazas and pocket parks.

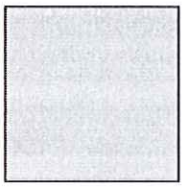


Complementary Core (CC)

Complementary Core (CC)

The Complementary Core designation consists of areas of commercial uses of moderate to high intensity interspersed with higher density residential uses. This area is intended to be pedestrian-oriented with multi-modal transportation options and is a complementary, yet slightly less dense, extension of the Downtown Core. These areas represent a mix of freestanding offices, commercial uses, or clusters of businesses meeting the day-to-day needs of residents. The character of the Complementary Core areas is reflective of an urban environment with buildings near the street, parking to the rear or side, and streetscape elements such as sidewalks, and ample room for street trees.

The Complementary Core designation offers opportunities for infill and new development that continues to support the Downtown Core. Freestanding commercial structures as well as mixed-use, multi-story buildings with residential uses above the commercial uses would both be appropriate in this designation.

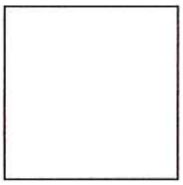


Community Mixed Use (CMU)

Community Mixed Use (CMU)

The Community Mixed Use designation includes areas of moderate density residential and community-supported commercial uses. These areas are characterized by mixed use neighborhoods that are walkable and connected to adjacent residential neighborhoods. Each area includes a variety of neighborhood-scale businesses and services that meets the needs of the surrounding community.

While the character of each Community Mixed Use areas may vary, all areas are intended to be pedestrian-oriented with an attractive streetscape, along with amenities such as small parks and plazas. In some areas, identity is already well established through architecture and streetscape while in others, identity will be shaped by future planning decisions.



Core Residential Neighborhood-1 (CRN-1)

Core Residential Neighborhood-2 (CRN-2)

Core Residential Neighborhood-3 (CRN-3)

Core Residential Neighborhood-1 (CRN-1), Core Residential Neighborhood-2 (CRN-2), and Core Residential Neighborhood-3 (CRN-3)

The Core Residential Neighborhood-1, -2, and -3 designations provide a transition from the Downtown Core and Complementary Core to the predominantly residential neighborhood areas and represent the historic residential village. These areas are primarily residential in use, with single and two-family homes allowed in all three CRN designations, while multi-family uses are allowed only in the CRN-2 and CRN-3 areas. The Core neighborhoods reflect Saratoga's quintessential residential character and charm through unique architecture, historic elements, front porches, sidewalks, and tree-lined streets.

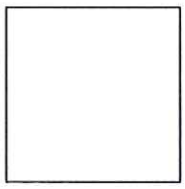
This area is highly walkable, and should be accessible by transit and a range of multi-modal options.

Although the Core Neighborhood is primarily residential in character, existing neighborhood-scale commercial uses may currently exist to complement residential uses.

CRN-1 Note: The maximum density is 10.0 Units/Acre.

CRN-2 Note: The maximum density is 15.0 Units/Acre.

CRN-3 Note: The maximum density is 30.0 Units/Acre.



Residential Neighborhood -1 (RN-1)

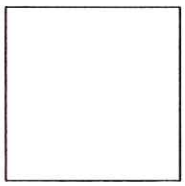
Residential Neighborhood- 2 (RN-2)

Residential Neighborhood -1 (RN-1) and Residential Neighborhood- 2 (RN-2)

The Residential Neighborhood-1 and Residential Neighborhood-2 designations are characterized by single family residential uses with moderate density two-family. While a mix of housing types is present, these areas retain the basic character of single-family neighborhoods, such as front and rear yards, driveways, and garages. Small, neighborhood-scale commercial uses may currently exist to complement the residential uses.

RN-1 Note: The maximum density is 3.5 Units/Acre.

RN-2 Note: The maximum density is 7 Units/Acre.



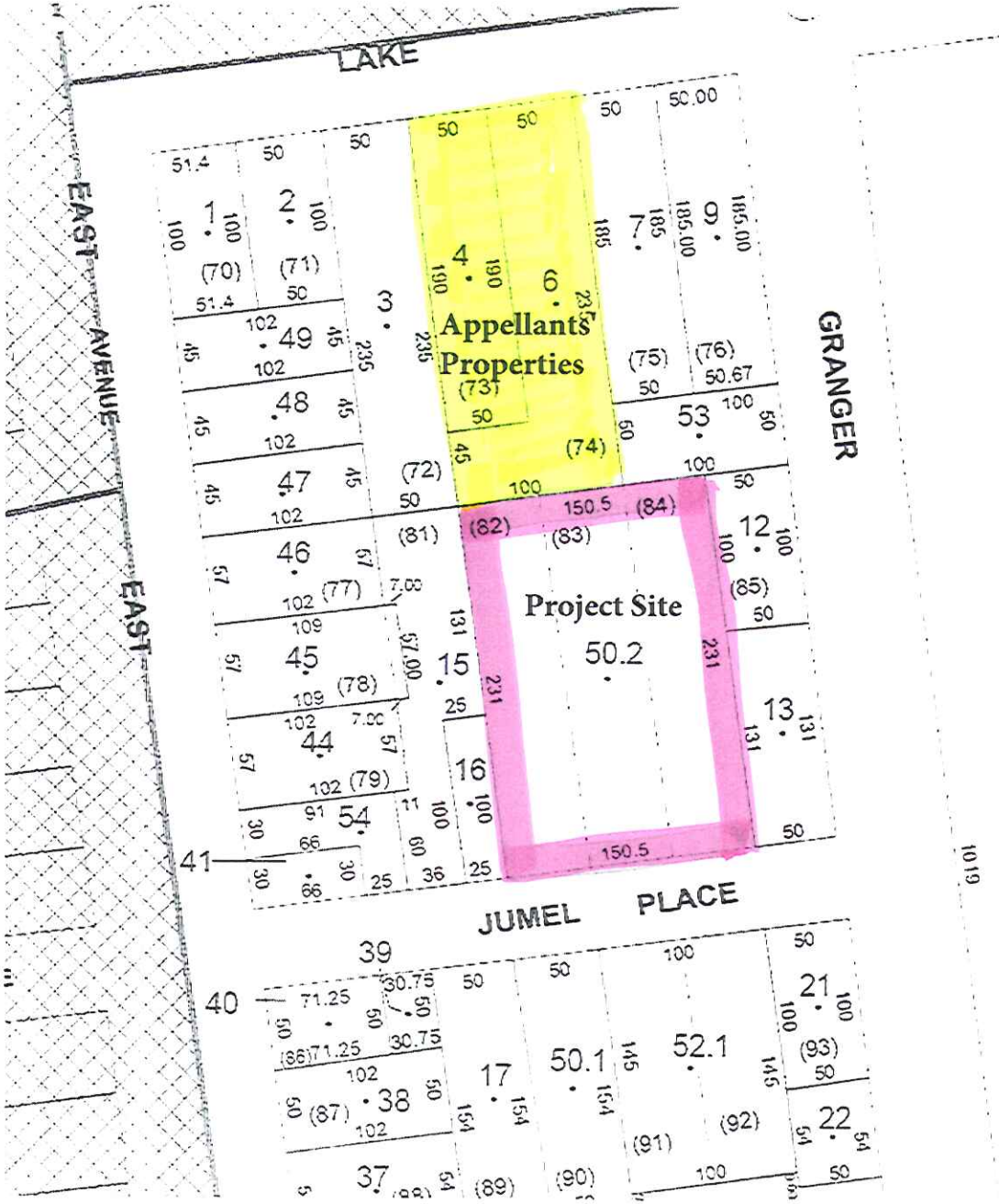
Conservation Development District (CDD)

Conservation Development District (CDD)

The Conservation Development District designation reflects the "Country" of the City in the Country. This designation allows for low density residential, outdoor recreation, agricultural, and other rural uses utilizing land conservation methods such as clustering. Areas typically include single-family lots and subdivisions, existing planned developments, farms, estates, and natural areas. Commercial activities should be limited to those that support rural and recreational uses and which protect valuable open space, protect natural resources and maintain natural systems. This designation reflects a rural or agrarian character that works to preserve contiguous open spaces, protect natural resources and restore and maintain natural systems, which will all become increasingly important and valuable community resources.

Development in this area shall require a "conservation analysis" and utilize land conservation methods to protect environmentally sensitive areas and features, minimize the development's edge effects and conserve significant open space.

EXHIBIT D


LAKE
EAST AVENUE
EAST
GRANGER
JUMEL PLACE
Appellants Properties
Project Site
50.2
150.5
231
1019

1

166.13

ZBA #2887
DOWNTON WALK APPEAL

Interpretation Request: 27 Jumel Place

Samuel Brewton, Gerald & Debra Mattison, Sandra Cohen

Jonathon B. Tingley, Esq.
Tuczinski, Cavalier & Gilchrist, PC
Attorneys for Appellants
54 State Street, Suite 803
Albany, New York 12207
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TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

INTERPRETATION REQUEST

- **Nature of Appeal**
- **Procedural Matters**
- **February 22, 2016 Determination Must Be Reversed**

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

NATURE OF APPEAL

Zoning Board vested with jurisdiction to interpret the City's Zoning Ordinance

More typical: Project developer makes application to ZBA

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

NATURE OF APPEAL

An interpretation is an appeal by an aggrieved party seeking to overturn a determination made by the administrative official charged with the enforcement of the Zoning Ordinance. *Zoning Ordinance §8.3.5*

Such appeal may be taken by any person aggrieved. *NY Gen. City Law §81-a[4]*

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ATTORNEYS AT LAW

"PERSON AGGRIEVED"

A person whose property is located in close proximity to a project site has standing.

Youngewirth v. Town of Ramapo Town Board, 98 AD3d 678, 680 [2d Dep't 2012]

Matter of McGrath v. Town Board of Town of North Greenbush, 254 AD2d 614 [3d Dep't 1998]

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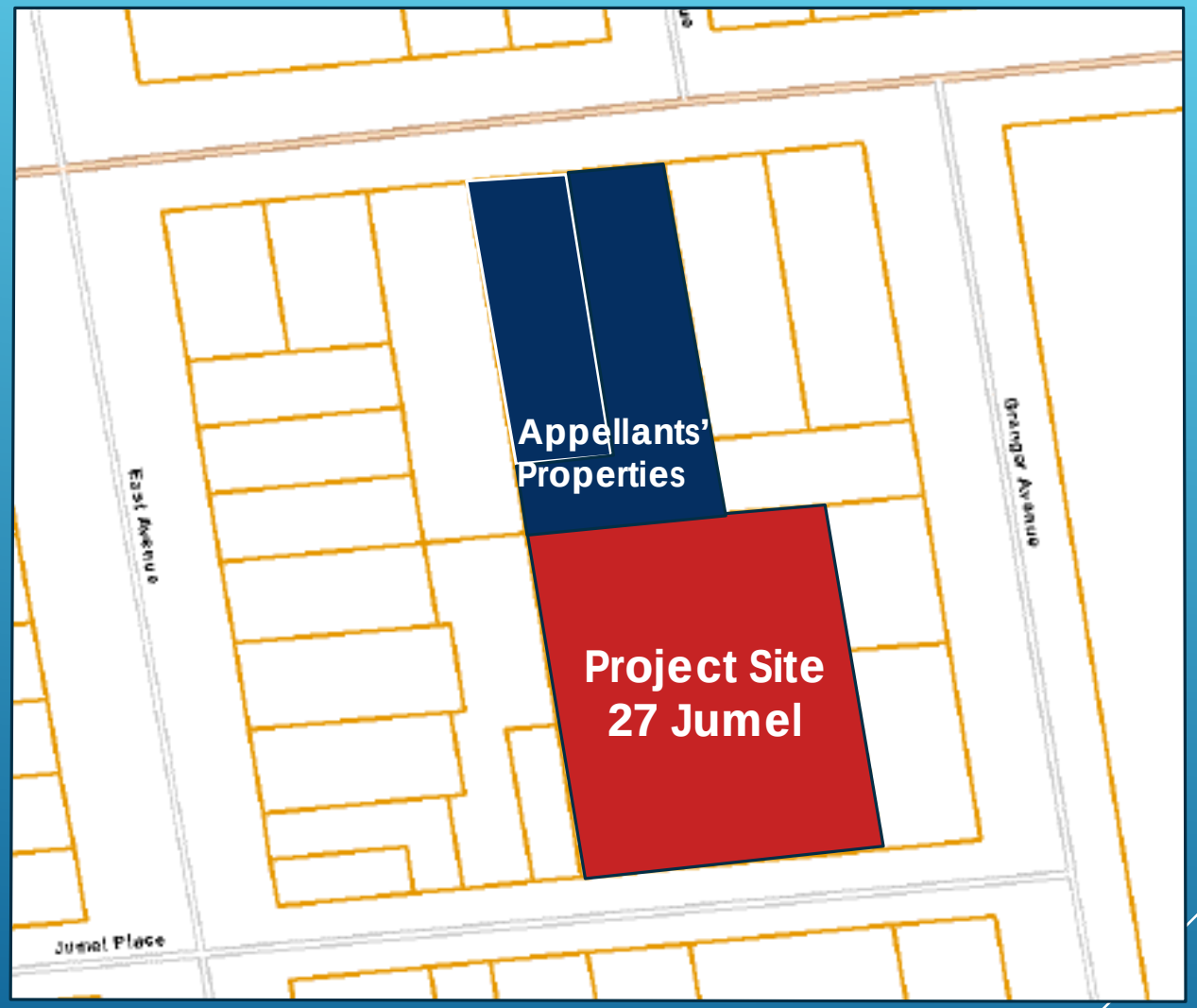
"CLOSE PROXIMITY"



Source: Saratoga County GIS Mapper

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

INTERPRETATION SOUGHT

An interpretation is an appeal by an aggrieved party seeking to overturn a determination made by the administrative official charged with the enforcement of the Zoning Ordinance. *Zoning Ordinance §8.3.5*

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

INTERPRETATION SOUGHT

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

APPLICANT: ANW HOLDINGS, INC. TAX PARCEL NO.: 166.13-1-50.2

PROPERTY ADDRESS: 27 JUMEL PLACE
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 seven-unit condominium project (detached single-family residences).

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 A., Table 3 and 6.4.5 A. 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
Max principal building coverage: 7 units combined	30%	46%
Max principal buildings on one lot:	1	7
Minimum front yard setback:	10 ft.	1 ft.
Minimum rear yard setback:	25 ft.	6 ft.
Maximum height residential fence:	6 ft.	8 ft.

☒ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR 2/22/16 DATE

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

INTERPRETATION SOUGHT

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

Dimensional Requirements	From	To
Max principal building coverage: 7 units combined	30%	46%
Max principal buildings on one lot:	1	7

TUCZINSKICAVALIERGILCHRIST
ATTORNEYS AT LAW

PROCEDURAL MATTERS

Project Developer Claims:

Appeal is Untimely

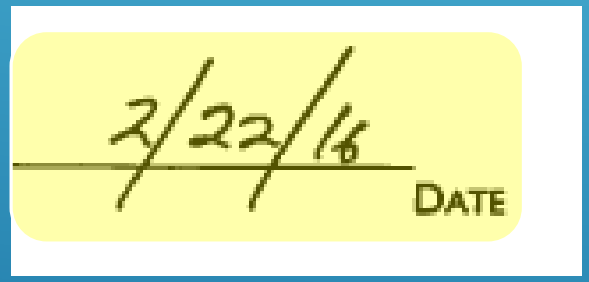
Appeal is Barred by Administrative Res Judicata

Source: Letter from Carter Conboy, May 3, 2016

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

APPEAL IS TIMELY

"An application for appeal shall be submitted by an aggrieved person within sixty (60) days of the filing of any such decision [of the building inspector]". *Zoning Ordinance § 8.4.1 [B]*



Deadline to file appeal: April 22, 2016

Date appeal filed: March 18, 2016

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ATTORNEYS AT LAW

APPEAL IS NOT BARRED BY ADMINISTRATIVE RES JUDICATA

Administrative res judicata bars a party from re-litigating an issue it has already unsuccessfully litigated before.

Project developer claims that the 2013 Building Inspector determination gives rise to administrative res judicata, precluding this appeal.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

APPEAL IS NOT BARRED BY ADMINISTRATIVE RES JUDICATA

Administrative res judicata only applies where the prior administrative action was an adjudication.

Res judicata is designed to prevent re-litigation by the same parties of the same issues.

Matter of Tillie Venes v. Community School Bd., 43 NY2d 520, 523-525 [1978]

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APPEAL IS NOT BARRED BY ADMINISTRATIVE RES JUDICATA

Building Inspector's 2013 determination was:

1. **not an adjudication**
2. **a ministerial act**
3. **not a full and fair opportunity to resolve the issue raised here**

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ATTORNEYS AT LAW

APPEAL IS NOT BARRED BY ADMINISTRATIVE RES JUDICATA

ZBA determines issues that are properly raised by an actual application.

Prior ZBA application did not address permissibility of the proposed use, an issue that was not raised by the application in front of it.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

APPEAL IS NOT BARRED BY ADMINISTRATIVE RES JUDICATA

Erroneous determination by building inspector in the past does not prevent later enforcement of the zoning ordinance. *Matter of Twin Town Little League Inc. v. Town of Poestenkill*, 249 AD2d 811, 811-12 [3d Dep't 1998].

Even where there are harsh results. *Town of Putnam Valley v. Sacramone*, 16 AD3d 669, 670 [2d Dep't 2005]

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

PROCEDURAL MATTERS

This Appeal is timely – brought within 60 days

And should be decided on its merits – not barred by administrative res judicata.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

DETERMINATION MUST REVERSED

Zoning Analysis

Precedential Impact of Decision

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

DETERMINATION APPEALED

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

Dimensional Requirements	From	To
Max principal building coverage: 7 units combined	30%	46%
Max principal buildings on one lot:	1	7

TUCZINSKICAVALIERGILCHRIST
ATTORNEYS AT LAW

DETERMINATION APPEALED

Building Inspector determined that an area variance is sufficient to permit the proposed project.

Question posed by this appeal:

Does the proposed project require a use variance or an area variance to permit the the use of a single lot as seven dwelling units?

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

DETERMINATION APPEALED

Area Variance: **"the authorization by the zoning board of appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations."** *N.Y. Gen. City Law § 81-b [1][b]*.

Use Variance: **"the authorization by the zoning board of appeals for the use of land for a purpose which is not allowed or is prohibited by the applicable zoning regulations."** *N.Y. Gen. City Law §81-b [1] [a]*.

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ATTORNEYS AT LAW

ZONING ANALYSIS

Is the project a permitted "use"?

"Use" is defined as "[t]he specific use for which land or a building is designed, occupied or maintained"

Zoning Ordinance App. A, at 18.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

Project is located in the Urban Residential – 3 (UR-3) Zoning District

TUCZINSKICAVALIERGILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

Table 2: Use Schedule – Permitted Uses

UR-3	UR-4, UR-4A, UR-5
Single Family Residences	Single Family Residences
Two Family Residences	Two Family Residences
	Multi-Family Residences

Zoning Ordinance Table 2.

TUCZINSKICAVALIERGILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

Table 1: Zoning Districts and District Intents

UR-3	To conserve, maintain and encourage **single family and two-family residential uses**
UR-4/4A	To accommodate a mix of **single, two-family and multi-family residential uses**
UR-5	To accommodate **multi-family residential development** at moderately high densities and to encourage a mixture of housing types.

Zoning Ordinance Table 1.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

What is the specific use for which this land is to be designed, maintained, or occupied?

Seven dwelling units on single lot

Seven dwelling units on a single lot is a multi-family residential use

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ATTORNEYS AT LAW

ZONING ANALYSIS

Seven Dwelling Units on a Single Lot

Seven dwellings worth of traffic
Seven dwellings worth of parking
Seven dwellings worth of population density
Seven dwellings worth of demand for services
Fire, EMS, Police, School District

All on a single lot.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

The specific use for which this single lot will be designed, maintained, and occupied is seven family residential.

The specific purpose for which this land will be used is seven family residential.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

ZONING ANALYSIS

Subdivision application would create a single dwelling unit for each individual lot and would allow planning board to address:

- **Traffic**
- **Parking**
- **Density**
- **Demand for fire services**
- **Demand for police services**
- **Demand for EMS services**
- **Demand for school district services**
- **Orderly development of the land, including setbacks for each building**

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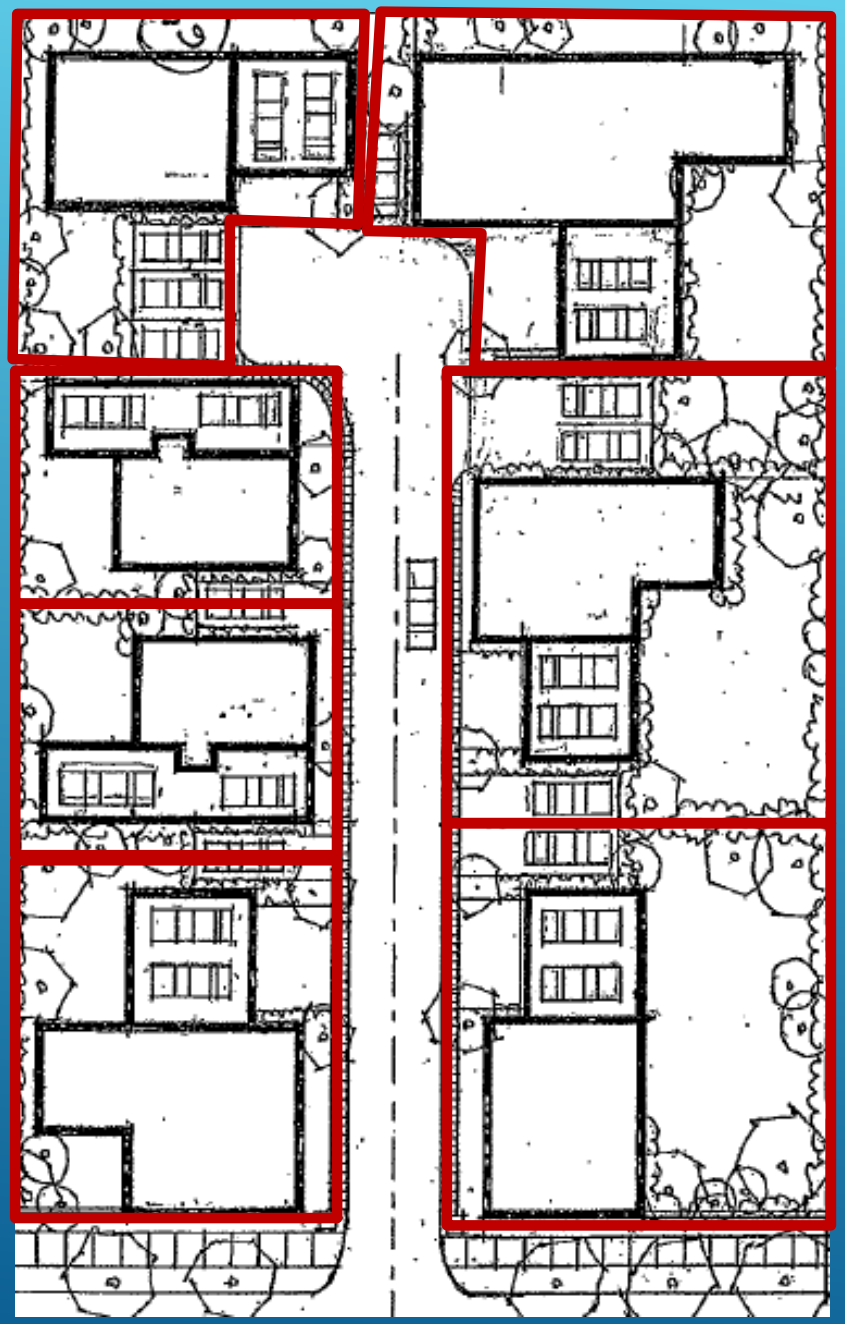
ATTORNEYS AT LAW



SUBDIVISION RESULTS

If subdivided (assuming a seven-lot subdivision would be approvable), the setbacks applicable to this project change dramatically.

9 front yards created

- **10 foot setbacks required**
- **All 9 front setbacks would be violated**

Very limited rear setbacks provided

- **25 feet required**
- **At least 6 lots would violate rear setbacks**

ZONING ANALYSIS

The project proposes seven dwelling units on one lot.

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ATTORNEYS AT LAW

PRECEDENTIAL IMPACT

An interpretation decision of a zoning board of appeals sets precedent for future applications.

Knight v. Amelkin, 68 NY2d 975, 977-78 [1986]

What precedent would be set by upholding the February 22, 2016 determination?

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ATTORNEYS AT LAW

PRECEDENTIAL IMPACT

If the February 22, 2016 determination is upheld:

In the UR-3 zoning district, a single lot can be used to build any number of dwelling units as long as each individual building contains only one or two dwelling units each.

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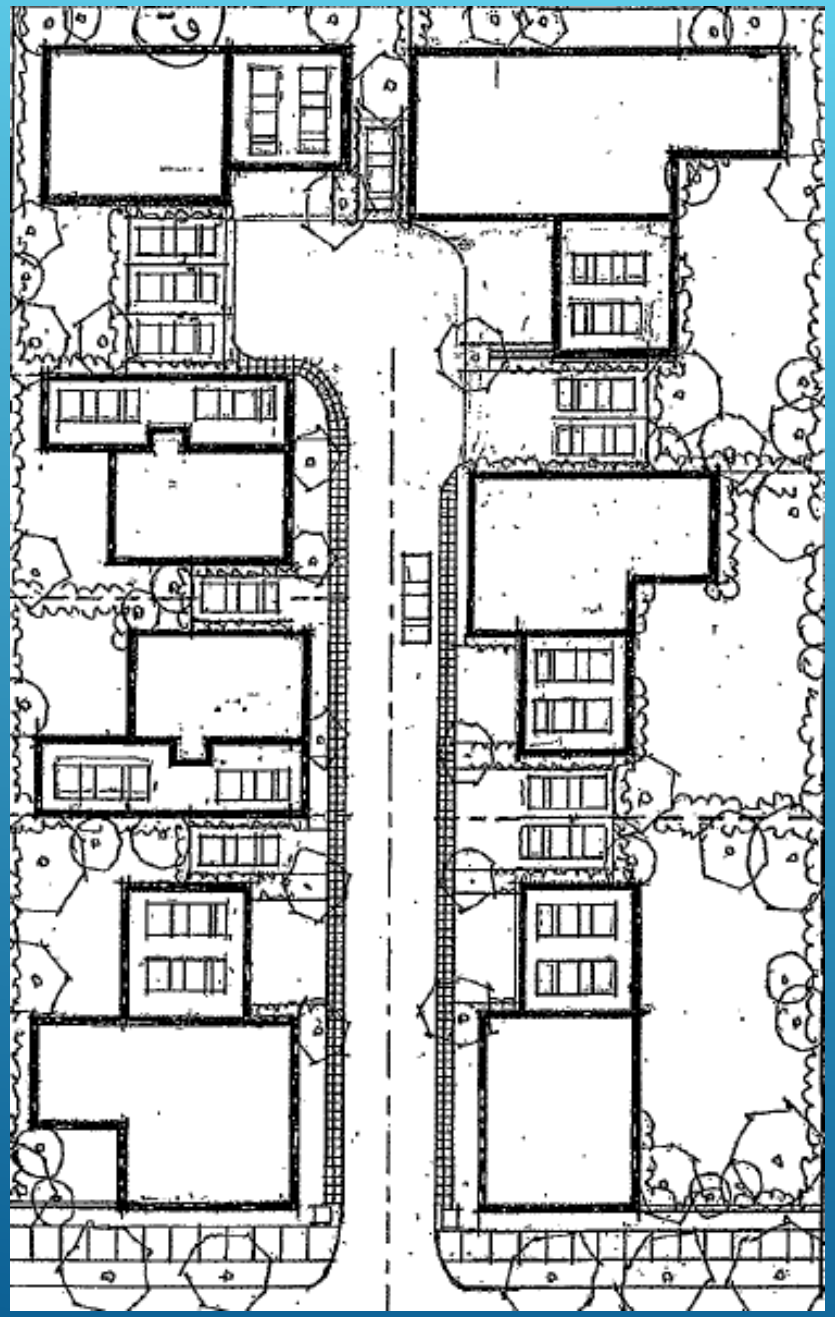
ATTORNEYS AT LAW



PRECEDENTIAL IMPACT

Take this lot as an example.

0.80 acres.

The current project is depicted here.

1 lot, 7 buildings, 7 dwelling units, 7 families.

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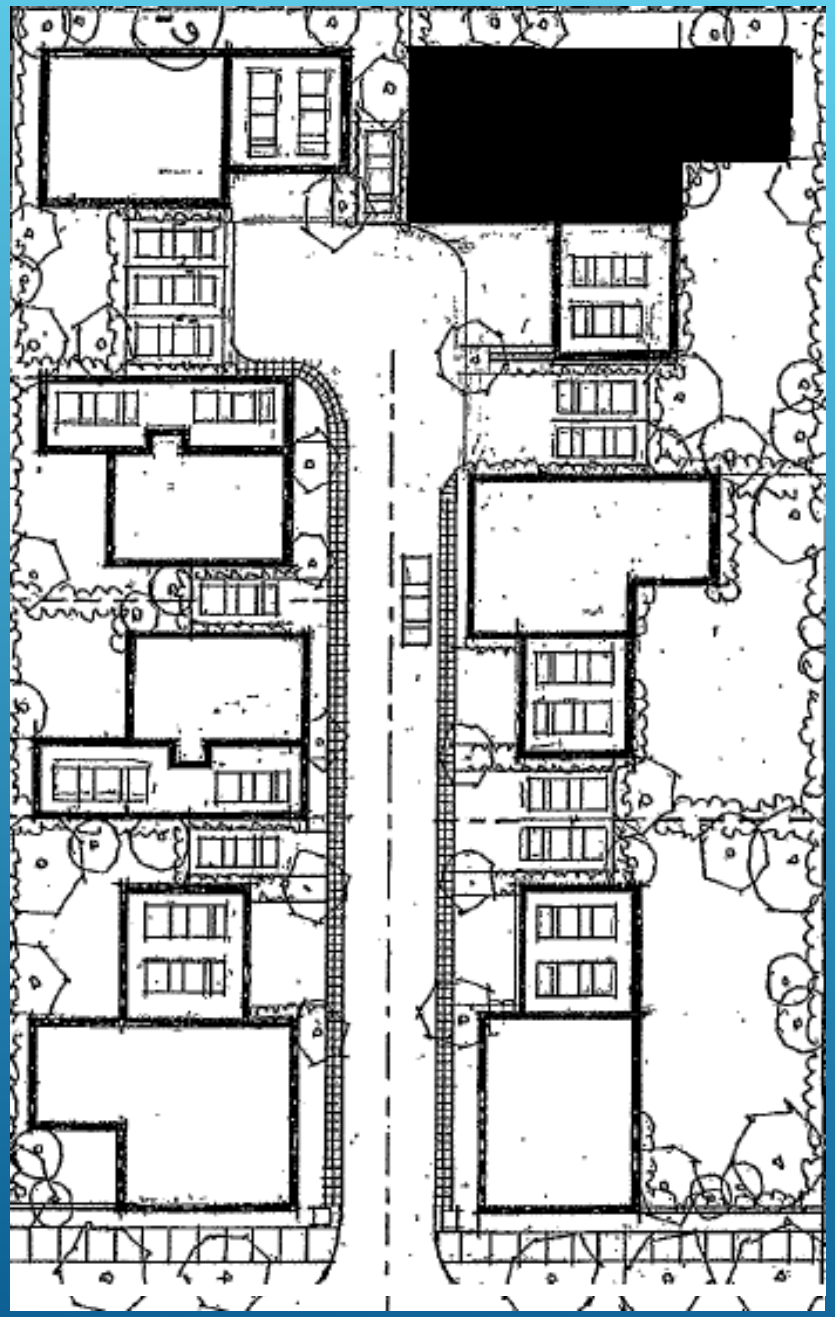
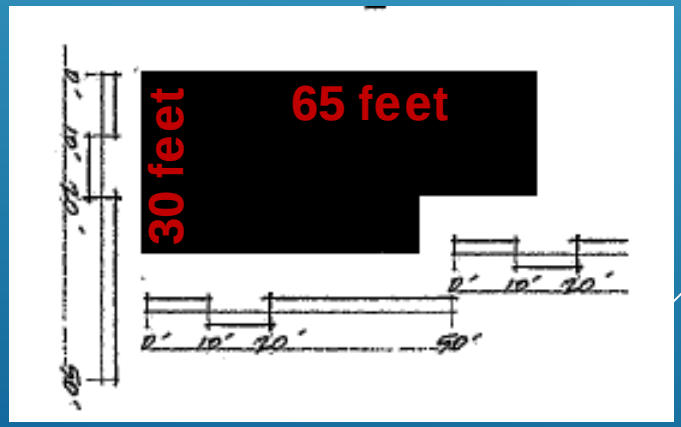


PRECEDENTIAL IMPACT

Use one of the currently proposed building footprints (excluding garage) as an example.

According to the scale provided, the footprint of the selected building footprint is approximately 1,750 square feet:



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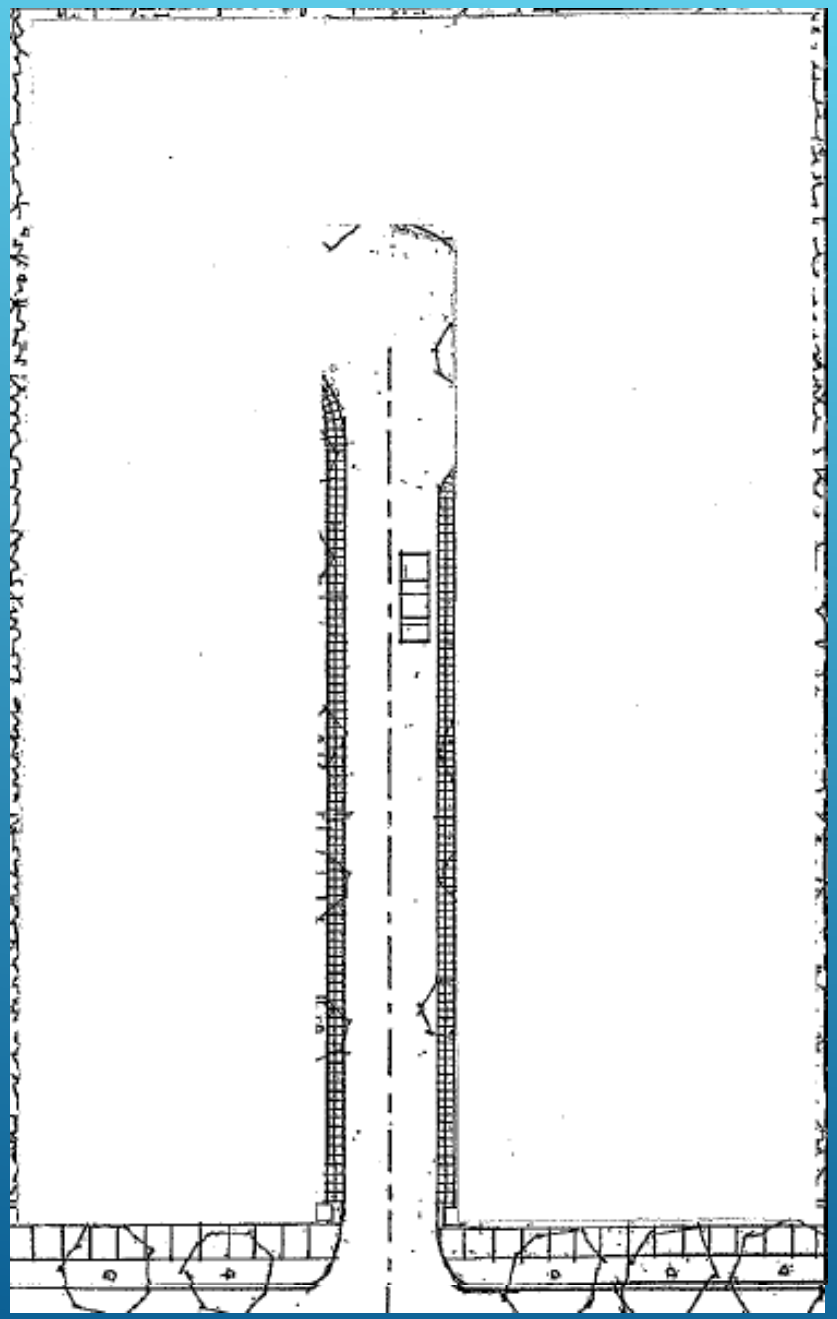

PRECEDENTIAL IMPACT

Same 0.80 acres

Clean slate, other than access road.

Same zoning district (UR-3)

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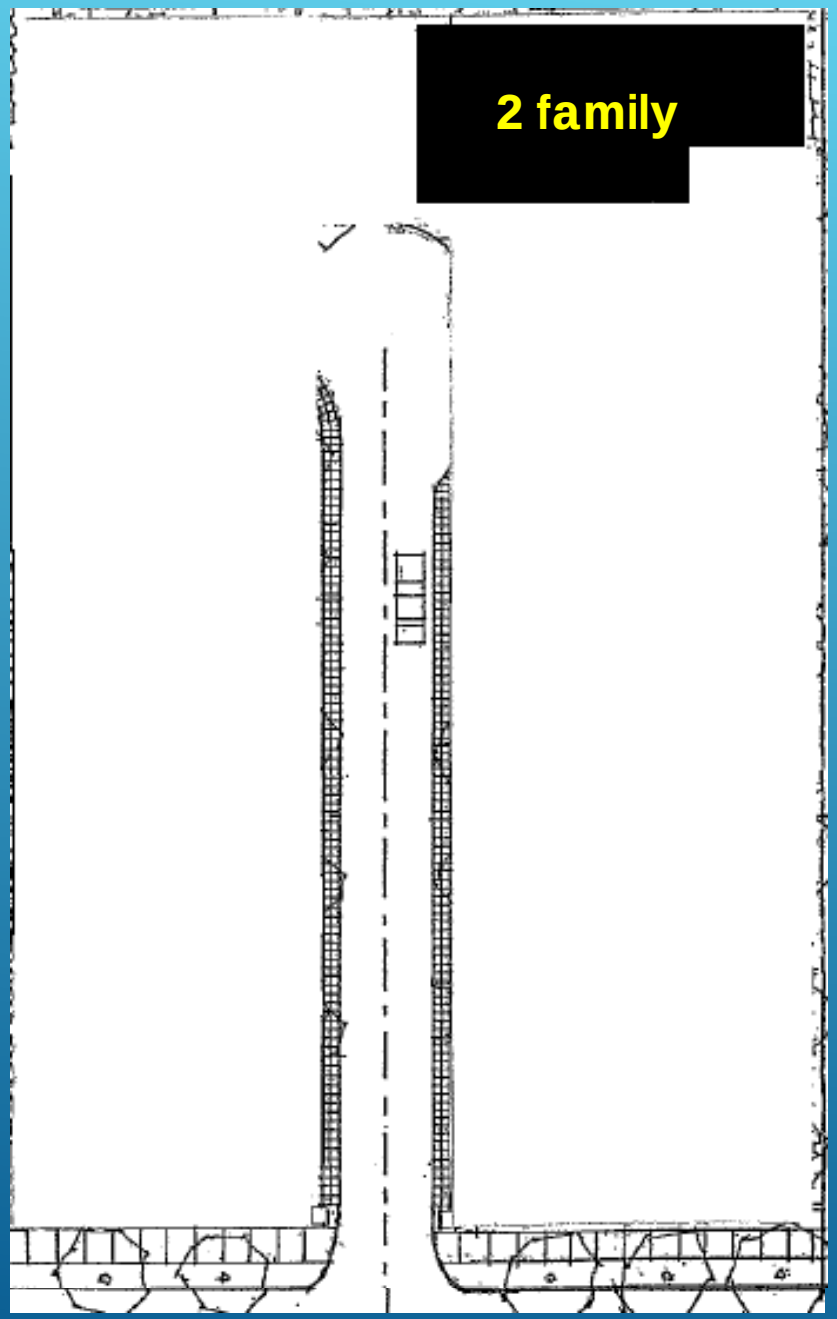

PRECEDENTIAL IMPACT

UR-3 also allows two-family residences

Two floors of 1,750 square feet footprint totals 3,500 square feet of living space.

Each floor could be a separate dwelling unit in which a separate family resides.

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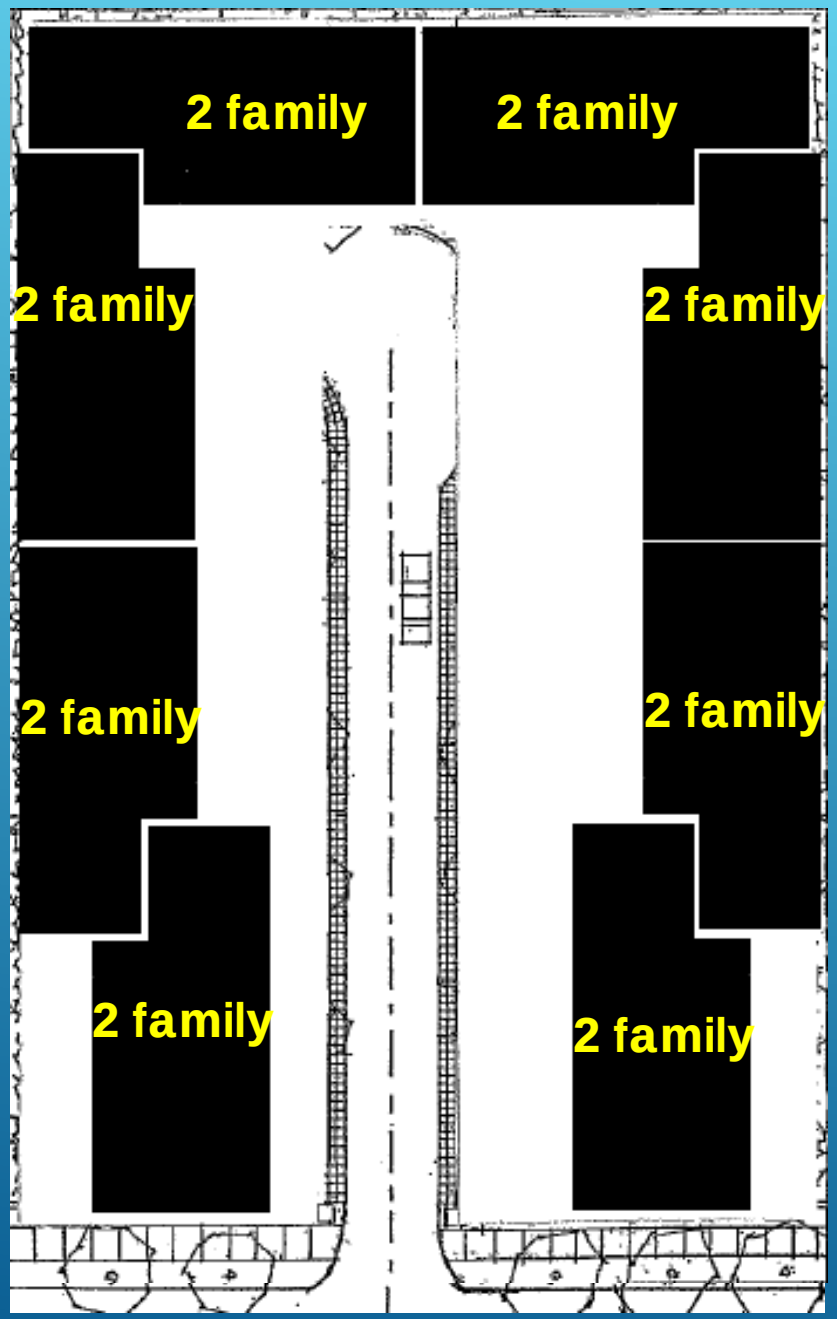

PRECEDENTIAL IMPACT

Approximately 8 two-family structures could be built on this 0.8 acre lot if granted area variances.

8 two-family structures would amount to 16 separate dwelling units, 16 separate families.

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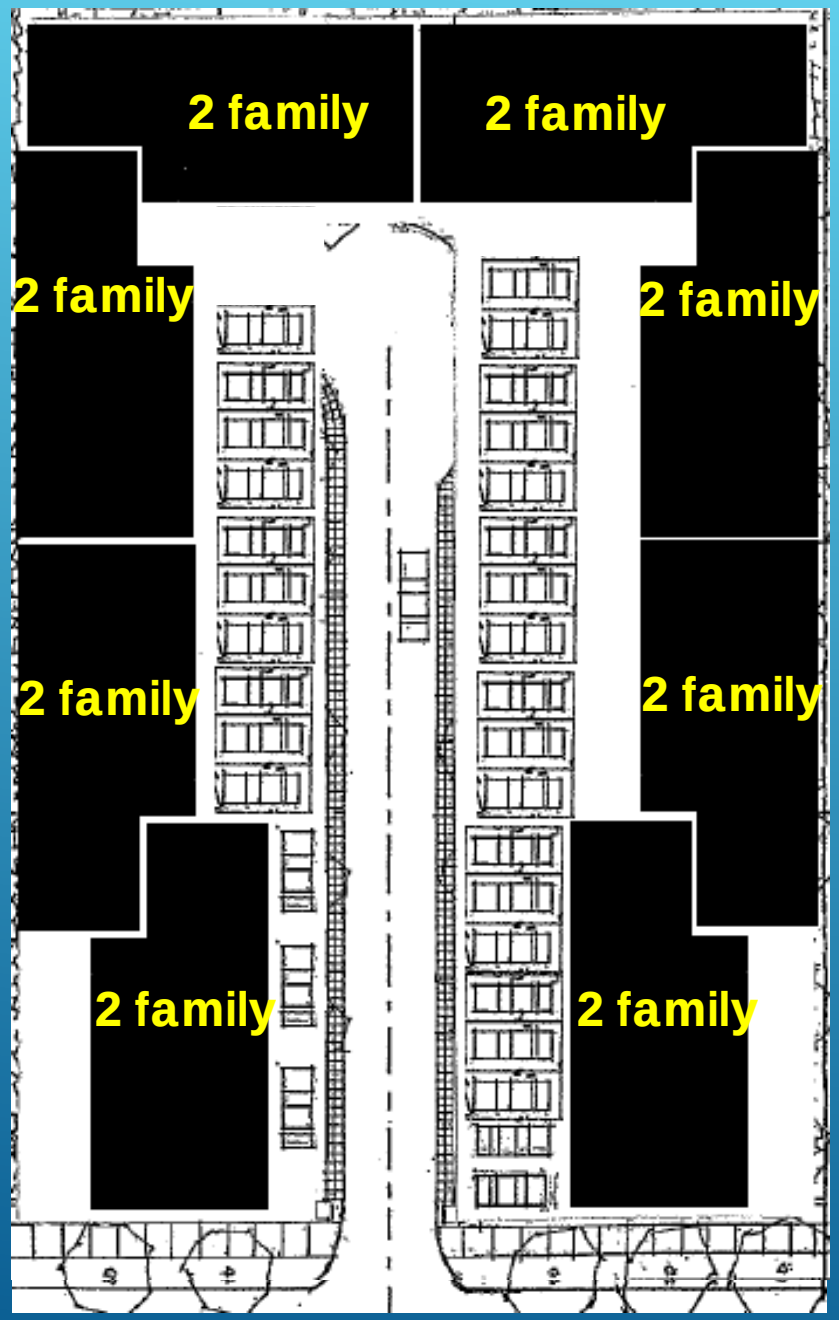

PRECEDENTIAL IMPACT

Zoning Ordinance requires 2 off-street parking spaces per residential unit in the UR-3 zoning district.

16 dwelling units would require 32 parking spaces.

This amounts to an apartment complex, and would be permissible in the UR-3 zoning district under the February 22, 2016 determination.

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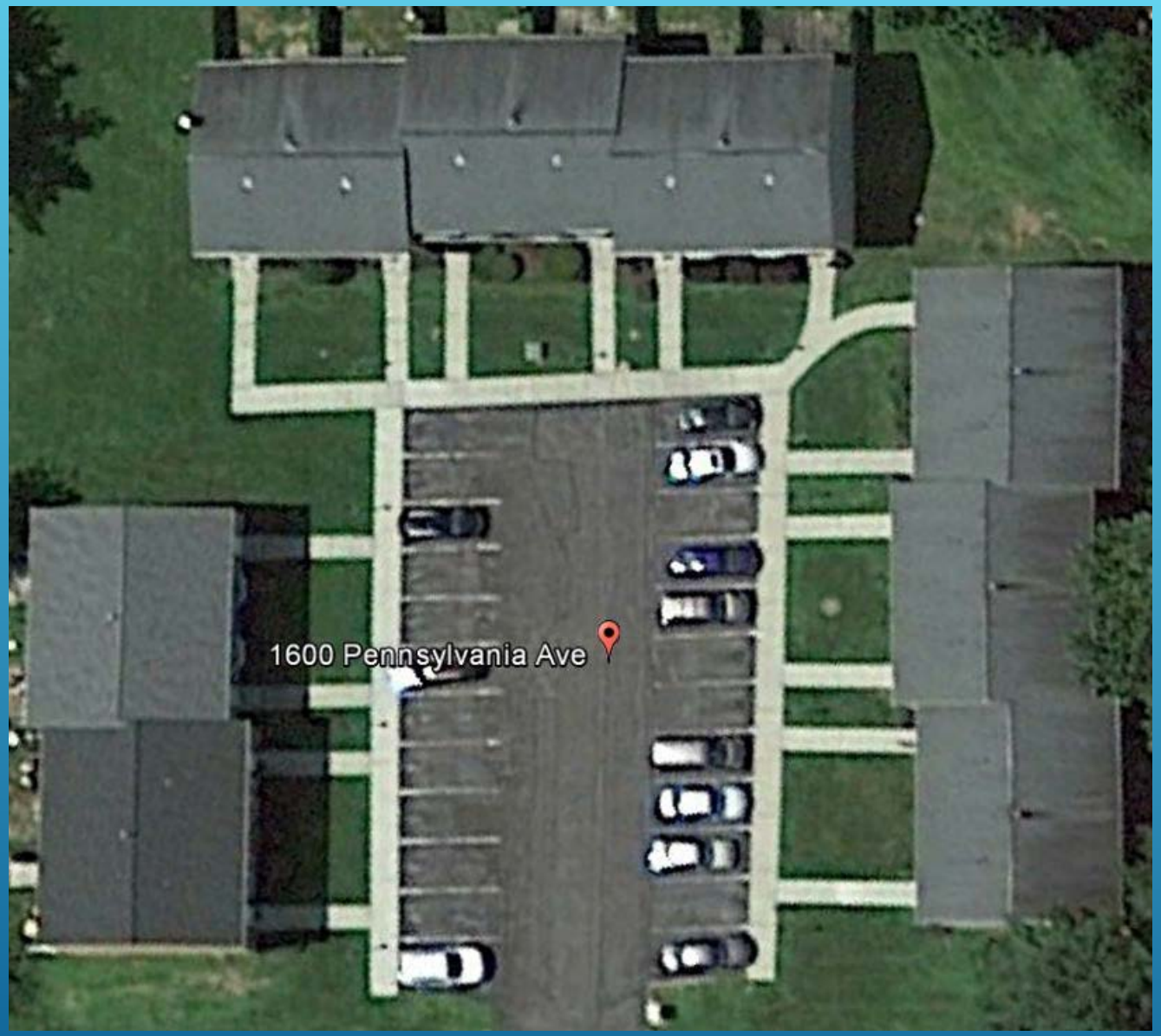

PRECEDENTIAL IMPACT

Presidential Estates in Guilderland, New York.

Presidential Estates is an Apartment Complex.

According to Google Earth, each two-family building has a footprint of 1400-1,600 square feet.

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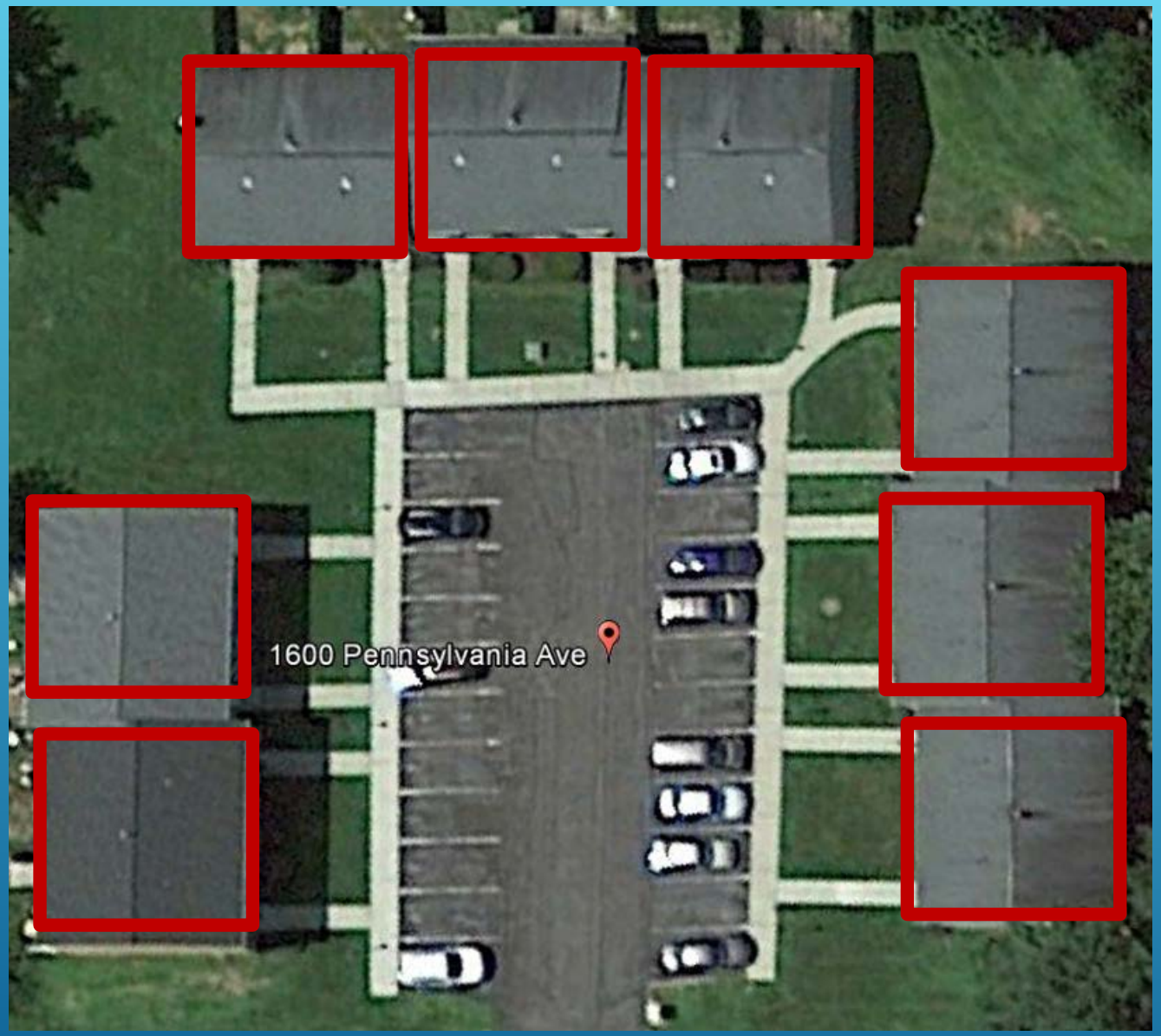

PRECEDENTIAL IMPACT

Presidential Estates in Guilderland, New York.

Structures Could Have Been Built Without Common Walls.

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ATTORNEYS AT LAW

Presidential Estates Apartment Complex in Guilderland, New York.

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ATTORNEYS AT LAW

Presidential Estates Apartment Complex in Guilderland, New York.

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ATTORNEYS AT LAW

ON THE MERITS

The project proposes seven dwelling units, with seven separate families, on a single lot.

The proposed use of the land is a multi-family residential use, which is appropriate for the UR-4/4A and UR-5 zoning districts, but not UR-3.

Upholding the February 22, 2016 determination would give rise to precedent which would allow construction of apartment complexes in the UR-3 zoning district as long as each building only contained 2 dwelling units.

TUCZINSKI CAVALIER GILCHRIST
ATTORNEYS AT LAW

CARTER CONBOY

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CHRISTOPHER J. WATT^
LAWRENCE R. HAMILTON
JOHN H. PENNOCK, JR.

May 3, 2016

William Moore, Chair
Saratoga Springs Zoning Board of Appeals
474 Broadway
Saratoga Springs, New York 12866

Re: Interpretation Request – Appeal from Brewton, et al.
27 Jumel Place – UR-3

Dear Chairman Moore:

We represent the interests of ANW Holdings, Inc. ("ANW" or "Respondent") with respect to its application for the renewal of area variances granted by the Saratoga Springs Zoning Board of Appeals ("Board") in 2013 and 2014 related to 27 Jumel Place ("Property"). ANW has appeared before the Board once in 2016 in order advance its renewal request for the previously granted variances; however, its application has been removed from consideration purportedly due to the recently filed Appeal and Request for Interpretation (the "Appeal") of the February 22, 2016 Zoning Determination related to ANW's project which found that the proposed use was permitted within the zone and no use variances is required. The Appeal has been filed by Jonathon Tingley, Esq, on behalf of his clients Samuel Brewton, Gerald and Debra Mattison, and Sandra Cohen ("Appellants") which appeal asserts that (1) ANW's application be stayed automatically until its appeal is decided; and (2) a use variance is required.

While we recognize that the Appeal is directed to a decision by the City Zoning and Building Inspector, ANW has a vested interest in the outcome of the ZBA's decision on this matter and, as such, respectfully provides this submission for consideration. Based upon all the reasons set forth below, we ask that the Board deny the Appellant's Appeal because (1) ANW's proposed project meets the definition of single family residence as permitted in the UR-3 Zone and is thus a permitted use; (2) the arguments advanced in the Appeal are a mischaracterization of both the City Zoning Code, as well as the proposed project itself; (3) the appeal is untimely; and (4) the determination made on February 22, 2016 was not based upon any additional information or change of circumstances to deviate from prior precedent and findings related to this project.

A. Third Party Stay is Impermissible

At the outset, it is noted that Attorney Tingley cites to the City's Zoning Code §8.4.2(c) for the proposition that there is an automatic stay with the filing of his clients' administrative appeal of a zoning determination. Section 8.4.2(c) states in its entirety:

> "An appeal shall stay all **enforcement proceedings** relating to any violation under appeal unless the administrative official charged with the enforcement of the Zoning Ordinance finds that such stay would cause imminent peril to life or property."

It is clear from a reading of §8.4.2 that the City provision stays only proceedings to enforce alleged violations of the Zoning Code. In this case, there is no pending violation or enforcement proceeding against ANW or the appealing neighbors or any other entity. Therefore, the provision of the City Zoning Code cited by Attorney Tingly for an automatic stay of the ANW's application is erroneous.

In light of the clear inapplicability of the City stay provision, Attorney Tingley's letter then cites to the General City Law §81-a[6] for the proposition that the state law applies stays more broadly to "all proceedings in furtherance of the action appealed from" and would operate to create an automatic stay [See Tingley ltr, p. 2]. However, there is binding Appellate Division case law which holds that a third party appeal of a zoning determination **does not** create an automatic stay under the state law. See Bonded Concrete, Inc. v. Town of Saugerties, 282 A.D.2d 900 (3d Dep't 2001) (holding that the NYS Town Law does not operate as an automatic stay for third party appeals; see People v. City of Watervliet Zoning Board of Appeals, 2013 N.Y. Misc LEXIS 6853 (Sup Ct Albany Co 2013) (holding "that the automatic stay provision of NYS City Law §81-a[6] governing appeals to a Zoning Board of Appeals does not apply to the filing of an appeal by third parties"). The courts have found that the legislative intent of the automatic stay provisions for zoning boards of appeals is to protect property owners from enforcement of a notice of violation while his or her appeal is pending and not for third party appeals. See People v. Baris Shoe Co, 174 Misc2d 529 (Dist Ct Nassau Co 1997).

To be sure, an extension of automatic stays to the filing of third-party appeals would subject all applications, not just ANW's, to whim of neighbors who seek to slow or inhibit the due and timely consideration of such applications by the Board. Such a result is neither outlined in the language or expressed as the intent of either the City Zoning Code or General City Law 81-a[6]. As such, ANW respectfully requests that no stay be recognized as applicable to its application for renewal of its area variances and that its application be heard at the next meeting of the Zoning Board of Appeals.

B. Background and History

The Property has been before the Board on several occasions, dating back as far as 1957. The site was home to a manufacturing operation in what was, then and now, a largely residential area. The pre-existing, non-conforming building is a large concrete structure covering approximately 49.5% of the lot. At the front and rear of the lot, there is currently under one foot of setback as the

building is located directly on the property lines. Over time, the use on the site evolved from manufacturing to a ballet school and apartment building; and, even at one time, a non-conforming karate studio.

In 2013, John Witt, ANW's representative, filed an application for area variances to "tear down existing building and build a seven unit **single family** condominium project." (See Exhibit A – 2013 Application; emphasis added). The project had the potential to reduce the overall lot coverage and density both from the existing non-conforming building and the maximum allowable use which is four duplexes (or eight residential units). The 2013 application (currently known as "Downton Walk") requested several area variances to construct the project, to wit: maximum building coverage, maximum principal building on one lot[1], minimum front yard setback for two units on Jumel Place, and minimum rear yard setback for two units at the rear. Following receipt of ANW's application, the Zoning and Building Inspector determined that solely area variances were required for the project because the single family use was permitted within the zone. The Board requested an advisory opinion from the Planning Board which was issued in favor of the project. Following a public hearing on the matter, the Board voted to approve the area variances as requested and made several specific factual findings related to the relief granted.

In 2014, ANW came again before the Board in order to expand upon the relief granted in the 2013 application. First, ANW requested the ability to increase the fence height from 6 feet to 8 feet in order to provide additional screening to neighbors. Second, the front stoops on the units closest to Jumel Place required additional relief from the front yard setback. Third, the maximum building coverage request increased from 43.5% to 46%; representing a 2.5% change. Again, following receipt of the application, the Zoning and Building Inspector determined that solely area variances were required for the project but that the use was permitted within the zone. Following a public hearing on the matter, the Board voted to approve the area variances as requested and made several specific factual findings related to the relief granted.

In 2016, ANW was finally able to move forward with the process of purchasing the Property following the resolution of issues related to the estate probate process involving the current owner. However, ANW's variances from 2014 had lapsed pursuant to the Saratoga Springs Zoning Ordinance eighteen months after the approval (November 1, 2015). As a result, ANW was required to renew its request for the area variance relief in order to proceed with the project. On January 19, 2016, ANW filed an application for a renewal of the area variances and the application was first heard on February 22, 2016 by the Board. Once again, following receipt of the application, the Zoning and Building Inspector determined that area variances were required for the project but that the use was permitted within the zone. At the meeting, ANW presented the application and reiterated several times on the record that *none* of the project elements has changed since the 2013 and 2014 approvals.

[1] The maximum principal building on one lot is of particular importance to the instant matter but was not addressed by the Appellants within the Appeal. Section C of this letter will outline this issue in detail.

C. ANW's Project Contains Single-Family Units on One Lot

While Attorney Tingley presents significant information in the Appeal concerning the alleged limitation of condominiums in the UR-3[2], the appeal mischaracterizes the facts by intimating that ANW's proposed seven **single-family residences** on the Property are actually multifamily dwellings without a single substantiating fact or reasonable interpretation of the City Zoning Code. From the earliest filing in 2013 and including through to the renderings provided in 2016, ANW has maintained the position that the proposed project is made up of separate single family dwelling units which will be owned pursuant to Article 9-B of the NYS Real Property Law (commonly known as the New York State Condominium Act) as it relates to its common areas – as those terms are defined in the state law. In short, the Appellants are arguing for an interpretation related a multifamily dwelling project which **has not been proposed**.

It is ANW's position that the confusion brought about by the Appeal stems from the difference between "use" and "type of ownership" related to condominiums – an issue which has been addressed by New York State courts.

1. USE:

The discussion of use must begin with the current UR-3 permitted uses and their related definitions. In the UR-3, the principal permitted uses are single family residences and two family residences (Table 2: Use Schedule). According to Appendix A of the City Zoning Code, the definitions of these uses are as follows:

> *Residence – Single-Family*: A residential structure containing one dwelling unit.
> *Residence – Two-Family*: A residential structure containing two dwelling units.

Conversely, Attorney Tingley attempts to mischaracterize ANW's project as proposing multifamily residences which is defined as "a residential structure containing **three or more** dwelling units." It is self-evident that the differentiating factor between each of these definitions is the number of dwelling units located within a single structure. It is equally self-evident that the application of ANW (Exhibit A) and the plans provided to the Board show a site layout which includes seven independent structures, each containing a single family dwelling unit, which is consistent with the definition of Residence-Single Family - a permitted use in the UR-3.

2. TYPE OF OWNERSHIP:

The Appellants make much of ANW's accurate characterization of its project as a "condominium" within ANW's application materials. ANW concedes that the City Zoning Code does contain a definition for "condominium" which is:

> "A ***multifamily dwelling*** containing individually owned dwelling units wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the development." (Appendix A) (emphasis added)

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[2] ANW strongly disputes the accuracy of Attorney Tingley's premise that "Residence – Multifamily" is the same as "Condominium" under the City Code.

As such, a condominium as a **use** under the City Zoning Code definition must be a "multifamily dwelling" – which is undefined in the Code but would arguably be similar to "Residence – Multifamily: A residential structure containing three or more dwelling units."[3] As noted above, however, ANW's proposed **use** is neither a Condominium nor a Residence-Multifamily as those terms are defined by the Zoning Code. Rather, ANW's proposal is seven single family dwelling units on one lot; not seven dwelling units within one structure as argued by the Appellants –which single family residences are permitted uses.

There is no dispute that Downton Walk will be a condominium property pursuant to the NYS Condominium Act. Importantly, New York State law outlines that which is a "condominium" for statutory purposes with respect to the form of ownership, including the shared ownership of common elements and units. Under the Condominium Act, the Downton Walk project is a lawful condominium form of ownership because of its shared elements and will be reviewed by the NYS Department of Law for approval. Therefore, the definition of a "condominium" as a use under the City Zoning Code is of no consequence to the present application which is describing Downton Walk's form of ownership. To use the City Zoning Code to thwart New York State's ability to regulate condominiums as a form of ownership of units with common elements would be barred by the doctrine of preemption and contrary to statutory purpose and intent.

In short, it is ANW's position that "condominium" under the City Zoning Code is not synonymous with "condominium" under the NYS Condominium Act concerning the form of ownership under Article 9-B. Importantly, courts have noted the limitation of local municipalities to regulate, through zoning, forms of ownership such as condominiums which are regulated by New York State. In P.O.K. RSA v. New Paltz, the Appellate Division, Third Department found that "municipalities have no inherent capacity to mandate the manner in which property may be owned or held. They must acquire such power by the State. Absent such a delegation of power, a municipality cannot employ a zoning ordinance to exclude or discriminate against the condominium form of ownership." 157 A.D. 15 (3d Dep't 1990). Such exclusion and discrimination is improper because "it is use rather than form of ownership that is the proper concern and focus of zoning and planning regulations." North Folk Motel, Inc. v. Grigonis, 93 A.D.2d 883 (2d Dep't 1983).

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3 Notably, "multifamily dwelling" is not defined within the Zoning Code but is contained within the definition of "condominium." The failure of the Code to define a term within the definition of condominium is construed against the municipality and in favor of the property owner in accordance with ordinary meaning. Mamaroneck Beach and Yacht Club Inc. v. Zoning Board of Appeals of the Village of Mamaroneck, 53 A.D.3d 494, 498 (2d Dep't 2008). ANW takes the position that the ordinary meaning of "multifamily dwelling" is similar to that of "Residence – Multi-Family" which requires a single structure to contain three or more dwelling units. Appellants assume and speculate that the separation of the buildings "by a few feet" must create multifamily residences – even when their interpretation finds no support in the Code. Such arguments by the Appellants would be an impermissible and a derivation of the law that vagueness or ambiguity is resolved in favor ANW. Assumptions and conjecture are not permitted in order to interpret a zoning code.

3. **MAXIMUM PRINCIPAL BUILDING VARIANCE**

For the reasons set for in Points 1 and 2 above, there is simply no reading of the Code which supports a finding that there are three or more dwelling units within a single structure in Downton Walk. Furthermore, ANW is free to use the term 'condominium' as a description of its form of ownership under Condominium Act. However, as a last resort, the Appellants cite to a lack of subdivision into seven individual lots as a factor upon which this Board may base an interpretation. The Appellants are incorrect.

The principal building limitation per lot is set forth within the City Zoning Code itself and it is self-evident that an owner can seek area variance relief from this restriction so as to allow more than one principal building on a single lot. Section 2.3-A of the Zoning Code states, in relevant part, that "only one principal building may be established on any one lot provided that the minimum area, width and dimensional requirements of the district are met for each principal building." Therefore, an owner **may** either (1) subdivide his lands to allow for more lots on which to place a single principal building **or** (2) seek an area variance to place more than one principal building on a single lot. In 2013, ANW came to the Board to request an area variance of the maximum principal building limitation under Section 2.3-A from one building on the lot to seven buildings. The relief was granted.

The Appellants attempt to equate "multiple buildings on site" with "multiple dwelling units within a single structure" strains interpretation far beyond the reasonable and into the wholly unfounded. While the word 'multiple' is used in the Appeal synonymously, the words are not the same for purposes of this interpretation. ANW was entitled to seek relief from Section 2.3-A to place seven, single-family units on the Property. Any attempt to argue that multiple buildings on site is the equivalent of a 'multifamily dwelling' is contrary to statutory interpretation, common usage of the words, and the definitions provided by City Zoning Code itself.

For all the reasons set forth above, ANW's proposed project does not require relief from the use restrictions in the UR-3 and the determination of the Zoning and Building Inspector should be upheld.

D. The Appeal is Time Barred

It is also the position of ANW that the appeal of the February 22, 2016 determination is time-barred. New York General City Law 81-a(5)(b) provides:

> "An appeal shall be taken within sixty days after the filing of any order, requirement, decision, interpretation or determination of the administrative official, by filing with such administrative official and with the board of appeals a notice of appeal, specifying the grounds thereof and the relief sought. The administrative official from whom the appeal is taken shall forthwith transmit to the board of appeals all the papers constituting the record upon which the action appealed from was taken."

ANW first brought applied for relief for the project in 2013, at which time a zoning determination on the merits was made by the Zoning and Building Inspector. The determination

in 2013 was that area variances were necessary for the project but not use variances. It is solely due to a lapse in time that ANW is required to renew its application for relief. There has been no evidence submitted to the Board of any material changes in circumstances for the project components or neighborhood composition since the original determinations were made. Moreover, ANW is not seeking any additional or different relief which would change the previously considered impacts to the neighborhood. As a result, the zoning determination of 2013 is determinative on the issue of whether a use variance is required and the statute of limitations provided by General City Law 81-a(5)(b) of sixty days has long since run. To be sure, the Appellants would like the benefit of a second (or third) bite of the apple, having not appealed the original determination in 2013. Such a bite would be prejudicial to ANW, as well as contrary to principals of res judicata.

The doctrine of administrative res judicata (or claim preclusion) applies to the Appeal of the 2016 determination made by the Zoning and Building Inspector. The Appellants had a full and fair opportunity to seek relief from the zoning determination originally made in 2013 which was based upon the very same facts and project elements for Downton Walk. See DiCostanzo v. Zoning Board of Appeal of the Village of Saltaire, 2015 NY Slip Op 30051(U) (applying the doctrine of administrative res judicata to zoning officer determinations); See Jensen v Zoning Bd. of Appeals of the Village of Old Westbury, 130 AD2d 549, 550 (2nd Dept. 1987), citing Ryan v NY Tel. Co., 62 NY2d 494, 499 (1984). As such, the Appeal is untimely and should be dismissed.

In conclusion, it bears noting that the Appellants' citations to the 2015 Comprehensive Plan are irrelevant and misdirected. As extensively noted above, there is no reading of the City Zoning Code (of which the Comprehensive Plan is not a part) which supports a determination that Downton Walk is a condominium as that term is defined within the Code. In truth, the proposed project is a single family residential development on a single lot with common elements to be owned pursuant to the Condominium Act. Furthermore, the Comprehensive Plan is a planning and supportive tool for the City Council in its efforts to pass zoning legislation for the future of the City. The Board does not exist to carry out the legislative function of the City Council; and even if it did, this project comports with the single and two family residences called for in the CRN-1 and the RN-2.

I respectfully request that this letter be made part of the record for the Appeal. I thank the Board for its courtesies in this matter.

Sincerely,

M. Elizabeth Coreno

Cc: Anthony Izzo
Susan Barden
John Witt

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

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May 18, 2016

VIA EMAIL – susan.barden@saratoga-springs.org
AND U.S. MAIL
Zoning Board of Appeals
City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, New York 12866

Re: Brewton, et al. Interpretation Request; ZBA No. 2887; Parcel No. 166.13-1-50.2
Project: ANW Holdings, LLC, 27 Jumel Place

Dear Zoning Board of Appeals:

Please accept this as the Appellants' response to comments and questions in the above-referenced appeal seeking an interpretation of the Zoning Ordinance.

1. Mr. Brewton, Mr. and Mrs. Mattison, and Ms. Cohen Have Standing to Prosecute this Appeal and To Seek the Interpretation Requested.

A concern was raised at the May 9, 2016 Zoning Board of Appeals meeting concerning whether neighbors of a proposed project have standing to file an interpretation request and to pursue an appeal at the Zoning Board of Appeals. Owners and residents of properties that adjoin a property on which a land use project is proposed have standing as aggrieved parties (Matter of Youngewirth v. Town of Ramapo Town Board, 98 AD3d 678, 680 [2d Dep't 2012]; Bonded Concrete, Inc. v. Zoning Bd. of Appeals, 268 AD2d 771, 772 [3d Dep't 2000]; Matter of McGrath v. Town Board of Town of N. Greenbush, 254 AD2d 614, 616 [3d Dep't 1998]; Matter of Sun-Brite Car Wash v. Bd. of Zoning & Appeals, 69 NY2d 406, 413 [1987]). The Appellants each live at or own property located at [redacted] Lake Avenue (Tax Map Parcel No. 166.13-1-4) and [redacted] Lake Avenue (166.13-1-6), which are located adjacent to the Project Site, and the complaints of the Appellants regarding the project are appropriate zoning concerns sufficient to give Appellants standing (Matter of Rosch v. Town of Milton Zoning Bd. of Appeals, 142 AD2d 765, 766 [3d Dep't 1988]). As such, Appellants are persons aggrieved by the February 22, 2016 Determination and have standing to appeal therefrom.

2. This Appeal is Timely.

Counsel for ANW Holdings, LLC has argued that this appeal is not timely. Both the Zoning Ordinance and state law provides that an application for appeal from a determination of the building inspector must be submitted within 60 days after the decision was filed (Zoning

Ordinance, § 8.4.1 [B]; N.Y. Gen. City Law § 81-a [5] [b]). Appellants have appealed from a decision dated February 22, 2016. This appeal was filed on March 18, 2016, well within the 60-day time period.

3. This Appeal is Not Barred by Administrative Res Judicata.

Counsel for ANW Holdings, LLC has argued that this appeal is barred by administrative res judicata because the building inspector rendered a determination in 2013 that only area variances were required. Administrative res judicata bars a party from re-litigating an issue that it has already unsuccessfully litigated before. A prior determination of a building inspector is not entitled to any administrative res judicata effect. First, an erroneous determination by the building inspector does not prevent later enforcement of the ordinance, even where there are harsh results (Matter of Twin Town Little League Inc. v. Town of Poestenkill, 249 AD2d 811, 811–12 [3d Dep't 1998]; Town of Putnam Valley v. Sacramone, 16 AD3d 669, 670 [2d Dep't 2005]). Second, a building inspector's determination is not an adjudication, but is instead a ministerial act of applying the Zoning Ordinance to a particular application. Since administrative res judicata is designed to prevent re-litigation by the same parties of the same issues, it only applies where the prior administrative action was actually an adjudication (see Matter of Tillie Venes v. Community School Bd., 43 NY2d 520, 523–25 [1978]). Appellants herein were not parties to the building inspector's 2013 determination, were not given a full and fair opportunity to participate in the building inspector's 2013 application review, and therefore cannot be viewed as having already litigated the issue that is presented on this appeal.

4. The February 22, 2016 Determination Must Be Reversed.

The specific use for which the subject land is proposed to be designed, maintained, and occupied is a seven-family residential use. As stated at the May 9, 2016 Zoning Board of Appeals meeting, the proposed use by seven families, with seven dwelling units, on a single lot is a multi-family residential use not permissible in the UR-3 zoning district.

Counsel for the ZBA referred to the definition of "Residence – Multifamily" at the May 9, 2016 meeting.[1] "Residence – Multifamily" is defined in the Zoning Ordinance as "a residential structure containing three or more dwelling units" (Zoning Ordinance, App. A at 15). The term "structure" and "dwelling unit" are each specifically defined:

> "Structure: **Any constructed or placed material in or upon the ground, including buildings**, towers, sheds, pools, signs and the like, but excluding sidewalks, paving, grading, patios, and the like" (Zoning Ordinance, App. A at 18).
>
> "Dwelling Unit: A residence having direct-access from the outside of the **building** or

1 Counsel for the ZBA indicated that he had not heard any reference to this definition by either Appellants' counsel or counsel for ANW Holdings. Counsel for Appellants did reference the definitions of single family residence, two family residence, and multifamily residence during the ZBA's discussion with Appellants' counsel, but pointed out that the definitions used the term "structure", which is very broadly defined. While the thrust of Appellants' presentation was to focus the ZBA on the multifamily use of the lot, the Appellants' position is consistent with the definition of "Residence – Multifamily" given the Zoning Ordinance's definition of the term "structure".

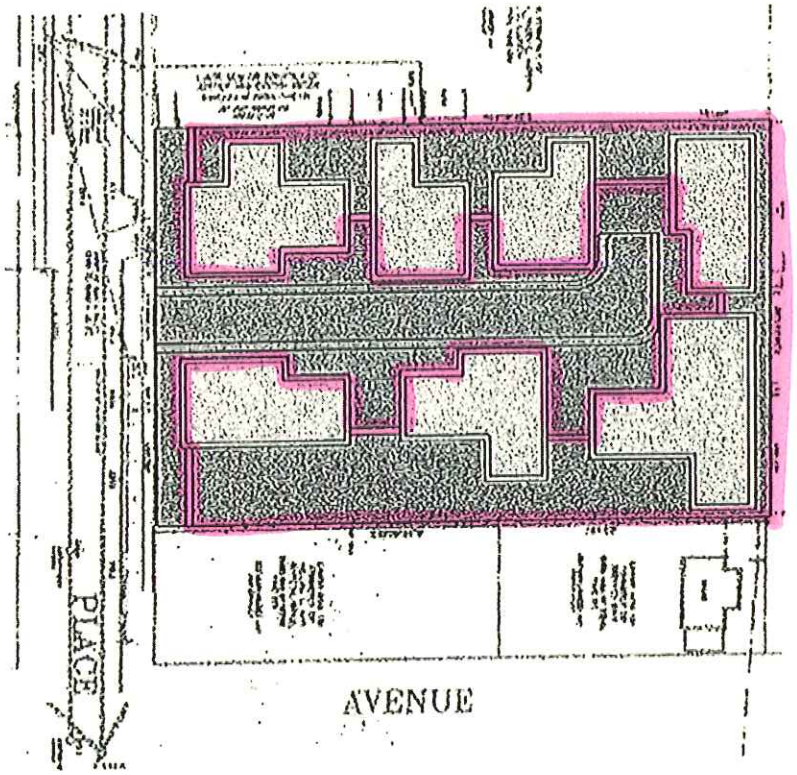
through a common hall and a complete kitchen facility for the exclusive use of the occupants" (Zoning Ordinance, App. A at 8).

The definition of "Residence – Multifamily" must be read in conjunction with the definitions of both "structure" and "dwelling unit". The Zoning Ordinance draws a clear distinction between the term "structure," "building", and "dwelling unit," with the term "structure" having the broadest definition and being inclusive of both "buildings" and "dwelling units".

In light of the broad definition of "structure", and the Zoning Ordinance's clear distinction between the terms "dwelling unit", "building", and "structure", the seven dwelling units proposed by ANW Holdings are within a residential "structure". Collectively, the seven buildings (which will contain the seven dwelling units) on this lot are a "structure" as that term is defined in the Zoning Ordinance, as they consist of "any constructed or placed material in or upon the ground, including buildings". Therefore, the residential "structure" on the lot is proposed to contain "three or more dwelling units", and is therefore a "Residence – Multifamily".

This interpretation is supported not only by the specific definition of the term "structure" in the Zoning Ordinance, but also by the fact that this project additionally proposes to connect each dwelling unit (and each building) to the next by fencing, as shown below:

Concept Site Plan



Source: ANW Holdings Area Variance Application

As depicted in ANW Holdings' area variance application, the project site includes one continuous "structure", containing seven buildings (and seven dwelling units) with fencing[2] that connects each building and that fully encloses the side and rear yards. The fact that there is no roof or covering enclosing the area inside the fences and buildings is not relevant. There is one continuous "structure", as that term is defined under the Saratoga Springs Zoning Ordinance, and that "structure" contains seven dwelling units.

Counsel for ANW Holdings, LLC stated that the Zoning Board of Appeals should not consider the intent of the Zoning Ordinance in interpreting its language. However, a statute such as a zoning ordinance must be construed as a whole, reading all of its parts together, **all of which should be harmonized to ascertain legislative intent**, and giving meaning to all words used (Erin Estates, Inc. v. McCracken, 84 AD3d 1487, 1489 [3d Dep't 2011]; Veysey v. Zoning Board of Appeals of City of Glens Falls, 154 AD2d 819, 819 [3d Dep't 1989]). "The task in interpreting a statute or ordinance is to **give effect to the intent of the body which adopted it**" (Briar Hill Lanes, Inc. v. Town of Ossining Zoning Bd. of Appeals, 142 AD2d 578, 580 [2d Dep't 1988]).

The intent of the City Council in adopting the Zoning Ordinance (and in particular in setting the permissible uses in the UR-3, UR-4/4A, and UR-5 zoning districts) is set forth in Table 1, which provides:

Urban Residential – 3 (UR-3)	To conserve, maintain and encourage **single family and two-family residential uses**.
Urban Residential – 4 (UR-4) Urban Residential – 4A (UR-4A)	To accommodate a **mix of-single, two-family and multi-family residential uses**.
Urban Residential – 5 (UR-5)	To accommodate **multi-family residential development** at moderately high densities and to encourage a mixture of housing types.

(Zoning Ordinance, Table 1)

In adopting these distinct zoning districts, the City Council set forth a clear intent, legislatively stated and formally adopted, that multi-family residential uses would be permissible in the UR-4/4A and UR-5 zoning districts, but not in the UR-3 zoning district.

Moreover, **the City Council sought to avoid the very scenario presented here**, where a developer seeks to put a single lot in the UR-3 zoning district to multi-family residential use by merely increasing the number of "principal buildings per lot". The Zoning Ordinance provides that:

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2 A fence also falls within the definition of "structure", and confirms that a lack of a roof is irrelevant in determining what is the "structure" on any given lot. "Fence: An unroofed barrier or enclosing **structure**, including retaining walls" (Zoning Ordinance, App. A at 9).

> "**In the UR-4, UR-4A, and UR-5 Districts**, more than one principal building for single and two-family uses are permitted" (Zoning Ordinance § 2.3 [A][2]).

This provision is critical. "[W]here a law expressly describes a particular . . . thing . . . to which it shall apply, an irrefutable inference must be drawn that what is omitted or not included was intended to be omitted and excluded" (Calenzo v. Shah, 112 AD3d 709, 711 [2d Dep't 2013]; Town of Eastchester v. New York State Bd. of Real Prop. Servs., 23 AD3d 484, 485–86 [2d Dep't 2005]).

The City Council specifically excluded from this provision the UR-3 zoning district, the intent of which is to "conserve, maintain and encourage single family and two-family residential uses", but included the UR-4, UR-4A, and UR-5 therein, all of which are intended to accommodate multi-family residential uses. The City Council legislatively sought to avoid the precise scenario presented here, where a developer could construct more than three dwelling units on a single lot in the UR-3 zoning district merely be increasing the number of principal buildings on the lot.

This provision is also what distinguishes this case from Boni Enterprises, LLC v. Zoning Board of Appeals of Clifton Park (124 AD3d 1052 [3d Dep't 2015]), the case cited by counsel for ANW Holdings at the May 9, 2016 ZBA meeting. According to counsel for ANW Holdings, that case stands for the proposition that 74 one-family dwellings can be developed on a single lot, without need for subdivision. **But the zoning ordinance in that case specifically provided that "[m]ultiple buildings on a lot are allowed as long as the overall density limitations of this article are not exceeded"**. That provision is directly contrary to the provision in the Saratoga Springs Zoning Ordinance, both in terms of the limitation of a single principal building for each single lot, and in terms of the express provision allowing multiple one-family and two-family buildings in the UR-4/4A and UR-5 zoning districts, but not in the UR-3 zoning district.

Also significant is the fact that the Zoning Ordinance defines "condominium", but does not list "condominium" as a permissible use in the UR-3 zoning district. While condominiums, under both state and local law, are ownership arrangements, they are also by definition, "multi-family" and "multi-unit". Under state law, a condominium "building" is defined as "a **multi-unit** building or buildings, or a group of buildings **whether or not attached to each other**, comprising a part of the property" (Real Property Law § 339-e [1]). Under local law, a "condominium" is a "multifamily dwelling containing individually owned dwelling units, wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the development" (Zoning Ordinance, App. A at 7). ANW Holdings' proposal is a multi-family condominium, in which seven dwelling units will be individually owned by their respective occupants, with each unit owner owning a common, undivided interest in the underlying real property and the common elements. The ownership and use of the lot (consisting of the underlying real property and all common elements) will be by the owners of all seven dwelling units. The very fact that ANW Holdings is proposing a condominium form of ownership demonstrates that the proposed use necessarily ***is*** a multi-family or multi-unit use.

Concern was expressed at the May 9, 2016 ZBA meeting that Appellants' presentation concerning the precedential impact of a determination on this appeal was alarmist and was akin to

"the boy who cried wolf". Rest assured that there was no intent to be alarmist, nor to inflame the public or the Zoning Board of Appeals. But while Appellants respect the concern expressed, the precedent set by the decision on this appeal **is** a consideration that the ZBA must consider in determining this appeal, since in construing a legislative enactment, the literal meaning of words may not be adhered to or suffered to defeat the manifest intent of the legislation (Seltzer v. City of Yonkers, 286 App. Div. 557, 560 [2d Dep't 1955]).

The City Council's manifest intent for the UR-3 zoning district will be thwarted by an interpretation upholding the February 22, 2016 determination. If the ZBA interprets the Zoning Ordinance to allow the use of a single lot in the UR-3 zoning district for seven dwelling units as a "single family residence" use, it is true that any future applications proposing multiple two-family buildings (the scenario presented by Appellants' presentation) on a single lot in the UR-3 zoning district would require area variance review by the ZBA. But the **use** of the single lot for as many dwelling units as can fit thereon in two-family or one-family buildings would nonetheless be considered a **permissible use** in the UR-3 zoning district, which runs directly contrary to the clear intent expressed by the City Council.

And that clear intent, legislatively expressed in the Zoning Ordinance at Table 1, Table 2, and § 2.3 [A][2], is that:

- **In the UR-3 zoning district, the permitted uses are limited to one single-family residential use or one two-family residential use on any one lot**; and

- **Multiple family residential uses, regardless of whether all dwelling units are in a single building or contained in a number of principal buildings on one lot, are intended for the UR-4, UR-4A, and UR-5 zoning districts.**

The Zoning Ordinance may not be interpreted in a way that thwarts the very clear legislative intent expressed by the City Council for the UR-3 zoning district. As noted previously, the reversal of the February 22, 2016 Determination and interpretation does not equate to denial of the Project. It merely enforces the current zoning for the UR-3 zoning district and requires the developer to either demonstrate its entitlement to a use variance to permit the Project as currently proposed, or alternatively, to secure subdivision approval to create separate lots so that the use of each lot is either a single-family permitted use or a two-family permitted use.

Very truly yours,

TUCZINSKI, CAVALIER & GILCHRIST, P.C.

By:
Jonathon B. Tingley

cc: Mark Schachner, Esq.
(via email – [redacted])

Zimbra **lindsey.gonzalez@saratoga-springs.org**

Letter of support for 117 Middle Ave. Variance

From : Gillian Black [redacted] Mon, Apr 04, 2016 11:35 AM

Subject : Letter of support for 117 Middle Ave. Variance

To : lindsey gonzalez <lindsey.gonzalez@saratoga-springs.org>

To Whom it May Concern,

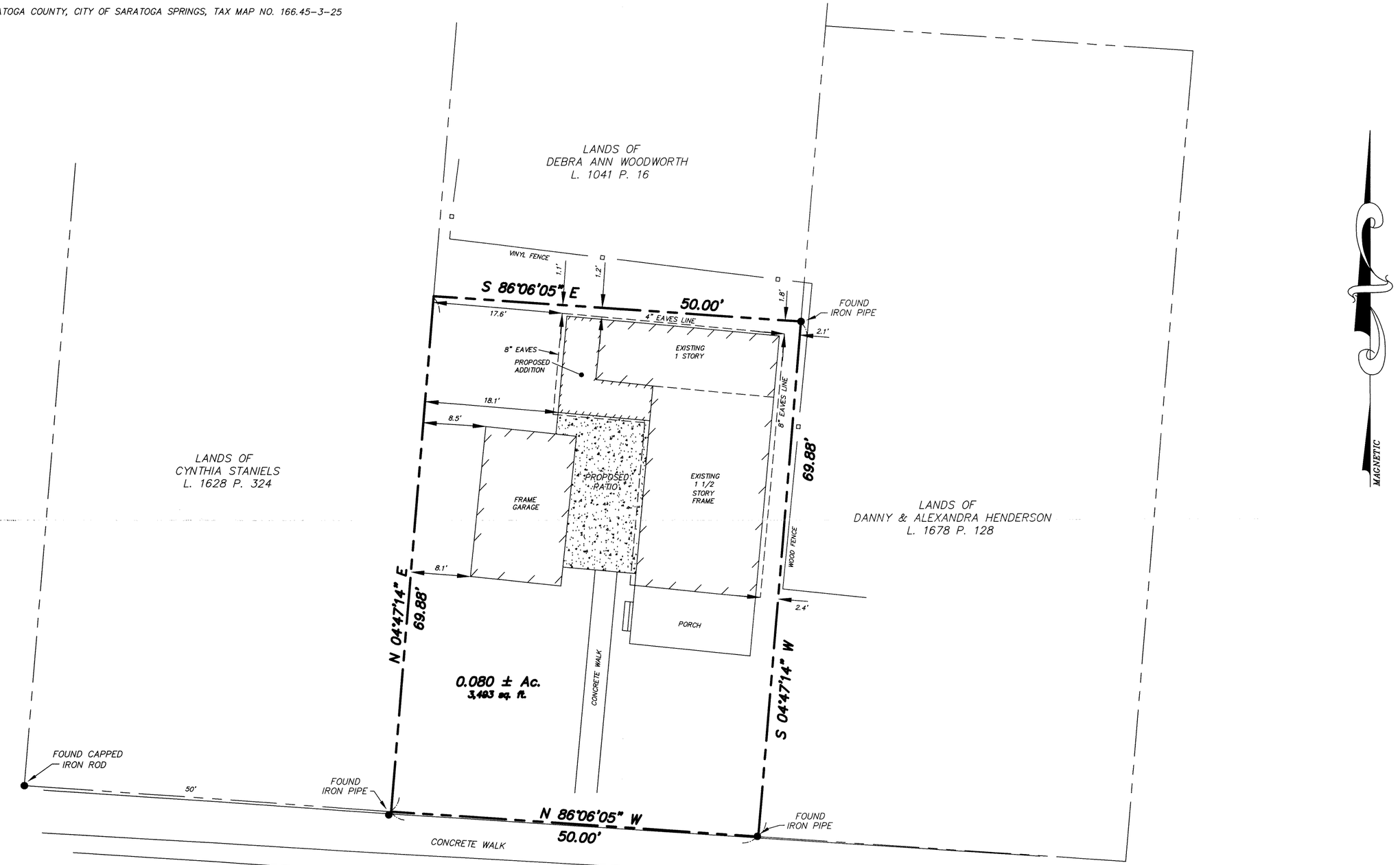
We received notice that Chris Armer & Teri DeSorbo have applied for a variance. My wife Kathryn Strassner and I own the double lot property at [redacted] York Ave. Our driveway (and main entrance) is directly adjacent to the western border of 117 Middle Ave. While at first we were concerned that development may encroach on our privacy, after reviewing the proposed plans we fully support this project. The current structure at 117 Middle Ave. is an eyesore. We believe the proposed construction is in the best interest of our neighborhood and the City of Saratoga Springs, as it replaces a derelict structure and will bolster our local property values. Please grant them their variance.

Best Regards,
Gillian Black

[redacted]

MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166.45-3-25



MAP OF SURVEY
OF LANDS OF
C. CHRISTOPHER ARMER & TERI DeSORBO

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

SCALE: 1" = 10' DATE: OCTOBER 21, 2014

UPDATED NOVEMBER 18, 2015 TO SHOW PROPOSED ADDITION
UPDATED APRIL 11, 2016 TO SHOW EAVES

LEGEND:

- ● FOUND IRON MARKER
- ○ SET IRON ROD WITH CAP
- UTILITY POLE
- —E— POWER LINE
- STONE WALL
- —x—x— FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

Unauthorized Alteration to this map is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES
Licensed Land Surveyors
299 Reservoir Road
Fort Edward, N.Y. 12828

14-91
JOB NO.

W.J. ROURKE, ASSOCIATES - LICENSED LAND SURVEYORS
299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828

FRONT LEFT ELEVATION

FRONT RIGHT ELEVATION

REAR LEFT ELEVATION

REAR RIGHT ELEVATION

PLAN NO:

PAGE
OF

DRAWN BY:

REVISIONS/DATE:

DESIGNED FOR:
CHRIS
ARMER

ADDRESS:
117 MIDDLE AVE
SARATOGA
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1968
WILLIAMS & WILLIAMS DESIGNERS
INCORPORATED
804 GLEN STREET-GLENS FALLS-NEW YORK 12801
518-793-HOUSE(4682)
WILLIAMSANDWILLIAMSDESIGNERS.COM

SEAL:
05/05/16

PRELIMINARY
PLEASE MAKE ANY CHANGES,
SIGN, & RETURN TO WILLIAMS & WILLIAMS
APPROVAL
SIGNATURE:
DATE:

TO THE BEST OF OUR KNOWLEDGE, BELIEF, & PROFESSIONAL JUDGEMENT, SUCH PLANS & SPECIFICATIONS ARE IN COMPLIANCE WITH THE 2010 RESIDENTIAL BUILDING CODE OF NEW YORK STATE & THE 2010 ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE.

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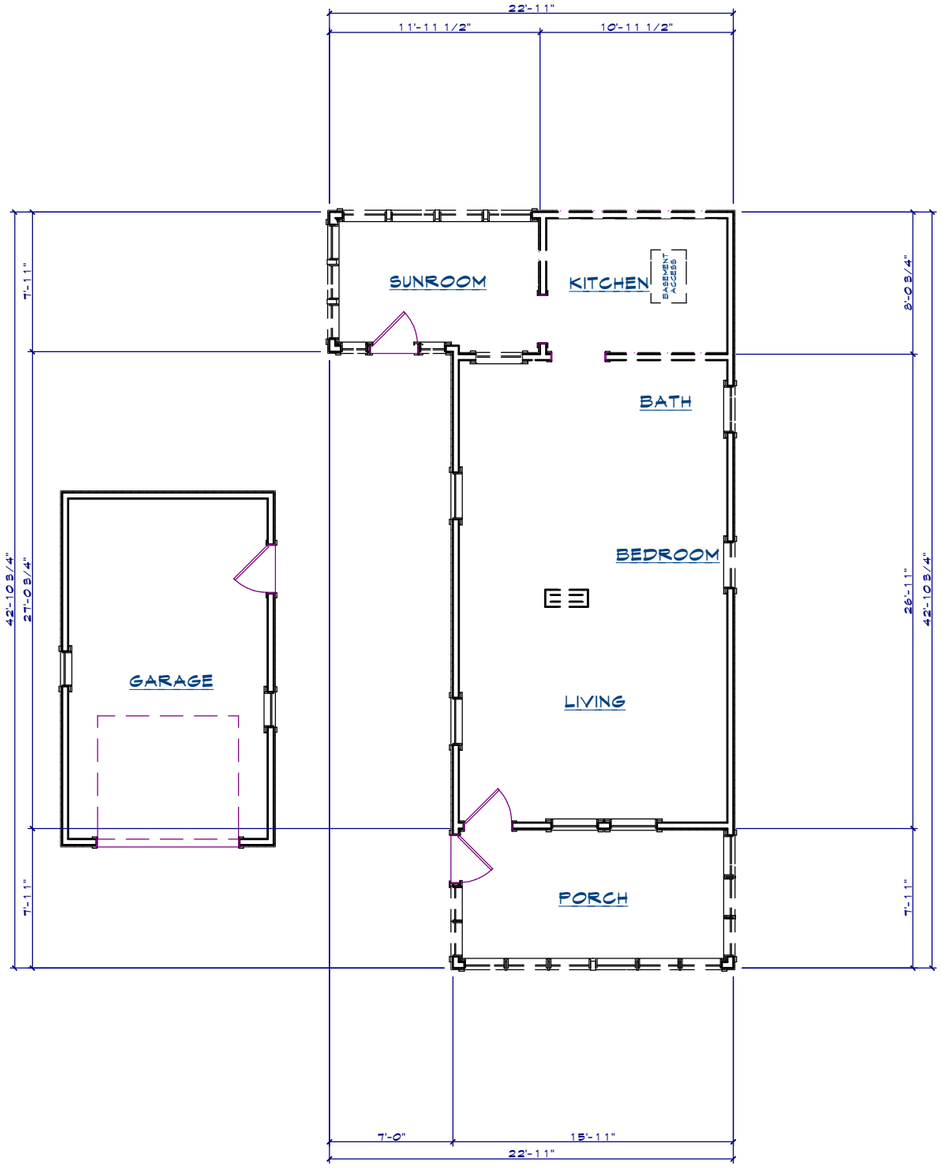
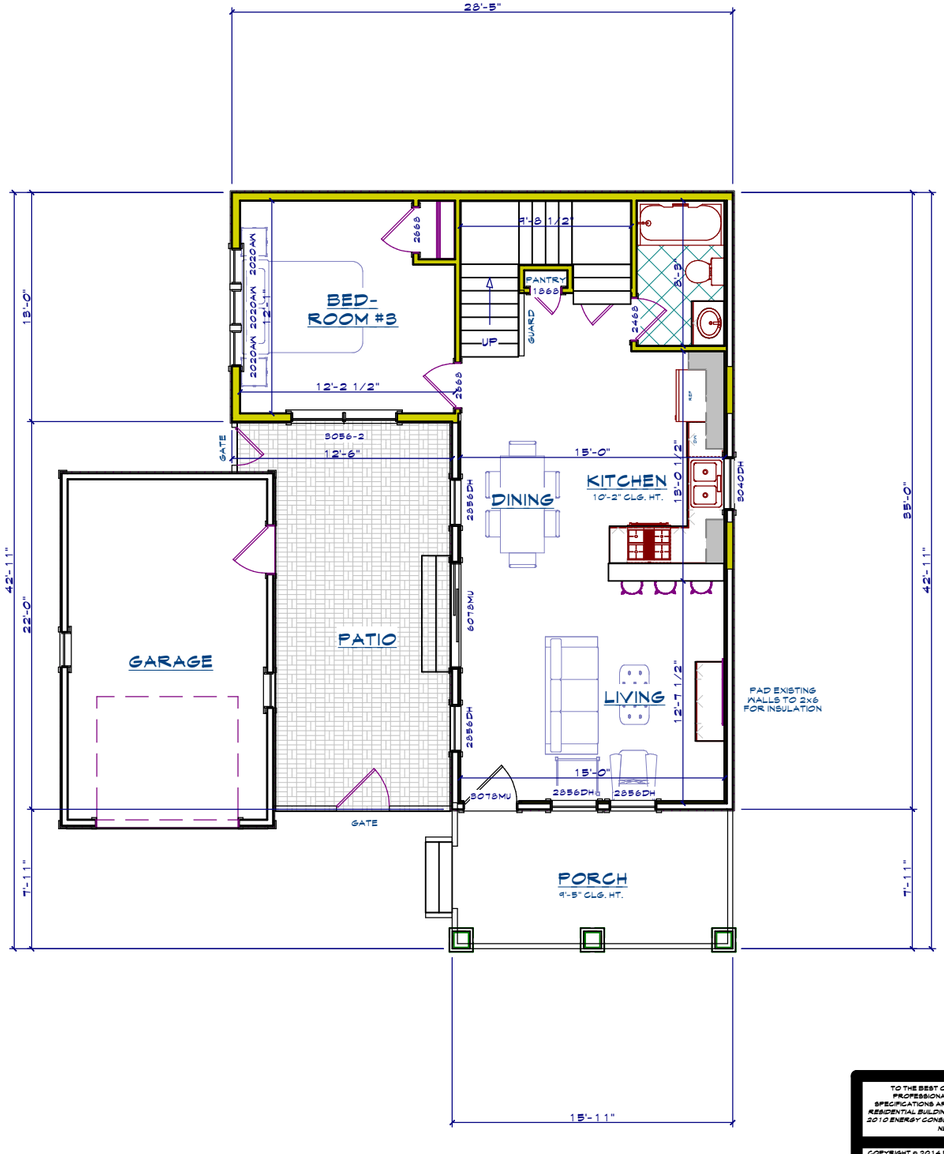
- EXISTING CONSTRUCTION
- TO BE DEMOLISHED
- NEW CONSTRUCTION

FIRST FLOOR:	719	SQ. FT. LIVING AREA
SECOND FLOOR:	657	SQ. FT. LIVING AREA
TOTAL:	1376	SQ. FT. LIVING AREA



EXISTING FIRST FLOOR PLAN

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



PROPOSED FIRST FLOOR PLAN

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

PRELIMINARY

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PLAN NO:

PAGE OF

DRAWN BY:

REVISIONS/DATE:

DESIGNED FOR:
CHRIS ARMER

ADDRESS:
117 MIDDLE AVE
SARATOGA
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1968
WILLIAMS & WILLIAMS DESIGNERS INCORPORATED
804 GLEN STREET-GLENS FALLS-NEW YORK 12801
518-798-HOUSE(4687)
WILLIAMSANDWILLIAMSDESIGNERS.COM

SEAL:
05/05/16

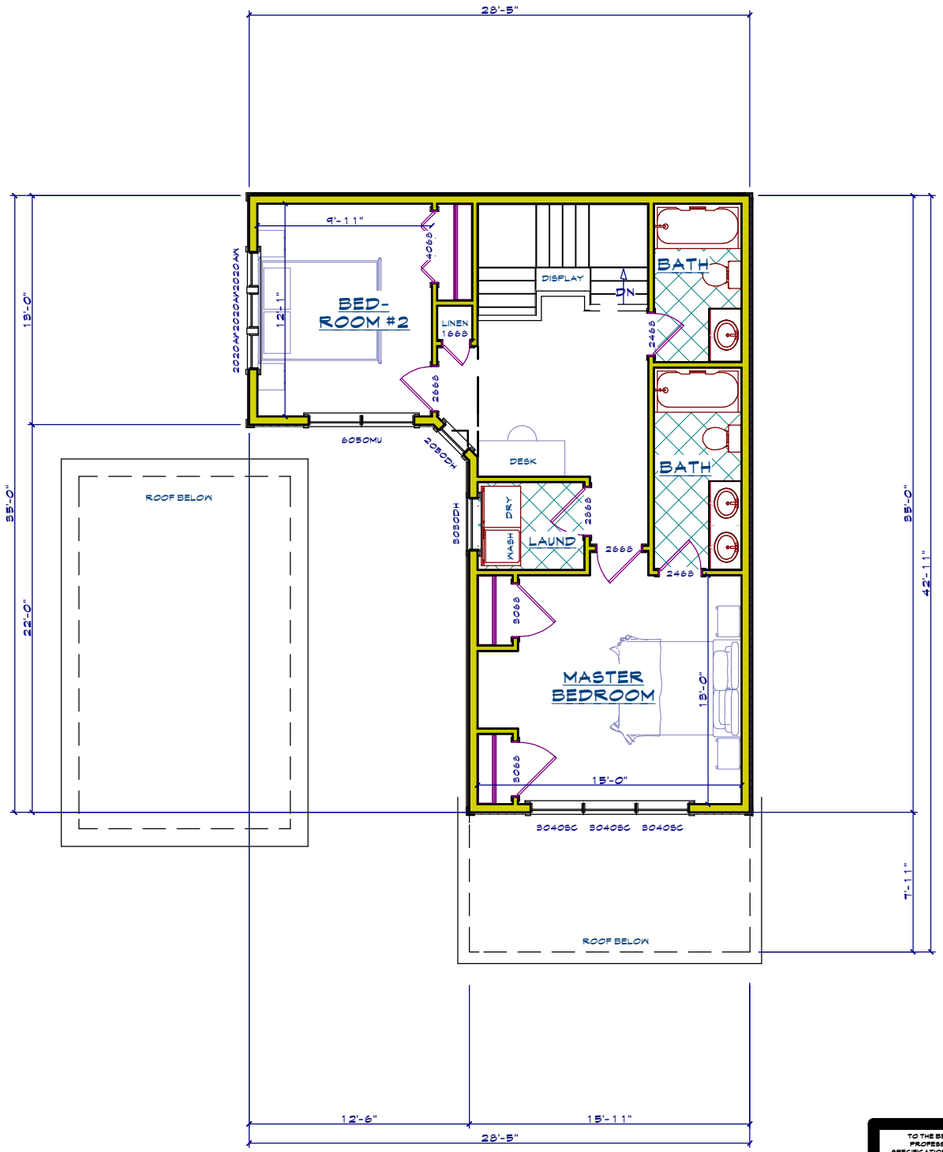
LIVING/DINING/KITCHEN

DINING/KITCHEN/LIVING

SECOND FLOOR AERIAL

FIRST FLOOR AERIAL

- EXISTING CONSTRUCTION
- TO BE DEMOLISHED
- NEW CONSTRUCTION



PROPOSED SECOND FLOOR PLAN

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

PRELIMINARY

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APPROVAL SIGNATURE:

DATE:

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PAGE OF

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REVISIONS/DATE:

DESIGNED FOR:

CHRIS ARMER

ADDRESS:

117 MIDDLE AVE
SARATOGA
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1968

WILLIAMS & WILLIAMS DESIGNERS INCORPORATED

509 GLEN STREET-GLENS FALLS-NEW YORK 12801
518-798-HOUSE(4687)
WILLIAMSANDWILLIAMSDESIGNERS.COM

SEAL:

05/05/16

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	Chris Armer Teri L DeSorbo		
Address	[redacted]		
Phone	[redacted]	[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: 117 Middle Ave Tax Parcel No.: 166 . 45 - 3 - 25
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 8/22/2014 3. Zoning District when purchased: UR3

4. Present use of property: Single Family Home 5. Current Zoning District: UR3

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:
Add second story and a small addition to a single family home that is currently on the property. The existing home is outside of the setback requirements in that the east side of the home has a side setback of 2.8' and 3.1'. We are requesting no change in this setback. The rear of the home (north) currently is between 1.5' and 2.1'. We are proposing a small addition to the west side of the building. This corner of this addition would be 1.4' from the property line as opposed to the current 1.5'.

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)

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
Side Setback	4 ft	2.8 to 3.1'
(Existing home currently has side setback proposed)		
Rear Setback	25'	1.4' to 2.1'
(existing home currently has rear setback of 1.5' to 2.1' - we are proposing an addition that is approx 5' wide and the corner would be 1" closer to property line.		

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.

   I have attempted to contact the property owner to the rear of this property who has an oversized lot. I have sent letters and knocked on the door many times and have had no response from either.
   We have explored other designs to try to make the home a bit larger to fit todays standards. The home is very narrow and we feel the small side addition adds much to using the still small square footage to its best use.

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 nearby neighborhood has many properties that do not fit the current setback requirements and therefore this property would not stand out as being out of character
   As mentioned , the bordering property to the rear has an oversized lot and the home on that property is very close to the far border leaving a large back yard. The bordering property to the East has a home that is also located at the far border(east) of its lot leaving yard in between the 2 properties therefore the homes would not be abnormally close to each other. The bordering property to the West is a double lot that runs between both Middle Ave and York. The portion of the property that borders our lot on Middle ave is used as a driveway. The proposed addition to our property would still be 18.2' from that property line. There is also an existing garage along the same property line that is 8.1' from the property line.

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

The requested variance is not substantial because the only difference between the current setback of the existing structure and the proposed changes is only reduced by 1" on one corner of the home.

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:

There are many similar homes in the area that do not fit the current setback requirements and there will be little impact to neighboring properties.

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 property was purchased knowing that variances would be required but none of the required variances needed are out of character for the surrounding area nor are they substantial.

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.

C Christopher Armer Digitally signed by C Christopher Armer Date: 2016.02.09 15:26:49 -05'00'

(applicant signature)

Date: 2/9/2016

Teri L DeSorbo Digitally signed by Teri L DeSorbo Date: 2016.02.09 15:30:11 -05'00'

(applicant signature)

Date: 2/9/2016

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

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166.45-3-25

MIDDLE AVENUE

MAP OF SURVEY

OF LANDS OF

C. CHRISTOPHER ARMER & TERI DeSORBO

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

SCALE: 1" = 10' DATE: OCTOBER 21, 2014

UPDATED NOVEMBER 18, 2015 TO SHOW PROPOSED ADDITION

LEGEND:

- ● FOUND IRON MARKER
- O SET IRON ROD WITH CAP
- UTILITY POLE
- —E— POWER LINE
- STONE WALL
- FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL OR INKED STAMP SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

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WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES
Licensed Land Surveyors
299 Reservoir Road
Fort Edward, N.Y. 12828

14-91
JOB NO.

W.J. ROURKE, ASSOCIATES – LICENSED LAND SURVEYORS
299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828

EXISTING HOME -
117 Middle Ave - Subject Property

REAR/SIDE of SUBJECT FROM WEST
(EXISTING HOME.)

Neighbor Driveway to WEST
From Back Property Line

Looking WEST FROM
117 Middle AVE

Looking EAST From
117 Middle Ave

Across STREET From 117 Middle

Across STREET from 117 Middle

Google earth

feet 300
meters 90

- SHOWS DENSITY of AREA.

FRONT LEFT ELEVATION

FRONT RIGHT ELEVATION

REAR LEFT ELEVATION

REAR RIGHT ELEVATION

OPTION 5

PLAN NO:

PAGE OF

DRAWN BY:

REVISIONS/DATE:

DESIGNED FOR:
CHRIS ARMER

ADDRESS:
117 MIDDLE AVE
SARATOGA
NEW YORK

DESIGNERS OF FINE HOMES SINCE 1988
WILLIAMS & WILLIAMS DESIGNERS
518-798-HOUSE (4687)

SEAL:
02/12/15

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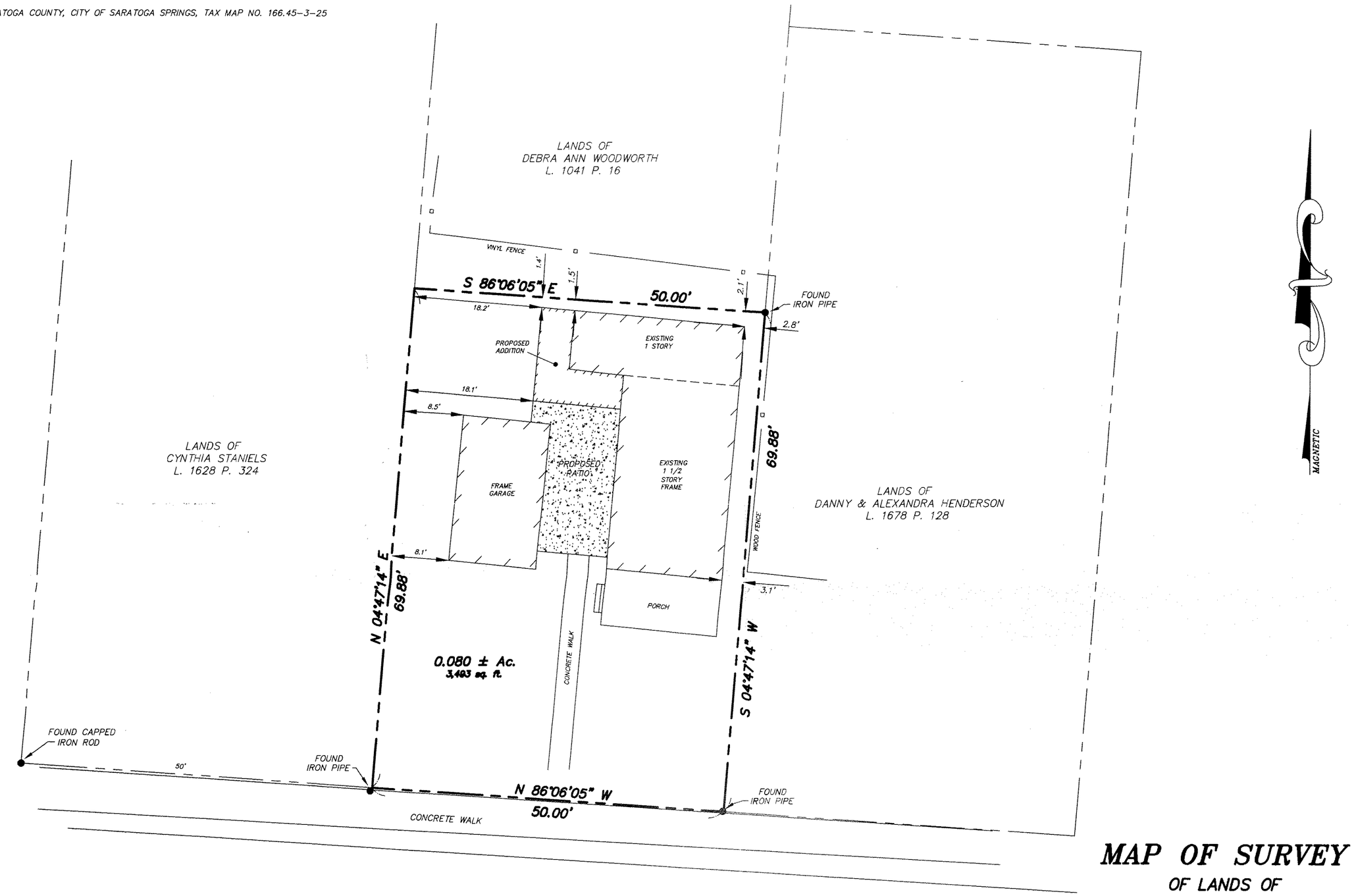

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- ● FOUND IRON MARKER
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CITY OF SARATOGA SPRINGS

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	CDJT Development, LLC		
Address	Pine West Plaza 2, Wash Ave. Ext Albany, NY 12205		
Phone	518-438-3521 /	/	/
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: 124 jefferson st Tax Parcel No.: 178 . 36 - 3 - 21
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 2110 3. Zoning District when purchased: _____

4. Present use of property: 6 townhomes 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: _____
repurpose public benefit from senior to workforce

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.

☐ Interpretation	$ 400
☑ Use variance	$1,000
☐ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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:
2 market rate units and 4 workforce units

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:
   7 years of marketing to seniors and not a single offer

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

   1) Date of purchase: 2010 Purchase amount: $377,000

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

Date	Improvement	Cost
2010	6 townhomes	$1,800,000

   3) Annual maintenance expenses: $20,000 4) Annual taxes: $12,000

   5) Annual income generated from property: $10,000

   6) City assessed value: $492,000 Equalization rate: 80% Estimated Market Value: $615,000

   7) Appraised Value: $na Appraiser: Date:

   Appraisal Assumptions:

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☑ Yes ☐ No If "yes", for how long? 7 years

1) Original listing date(s): 2010 Original listing price: $ 325,000

If listing price was reduced, describe when and to what extent:
$299,000 in 2011

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

If yes, describe frequency and name of publications:
all senior outlets 55+ Living Guide

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

If yes, list dates when sign was posted:
since 2010

4) How many times has the property been shown and with what results?
multiple times with no offers

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:
seniors do no want this type of housing which is twpo story 2 and 3 bedroom with full basement and attached garage.

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:

already completed for 7 years

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:

seniors do not want this type of housing

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:

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.

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.

_____ Date:_____
(applicant signature)

_____ 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

Revised 12/2015

AS FEATURED IN: **55+ Living Guide** 55PlusLivingGuide.com

2 Floor Plans
1,400 Square Feet
2 Bedrooms
2.5 Baths
HOA Included

Saratoga Six

Condominium Rentals / $1,495* per Month
124 Jefferson Street, Saratoga Springs
*Option to Purchase

For more information contact:
Danielle Warrington at 518-698-9955 (cell)

DOWNSIZE TO UPSCALE SOPHISTICATION AND STYLE.

New construction, luxury 55+ condominiums within walking distance to Broadway and historic Saratoga Race Course. A six unit building with two floor plans to choose from. Attached garage, small front porch and back patios overlooking common backyard areas for total outdoor enjoyment.

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

124 jefferson st. cdjt development/charles touhey

Name of Action or Project:
saratoga springs ny use variance

Project Location (describe, and attach a location map):
124 jefferson st saragoga springs ny

Brief Description of Proposed Action:
change public benefit from senior designation to workforce designation

Name of Applicant or Sponsor:	Telephone: 518 438 3521
cdjt development/charles touhey	E-Mail: [redacted]

Address:
pine west plaza bldg 2 washington ave ext

City/PO:	State:	Zip Code:
albany	ny	12205

	NO	YES
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.	☑	☐
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:	☑	☐

3.a. Total acreage of the site of the proposed action? .43 acres
b. Total acreage to be physically disturbed? .43 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .43 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☑	
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	
	☑	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☑	☐	
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?	☐	☑	
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	
	☐	☑	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☑	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☑	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☑	☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
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	
	☑	☐	
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: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ 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	
	☑	☐	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	☑	☐	
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? ☑ NO ☐ YES	NO	YES	
	☑	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☑ NO ☐ YES			

	NO	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: _____	☑	☐
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: _____	☑	☐
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: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: COST Development Date: 3/28/16

Signature: [signature]

PRINT FORM

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	CDJT Development, LLC/Charles Touhey		
Address	Pine West Plaza 2, Wash Ave. Ext Albany, NY 12205		
Phone	518-438-3521		
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: 124 jefferson st Tax Parcel No.: 178 . 36 - 3 - 21
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 2110 3. Zoning District when purchased: UR 7

4. Present use of property: 6 townhomes 5. Current Zoning District: UR 7

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:
Repurpose the original public benefit, (which was required by the 4 unit density bonus received) from Senior housing to Workforce housing, wherein buyers must have a maximum income not to exceed 80 to 120% of Saratoga AMI (Area Median Income)

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.

☐ Interpretation	$ 400
☑ Use variance	$1,000
☐ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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) na

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

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:

Allow the sale of 2 market rate units, and 4 workforce units to persons whose income does not exceed 80-120% of the Saratoga County AMI (Area Median Income)

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:

In 2110, six senior units were completed and marketing began. Each townhome consisted of 2 or 3 bedrooms, 2 story, full basements and attached garage. Price was $325,000. From the outset, buyers were available in the 30 to 40 year old range, with none over the 55 age as required by the project approvals. The price was then lowered to $299,000 (actual builder cost) and subsequently to $250,000 to determine if price was indeed the factor. It clearly was not. For 7 years and 3 realtors, we still have no buyers over 55.

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

1) Date of purchase: 2010 Purchase amount: $377,000

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

Date	Improvement	Cost
2010	6 townhomes	$1,800,000

3) Annual maintenance expenses: $20,000 4) Annual taxes: $12,000

5) Annual income generated from property: $10,000

6) City assessed value: $492,000 Equalization rate: 80% Estimated Market Value: $615,000

7) Appraised Value: $na Appraiser: Date:

Appraisal Assumptions:

B. Has property been listed for sale with the Multiple Listing Service (MLS)? ☑Yes ☐No If "yes", for how long? 7 years

1) Original listing date(s): 2010 Original listing price: $ 325,000

If listing price was reduced, describe when and to what extent:
From $325,000 to299,000 to $250,000 in 2011 as well as "Rent With Option To Buy"

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

If yes, describe frequency and name of publications:
all senior outlets including 55+ Living Guide for 7 years.

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

If yes, list dates when sign was posted:
since 2010

4) How many times has the property been shown and with what results?
multiple times weekends, open houses, with no offers over 7 years.

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:

After 7 years of marketing, price reductions and 3 realtors, it is clear that while persons in the age bracket of 30 t0 40 will purchase these homes, seniors will not.

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:

Project was approved and constructed in accordance with all plans and specifications 7 years ago and has impacted the neighborhood favorably in it's appearance and style. (see attached brochure)

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:

Applicant entered into project fully expecting seniors to purchase the homes in full accordance and compliance with density bonus granted by the city for such housing. Applicant accepts that an equivalent public benefit must be required to change use. Therefore, applicant is proposing to repurpose public benefit to workforce housing wherein buyers income must not exceed 80 to120% of AMI for Saratoga

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.

_____ Date: 3-25-16
(applicant signature)

_____ 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: _____

Attachments

and supporting materials.

124 Jefferson St. – Project History

Background- In 2010, the project was approved for 6 units of senior housing (2 units allowed, plus 4 units (density bonus). Marketing began immediately with age restriction originally at 60, subsequently changed to 55 by the city. However, customers who were willing to purchase were always 30 to 40 years of age.

Unit Design – Two and Three Bedroom, Two story, and full basement with attached garage.

Pricing – $325,000 in 2010 subsequently reduced to $299,000 in 2011 and briefly to $250,000 that year.

Marketing - (Utilized three realtors) (Roohan ,Hunt ,Pro Realty of New York) with specialized outreach to seniors through flyers and visits to all Saratoga Senior centers. In addition, targeted advertising in "55 + Living Guide". (Attached)

2016 Situation- After 7 years of marketing, it is clear that there is a market for these homes in the 30 to 40 year age range. We are proposing to repurpose the Public Benefit derived from the 4 unit density bonus to "Workforce Housing"

Workforce Housing - would restrict buyers to a maximum of 80 to 120% of the Area Median Income (AMI) for Saratoga County, thus providing affordable housing opportunities for the city, which it sorely needs.

124 Jefferson St

Marketing Efforts 2010-2016

2010

#1 Hunt Realty

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2011

Hunt Realty

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2012

#2

Roohan Realty

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2013

Pro Realty of New York

Hired on-site sales person Cost: $20,000

Offered "Rent with option to buy"

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2014

#3

Pro Realty of New York

Hired on-site sales person Cost: $20,000

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2015

Pro Realty of New York

Hired on-site sales person Cost: $20,000

-20 open houses

-Flyers

-Advertising

-Senior Outreach Centers

-MLS

-Numerous appointments

2016

Same Marketing as previous 6 years.

AS FEATURED IN: **55+ Living Guide** 55PlusLivingGuide.com

2 Floor Plans
1,400 Square Feet
2 Bedrooms
2.5 Baths
HOA Included

Saratoga Six

Condominium Rentals / $1,495* per Month
124 Jefferson Street, Saratoga Springs
**Option to Purchase*

For more information contact:
Danielle Warrington at 518-698-9955 (cell)

DOWNSIZE TO UPSCALE SOPHISTICATION AND STYLE.

New construction, luxury 55+ condominiums within walking distance to Broadway and historic Saratoga Race Course. A six unit building with two floor plans to choose from. Attached garage, small front porch and back patios overlooking common backyard areas for total outdoor enjoyment.

To whom it may concern:

I (Danielle Warrington) started working with Charles Touhey and property managing 124 Jefferson St. about 4 years ago. Seeming I work for a successful local builder and broker Cecil Provost, and being a realtor myself, we figured this would really help us sell these units. During this time I have set forth several different marketing avenues for 55+ senior living. We have advertised in Saratoga Living, a local magazine, 55 plus living guide, local papers, printed marketing brochures at the Y ,the race track, local business, as well as social media and that's just to name a few. I have spent years showing these units to 55+ seniors week after week just to continue to get the same result. I've done several open house events in hopes to attract seniors. 55+ seniors have no interests in buying these units due to the floor design and layout. They do not want to purchase their final home with 2 sets of stairs and no Bedroom on first floor, and no handicap access. We have rented a few units to 55+ seniors, and as a show of good faith brought every lease and photo id to Brad Birge so he knew we were doing the right thing. All Tenants at this time are moved out due to the reasons I listed above or they have purchased a place with the amenities they need, 1st. floor living.

Also during this time I couldn't even begin to count the number of sales,and rent with option, we have turned away due to the age restriction. What I have seen is that it's the 30+ middle age class that want to buy these condos. We have exhausted every idea, marketing strategy, to get these sold and it's just not happening. We have been honest and worked diligently in this process with just no success!

124 Jefferson Street units 1-6

List of potential sales, rentals lost due to age restriction:

1.Showing, from glens falls area, owned a home looking to downsize age 46 years old, pre approved, owns a business. Age restriction only reason for not purchasing, Jan 2013.

2.Showing, from Saratoga young professional, age 35 works for a marketing firm in town. Age restriction only reason for not renting or purchasing. March 2013

3.Showing, from Albany area, works at Albany Med, age 27, looking to buy 1st time. Pre Approval letter, age restriction can not rent or sell. Bought a condo in malta. April 2013

4.Showing, age 32, from Latham area wanted to move to Saratoga, I sold him a house in Stillwater as the age restriction only reason I could not rent or sell to him. June 2013.

5.Showing, from burnt hills, age 45 looking to downsize wanted a townhome or condo. Age restriction only reason sale lost. Bought in ballston spa. June 2013

6. Showing, from Morgan Stanley, lives in NYC age 37. Looking for summer townhome in saratoga. Age restriction only reason for loss of sale. A track goer for reason loved location. July 2013.

7.Showing, from Albany area wanting to move to Saratoga, 1st time home buyer. Pre-approved age 35. Bought house in Albany due to age restriction. Aug 2013

8. Showing, from Albany area, age 45 looking to downsize, second home. Wants to move to Saratoga Area. pre- approval. Age restriction the issue. Nov. 2013

9. Showing, from Saratoga, age 33, first time home buyer. Age restriction reason for not purchasing. Dec 2013

10. Showing, from Queensbury, 36 first time homebuyer, pre-approved, loved property, lack of age requirement. Bought a home in Queensbury. Feb 2014

11. Showing, from Saratoga, 2nd home, downsizing. Age 43 unsure of statis if purchased. Age was the issue. April 2014

12. Showing, from Watervliet, age 39. 1st time home buyer. Wanted to move to Saratoga. Wanted to buy, age was the issue. Bought a home in malta area.June 2014.

13. Showing, age 29, 1st time home buyer, works at GE. Loved the townhomes. Age restriction the issue. Bought a home in ballston spa with her husband.June 2014.

14. Showing,, age 34 moving here from NYC. Wanted to put in an offer, age again and bought a townhouse in Clifton Park. July 2014

15. Showing, from NJ. wanted to purchase for summer home. Lost deal due to age restriction. Aug 2014.

16. Showing, 30. Works at Navy base in Saratoga. 1st time home buyer. Age restriction only reason for no offer submitted. Oct. 2014.

17. Showing, 45 looking for second home in Saratoga. Lives in NH. Wanted a summer townhome in town. Decided to build due to age restriction. Dec. 2014

18. Showing, Married early 40's. Were looking for a second home. Built in still water a Townhome. Age was reason for loss of sale. March 2015.

19. Showing, 42 2nd home, looking to downsize. from Saratoga Area, loss sale to age. Moved to Ballston Spa. April 2015.

20. Showing, 1st time home buyer. from Saratoga. Age reason for loss of sale. bought in ballston spa. June 2015.

21. Showing, 43, second home. downsizing. moved from latham to saratoga, not sure where tho. Age was loss of sale. July 2015.

22. Showing, age 31,from saratoga. works at globalfoundries. loss of sale due to age. relocated to Vermont for job.Aug. 2015

23. Showing, age 33, from saratoga area works at local business, loss of sale due to age.

Every month 1 open house since 2013-2016, no sales due to age restriction!

This is just some of the contacts that I kept record of. There were also several agents in Saratoga that brought clients to show, age the number one reason for loss of sale. Second reason 55+ does not want to buy due to design layout being 2 story, the concern is in a fews years from now the stairs being a huge issue. Just wanted to give you an idea of the hardship we have dealt with on this project. Thank you Brad for your time and consideration.

Sincerely,
Danielle
I'm reachable at [redacted], if there is any further questions.

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

APPLICANT: CDJT DEVELOPMENT, LLC TAX PARCEL NO.: 178.36-3-21

PROPERTY ADDRESS: 124 JEFFERSON STREET
ZONING DISTRICT: URBAN RESIDENTIAL – 2

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

Proposed conversion of an existing six-unit senior housing development to multi-family residential.

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

☐ Extension of existing variance ☐ Interpretation

☒ Use Variance to permit the following: Multi-family (4 of 6 units to be workforce housing)

☐ Area Variance seeking the following relief:

Dimensional Requirements	From	To

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

4/25/16
DATE

ZBA App. No. 2889 - CDJT Development Townhouses - Amiee Miller Corr

From : Lindsey Gonzalez <lindsey.gonzalez@saratoga-springs.org> Mon, Apr 25, 2016 10:48 AM

Subject : ZBA App. No. 2889 - CDJT Development Townhouses - Amiee Miller Corr 1 attachment

To : Adam McNeill [redacted]>, Gary Hasbrouck [redacted], kaplankeith [redacted] Skip Carlson [redacted]>, Bil [redacted] helickezba [redacted]>, shsteer [redacted]

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

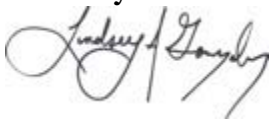
Board Members,

This morning I received a call from a concerned citizen who received a neighbor notification for the above referenced project. She reflected that she was unable to access internet at this time to provide her own statement, so I am summarizing her concerns below:

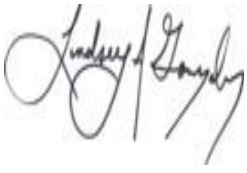
Aimee Miller
121 Madison St
Re: 124 Jefferson St Use Variance Request

Was comfortable with said property being utilized for senior housing, but NOT for workforce housing. Does not want another Jefferson Terrace in the neighborhood, and feels there is not enough senior housing in Saratoga. Disagrees with any further expansion as there is already a lack of greenspace in the neighborhood.

Lindsey A. Gonzalez, M.P.A.



Land Use Board Coordinator
Office of Planning and Economic Development
City of Saratoga Springs
474 Broadway
Saratoga Springs, NY 12866
(E) lindsey.gonzalez@saratoga-springs.org
(O) 518.587.3550 x 2533



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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)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	AMV Holdings Inc.		
Address	563 North Broadway Saratoga Springs NY 12866		
Tel./Fax	587-4113 / 587-0260	/	/
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

Property Address (No. & St.) 27 Jumel Place Side of St. (north, east, etc.) North

Tax Parcel No.: 166.13-50-2 *(for example: 165.52-4-37)* Tax District: ☒ Inside ☐ Outside

1. Date acquired by current owner: Under Contract 2. Zoning District when purchased: UR3

3. Present use of property: Multi Family - Ballet Studio 4. Current Zoning District: UR3

5. Has a previous ZBA application/appeal been filed for this property? ☑ Yes (when? 10/31/13 for what?) ☐ No

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

7. Brief description of proposed action: Tear down existing building and build seven unit single family condominium project.

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

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

10. 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" and attach to top of original application. Fees are cumulative and required for each request below.

☐ Interpretation	$ 400
☐ Use variance	$1,000
☑ Area variance	
-Residential use/property:	$ 150
-Non-residential use/property:	$ 500
☐ 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: 5/1/14
2. Type of variance granted? ☐ Use ☑ Area
3. Date original variance expired: 11/1/15
4. Length of extension requested: _____
5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?: We were unable to close on the property due to it being held up in probate for the last several months. We are anticipating to close within the next few weeks.

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:

Nothing has changed to this area & no new development

on or near this site.

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".

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 as needed):

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

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

Date	Improvement	Cost

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 ☐ 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 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 Requirements	From	To	→ To
Fencing (exterior fence only)	6'	8'	
Lot Coverage	30%	(Prev. Appr.) 43.5%	46.0%
Front Yard Setback	10'	(Pre. Appr.) 5'	1'

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.

   Our fencing request is new, asking for the height limit to go from 6 – 8' (exterior fence only). This creates privacy along the perimeter, a benefit to both sides of the fence. What is currently there is dilapidated and run down, hence aesthically a great improvement. Our modified request for front setback of 1' is what currently exists and consistent with surrounding homes. The 5' granted does not allow for our (2) front porches to be placed on the unit. This style entry fits with the street scape. Finally, the area coverage request of 46% is what was originally asked for, and necessary for the option of adding additional back porches on the homes; an opportunity for our clients to enjoy their backyards, since their fronts are quite limited in size. These variance alternatives are reasonable and contiguous with the urban feel of downtown.

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 area variance will enhance the neighborhood by creating privacy, align the two front porches with the neighboring homes, and allow only 2.5% more in area coverage which was originally requested.

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

This request is minimal and less than what currently exists on the property. The fence height increase is not substantial and benefits both the current and new homeowners.

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 one lot, seven homes, a singular curb cut and permissable use of the land in lieu of its current nonconforming commercial use. Permeability exceeds the minimum, peaking at 35.10%, parking accommodations are onsite and traffic is reduced due to the applicable Urban Residential 3 zone. The lot will be properly cleaned and abated, a favorable influence both physically and environmentally on 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 was created by the need to change a non-conforming structure to a residential economically feasible solution. A win for all involved; neighbors, city, and a proper sustainable usage by City Standards.

In accord with Article 240-14.4A(1)(b)(6) of the Zoning Ordinance, "any request for an area variance, which shall effect a change in density, shall be applied for and considered as a use variance and decided under criteria for the same". A request that involves any of the following relief will require an application for a use variance and will be decided under the use variance criteria:

(1) Dimensional relief from minimum lot size requirements that would allow additional permitted units and/or uses
(2) Relief from on site parking requirements
(3) Reduction in land area requirements for multi-family units

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)

Sworn to before me this date:

Date: _____

_____
(applicant signature)

_____
Notary Public

617.20

Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR: ANW Holdings
2. PROJECT NAME:

3. PROJECT LOCATION: 27 Sumner Place
   Municipality: Saratoga Springs, NY County: Saratoga
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)

5. PROPOSED ACTION IS: ☒ New ☐ Expansion ☐ Modification/alteration
6. DESCRIBE PROJECT BRIEFLY: 7 Individual Condominiums
7. AMOUNT OF LAND AFFECTED: Initially: _____ (acres) Ultimately: _____ (acres)
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
   ☒ Yes ☐ No If No, describe briefly
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
   ☒ Residential ☐ Industrial ☐ Commercial ☐ Agriculture ☐ Park/Forest/Open Space ☐ Other
   Describe:
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
    ☒ Yes ☐ No If Yes, list agency(s) name and permit/approvals: Bldg Dept - Saratoga Springs
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
    ☐ Yes ☒ No If Yes, list agency(s) name and permit/approvals:
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
    ☐ Yes ☒ No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
☐ Yes ☐ No

C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
☐ Yes ☐ No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
☐ Yes ☐ No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts that **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)

Res + App

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

RECEIVED
OCT 31 2013
ACCOUNTS DEPARTMENT

IN THE MATTER OF THE APPEAL OF
ANW Holdings, Inc. of 564 Broadway
Saratoga Springs, NY 12866

from the Building Inspector's Denial of Application for Land Use and/or Building for the premises at 27 Jumel Place, Saratoga Springs, New York, identified as Tax Parcel No.: 166.13-1-50.2 in the inside district of the City.

The Applicant has applied for an area variance for relief from the current City Zoning Ordinance applicable to the Urban Residential - 3 zoning district to construct a seven unit condominium development seeking relief from the maximum principal buildings permitted on one lot, maximum principal building coverage, the minimum front yard setback requirements for the two units fronting on Jumel Place, and from the minimum rear yard setback requirements for the two units located at the rear of the property, and public notice having been duly given of a hearing on said application on July 9, 2013 and October 28, 2013.

In consideration of the balance between the benefit to the Applicant with the detriment to the health, safety and welfare of the community, the Board makes the following resolution that the requested area variance for the following relief or such lesser amount, as described in the submitted application, BE APPROVED:

Type of Requirement	Required	Existing	Proposed	Total Relief Requested
Maximum Principal Buildings on one lot	One (1)	One (1)	Seven (7)	6 (600)%
Maximum Building Coverage	30%	49.4%	43.5%	13.5% (45%)
Minimum Front Yard Setback for the 2 units fronting on Jumel Place	10 feet	1 foot	5 feet	5 feet (50%)
Minimum Rear Yard Setback for the 2 units located at the rear	25 feet	.7 foot	6 feet	19 feet (76%)

1. The Applicant has demonstrated that this benefit cannot be achieved by other means feasible. This Board has been asked to consider several prior applications to redevelop this property. It is currently used for mixed commercial and residential purposes with a large cement structure, formerly a manufacturing facility, located on the property. The current use is not conducive to a residential neighborhood and the noise and traffic generated by the current use has been an issue of concern for many of the neighbors. The unique nature

of this property and the prior failed attempts to arrive at a use for this property that is acceptable to neighbors, conforming with the neighborhood and economically feasible has demonstrated that the redevelopment of this property raises unusual and distinct issues. Not only has the Applicant explored alternate means to achieve the requested benefit including a smaller number of units which were evaluated and found to be economically unfeasible, but prior applicants have also attempted to use the structure for varied uses, all of which demonstrates that other alternatives have not been shown to be practical or economically feasible. The applicant has demonstrated that redeveloping this property from an unsightly cement structure used for commercial purposes into a seven unit residential condominium development is the best economically feasible use as shown on the proposed site plan for this property.

2. The Applicant has demonstrated that granting these variances will not create an undesirable change in neighborhood character or a detriment to nearby properties. Applicant had shown that removal of the current cement structure and construction of a seven unit condominium will result in a development that substantially conforms with the residential homes in the neighborhood. The Applicant has demonstrated, and several neighbors have testified in support, that this redevelopment will have a very beneficial impact on the neighborhood. The granting of these variances will result in the removal of a varied use (ballet school), unauthorized use (karate school) and prior nonconforming use (manufacturing facility) and result in a conforming use which is in keeping with the character of the neighborhood. We note that the City Planning Board issued a favorable advisory opinion identifying that "This site can adequately accommodate development of this scale, and that the overall density proposed is compatible with the surrounding neighborhood." Based on the foregoing, the granting the variances will improve the appearance of the property and will not create an undesirable change in neighborhood character or impact on nearby properties, but rather a desirable and valuable change.

3. The relief requested may be considered substantial, but is mitigated by the fact that the current existing structure is non-conforming and by the fact that the lot, at 34,765.50 square feet, would accommodate either five single-family lots or four two-family buildings for total of eight residences. The requested variance, for seven units, is one less than the permitted 8 residences. In order to develop this property in a manner that is most conducive to current needs of our citizens, creating smaller free standing condominiums is beneficial. The construction of one continuous unit would have eliminated the need for a variance for seven units, but would not have resulted in a project that meets the current needs of some members of the community. The minimum front and rear setback variances are necessary to maximize the available parking and the need for service vehicles to access the property. Due to the non-conformance of the current structure and some of the existing structures in the neighborhood, these variances will not have a substantial impact on the neighborhood and therefore mitigates the substantial nature of the variances.

4. The Applicant has demonstrated that the variance will not have a significant adverse physical or environmental effect on the neighborhood. The Applicant has demonstrated, and several neighbors have testified in support, that this redevelopment will have a significant beneficial physical impact on the neighborhood. Not only will the current commercial use with resulting traffic and noise generated by such use no longer interfere with the quiet residential neighborhood, but the physical change to the property will be a significant improvement to the appearance of the neighborhood. Additionally, the proposed construction will improve the permeability of the lot to 35.1%, in excess of the required 25%.

5. The alleged difficulty may be considered self-created in that the Applicant desires to re-develop this property in a manner that will meet the needs of residents of Saratoga Springs who are looking to down size and still create a development that conforms to the neighborhood as a residential development in an economic

manner, however, this is not necessarily fatal to the application.

Notifications/Approvals/Conditions of Approval:
Prior variances are discontinued.
Saratoga Springs City Planning Board site plan review is required – the Planning Board will address local concerns as identified by the Saratoga County Planning Board.
Saratoga County Planning Board issued a finding of no significant county side or inter community impact.

Adopted by the following vote:

AYES: 6 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson, O. Ludd)

NAYES: 0

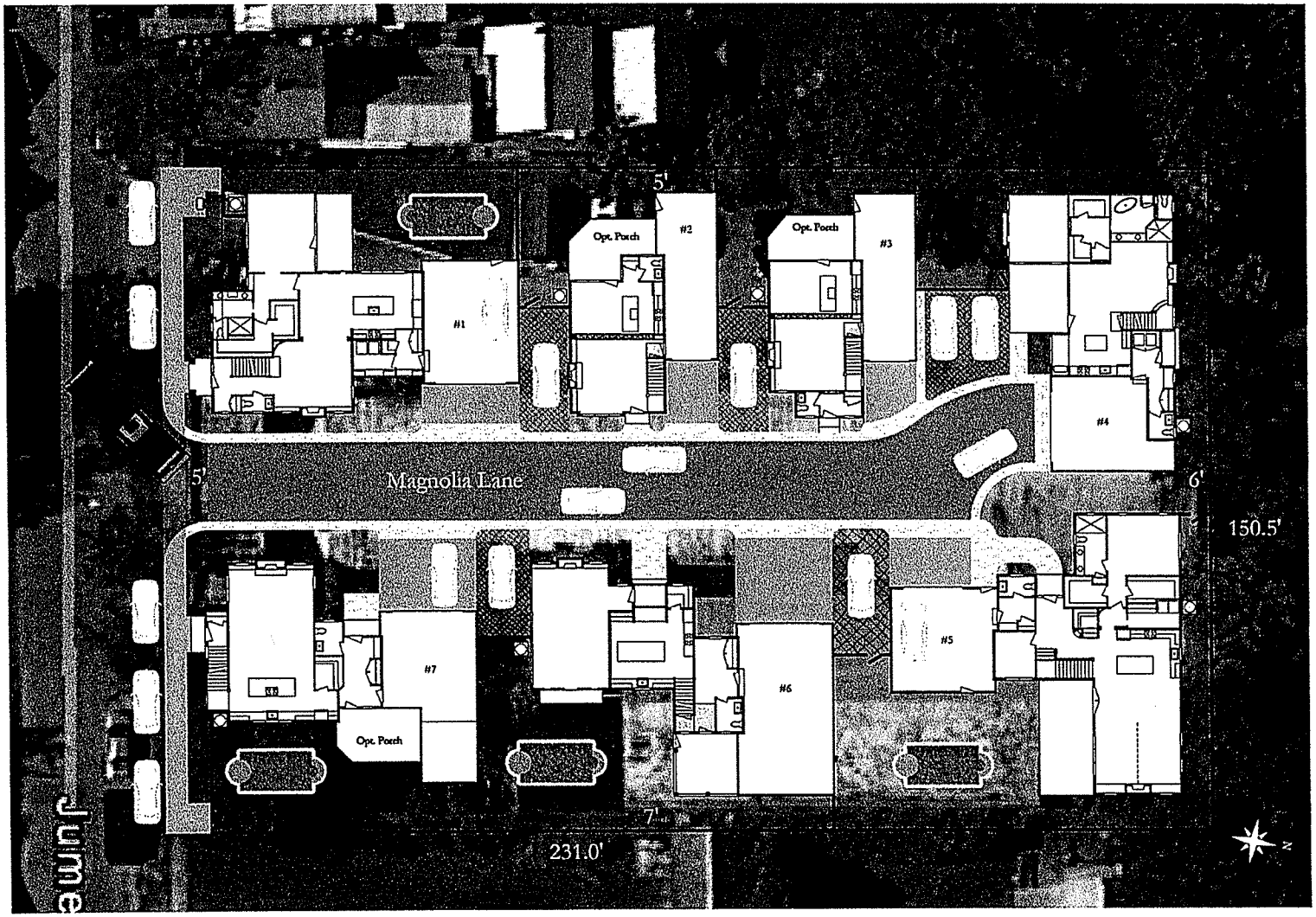
Dated: October 28, 2013

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

10/30/13
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, six members of the Board being present.



MAP OF the Neighborhood of MAGNOLIA LANE in SARATOGA SPRINGS

Witt Construction

2013

Lot Coverage			
Residence	Footprint	Roof OH	Coverage
#1	2,449	284	2,733
#2	1,357	159	1,516
#3	1,472	160	1,632
#4	2,079	159	2,238
#5	2,759	228	2,987
#6	2,340	223	2,563
#7	2,070	220	2,290
	14,526	1,433	15,959
			34,766
			46.0%

Permeability Statistics	
Size of Development (Sq. Ft.)	34,766

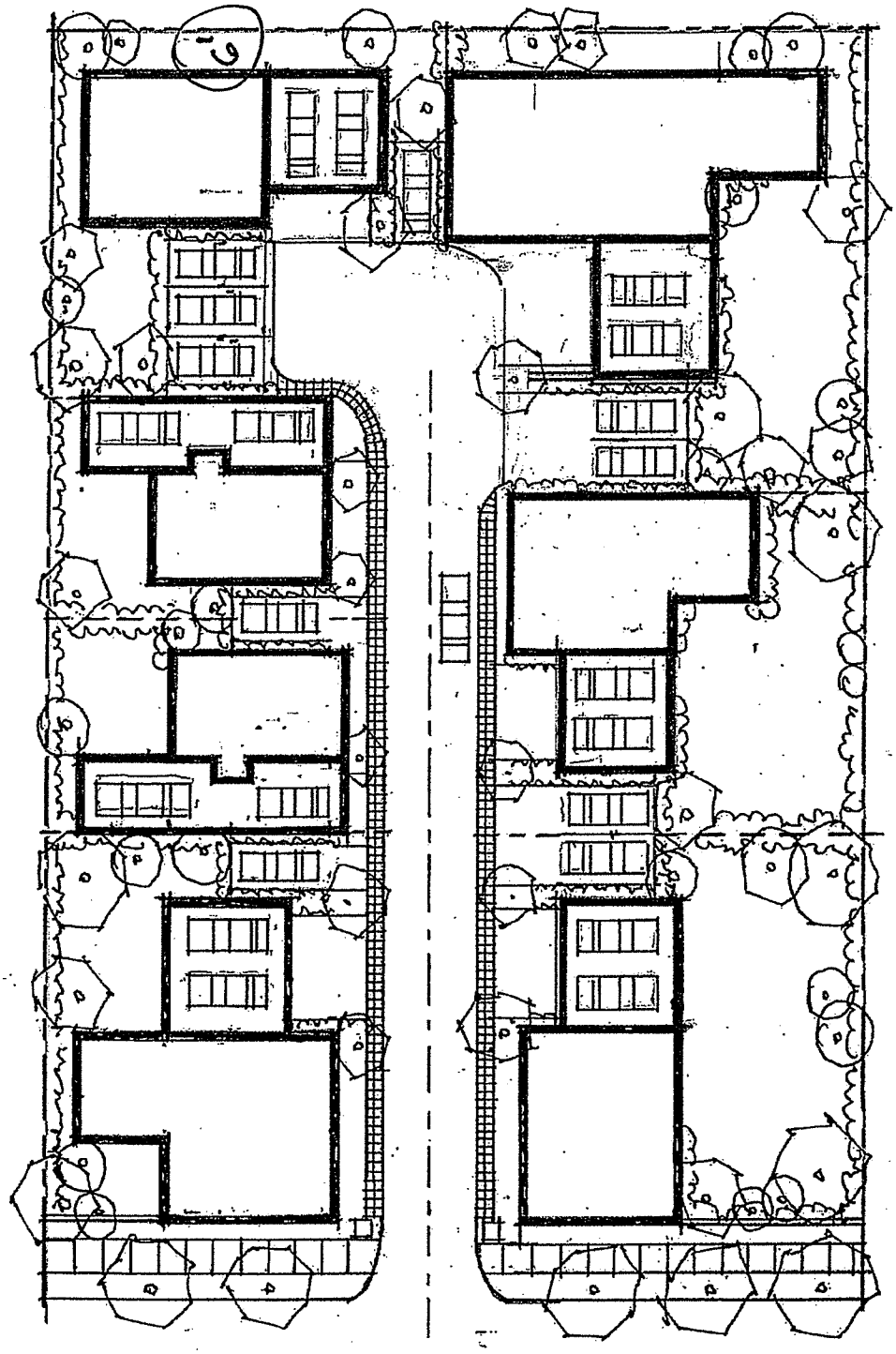
Non-Permeable Areas (Sq. Ft)		
Road	3,305	
Driveways	1,338	
Patios	1,740	
Living	5,665	
Porches	1,656	
Garages	4,175	
Total Non-Permeable	21305	61.3%

Permeable Areas (Sq. Ft.)		
Turf Paved	1,588	
Landscaped	11,870	
Total Permeable	13458	38.7%

Scale of Feet

1 5 10 25 50 100

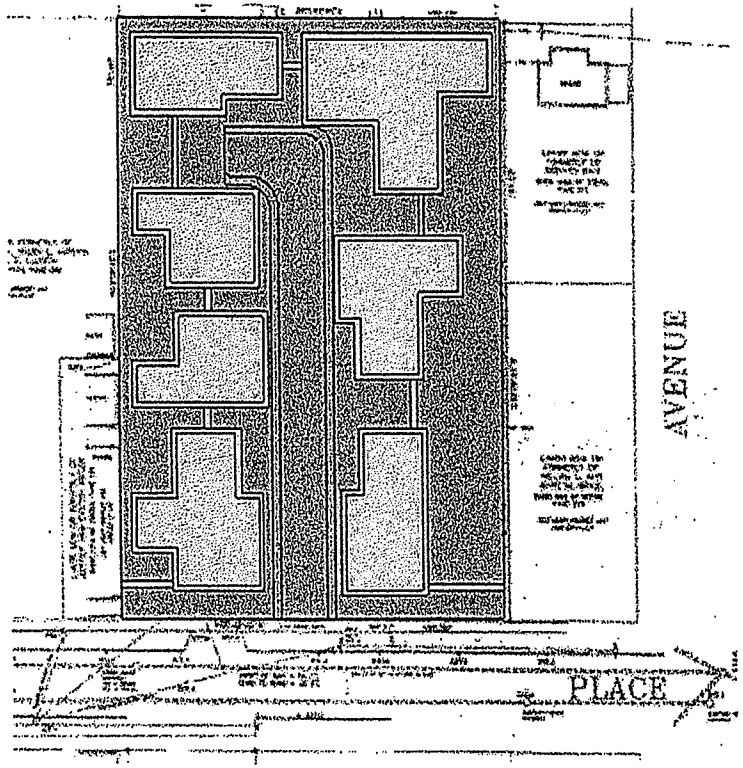
REAR



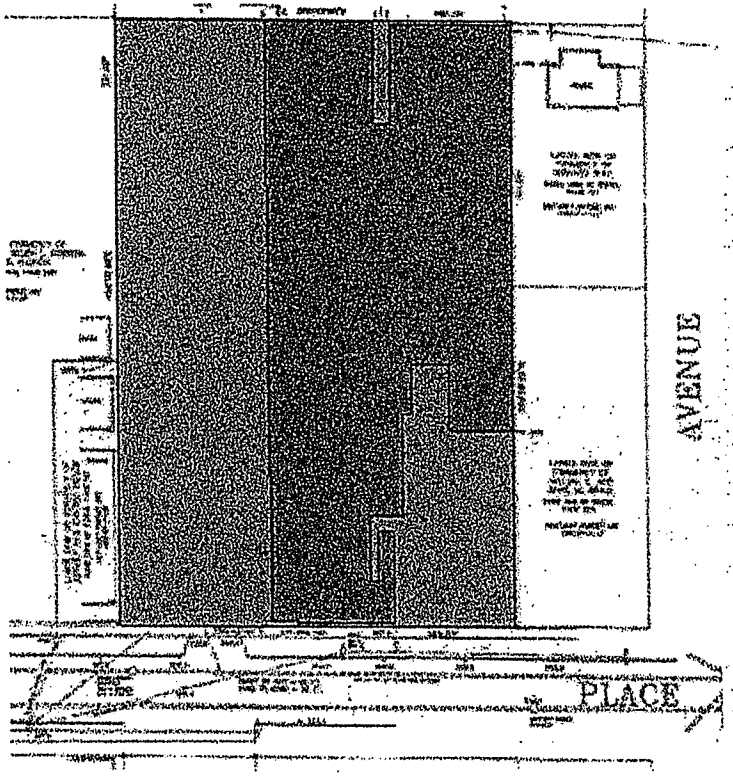
SIDE

SIDE

FRONT



Concept Site Plan



Site Plan with Existing Building

27 Jumel Place
Saratoga Springs NY

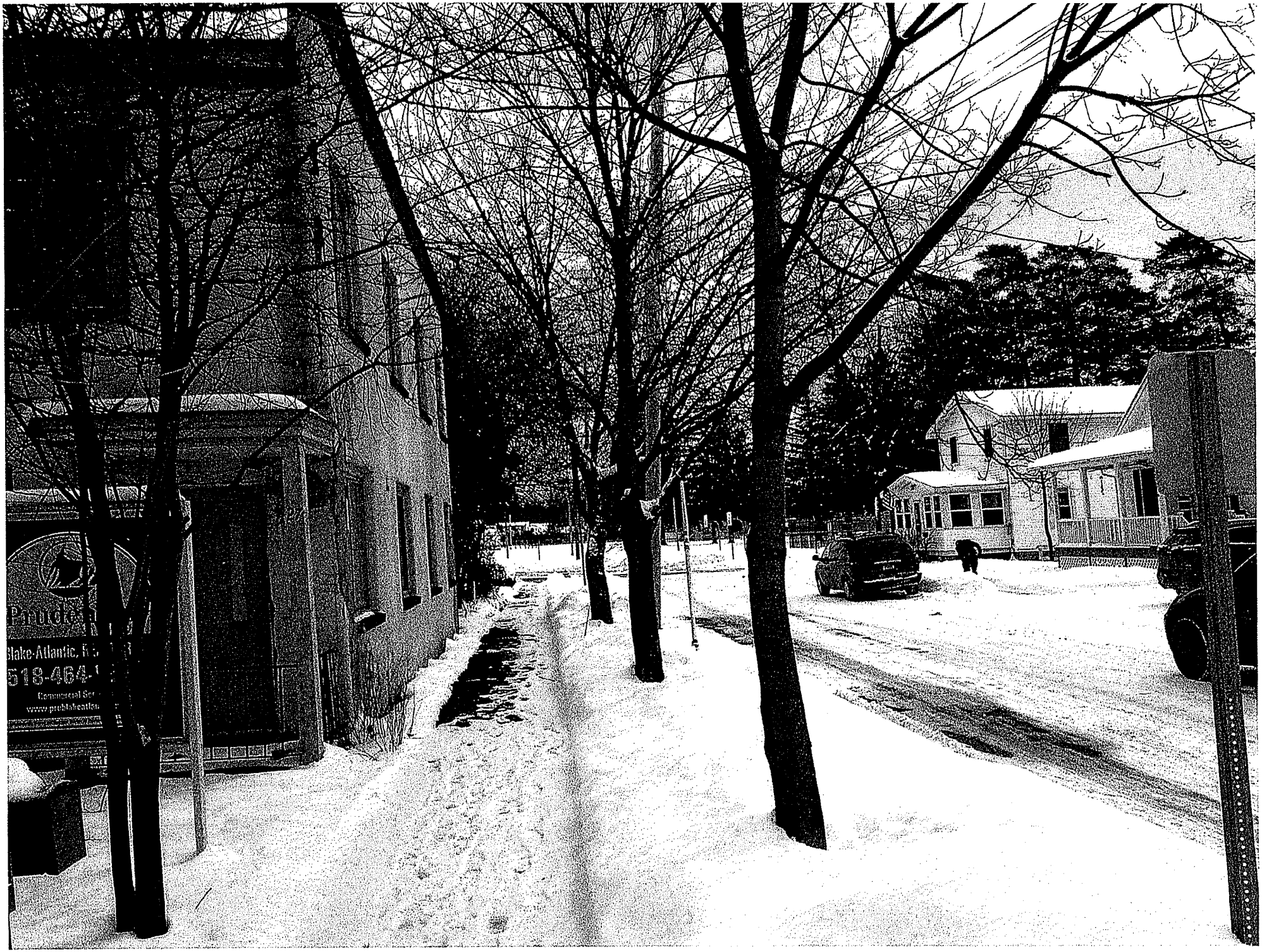
Witt Construction
3/10/2014

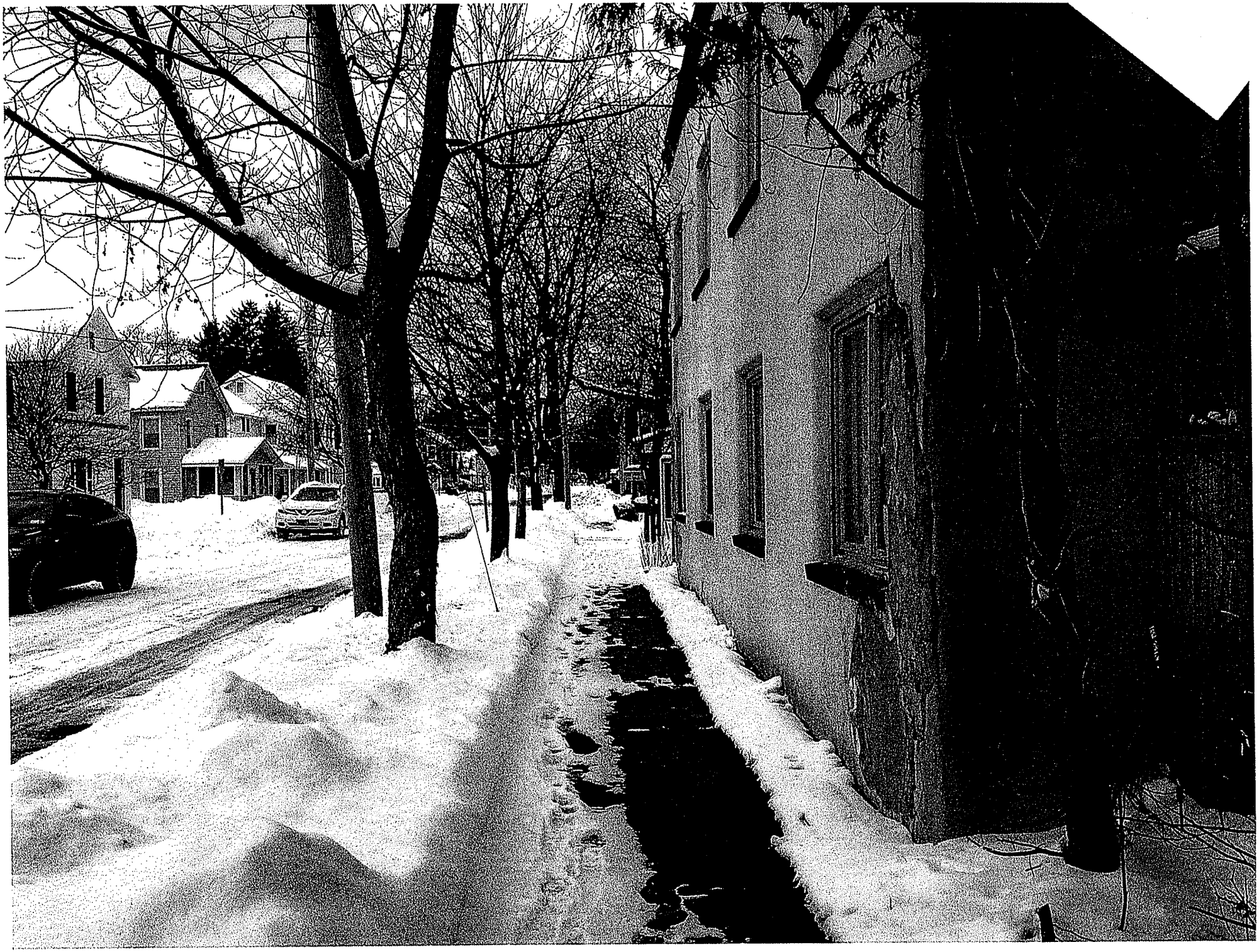
	Depth	Width	Area (sq. ft.)
Lot Size	231	150.5	34,765.50

Area	Existing	% of Lot	As Drawn	% of Lot
Principle Building and Overhang	17,161	49.4%	15,589	46.00%
Accessory Building	160	0.5%		
Total				46.00%
Driveways/Road	6,357	18.3%	7,157	20.60%
Permeable Areas	11,088	31.9%	12,191	35.10%

Setbacks	To the overhangs
Front	1
Rear	6
Right Side	7
Left Side	5

NO PARKING
24 HRS
STARTING
9AM
MON-WED
FRI





Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27.2014, 2013

Magnolia Lane

Street Views

Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27.2014, 2013

Magnolia Lane

Street Views

Witt Construction

563 N Broadway Saratoga Springs, NY 12866

February 27.2014, 2013

Magnolia Lane

Street Views

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

Jumel/Downton Walk - Witt Construction, Inc.

Name of Action or Project:
Downton Walk

Project Location (describe, and attach a location map):
27 Jumel Place

Brief Description of Proposed Action:
7 Individual Family Condominiums

Name of Applicant or Sponsor:	Telephone: 518-587-4113
John Witt	E-Mail: [redacted]

Address:
563 N. Broadway

City/PO:	State:	Zip Code:
Saratoga Springs	NY	12866

	NO	YES
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.	☑	☐
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	☐	☑

3.a. Total acreage of the site of the proposed action? .791 acres
b. Total acreage to be physically disturbed? .791 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .791 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
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
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
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
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☑
Per site plan approval we need to add a new water-main that runs from Jumel up the private drive.		

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☑

	NO	YES
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
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: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
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
16. Is the project site located in the 100 year flood plain?	☑	☐

	NO	YES
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? ☐ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		
If Yes, briefly describe: ☐ NO ☐ YES		
_____		

	NO	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: _____ _____ _____	☑	☐
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: _____ _____ _____	☑	☐
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: _____ There as been asbestos found on location. We have an asbestos report and working with Cristo Demolition who is licensed and experienced in moving this hazardous waste properly. _____	☐	☑

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: _____ Date: _____

Signature: _____

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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Vice Chair
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George "Skip" Carlson
Oksana Ludd
James Helicke

Appeal #2759
IN THE MATTER OF THE APPEAL OF
ANW Holdings, Inc.
564 Broadway
Saratoga Springs, NY 12866

from the Building Inspector's Denial of Application for Land Use and/or Building for the premises at 27 Jumel Place, Saratoga Springs, New York, identified as Tax Parcel No.: 166.13-1-50.2 in the inside district of the City.

The Applicant has applied for modification to Appeal # 2714, a variance granted October 23, 2013, seeking modification of the relief from the maximum principal building coverage and the minimum front yard setback requirements for the two units fronting on Jumel Place, and for additional relief from maximum height of a residential fence, all as provided in the current City Zoning Ordinance applicable to the Urban Residential - 3 zoning district, and public notice having been duly given of a hearing on said application on April 21, 2014 and April 28, 2014.

In consideration of the balance between the benefit to the Applicant with the detriment to the health, safety and welfare of the community, the Board makes the following resolution that the requested area variance for the following relief or such lesser amount, as described in the submitted application, BE APPROVED:

Type of Requirement	Required/ Permitted	Previously Approved	Proposed	Total Relief Requested
Maximum Building Coverage	30%	43.5%	46%	16% (53%)
Minimum Front Yard Setback for the 2 units fronting on Jumel Place	10 feet	5 foot	1 feet	9 feet (90%)
Maximum Height residential fence	6 feet	N/A	8 feet	2 feet (33%)

1. The Applicant has demonstrated that this benefit cannot be achieved by other means feasible. This Board has previously determined in Appeal #2714 that the Applicant has demonstrated that redeveloping this property from an unsightly cement structure used for commercial purposes into a seven unit residential condominium development is the best economically feasible use as shown on the proposed site plan for this property. The modifications to the maximum principal building coverage and the minimum front yard setback requested by Applicant, subject to the conditions provided below, do not change the Board's prior determinations. The request to increase the maximum height of the residential fence is requested to ensure added privacy for the units and for adjacent neighbors. Providing this privacy cannot be achieved by other means due to the limited size of the property.

2. The Applicant has demonstrated that granting the modification to these variances will not create an undesirable change in neighborhood character or a detriment to nearby properties. In granting variance #2714, the Board concluded the granting the variances will improve the appearance of the property and will not create an undesirable change in

neighborhood character or impact on nearby properties, but rather a desirable and valuable change. The modifications do not change this conclusion. Additionally, granting the variance for an increased height in the fence will enhance the character of the neighborhood.

3. The modifications to the relief requested may be considered substantial. However, due to the proximity of the proposed developed structures to the neighbors and to one another, the Board finds the benefit of privacy fencing to offset the adverse impact.

4. The Applicant has demonstrated that the modification of the variances will not have a significant adverse physical or environmental effect on the neighborhood. In the prior Appeal, the Applicant demonstrated and several neighbors testified in support, that this redevelopment will have a significant beneficial physical impact on the neighborhood. The modifications requested in this application do not alter the conclusions reached by this Board in Appeal #2714. Additionally, the request for an increase in the height of the fence does not have an adverse physical or environmental effect on the neighborhood.

5. The alleged difficulty may be considered self-created, however, this is not necessarily fatal to the application.

Notifications/Approvals/Conditions of Approval:
The minimum front yard setback of 5 feet previously approved in Appeal #2714 is modified only to permit front stoops or stairways within the 5 foot setback to the 1 foot setback.

No eight (8) foot fence shall be permitted to be constructed along Jumel Place or extending beyond the front foundation line along Jumel Place.

County Planning Board issued a decision of "No Significant County Impact" on April 17, 2014.

Adopted by the following vote:

AYES: 7 (B. Moore, K. Kaplan, A. McNeill, G. Hasbrouck, S. Carlson O. Ludd and J. Helicke)

NAYES: 0

Dated: April 28, 2014

This variance shall expire 18 months following the filing date of such decision unless the necessary building permit has been issued and actual construction begun as per 240-8.5.1.

5-1-14
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, seven members of the Board being present.

RECEIVED
MAY 06 2014
ACCOUNTS DEPARTMENT

change.org

Saratoga Neighbors for Zoning Enforcement

Recipient: Saratoga Springs Zoning Board of Appeals - Office of Planning & Economic Development

Letter: Greetings,

Keep Saratoga Springs Neighborhoods Special: Enforce our Zoning codes!

Comments

Name	Location	Date	Comment
Sam Brewton	Saratoga Springs, NY	2016-03-15	We're not against developing this plot, but we opposed the massive scope of the requested variances, loss of setbacks, and the cramming-in of more buildings than this lot is zoned for. What's the point of zoning if it can be this easily skirted? This lot can be successfully developed, and we'd welcome this same developer if a more reasonable plan were presented.
Holly Bates	Saratoga Springs, NY	2016-03-16	Saratoga Springs is changing far too quickly and losing the character that made it so beloved. These changes are so often the result of wealthy developers making their way around zoning laws that are there for a reason. Our officials have been elected by the citizens of Saratoga Springs, and as such, they are the people to whom they should listen.
jeannine moran	saratoga springs, NY	2016-03-16	Uphold our zoning laws and do not cave to developers.
Kira Cohen	Saratoga Springs, NY	2016-03-16	I grew up in Saratoga Springs and have lived 25 years in the neighborhood that is threatened by this development. I do not want to see my neighborhood put at risk by the casting aside of our city's zoning ordinance. The Saratoga Neighbors for Zoning Enforcement does not oppose new housing in our neighborhood, we simply feel that the scale of this project is beyond necessary and asks for too many variances to the zoning laws of our district. This puts not only our homes at risk, but the new homes as well. It also opens the door for these types of overboard developments to move into other residential neighborhoods throughout town - thus dismantling the core ideology behind our comprehensive plan and zoning ordinance, and disrupting the historical character and dignity of our beautiful town.
Margaret Selikoff	Saratoga Springs, NY	2016-03-16	There is no reason for this type of development in this neighborhood.
Kim Fonda	Saratoga Springs, NY	2016-03-16	I am sick and tired of double standards. The Zoning Board is a disgrace and our hopes for good stewardship decline day by day!
Janice Pancake	Saratoga Springs, NY	2016-03-16	If this goes as planned, it will set a precedent in our city that builders can get zoning laws changed and build wherever they want. Seems to me that our city has allowed all kinds of new, unaffordable, condos, etc. and taken the charm away from my hometown...
Joann Lorman	Porter Corners, NY	2016-03-16	Saratoga is getting to many large buildings. ..let's not lose its charm!
Robert Bostick	Arlington, VA	2016-03-16	I love the Saratoga of my childhood, my youth and to alter those memories of the alleys, streets and diverse neighborhoods would be sacrilege.
John Veitch	Saratoga Springs, NY	2016-03-16	This is not proper for that neighborhood. Simply out of character. I live next to the old St. John Neumann residence, and that conversion was fine for that building. This is not appropriate for Jumel Place
Liam Sheji	Saratoga Springs, NY	2016-03-16	It's important to preserve our cities history, and replacing our historic buildings is a crime to our lifestyle
Marie falls	Lorton, VA	2016-03-16	I hate seeing my hometown lose its charm!
Steven McCarthy	Saratoga Springs, NY	2016-03-16	Enough is Enough
Martha Strohl	Saratoga Springs, NY	2016-03-16	The Comprehensive Plan and our zoning codes are meant to be observed, not abused.
Lillian Spost	Saratoga Springs, NY	2016-03-16	Saratoga risks losing the charm that is its reputation.
Michael Gent	Saratoga Springs, NY	2016-03-16	Once you open the floodgates,there'll be no stopping them.The town is enough of a mess already.

Name	Location	Date	Comment
Anthony Smith	Washington, DC	2016-03-16	I'm shocked that the lovely tree-lined streets of my hometown would be destroyed by this condo developer. Enforce the zoning laws and stop this blight on the community.
shawn banner	Saratoga Springs, NY	2016-03-16	Our town is special because far sighted folk created a charter and zoning codes that preserve what is best about Saratoga. Lately, it seems that special dispensation keeps getting given to folks who want to build exactly what those far-sighted zoning laws and city planning decisions were meant to avoid. Growth is good--in fact, growth is great, but not growth that breaks the carefully crafted rules that make Saratoga a pleasure to reside in. Please do not keep giving in to developers' whims at the expense of what makes our fair city both fair and special!
Z. Parisi	Saratoga Springs, NY	2016-03-16	cp
Amber Duffney	Keeseville, NY	2016-03-16	O remember Saratoga the way it used to be. I have seen neighborhoods destroyed by "improvement", I would hate to see Saratoga to become a city of high rises, and loose it's charm and historic value.
Sunshine Stewart	Greenfield Center, NY	2016-03-16	Keep Saratoga beautiful!!!
Meghan Cherny	Corinth, NY	2016-03-16	Bit by bit we are losing our history and our roots, that which makes it all beautiful. Saratoga is beautifully old, we must fight for her.
Janice Bellamy	Saratoga Springs, NY	2016-03-16	Too many extreme variances requested. This won't blend in with the neighborhood. The builder is asking the Zoning Board for special treatment.
Amy Barakat	Saratoga Springs, NY	2016-03-16	I don't like the direction my hometown has headed since I was a child. Too much commercialization and too much building.
patricia rubio	saratoga springs, NY	2016-03-16	I am concerned about the violation of the City zoning laws the variance would entail.
Kathleen Brown	Saratoga Springs, NY	2016-03-16	Wrong plan, wrong place, & more overpriced real estate not needed!
bob mctague	saratoga sp, NY	2016-03-16	Our neighborhoods are under attack by greedy builders who have no reguard for families that live in the communities.
Daniel Schwank	xxxxxxxxxx, NY	2016-03-16	I'm against the overdevelopment that's destroying this town
Shealyn Heritage	Ballston Spa, NY	2016-03-16	I for one may not live I Toga directly but was born at Saratoga hospital lived in the outside towns all my life and have many Saratoga relatives of all era of Saratoga. It sadden my heart thinking about the stories I've heard of old Saratoga, Stories I have from Saratoga In the times before all the condo when we went to see our Saratoga family and The Saratoga now. Why does everything have to be so glamorized. We need some original and not just Original historical. Stop changing zoning laws for these big wig glamizatation.
Cindy June	Ballston Spa, NY	2016-03-16	Save my hometown from the developers who only see $$$$$$
Lori LeBarron	Gansevoort, NY	2016-03-16	There seems to an influx of developers who are presenting proposals that do not adhere to Saratoga Springs zoning laws. This needs to stop!
Leslie Brown	Saratoga Springs, NY	2016-03-16	There is way too much development in Saratoga and we're losing the quietness of the city. Please stop the building.
Joan Nellhaus	Saratoga Springs, NY	2016-03-16	This is wrong in so many ways. Integrity must be maintained.
Hillary Takahashi	Saratoga Springs, NY	2016-03-16	Protect our picturesque and wonderful neighborhoods.
Mary O'Donnell	Saratoga Springs, NY	2016-03-16	As a native, I have watched our city change way too much and not for the better in my estimation. This project would set a precedent and continue to ruin the very reason some people moved here. We want to keep our city's character.

Name	Location	Date	Comment
Jay Rogoff	Saratoga Springs, NY	2016-03-16	Approval of Downton Walk, a development entirely out of character with the neighborhood, would send a signal to developers that our zoning regulations are meaningless and can be circumvented at will.
Judi Duclos	Saratoga Springs, NY	2016-03-16	I do not like the path that our beautiful city seems to be on!!!!!
Penny Jolly	Saratoga Springs, NY	2016-03-16	This is a residential neighborhood, protected supposedly by our zoning laws. Please observe those laws! Do NOT permit all these special variances. Don't overcrowd our neighborhoods and try to make them into something they are not: a pretentious "Downton Walk" with expensive condos instead of separate one-family homes of modest size.
Brucie Rosch	Saratoga Springs, NY	2016-03-16	Developers can make their money elsewhere. It would be one thing if they had a track record of building affordable housing in Saratoga Springs, but They. Do. Not.
Tracy Millis	Saratoga Springs, NY, NY	2016-03-16	The entire project is foolish.
Regina Camilletti	Saratoga Springs, NY	2016-03-16	This development will scar an otherwise homogenous, established neighborhood of older homes. People are invested in these homes and that neighborhood. Who has the right to step in and on behalf of a builder and his cohort, threaten their investment? If anything goes, how about lets build some stables next to City Hall and put those 7 condos on East, really close to Skidmore. Sure. I would sue you if I could.
Jacklyn Clark	Saratoga Springs, NY	2016-03-16	I don't want this in my neighborhood, I've lived on this street for 24 years and to alter the streetscape with gaudy condos would be a disgrace. More importantly if the city government allows this to become reality that would be sinful. Keep within the parameters of the neighborhood, amen!!!!!!
Barbara Ungar	Saratoga Springs, NY	2016-03-16	Developers and greed are ruining what makes Saratoga Springs a desirable place to live and visit.
Celete Caruso	Saratoga springs, NY	2016-03-16	I'm signing because the Integrity of each neighborhood within the city needs to be maintained
Suzanne kwasniewski	Saratoga Springs, NY	2016-03-16	Too many projects are approved that deviate from zoning ordinances.
Richard Hibbert	Burlington, VT	2016-03-16	My mother has lived on Jumel Place, in the other block, since 1959. My siblings and I spent part of our formative years in that neighborhood. The house belongs to our family, and we value the character of the neighborhood. That includes the portion of the street for which this project is proposed. I believe that this would be a drastic, and negative, change in the character of this part of the city.
Annette Damron	Lecanto, FL	2016-03-16	I was born and raised there and don't want to come home to a metropolis.
Susan Traylor	Saratoga Springs, NY	2016-03-16	I don't want Saratoga Springs, my beautiful home town to turn into a Clifton Park!
Marisa Wade	Saratoga Springs, NY	2016-03-16	Saratoga is starting to loose some of it's charm to all of these apartments and condominiums
JOHN DUANE	Middle Grove, NY	2016-03-16	to keep saratoga saratoga !
Arthur Porter III	Saratoga Springs, NY	2016-03-16	I believe that this is yet another example of the abuse of the zoning variance process to circumvent existing zoning designations and the Comprehensive Plan.
Katherine Totten	Saratoga Springs, NY	2016-03-16	Enough is enough
Karin Vollkommer	Saratoga Springs, NY	2016-03-16	This project is too big for the neighborhood.
kathleen orefice	westport, CT	2016-03-16	I want Saratoga to stay the way it is. It's already changing too much.

Name	Location	Date	Comment
Amy Syrell	South Glens Falls, NY	2016-03-16	Saratoga Springs needs to be a place for all people, not just those with a lot of money.
Jill P McMahon	Saratoga Springs, NY	2016-03-16	The project seems too large for the space available. More shoehorning of big houses out of character with the neighborhood that loom over their neighbors.
Frank Capone	Saratoga Springs, NY	2016-03-16	preserve the residential character
Bette Brill	Saratoga Springs, NY	2016-03-16	Just do not change the zoning laws for this or any project in a neighborhood that is not zoned for it....
amejo amyot	saratoga springs, NY	2016-03-16	I like green space around homes and consistent density in neighborhoods. this is a 1 and 2 family area.
Patricia Cornute	Saratoga Springs, NY	2016-03-16	Too many developments already in our town, hard to recognize the charming place it used to be., when the sun can't even shine down on you as you walk down certain streets any more.
sue scherer	Saratoga Springs, NY	2016-03-16	Enough with the overgrowth.
linda battiste	Schenectady, NY	2016-03-16	I grew up in Saratoga and it's beautiful the way it is!
Mary Frances Healy	Saratoga Springs, NY	2016-03-16	I have lived here my whole life and don't like the direction we are going
MaryAnn Wager	Saratoga Springs, NY	2016-03-16	I have lived in Saratoga my entire life and I am concerned for the future of our beautiful city. It is quickly losing its historical look and feel.
Patricia Mathews	Sanford, ME	2016-03-16	I strongly believe in preserving the integrity of all cities, but most importantly those cities that represent the history of our country. I lived on Jumel Place until I graduated from college. When I go back to visit family I am often disappointed to see yet another set of new and expensive Town Houses, apartment buildings, hotels, and condos. With each change Saratoga Springs loses a little of its identity. Just take a walk on Jumel Place, and you will clearly see that a development of this type is out of character with the neighborhood. Saratoga, a city I have always been proud to call my hometown, should not lose its charm to moneymaking investments.
Deb Garrelts	Saratoga Springs, NY	2016-03-16	I agree that we are being over-run with condominiums and that our neighborhoods need protection
Denise Dart	Clifton Park, NY	2016-03-16	I'm signing because I am a native Saratogian and the alleged zoning codes worked against my Dad and now we have foreigners coming in and being allowed to build wherever and however big they want just because they have the money.
Barbara Claydon	Saratoga Springs, NY	2016-03-16	inappropriate development of the space for the existing neighborhood in which I happen to live
Paul Hibbert	Broken Arrow, OK	2016-03-16	My family has property on Jumel place
Chris Pringle	Saratoga Springs, NY	2016-03-16	I've lived in saratoga almost all my life and I'm sick of seeing this great little town desecrated by these monstrosities being built with no thought what so ever. The west side of town now looks like a haven for yuppies and has driven out the families that have resided there for years. Downtown hardly looks the same as I remember it as a child. All the once family owned businesses that occupied Broadway are now gone and these corporate goons have bullied their way in forcing the rent to a ridiculous level that only 6 figure a year income families can afford. This use to be a great place to live a place I called home now I don't even recognize the town I grew up in. Enough is enough.
Joyce McKnight	Lake Luzerne, NY	2016-03-16	Saratoga Springs already has empty developments...the zoning board is either ineffectual or "on the take."

Name	Location	Date	Comment
Ann Diller	Gansevoort, NY	2016-03-16	I am appalled at the over-development that has changed our city so that it unaffordable to longtimers, courtesy of boards that are overly generous to devevlopers.
Randy Hammond	Porter Corners, NY	2016-03-16	Saratoga is heading in the wrong direction
helen travis	Saratoga Springs, NY	2016-03-16	They are destroying Saratoga making hard for families to live homeless rase now its more homeless families working families that can't effored Saratoga price or anywhere els for that matter rent has raise so high everywhere its sad and decrees
kayla rynasko	Schenectady, NY	2016-03-16	Born and raised in Saratoga. Graduate of Saratoga high. All my family lives here!
Kathy Becker	Greenfield Center, NY	2016-03-16	I was born and raised in Saratoga Springs. I am so upset by huge changes that have been made in Saratoga. What ever happened to preserving the historical buildings in the city. It looks like the almighty dollar has won out. It is such a shame and so sad.
Liz Mark	Gansevoort, NY	2016-03-16	Saratoga is being overrun by greedy developers like Bonacio and losing its charm.
Charles Kish	Saratoga Springs, NY	2016-03-17	The character of too many neighborhoods are at stake when projects are granted that require numerous large scale changes to existing zoning. When developers profit concerns trump zoning considerations and justifiable and considered opposition by neighbors to this degree, who's opposition is totally supported by current zoning, the zoning board is not doing it's job. There is zoning for a reason based on long term plans and consideration for the city as a whole. Wholesale variances granted solely for the purpose of developer profit is is a travesty.
Nancy Flynn	Buskirk, NY	2016-03-17	We have a family home on the other block of Jumel Place that my mom lives in and believe this will hurt the whole street and set a bad precedent.
Ann Haller	Saratoga Springs, NY	2016-03-17	This is an inappropriate use if the land. It is not in accordance with the zoning. developers should not be exempt from rules just because they want to maximize their profits. The city is running out of build-able lots, so the developer is trying to squeeze as much profit as he can out of this lot.
renee harder	gansevoort, NY	2016-03-17	way to much development now
Richard Dunham	Saratoga Springs, NY	2016-03-17	I do not believe that a previous factory/Dance Studio in a residential neighborhood needs to be re-zoned to accommodate more living space than the current regulations allow. Enough cronieism. Build a house, or two.
Kelly Mackison	Gansevoort, NY	2016-03-17	I am bored in raided is Saratoga
Jodi Stevens	Saratoga Springs, NY	2016-03-17	I grew up on this area and just can't stand by and watch the integrity of this beautiful, quaint neighborhood be destroyed...
Jennifer Kleindienst	Middletown, CT	2016-03-17	I grew up near Saratoga and visit often. I would hate to see the city's charm erode with a project like this.
Patricia Duval	Portland, OR	2016-03-17	To oppose approvals requested for this project. Plan is totally irrelevant to the existing neighborhood. Approving these requests would set a bad precedent and many of Saratoga neighborhoods would be at risk.
Gloria Burke	Waterville, ME	2016-03-17	This would set a terrible president.
Dorene Couch	Saratoga Springs, NY	2016-03-17	I want to show my support for our local residents and weigh in on matters of development that will have a negative impact on our neighborhoods

Name	Location	Date	Comment
Wayne T. Senecal	Saratoga Springs, NY	2016-03-17	I believe the developer's application is a change in use requiring City Council Approval not just Zoning Board of Appeals approval.
Jerome Luhn	Saratoga Springs, NY	2016-03-17	People are entitled to know what development plans are being proposed so that they, and the officials entrusted with authority over zoning decisions, can make informed judgments that affect the character of the place where they live over the long term. Seemingly material omissions in presentation, together with behavior by the developer and relevant board officials, have given neighbors reason to raise questions, such as whose interests enjoy primacy in this proposal? No one wants to wake to rude surprises after the foundations are poured. That's something any developer should understand.
Sheila Levo	Saratoga Springs, NY	2016-03-17	I'm signing because although I am a Saratoga native, I no longer live in the city After my husband died, I sold my house as the upkeep (lawn, snow, etc.) was too much for me. The prices for decent rentals in the city were outrageous. I was forced to look elsewhere and as a consequence, I now live in Ballston. This project, if allowed, would be another example of pricing the the middle class out Saratoga.
Melanie Herter	New York City, NY	2016-03-17	Trying to keep my neighborhood from illegal property use and major congestion
Ina Harney	Saratoga Springs, NY	2016-03-17	This has to stop in Saratoga, not only in my backyard but this one too. Residents have to pay attention to all of these plans, not only their neighborhoods. Every time the builders manage to get one over on our city government leaders and build these monstrocsities it gives them permission to ruin another neighborhood.
Nicholas Rossi	Parrish, FL	2016-03-17	I lived in Saratoga 62yrs. I grew up in that part of town & owned a home at 213 East AVE. Allowing this development is wrong
James Lestrange	Saratoga Springs, NY	2016-03-17	Stop putting the interests of the wealthy ahead of long time Saratoga residents. We have enough development already. Too many people moving in making everything more expensive and causing traffic congestion.
richard bradley	Ballston Spa, NY	2016-03-17	developers are destroying the Saratoga I grew up in. they just need to leave things alone. they are just fine as they are
Henry Bovee	Saratoga Springs, NY	2016-03-17	For my friend
Michael Graul	Granby, CO	2016-03-17	I would like to see the zoning laws upheld in this single family neighborhood where I grew up. I hope those individuals on the zoning board haven't lost sight of doing what is right.
HEATHER STABLES	SARATOGA SPRINGS, NY	2016-03-18	This is NOT NYC....
Michael Stoneback	Saratoga Springs, NY	2016-03-18	developers are ruining the city with maximizing land use with the approval of city boards and their own interpretation of zoning
Barbara Bovee	Saratoga Springs, NY	2016-03-18	To preserve Saratoga
deborah koransky	Saratoga Springs, NY	2016-03-18	i am opposed to this Witt project.
Maureen Curtin	Saratoga Springs, NY	2016-03-18	There are an excessive number of substantial variances, which if granted would make our zoning laws useless.
Deb Mattison	Saratoga Springs, NY	2016-03-18	Following the zoning ordinances will create a home more in character with the neighborhood in which we live and work.
Tara graul	Lyndhurst, NJ	2016-03-18	I oppose this development. Anyone else who truly loves Saratoga Springs and the neighborhood surrounding Jumel Place knows that approving zoning for this project would be inappropriate. I hope that the board does the right thing.
Deb Mattison	Saratoga Springs, NY	2016-03-18	Following the zoning ordinances will create a home more in character with the neighborhood in which we live and work.

Name	Location	Date	Comment
Margaret Bradley	Saratoga Springs, NY	2016-03-18	Again, our "City in the Country" is being challenged.
Jamie Barss	Saratoga Springs, NY	2016-03-18	I grew up in this neighborhood and I can stand the way developers are ruin my home town Saratoga has turn in to a town for the rich and are push the every day people out This was always a family friendly town but not anymore I think this will ruin the charm of the eastside
Virginia Ponessa	Saratoga Springs, NY	2016-03-19	I used to live on Jumel Place and am so sad to see how negatively the town has been changing.
Mary-Ellen Callahan	Edgewater, NJ	2016-03-19	My family lives in Saratoga Springs and this is a dangerous proposal to all future zoning. There is a greater need for protecting the zoning code than a need for a seven unit development.
Reginald Lilly	Saratoga Springs, NY	2016-03-19	I live around the corner from this project and it would transform the character of the neighborhood in a very negative way. It would have a negative impact as well on property values in the neighborhood. I strongly oppose this project.
Connie Crawford	Ballston Spa, NY	2016-03-19	I'm sick of all the condos and ugly huge boxy buildings going up in Saratoga, especially the UNAFFORDABLE high rents they charge....
Nancy Toole	Saratoga Springs, NY	2016-03-19	DOWNTON WALK should NOT be allowed to be built in this neighborhood. And if it is, a bad precedent will have been set.
Joyce Dart	saratoga springs, NY	2016-03-19	I'm signing because I like having neighborhoods with homes and sidewalks. I don't want big box buildings that block the sun.
Dillon Moran	Saratoga Springs, NY	2016-03-19	The invasiveness of development in Saratoga Springs is more than enough without bending all of the rules put in place to govern it. This project is simply too much
Steven Mattison	Saratoga Springs, NY	2016-03-20	I think it is ridiculous that there are zoning laws in place and a high profile builder can sweep in and have multiple zoning ordinances changed just to get the big buck without regard to the neighbors and neighborhood.
Christiana HOLLAND	SARATOGA SPGS, NY	2016-03-20	We have enough apartments and condos for now! Let's all take a break
M.Thomas Porter	Saratoga Springs, NY	2016-03-20	This is a terrible precedent to set for the future in old established Saratoga Springs neighborhoods.
Linda Church	Saratoga Springs, NY	2016-03-20	I disagree with the variances being requested. Present something more in line with the area. This is too dense, and too big!
Grant Gentner	Saratoga Springs, NY	2016-03-20	We are losing too much of our charm to building. We also are losing green space. If we lose our Saratoga charm, it will be difficult to come back.
Kathleen Bryan	Niskayuna, NY	2016-03-20	I've seen too many changes in Saratoga over the last 27 years. It would be nice to keep the neighborhoods family friendly.
Robert Vogel	Saratoga Springs, NY	2016-03-20	I am opposed to the Downtown Walk development project
Kim Stevens	Saratoga Springs, NY	2016-03-20	I live in the neighborhood and I don't want to start the precedent of building large condos among single family homes.
Joanie Rupprecht	Saratoga Springs, NY	2016-03-20	I like the feel of Saratoga w/ old, private houses, I esp. like that feel on JUMEL where I LIVE !!! Please respect the current zoning !!!
Peggy Tayler-MacNeill	Saratoga Springs, NY	2016-03-20	I care about keeping keeping this a family neighborhood without the density discussed in this petition. Imagine if each condo had 4 children? Or more? It is an outrageous expectation for that small property to expect to fit seven condos with any size family. What about sewer and water capacity?
James Pollard	Saratoga Springs, NY	2016-03-20	I object to this development in my neighborhood because it violates current zoning law, seeks variances and exceptions which, if granted, would significantly and negatively impact the density and character my immediate environment, and of the city

Name	Location	Date	Comment
John Boardman	Saratoga Springs, NY	2016-03-20	The stepped up assault on the zoning ordinances, under the cover of the vaguely worded "Comprehensive Plan", has got to stop. This is the third major project in 6 months (see Moore Hall and the hospital expansion) where developers have attempted to slip projects that would need a major zoning change as simple variances. The ZBA and Planning Board need to see these for what they are and insist development comply with the existing ordinance. The Comprehensive Guide does not overrule the Zoning Ordinance - it's the reverse.
James Pollard	Saratoga Springs, NY	2016-03-20	I object to the project as proposed because it is non-compliant with current zoning regulations, and because it seeks an audacious and unprecedented number of variances, most of which (if granted) would have a severe negative impact to the density and character of my neighborhood and are therefor unacceptable.
Lisa Wilcox	Huntsville, AL	2016-03-20	I loved the old Saratoga. Too many changes, too fast
Laura Giannini	Saratoga Springs, NY	2016-03-20	Although I support rejuvenation of the property at 27 Jumel Place, I strongly feel that the proposed project is not appropriate for our neighborhood. I down the street from the subject property, and we ask the zoning board to respect the wishes of our family and our neighbors and reject the requested radical variances to the current laws. We feel this project itself is not beneficial to the neighborhood and its invaluable character, and allowing the violation of the zoning laws would set a dangerous precedent moving forward.
Russell Pittenger	Saratoga, NY	2016-03-20	The variances asked for seen excessive.
Chris Bernd	Saratoga Springs, NY	2016-03-20	The condominum/townhouse growth in Saratoga is out of control, taking away open spaces and I believe zoning laws need to be followed.
Albert Mather	Saratoga Springs, NY	2016-03-20	I'm signing because I do not want our neighborhood to become "mansionized" like the neighborhood from which we moved in Wellesley MA
Tina K. Morris	Saratoga Springs, NY	2016-03-20	The proposed Downton Walk Development is near my home. A large development is not in keeping with the existing small early 20th century homes. I strongly object to waiving zoning regulations which will set a negative precedent for the entire city of Saratoga Springs.
Ralph Yusavage	Saratoga Springs, NY	2016-03-21	Its not okay to ignore the rules whenever its convenient. The developers will build the charm right out of our city if we let them.
Jack Hyndman	Saratoga Springs, NY	2016-03-21	This kind of development is unprecedented in this area of downtown Saratoga. I do not support the radical zoning variances requested and overall site plan as currently designed and submitted. To many units for the property. The addition of up to 14 additional cars in or around the location is unacceptable.
Katie Claydon-Jones	Saratoga Springs, NY	2016-03-21	I grew up in that neighborhood. While I don't disagree the property is an eyesore and could use a face lift, this is not appropriate development.
Barbara Opitz	Saratoga Springs, NY	2016-03-21	I feel that this project raises too many density and variance exceptions to be approved.
Merry J Menden	Lewes, DE	2016-03-21	As a frequent visitor to your charming town for decades, I am appalled that the zoning board would consider upending the zoning law for the wilful greed and change it would bring. The slippery slope of decay will descend upon your town.
Annmarie Cipollo	Saratoga Springs, NY	2016-03-21	The City needs to start hearing the residents' pleas to maintain and enforce the current character of residential neighborhoods. We have been repeatedly asking, hear us now.
Colleen Sleight	Saratoga Springs, NY	2016-03-22	I live on East ave and do not want the old saratoga neighborhood to change!!!

Name	Location	Date	Comment
d. morse	gansevoort, NY	2016-03-22	That area should stay as is the condos can stay downtown . I grew up here . The east should alsways keep its character
Barry Fisher	Saratoga Springs, NY	2016-03-22	If our city is to stay the wonderful way it is, it needs to not replace neighborhoods that have been here for years with condos that look like every other place in the US. Little by little, the character of our town is being sucked away by soulless construction so that developers can make more money. We will become another anywhere USA if it doesn't stop.
Linda Fennell	Encinitas, CA	2016-03-22	I want my home town to remain the way it is and not gentrified by a big conglomerate of a builder making the city look like every other urban sprawl. We've got culture, beauty, natural springs and those of us who've been part of Saratoga for generations want it to be preserved as such for many many more generations. Heartbreaking to see money buy new zoning laws and be granted variances and build on state and public land.
Diane Lachtrupp	Saratoga Springs,, NY	2016-03-22	They did not follow the building rules. They procured permits and did what they wanted.
Doug Haller	Saratoga Springs, NY	2016-03-22	The zoning for this area doesn't allow this high density development. Zoning should be followed unless there are extraordinary circumstances.
Nancy Coleman	Saratoga Springs, NY	2016-03-22	Developers are routinely applying for building/zoning variances that were established in our city for a reason.
Jeff Bendavid	Saratoga Springs, NY	2016-03-22	I'm tired of contractors/builders thinking they can re-write the zoning and other regulations to suit their needs. Regardless of how beautiful the homes they build, and how much they donate to popular non-profits, the laws were put into place to protect the best interests of the community.
Michelle Hendrickson Arpey	Saratoga Springs, NY	2016-03-24	I object to the proposed plan for condominium development on Jumel Place. It will have a negative affect on the neighborhood. Too many people, too many parking/congestion problems for what is currently a great area. Change is not necessarily a good thing. Does this city honestly need another condominium project?
Zoe Nousiainen	Saratoga Springs, NY	2016-03-26	I'm concerned about the residential fabric of our city in terms of overcrowding and inappropriate variances granted to builders, along with little consideration for the character of existing neighborhoods.
Rachel Feldman	Raleigh, NC	2016-03-31	At 10 years old I first visited Saratoga Springs, not knowing yet that it would soon become my home. Within a year, my family and I moved there. It was - and even with the many changes and facelifts over the years - still uniquely historic and beautiful. It broke my heart when the YMCA on Broadway was torn down, but the new facility that was opened and the new buildings still kept Saratoga Springs feeling like, well, Saratoga. I understand the need to grow, and the impact not building this condominium might have on the economy, but I feel that there are better ventures to pursue in the name of profit that would still be true to the nature of this beautiful little city.
Eliza Carey	Ballston Spa, NY	2016-03-31	Keep it special!
Michael Jerling	Saratoga Springs, NY	2016-03-31	I think this is inappropriate for our neighborhood. It is too dense, and out of character with the surrounding houses. I fear it could set a precedent for further such projects
Deborah La Brake Maddock	Williamsburg, VA	2016-04-01	They are ruining my home town. I spent many years enjoying walks in this neighborhood. It needs to be stopped. Let them build on the outskirts
bob mctague	saratoga sp, NY	2016-04-01	I would like to join Saratoga Neighbors for Zoning Enforcement.

Name	Location	Date	Comment
Tara Steven	Aliso Viejo, CA	2016-04-02	Saratoga is my hometown (I lived on Jumel Place, then on Spring Street) and has always been a refuge from the ever-developing cities that end up losing any type of luster they once had. Please let's keep this special.
Eve Mulholland	Saratoga Springs, NY	2016-04-04	We ALL need to enforce zoning - it is NOT for the few!
Leta Betor	Saratoga Springs, NY	2016-04-13	I'm signing it because the area in question is such a nice quiet neighborhood. Zoning laws were established for a reason. I don't think this should be allowed to be changed for the betterment of the Developer. The residents should have some say in any changes to the current zoning and if the majority do not want it, it should not be allowed.
Brian La Belle	Saratoga Springs, NY	2016-04-13	My birthplace is being invaded by carpetbaggers.
BETTY FRENCH	Saratoga Springs, NY	2016-04-13	It's time that residents have a say in how their neighborhood is developed & zoning laws followed.
Loraine ORourke	Saratoga Springs, NY	2016-04-13	This development project does not fit in the neighborhood and will destroy the area. It is against the zoning laws and it should stay that way. Please do not allow this to happen!!
Whitney orozco	Ballston Spa, NY	2016-04-13	I grew up on Jumel and my parents still live there
Darlene Neville	Saratoga Springs, NY	2016-04-13	I'm a concerned neighbor. Enough is enough!
Beth Seller	Saratoga Springs, NY	2016-04-13	I'm a saratogian. It's seems like there won't be any neighborhoods left
Melody Kemble	Saratoga Springs, NY	2016-04-13	I've already seen what happens to a neighborhood when developers are allowed to build however they wish. Let's put a stop to it NOW!
Ann Haller	Saratoga Springs, NY	2016-04-13	This threatens the quality of our neighborhoods and is being considered because undue power is given to developers
Megan Perez	Saratoga Springs, NY	2016-04-13	I love in the neighborhood and think this kind of development will change it too much, parking is already an issue, the park and pre school near by will also be negatively affected by high density housing.
Lou Anne Piccirillo	Saratoga Springs, NY	2016-04-13	tired of changes for a select few
Susan Senecal	Rexford, NY	2016-04-13	Yet again a violation of zoning in Saratoga. Dysfunction in progress
Kimberly Relyea	Saratoga Springs, NY	2016-04-13	Jumel is a close residential street. Adding apartment complex there is not conducive to Saratoga living. There are plenty of apartments in town. Don't need anymore. One change will lead to more. It has to stop somewhere.
Sean A. Nolan	Saratoga Springs, NY	2016-04-14	When does the selling of Saratoga stop? When nobody but 150k + a year people call Saratoga home and condos are the majority of the housing in the city and the workers who make under 20k a year can shop, work, etc. but not be able to afford to live in this city.
Peggy Brown	Saratoga Springs, NY	2016-04-14	Is this the same board that approved the monstrosity that Witt is building on the corner of State and Alger? Don't ruin another neighborhood!
Jen Caruso	Lutz, FL	2016-04-14	I'm signing because I grew up in Saratoga- and I believe in keeping saratoga's rich history and beauty. It is the timeless classic piece in history that should not change
Debbie Sekulski	Grimesland, NC	2016-04-18	I recently moved from Saratoga but come back quite often I have plans on moving back and love the area the way it is now
Harriet EGGLESTON	Bonita Springs, FL	2016-04-19	i don't like it when a developer runs our city council, this is not the right thing for this area.
Patrick Jankowski	Saratoga Springs, NY	2016-04-21	It will set an unwanted precedent that builders can build whatever they want changing the look of the neighborhood

Name	City	State	Postal Code	Signed On
Sandra Cohen	Saratoga Springs	New York		3/15/16
Sam Brewton	Saratoga Springs	New York	128662	3/15/16
Chris Mathiesen, Jr.	Saratoga Springs	New York	12866	3/17/16
Kira Cohen	Saratoga Springs	New York	12866	3/15/16
John Spinelli	DeLand	Florida	32724	3/15/16
Kristin Brenner	Saratoga Springs	New York	12866	3/15/16
Catherine Golden	Saratoga Springs	New York	12866	3/15/16
Olivia Cruz	Saratoga Springs	New York	12866	3/15/16
Scott Starr	Saratoga Springs	New York	12866	3/15/16
Bryan N.	Saratoga Springs	New York	12866	3/16/16
Gary Daluisio	Gansevoort	New York	12831	3/16/16
Jane Stevens	Saratoga Springs	New York	12866	3/16/16
Holly Bates	Saratoga Springs	New York	12866-9009	3/16/16
Jeannine Moran	Saratoga Springs	New York	12866	3/16/16
Carol Schupp Star	Saratoga Springs	New York	12866	3/16/16
Karen Pettigrew	Saratoga Springs	New York	12866	3/16/16
Margaret Selikoff	Saratoga Springs	New York	12866	3/16/16
Kim Fonda	Saratoga Springs	New York	12866	3/16/16
kathy shimm	saratoga Springs	New York	12866	3/16/16
Ronnie Betor	Saratoga Springs	New York	12866	3/16/16
Janice Pancake	Ballston Spa	New York	12020	3/16/16
Frank Callucci	Saratoga Springs	New York	12866	3/16/16
debbie barry	Saratoga springs	New York	12866	3/16/16
Joann Lorman	Porter Corners	New York	12859	3/16/16
isabella warner	Saratoga Springs	New York	12866	3/16/16
Mary Tipton	Saratoga Springs	New York	12866	3/16/16
Claire Demarest	Saratoga Springs	New York	12866	3/16/16
Robert Bostick	Arlington	Virginia	22202	3/16/16
John Veitch	Saratoga Springs	New York	12866	3/16/16
Liam Sheji	Saratoga Springs	New York	12866	3/16/16
Jim Favaloro	Saratoga Springs	New York	12866	3/16/16
Marie falls	Woodbridge	Virginia	22193	3/16/16
Philip Donnelly	Saratoga Springs	New York	12866	3/16/16
Jarred Butler	Corinth	New York	12822	3/16/16
Judy Riester	Saratoga Springs	New York	12866-5148	3/16/16
Jennifer South	Saratoga Springs	New York	12866	3/16/16
Theresa Boisseau	Saratoga Springs	New York	12866	3/16/16
Susan DeRossi	Saratoga Springs	New York	12866	3/16/16
Christine Guarnieri	Saratoga Springs	New York	12866	3/16/16
Carrie Warner	Saratoga Springs	New York	12866	3/16/16
Michael Yarinsky	Brooklyn	New York	11205	3/16/16
Jena Rotheim	Saratoga Springs	New York	12866	3/16/16
Steven McCarthy	Saratoga Springs	New York	12866	3/16/16
Martha Strohl	Saratoga Springs	New York	12866	3/16/16
Cherylle Hudak	Saratoga Springs	New York	12866	3/16/16
Lillian Spost	Saratoga Springs	New York	12866	3/16/16
Michael Gent	Saratoga Springs	New York	12866	3/16/16
Rick Leverence	Somerville	Massachusetts	2144	3/16/16

Melany Gent	Saratoga Springs	New York	12866	3/16/16
Anthony Smith	Washington	District of Colu	20011	3/16/16
Rob Wright	Saratoga springs ny	New York	12866	3/16/16
Sherry Dapello	Ballston Spa	New York	12020	3/16/16
Shawn Banner	Saratoga Springs	New York	12866	3/16/16
Allison Williford	Calabash	North Carolina	28467	3/16/16
Julie Behrens	Candor	New York	13743	3/16/16
c frank parisi	Albany	New York	12210	3/16/16
Randi Kish	Saratoga Springs	New York	12866	3/16/16
Justin Cressey	Pompano Beach	Florida	33066	3/16/16
Mame Noonan	Saratoga Springs	New York	12866	3/16/16
Eric Gould	Rensselaer	New York	12144	3/16/16
Hannah Christopher Christophe	Clifton Park	New York	12065	3/16/16
Amber Duffney	Keeseville	New York	12944	3/16/16
Sunshine Stewart	Greenfield Center	New York	12833	3/16/16
Lynn Blasso	Saratoga Springs	New York	12866	3/16/16
John Kaufmann	Saratoga Springs	New York	12866	3/16/16
Deena Smith	Saratoga Springs	New York	12866	3/16/16
Meghan Cherny	Corinth	New York	12822	3/16/16
Janice Bellamy	Saratoga Springs	New York	12866	3/16/16
Lynda goodness	Saratoga Springs	New York	12866	3/16/16
Martha Ray	Saratoga Springs	New York	12866	3/16/16
Amy Barakat	Saratoga Springs	New York	12866	3/16/16
patricia rubio	saratoga springs	New York	12866	3/16/16
Kathleen Brown	Saratoga Springs	New York	12866	3/16/16
Erin Wiggin	Gansevoort	New York	12831	3/16/16
Ardath Stroman	Middleport	New York	14105	3/16/16
Llona Hogan	Gansevoort	New York	12831	3/16/16
Pepper Wolfe	Saratoga Springs	New York	12866	3/16/16
Robert McTague	Saratoga Springs	New York	12866	3/16/16
Daniel Schwank	Saratoga Springs	New York	12866	3/16/16
Gordon Ray	Saratoga Springs	New York	12866	3/16/16
Emma Folkins	Saratoga Springs	New York	12866	3/16/16
Beverlee Patterson	Ballston Spa	New York	12020	3/16/16
Shealyn Heritage	Ballston Spa	New York	12020	3/16/16
Vanessa Saari	Clifton Park	New York	12065	3/16/16
Theresa Capozzola	Saratoga Springs	New York	12866	3/16/16
Cindy June	Ballston Spa	New York	12020	3/16/16
Lori LeBarron	Gansevoort	New York	12831	3/16/16
Leslie Brown	Saratoga Springs	New York	12866	3/16/16
Joan Nellhaus	Saratoga Springs	New York	12866	3/16/16
Gabriel Stinson	Saratoga Springs	New York	12866	3/16/16
Michelle Cameron	Ballston Spa	New York	12020	3/16/16
Laura Blunt	Saratoga Springs	New York	12866	3/16/16
Nancy Wilder	Saratoga Springs	New York	12866	3/16/16
Hillary Takahashi	Saratoga Springs	New York	12866	3/16/16
Noah Casner	Salem	New York	12865	3/16/16
Judith Brenner	Saratoga Springs	New York	12866	3/16/16
Mary O'Donnell	Saratoga Springs	New York	12866	3/16/16

Jay Rogoff	Saratoga Springs	New York	12866	3/16/16
Judi Duclos	Saratoga Springs	New York	12866	3/16/16
Penny Jolly	Saratoga Springs	New York	12866	3/16/16
Frank DeRossi	Saratoga Springs	New York	12866	3/16/16
Brucie Rosch	Saratoga Springs	New York	12866	3/16/16
Tracy Millis III	Saratoga Springs	New York	12866	3/16/16
Regina Camilletti	Saratoga Springs	New York	12866	3/16/16
Jacklyn Clark	Saratoga Springs	New York	12866	3/16/16
Matt schwarz	Fort Myers	Florida	33919	3/16/16
Barbara Ungar	Saratoga Springs	New York	12866	3/16/16
Sherry Callahan	Braselton	Georgia	30517	3/16/16
Celete Caruso	Saratoga springs	New York	12866	3/16/16
Suzanne kwasniewski	Saratoga Springs	New York	12866	3/16/16
Deborah Millis	Saratoga Springs	New York	12866	3/16/16
MaryBeth Hibbert	Burlington	Vermont	5408	3/16/16
Richard Hibbert	Burlington	Vermont	5408	3/16/16
Ann Sette;	Saratoga Springs	New York	12866	3/16/16
Johanna Garrison	Saratoga Springs	New York	12866	3/16/16
William Pettigrew	Saratoga Springs	New York	12866	3/16/16
Annette Damron	Lecanto	Florida	34461	3/16/16
Davene Jones	Wilton	New York	12831	3/16/16
Robert Lippman	Saratoga Springs	New York	12866	3/16/16
Peter Lee	Saratoga Springs	New York	12866	3/16/16
Susan Traylor	Saratoga Springs	New York	12866	3/16/16
Marisa Wade	Saratoga Springs	New York	12866	3/16/16
JOHN DUANE	Middle Grove	New York	12850	3/16/16
Arthur Porter	Saratoga Springs	New York	12866	3/16/16
Kathryn Fitzgerald	Saratoga Springs	New York	12866	3/16/16
Annmarie Palmieri	Saratoga Springs	New York	12866	3/16/16
doug lake	Saratoga Springs	New York	12866	3/16/16
Nanci StJohn	Saratoga Springs	New York	12866	3/16/16
Katherine Totten	Saratoga Springs	New York	12866	3/16/16
Robin Kish	Saratoga Springs	New York	12866	3/16/16
Cathy Hoff	Ballston Spa	New York	12020	3/16/16
Rhea Demory	Saratoga Springs	New York	12866	3/16/16
John Schroeder	Saratoga Springs	New York	12866	3/16/16
Derek Olsen	Saratoga Springs	New York	12866	3/16/16
Teri Blasko	Saratoga Springs	New York	12866	3/16/16
Karin Vollkommer	Saratoga Springs	New York	12866	3/16/16
David Lombardo	Saratoga Springs	New York	12866	3/16/16
Kathleen Ruggles Orefice	Westport	Connecticut	6880	3/16/16
Dina Fittipaldi	Saratoga Springs	New York	12866	3/16/16
Margaret Fittipaldi	Saratoga Springs	New York	12866	3/16/16
Tracy Maimone	East Rochester	New York	14445	3/16/16
Amy Syrell	South Glens Falls	New York	12803	3/16/16
Julio Olvera	Saratoga Springs	New York	12866	3/16/16
Holly Lawton	Saratoga Springs	New York	12866	3/16/16
Jill P McMahon	Saratoga Springs	New York	12866	3/16/16
Stephen Farenell	Saratoga Springs	New York	12866	3/16/16

Frank Capone	Saratoga Springs	New York	12866	3/16/16
Bette Brill	Saratoga Springs	New York	12866	3/16/16
amejo amyot	saratoga springs	New York	12866	3/16/16
Joy Burke	Saratoga Springs	New York	12866	3/16/16
Patricia Cornute	Saratoga Springs	New York	12866	3/16/16
sue scherer	Saratoga Springs	New York	12866	3/16/16
nancy Henry	Albany	New York	12203	3/16/16
David Morris	Saratoga Springs	New York	12866	3/16/16
linda battiste	Schenectady	New York	12302	3/16/16
Mary Frances Healy	Saratoga Springs	New York	12866	3/16/16
Tara Chhabra	Saratoga Springs	New York	12866	3/16/16
Annette Carman	Saratoga Springs	New York	12866	3/16/16
MaryAnn Wager	Saratoga Springs	New York	12866	3/16/16
Patricia Mathews	Sanford	Maine	4073	3/16/16
Stephanie Ryall	Saratoga Springs	New York	12866	3/16/16
Lisa Campilango	Saratoga Springs	New York	12866	3/16/16
Deborah Garrelts	Saratoga Springs	New York	12866	3/16/16
Joosje Anderson	Saratoga Springs	New York	12866	3/16/16
Denise Dart	Clifton Park	New York	12065	3/16/16
Barbara Claydon	Saratoga Springs	New York	12866	3/16/16
Paul Hibbert	Broken Arrow	Oklahoma	74011	3/16/16
Chris Pringle	Saratoga Springs	New York	12866	3/16/16
Darrell Rikert	Greenfield Center	New York	12833	3/16/16
Joyce McKnight	Lake Luzerne	New York	12846	3/16/16
james brophy	saratoga springs	New York	12877	3/16/16
Diller Ann	Gansevoort	New York	12831	3/16/16
monica winn	Saratoga Springs	New York	12866	3/16/16
Tracey Radigan	Saratoga Springs	New York	12866	3/16/16
Amy Hichman	Saratoga Springs	New York	12866	3/16/16
Rick Moran	Saratoga Springs	New York	12866	3/16/16
Randy Hammond	Porter Corners	New York	12859	3/16/16
Kayla Rynasko	Saratoga Springs	New York	12866	3/16/16
Jeanne Oconnor	Saratoga Springs	New York	12866	3/16/16
Kathy Becker	Greenfield Center	New York	12833	3/16/16
Chuck Lamb	Saratoga Springs	New York	12866	3/16/16
Liz Mark	Gansevoort	New York	12831	3/16/16
Charles Kish	Saratoga Springs	New York	12866	3/16/16
Colleen Downing	Saratoga Springs	New York	12866	3/16/16
Nancy Flynn	Buskirk	New York	12028	3/16/16
Ann Haller	Saratoga Springs	New York	12866	3/17/16
Beverlee Patterson	Ballston Spa	New York	12020	3/17/16
Ellen Boyce	Saratoga Springs	New York	12866	3/17/16
Deanne Marg	Saratoga Springs	New York	12866	3/17/16
Michele McClure	Schuylerville	New York	12871	3/17/16
Michelle Deyette	Saratoga Springs	New York	1286	3/17/16
Thomas Wadsworth	Cobleskill	New York	12043	3/17/16
renee harder	gansevoort	New York	12831	3/17/16
Richard Dunham	Saratoga Springs	New York	12866	3/17/16
Kelly O'DONNELL -Mackison	Gansevoort	New York	12831	3/17/16

Jodi Stevens	Saratoga Springs	New York	12866	3/17/16
Jennifer Kleindienst	Middletown	Connecticut	6457	3/17/16
Louisa Foye	Saratoga Springs	New York	12866	3/17/16
Karen Thomas	Saratoga Springs	New York	12866	3/17/16
Joseph Marcuccio	Saratoga Springs	New York	12866	3/17/16
Bethany Cohen	Boca Raton	Florida	33433	3/17/16
Vicki Feldman	Saratoga Springs	New York	12866	3/17/16
Patricia Duval	Saratoga Springs	New York	12866	3/17/16
Gloria Burke	Saratoga Springs	New York	12866	3/17/16
Karen Hefter	Hughesville	Maryland	20637	3/17/16
Tamara Woolsey	Saratoga Springs	New York	12866	3/17/16
Dorene Couch	Saratoga Springs	New York	12866	3/17/16
Ingrid H Stone	Saratoga Springs	New York	12866	3/17/16
Barbara Proctor	Saratoga Springs	New York	12866	3/17/16
Oona Grady	Saratoga Springs	New York	12866	3/17/16
Alysia Han	Davidson	North Carolina	28036	3/17/16
Roxanne Mead	Saratoga Springs	New York	12866	3/17/16
Wayne T. Senecal	Saratoga Springs	New York	12866	3/17/16
Martha Almgren	Ballston Spa	New York	12020	3/17/16
Tara Martin	Saratoga Springs	New York	12866	3/17/16
EDWARD Jewell	Saratoga Springs	New York	12866	3/17/16
Susan king	Schuylerville	New York	12871	3/17/16
Jerome Luhn	Saratoga Springs	New York	12866	3/17/16
Sheila Levo	Saratoga Springs	New York	12866	3/17/16
William Yusavage	Saratoga Springs	New York	12866	3/17/16
Melanie Herter	Saratoga Springs	New York	12866	3/17/16
Ina Harney	Saratoga Springs	New York	12866	3/17/16
Nicholas Rossi	Parrish	Florida	34219	3/17/16
James Lestrange	Saratoga Springs	New York	12866	3/17/16
richard bradley	Ballston Spa	New York	12020	3/17/16
Loretta Martin	Please Select:	New York	12866	3/17/16
doug klein	Schuylerville	New York	12871	3/17/16
Michael Taormina	Waterford	New York	12188	3/17/16
LeeAnne Olsen	Saratoga Springs	New York	12866	3/17/16
Joanne Dwornik	Saratoga Springs	New York	12866	3/17/16
Alan Edstrom	Saratoga Springs	New York	12866	3/17/16
Henry Bovee	Saratoga Springs	New York	12866	3/17/16
Michael Graul	Aurora	Colorado	80015	3/17/16
james yellen	Wayne	New Jersey	7470	3/17/16
Kelly Winters	Saratoga Springs	New York	12866	3/18/16
Phyllis Hecker	NY	New York	12205	3/18/16
Arvilla Morett	CITY		POSTAL CODE	3/18/16
Stephanie Waring	Saratoga Springs	New York	12866	3/18/16
HEATHER STABLES	SARATOGA SPRINGS	New York	12866	3/18/16
Michael Stoneback	Saratoga Springs	New York	12866	3/18/16
jessica moore	Gansevoort	New York	12831	3/18/16
Debra Murphy	CANTON	Georgia	30114-7795	3/18/16
Barbara Bovee	Saratoga Springs	New York	12866	3/18/16
Gerald Mattison	Saratoga Springs	New York	12866	3/18/16

deborah koransky	Saratoga Springs	New York	12866	3/18/16
Judith LaPook	Saratoga Springs	New York	12866	3/18/16
Elizabeth Fisher	Porter Corners	New York	12859	3/18/16
Maureen Curtin	Saratoga Springs	New York	12866	3/18/16
Tara Graul	Lyndhurst	New Jersey	7071	3/18/16
Deb Mattison	Saratoga Springs	New York	12866	3/18/16
Margaret Bradley	Saratoga Springs	New York	12866	3/18/16
Virginia Ponessa	Saratoga Springs	New York	12866	3/19/16
Richard Snyder	Saratoga Springs	New York	12866	3/19/16
Deborah Graul	Saratoga Springs	New York	12866	3/19/16
jerry hilliker	Saratoga Springs	New York	12866	3/19/16
Nathaniel Harrington	Saratoga Springs	New York	12866	3/19/16
Cherae Remillard	Saratoga Springs	New York	12866	3/19/16
Mary-Ellen Callahan	East Hartford	Connecticut	6118	3/19/16
Tomarra McCall	Saratoga Springs	New York	12866	3/19/16
Jessica Glagov	Saratoga Springs	New York	12866	3/19/16
gay murrisky	Saratoga Springs	New York	12866	3/19/16
Reginald Lilly	Saratoga Springs	New York	12866	3/19/16
Sara Zlotnick	Saratoga Springs	New York	12866	3/19/16
Connie Crawford	Ballston Spa	New York	12020	3/19/16
Nancy Toole	Saratoga Springs	New York	12866	3/19/16
Joy Holcomb	Saratoga Springs	New York	12866	3/19/16
Joyce Dart	Saratoga Springs	New York	12866	3/19/16
Dillon Moran	Saratoga Springs	New York	12866	3/19/16
Kerri Barber	Saratoga Springs	New York	12866	3/19/16
Colleen Macvean	Saratoga Springs	New York	12866	3/19/16
John Clark	Saratoga Springs	New York	12866	3/19/16
Eleanor Williams	Saratoga Springs	New York	12866	3/19/16
Saraya Robison	Salem	New York	12865	3/20/16
Eugene Waters	Saratoga Springs	New York	12866	3/20/16
Suzanne Kelleher	Saratoga Springs	New York	12866	3/20/16
Kira Lajeunesse	Saratoga Springs	New York	12866	3/20/16
Steven Mattison	Saratoga Springs	New York	12866	3/20/16
Mercer Anderson	Saratoga Springs	New York	12866	3/20/16
Deborah Reed	Saratoga Springs	New York	12866	3/20/16
Susan Bernd	Saratoga Springs	New York	12866	3/20/16
Jeannette Green	Newbury Park	California	91320	3/20/16
Jan Roth	Saratoga Springs	New York	12866	3/20/16
Ryan McKenzie	Saratoga Springs	New York	12866	3/20/16
William Finlay	Saratoga Springs	New York	12866	3/20/16
Christy Holland	Saratoga Springs	New York	12866	3/20/16
Mary Beth Donohoe	Saratoga Springs	New York	12866	3/20/16
M.Thomas Porter	Saratoga Springs	New York	12866	3/20/16
Linda Church	Saratoga Springs	New York	12866	3/20/16
Grant Gentner	Saratoga Springs	New York	12866	3/20/16
Kathleen Bryan	Niskayuna	New York	12309	3/20/16
Robert Vogel	Saratoga Springs	New York	12866	3/20/16
Kimberly Stevens	Saratoga Springs	New York	12866	3/20/16
Joanie Rupprecht	Saratoga Springs	New York	12866	3/20/16

Peggy Tayler-MacNeill	Saratoga Springs	New York	12866	3/20/16
John Boardman	Saratoga Springs	New York	12866	3/20/16
James Pollard	Saratoga Springs	New York	12866	3/20/16
Lisa Wilcox	Huntsville	Alabama	35805	3/20/16
Laura Giannini	Saratoga Springs	New York	12866	3/20/16
Rachel Morgan	Saratoga Springs	New York	12866	3/20/16
James Purdy	Saratoga Springs	New York	12866	3/20/16
Russ Pittenger	Saratoga Springs	New York	12866	3/20/16
Anne Trainor	Saratoga Springs	New York	12866	3/20/16
Betsey Porter	Saratoga Springs	New York	12866	3/20/16
Cristina Zambuto	Saratoga Springs	New York	12866	3/20/16
Adam Giannini	Saratoga Springs	New York	12866	3/20/16
Angela Gardner	Saratoga Springs	New York	12866	3/20/16
Chris Bernd	Saratoga Springs	New York	12866	3/20/16
Deborah Fuller	Saratoga Springs	New York	12866	3/20/16
Lisa Wong	Saratoga springs	New York	12867	3/20/16
Johnny Martinez	Saratoga Springs	New York	12866	3/20/16
Albert Mather	Saratoga Springs	New York	12866	3/20/16
Tina K. Morris	Saratoga Springs	New York	12866	3/20/16
Carolyn Coogan	Albany	New York	12203	3/21/16
Meghan Flewwelling	Saratoga Springs	New York	12866	3/21/16
Sylvia Bloom	Greenwich	New York	12834	3/21/16
rachid Daoui,MD	GaNSEVOORT	New York	12831	3/21/16
Kate Brown	Saratoga Springs	New York	12866	3/21/16
Jane Valetta	Saratoga Springs	New York	12866	3/21/16
Christine Miller	Saratoga Springs	New York	12866	3/21/16
Taryn Bailey	ballston spa	New York	12020	3/21/16
Ralph Yusavage	Saratoga Springs	New York	12866	3/21/16
Claire Tarantino	Saratoga Springs	New York	12866	3/21/16
Garrett Penistan	Saratoga Springs	New York	12866	3/21/16
Jack Hyndman	Saratoga Springs	New York	12866	3/21/16
Katie Claydon-Jones	Saratoga Springs	New York	12866	3/21/16
Bernie Jones	Saratoga Springs	New York	12866	3/21/16
Barbara Opitz	Saratoga Springs	New York	12866	3/21/16
Jones Jones	Deer River	New York	13627	3/21/16
Jim Stewart	Gansevoort	New York	12831	3/21/16
Karen Grauel	Ballston Spa	New York	12020	3/21/16
Merry J Menden	Lewes	Delaware	19958	3/21/16
Annmarie Cipollo	Saratoga Springs	New York	12866	3/21/16
Ed Zimmerman	Saratoga Springs	New York	12866	3/22/16
casey richards	greenfield center	New York	12833	3/22/16
Colleen Sleight	Saratoga Springs	New York	12866	3/22/16
James Reynolds	Saratoga Springs	New York	12866	3/22/16
Donna Morse	Gansevoort	New York	12831	3/22/16
Marybeth Krichilsky	Charlotte	North Carolina	28269	3/22/16
Tim Vanasdale	Saratoga Springs	New York	12866	3/22/16
Eric Jenks	Salem	New York	12865	3/22/16
Suzanne Fisher	Saratoga Springs	New York	12866	3/22/16
Bonnisue Neil	Queensbury	New York	12804	3/22/16

Linda Fennell	Encinitas	California	92024	3/22/16
Diane Lachtrupp	Saratoga Springs	New York	12866	3/22/16
Naomi Allen	Saratoga Springs	New York	12866	3/22/16
Suzette Hellwig	Saratoga Springs	New York	12866	3/22/16
Doug Haller	Saratoga Springs	New York	12866	3/22/16
Nancy Coleman	Saratoga Springs	New York	12866	3/22/16
Karen Dixon Dixon	Saratoga Springs	New York	12866	3/22/16
Jeff Bendavid	Saratoga Springs	New York	12866	3/22/16
Kathleen Larmon	Greenfield Center	New York	12833	3/23/16
Kathleen Quinn	Hastings on Hudson	New York	10706	3/23/16
John Preston	Clifton Park	New York	12065	3/23/16
Roseann Styczynski	Saratoga Springs	New York	12866	3/23/16
Peter Quinn	Hastings On Hudson	New York	10706	3/23/16
Ashley Gardner	Ballston Spa	New York	12020	3/23/16
Lori Dawson	Saratoga Springs	New York	12866	3/24/16
Dylan Perrillo	Albany	New York	12203	3/24/16
Michelle Arpey	Saratoga Springs	New York	12866	3/24/16
Zoe Nousiainen	Saratoga Springs	New York	12866	3/26/16
Cassaundra Ocasio	Mechanicville	New York	12118	3/28/16
chuck brower	Saratoga Springs	New York	12866	3/29/16
Sally Kemble	Saratoga Springs	New York	12866	3/30/16
Kristina Stark	Valley Falls	New York	12185	3/31/16
Rachel Feldman	Raleigh	North Carolina	27610	3/31/16
Chris Carey	Ballston Spa	New York	12020	3/31/16
Ralph Theroux	Saratoga Springs	New York	12866	3/31/16
Kelsey Whalen	Greenfield	New York	12859	3/31/16
Ron Jackson	Saratoga Springs	New York	12866	3/31/16
Eliza Carey	Ballston Spa	New York	12020	3/31/16
Michael Jerling	Saratoga Springs	New York	12866	3/31/16
Deborah La Brake Maddock	Williamsburg	Virginia	23188	4/1/16
Tara Steven	Aliso Viejo	California	92656	4/2/16
Eve Mulholland	Saratoga Springs	New York	12866	4/4/16
lorraine torgesen	saratoga springs	New York	12866	4/5/16
Laurie Ames-Nazareth	Tampa	Florida	33612	4/13/16
Kasey Curran	Ballston Spa	New York	12020	4/13/16
Leta Betor	Saratoga Springs	New York	12866	4/13/16
Brian La Belle	Saratoga Springs	New York	12866	4/13/16
Jamie Barry	Saratoga Springs	New York	12866	4/13/16
Betty French	Saratoga Springs	New York	12866	4/13/16
Amy Morris	Mooresville	North Carolina	28115	4/13/16
Kiera Brown	Corinth	New York	12822	4/13/16
Loraine ORourke	Saratoga Springs	New York	12866	4/13/16
Whitney orozco	Bushkill	Pennsylvania	18324	4/13/16
Jason Norton	Saratoga Springs	New York	12866	4/13/16
Meredith Ireland	Saratoga Springs	New York	12866	4/13/16
Lona O'rourke-Brown	Saratoga Springs	New York	12866	4/13/16
Samantha Colacino	Saratoga Springs	New York	12866	4/13/16
lorraine stewart	Port orange	Florida	32127-5149	4/13/16
Sara Boivin	Saratoga Springs	New York	12866	4/13/16

Darlene Neville	Saratoga springs	New York	12866	4/13/16
Marie-Therese Witte	Saratoga Springs	New York	12866	4/13/16
Beth Seller	Saratoga Springs	New York	12866	4/13/16
Tracy Hyde	South Glens Falls	New York	12803	4/13/16
Melody Kemble	Saratoga Springs	New York	12866	4/13/16
Steven Winney	Stillwater	New York	12170	4/13/16
Matthew Hogan	Saratoga Springs	New York	12866	4/13/16
Virginia Hebner	Gansevoort	New York	12831	4/13/16
Steven Dweck DDS	Saratoga Springs	New York	12866	4/13/16
Ann Haller	Saratoga Springs	New York	12866	4/13/16
Amber Wilusz	Saratoga Springs	New York	12866	4/13/16
Betsy Duffy	Saratoga Springs	New York	12866	4/13/16
Anne-Marie Pratt	Greenfield Center	New York	12833	4/13/16
Lisa stengel	Greenfield Center	New York	12833	4/13/16
kandis paolone	saratoga springs	New York	12866	4/13/16
Judy Hefter	Saratoga Springs	New York	12866	4/13/16
Tim Boyle	Saratoga Springs	New York	12866	4/13/16
Megan Perez	Saratoga Springs	New York	12866	4/13/16
Julie Joly	Saratoga Springs	New York	12866	4/13/16
Marianne Manning	Saratoga Springs	New York	12866	4/13/16
Grace McKinsey	Saratoga Springs	New York	12866	4/13/16
Lou Anne Piccirillo	Saratoga Springs	New York	12866	4/13/16
John Bagnoli	Saratoga Springs	New York	12866	4/13/16
Susan Senecal	Saratoga Springs	New York	12866	4/13/16
Mark Oswalt	Baltimore	Maryland	21211	4/13/16
Tiffany Duquette	Stillwater	New York	12170	4/13/16
Bethany Gidley	Saratoga Springs	New York	12866	4/13/16
Karen Jarvis	Gansevoort	New York	12831	4/13/16
Cheryl Kirbey	Saratoga Springs	New York	12866	4/13/16
Jeff Dwornik	Saratoga Springs	New York	12866	4/13/16
Cathryn Piech	Wilmington	North Carolina	28405	4/13/16
Judy Viscusi	Saratoga Springs	New York	12866	4/13/16
Peggy Loffredo	Saratoga Springs	New York	12866	4/13/16
Maureen LaBelle	Saratoga Springs	New York	12866	4/13/16
Rachel Rhodes	Saratoga Springs	New York	12866	4/13/16
Kimberly Relyea	Saratoga Springs	New York	12866	4/13/16
Julie Rodgers	Saratoga Springs	New York	12866	4/13/16
Diane LeCours	Ballston Spa	New York	12020	4/13/16
Cristina Starr	Saratoga Springs	New York	12866	4/14/16
Sean A. Nolan	Saratoga Springs	New York	12866	4/14/16
Peggy Brown	Saratoga Springs	New York	12866	4/14/16
Elizabeth DiNuzzo	Saratoga Springs	New York	12866	4/14/16
Leslie Leonowens	Saratoga Springs	New York	12866	4/14/16
Kailey Egbert	Saratoga Springs	New York	12866	4/14/16
Jen Caruso	Lutz	Florida	33549	4/14/16
Ashley Marie	Saratoga Springs	New York	12866	4/17/16
Barb Dybowski	Ballston Spa	New York	12020	4/18/16
Debbie Sekukski	Grimesland	North Carolina	27837	4/18/16
Dianna Goodwin	Saratoga Springs	New York	12866	4/18/16

Keri Loffredo	Saratoga Springs	New York	12866	4/18/16
Kim Kissinger	Saratoga Springs	New York	12866	4/18/16
Jeffrey Caron	Saratoga Springs	New York	12866	4/19/16
alex wilson	saratoga springs	New York	12866	4/19/16
elizabeth mehrtens	Gansevoort	New York	12831	4/19/16
STEPHEN EGGLESTON	Saratoga Springs	New York	12866	4/19/16
Shaari Feldman	Saratoga Springs	New York	12866	4/20/16
Susan Bricker	Saratoga Springs	New York	12866	4/20/16
Gary Kawalski	Saratoga Springs	New York	12866	4/21/16
Amy Eldredge	Saratoga Springs	New York	12866	4/21/16
Heather Hart	Saratoga Springs	New York	12866	4/21/16
Alyssa Fricke	Saratoga Springs	New York	12866	4/21/16
Patrick Jankowski	Saratoga Springs	New York	12866	4/21/16
Jennifer Anderson	Saratoga Springs	New York	12866	4/21/16
Lisa joy Staulters	Greenfield Center	New York	12833	4/21/16
Andrew Roginski	Saratoga Springs	New York	12866	4/21/16
Holly Turcotte	Saratoga Srings	New York	12866	4/21/16
Ashley Roberts	Saratoga Springs	New York	12866	4/22/16
Harvey Turner	Saratoga Springs	New York	12866	4/23/16
Debreen Oliva	Saratoga Springs	New York	12866	5/1/16
Patricia Ernst	Saratoga Springs	New York	12866	5/5/16

OUR STANCE AS NEIGHBORS of proposed "Downton Walk":

- We don't oppose Mr. Witt per se, or that he should develop this property.
- But we are concerned about the scale of the variances he is requesting and of the project as currently designed.
- We are concerned that the current design and density of the proposal and the number and size of the proposed homes are out of character with this historic neighborhood.
- We would like a revised more reasonable proposal.

Joan Cuppredt [redacted] Jumel Place

Larry Britt

Marie Britt [redacted] Caroline St.

Anne Kearney Prouty [redacted] Jumel Pl.

Bill Evans [redacted] June Pl.

Mary Hibbert [redacted] Jumel Place

(Gabriel Fadell) [redacted] Jumel Pl.

Richard P Ferri [redacted] Jumel Pl.

Gerald Mattison [redacted] Lake Ave

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of proposed "Downton Walk":

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- We would like a revised more reasonable proposal.

[redacted] Ludlow St.

[redacted] Ludlow St SSNY 12866

[redacted] Ludlow St

[redacted] Saratoga 12866

[redacted] Jewel Pl 12866

[redacted] Lake Ave
Saratoga Springs NY 12866

[redacted] Lake Ave
Saratoga Springs NY 12866

[redacted] Jewel Pl

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- We would like a revised more reasonable proposal.

[signature] LITWIN, ERIC [redacted] LAKE AVE

[signature] YUSAVAGE, WILLIAM [redacted] East Ave

Linda Church Linda Church [redacted] Lake Ave, Saratoga Springs NY

Paul Church [redacted] LAKE AVE SARATOGA SPRINGS, NY 12866

Jim MacNeill [redacted] Lake Ave SS. Jim MacNeill

Susie O. Torone [redacted] East Ave. S.S. 12866

[signature] [redacted] Hutchins St 12866

Jane Valetta [redacted] Jumel Place

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- We are concerned that the current design and density of the proposal and the number and size of the proposed homes are out of character with this historic neighborhood.
- We would like a revised more reasonable proposal.

Karyn Zanetti [redacted] Lake

Karen Hicks [redacted] Lake Ave

William Max Oswald [redacted] East Ave

[illegible]

Marie Sanok [redacted] East Ave

Tina Morris [redacted] Pinewood Ave I do oppose this development

Joe Fitzgerald [redacted] East Ave

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- We are concerned that the current design and density of the proposal and the number and size of the proposed homes are out of character with this historic neighborhood.
- We would like a revised more reasonable proposal.

Kira Cohen [redacted] Lake Ave

Kelly Winters [redacted] Ave.

[redacted] Lake Ave
Peter Wohl

Margaret Hardin [redacted] Sumel

Sandra Devendorf [redacted] Lake Ave [redacted]

Debra Mattison Debra Mattison [redacted] Lake Ave.

Sam Brown [redacted] Lake Ave

Zimbra **susan.barden@saratoga-springs.org**

Downtown Walk

From : Amanda Dugan [redacted]> Mon, May 09, 2016 08:54 AM

Subject : Downtown Walk

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

Ms. Barden,
My name is Amanda and I'm a 29 year old, life-long resident of Saratoga Springs. In the past 5 years alone I've seen my home town swallowed up by condominium buildings that can't even fill themselves, and more of them being built seemingly by the day just for fun. It's gross and we'll be an under occupied ghost town like some of our post-industrial neighboring towns (*cough*CohoesTroyAmsterdam*cough*) before we know it. The condo bubble isn't about to pop, but it's already past. There's a giant building going up where the pink palace is anyway! Just what, two blocks away from Jumel? Please, please don't let avarice take over your good senses. We won't be able to come back from the mess that's already being made.

Thank you,
Amanda

Sent from my iPhone

Zimbra **susan.barden@saratoga-springs.org**

Opposition to Downton Walk

From : Laura Giannini [redacted] Sun, May 08, 2016 09:54 PM

Subject : Opposition to Downton Walk

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

Ms. Barden,

I'd like to express my objection to the proposed Downton Walk project and the associated variance requests for the 27 Jumel Place property. I live several houses away on Jumel Place, and I strongly feel that the scope of the project is not fitting or appropriate for our neighborhood. Additionally, the proposed density and the number of requested variances are concerning for both this particular property and the precedent that approval may set moving forward. I am not opposed to rejuvenation of this property in general, just the specifics of this particular proposal and the nature of the requested variances. I would support a more balanced project in line with the invaluable character of our neighborhood.

I often walk past this property on my way to East Side Rec with my young son, and I do not want that part of our street to be built up in a fashion so incongruous with the scale, architecture, and lot set-up as the rest of the street.

Thank you for your consideration of the views of the neighbors as you evaluate this decision.

Laura Giannini
[redacted]Jumel Place, Saratoga Springs

Zimbra **susan.barden@saratoga-springs.org**

Downton Walk project

From : Cynthia Whalen [redacted] > Thu, May 05, 2016 10:03 PM
Subject : Downton Walk project
To : susan barden <susan.barden@saratoga-springs.org>

I will be out of town on Monday so cannot attend the zoning board meeting and express my thoughts on this project.

I realize that we cannot "freeze Saratoga in time" however I am dismayed by the new trend to pack as many buildings as possible onto the available land. Zoning requirements were written for good reason - to make sure that Saratoga Springs doesn't lose the wonderful character that attracts people to our city. It seems that in case after case the wishes of current residents are disregarded and decisions made in favor of the developers.

I would like to see our city officials pay more attention to the residents of our fair city. It is not unheard of that a city or town overdoes a good thing and in the process damages the very area they think they are improving. Remember: Developers are in business to make money for themselves and do not always see things in the same way as the people who are impacted by their projects.

I am against disregarding the zoning laws for this project!

Cynthia Whalen
[redacted] Catherine St.
Saratoga Springs, NY

cynjaw@aol.com

From: "Stephanie Cash Hogan" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Tuesday, May 10, 2016 8:07:13 AM
Subject: Downton Walk Project Saratoga Springs

Hello,
My name is Stephanie Hogan and I live at [redacted]Ritchie Place. I attended the Zoning Board Meeting last night, May 9th, to speak in favor of Witt Construction's Downton Walk for 27 Jumel Place. As a nearby neighbor, Jumel Place is almost always on our daily dog walking route. For years we have walked by the large, dilapidated concrete structure near East Side Rec; and every time we walk by and stare, we privately lament about its poor structural condition and its visually unappealing character; all while asking ourselves (like countless others in the neighborhood) how did this happen and why has this prime location not been utilized. Needless to say when I read about Witt Construction's proposal for the property I was more than pleasantly surprised. Not only would this out-of-place eyesore be removed, but the property would be developed into single family residences by one of the top builders in Saratoga Springs and the Capital Region. We are a unique community that prides itself on preservation and protection. Witt Construction's proposed residences would be a welcomed addition to this residential neighborhood and complement the character of Saratoga Springs that we all enjoy.

Thank you for your time.

Sincerely,
Stephanie Hogan

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change.org

Saratoga Neighbors for Zoning Enforcement

Recipient: Saratoga Springs Zoning Board of Appeals and Susan Barden

Letter: Greetings,

Keep Saratoga Springs Neighborhoods Special: Enforce our Zoning codes!

Comments

Name	Location	Date	Comment
Sam Brewton	Saratoga Springs, NY	2016-03-15	We're not against developing this plot, but we opposed the massive scope of the requested variances, loss of setbacks, and the cramming-in of more buildings than this lot is zoned for. What's the point of zoning if it can be this easily skirted? This lot can be successfully developed, and we'd welcome this same developer if a more reasonable plan were presented.
Holly Bates	Saratoga Springs, NY	2016-03-16	Saratoga Springs is changing far too quickly and losing the character that made it so beloved. These changes are so often the result of wealthy developers making their way around zoning laws that are there for a reason. Our officials have been elected by the citizens of Saratoga Springs, and as such, they are the people to whom they should listen.
jeannine moran	saratoga springs, NY	2016-03-16	Uphold our zoning laws and do not cave to developers.
Kira Cohen	Saratoga Springs, NY	2016-03-16	I grew up in Saratoga Springs and have lived 25 years in the neighborhood that is threatened by this development. I do not want to see my neighborhood put at risk by the casting aside of our city's zoning ordinance. The Saratoga Neighbors for Zoning Enforcement does not oppose new housing in our neighborhood, we simply feel that the scale of this project is beyond necessary and asks for too many variances to the zoning laws of our district. This puts not only our homes at risk, but the new homes as well. It also opens the door for these types of overboard developments to move into other residential neighborhoods throughout town - thus dismantling the core ideology behind our comprehensive plan and zoning ordinance, and disrupting the historical character and dignity of our beautiful town.
Margaret Selikoff	Saratoga Springs, NY	2016-03-16	There is no reason for this type of development in this neighborhood.
Kim Fonda	Saratoga Springs, NY	2016-03-16	I am sick and tired of double standards. The Zoning Board is a disgrace and our hopes for good stewardship decline day by day!
Janice Pancake	Saratoga Springs, NY	2016-03-16	If this goes as planned, it will set a precedent in our city that builders can get zoning laws changed and build wherever they want. Seems to me that our city has allowed all kinds of new, unaffordable, condos, etc. and taken the charm away from my hometown...
Joann Lorman	Porter Corners, NY	2016-03-16	Saratoga is getting to many large buildings. ..let's not lose its charm!
Robert Bostick	Arlington, VA	2016-03-16	I love the Saratoga of my childhood, my youth and to alter those memories of the alleys, streets and diverse neighborhoods would be sacrilege.
John Veitch	Saratoga Springs, NY	2016-03-16	This is not proper for that neighborhood. Simply out of character. I live next to the old St. John Neumann residence, and that conversion was fine for that building. This is not appropriate for Jumel Place
Liam Sheji	Saratoga Springs, NY	2016-03-16	It's important to preserve our cities history, and replacing our historic buildings is a crime to our lifestyle
Marie falls	Lorton, VA	2016-03-16	I hate seeing my hometown lose its charm!
Steven McCarthy	Saratoga Springs, NY	2016-03-16	Enough is Enough
Martha Strohl	Saratoga Springs, NY	2016-03-16	The Comprehensive Plan and our zoning codes are meant to be observed, not abused.
Lillian Spost	Saratoga Springs, NY	2016-03-16	Saratoga risks losing the charm that is its reputation.
Michael Gent	Saratoga Springs, NY	2016-03-16	Once you open the floodgates,there'll be no stopping them.The town is enough of a mess already.

Name	Location	Date	Comment
Anthony Smith	Washington, DC	2016-03-16	I'm shocked that the lovely tree-lined streets of my hometown would be destroyed by this condo developer. Enforce the zoning laws and stop this blight on the community.
shawn banner	Saratoga Springs, NY	2016-03-16	Our town is special because far sighted folk created a charter and zoning codes that preserve what is best about Saratoga. Lately, it seems that special dispensation keeps getting given to folks who want to build exactly what those far-sighted zoning laws and city planning decisions were meant to avoid. Growth is good--in fact, growth is great, but not growth that breaks the carefully crafted rules that make Saratoga a pleasure to reside in. Please do not keep giving in to developers' whims at the expense of what makes our fair city both fair and special!
Z. Parisi	Saratoga Springs, NY	2016-03-16	cp
Amber Duffney	Keeseville, NY	2016-03-16	O remember Saratoga the way it used to be. I have seen neighborhoods destroyed by "improvement", I would hate to see Saratoga to become a city of high rises, and loose it's charm and historic value.
Sunshine Stewart	Greenfield Center, NY	2016-03-16	Keep Saratoga beautiful!!!
Meghan Cherny	Corinth, NY	2016-03-16	Bit by bit we are losing our history and our roots, that which makes it all beautiful. Saratoga is beautifully old, we must fight for her.
Janice Bellamy	Saratoga Springs, NY	2016-03-16	Too many extreme variances requested. This won't blend in with the neighborhood. The builder is asking the Zoning Board for special treatment.
Amy Barakat	Saratoga Springs, NY	2016-03-16	I don't like the direction my hometown has headed since I was a child. Too much commercialization and too much building.
patricia rubio	saratoga springs, NY	2016-03-16	I am concerned about the violation of the City zoning laws the variance would entail.
Kathleen Brown	Saratoga Springs, NY	2016-03-16	Wrong plan, wrong place, & more overpriced real estate not needed!
bob mctague	saratoga sp, NY	2016-03-16	Our neighborhoods are under attack by greedy builders who have no reguard for families that live in the communities.
Daniel Schwank	xxxxxxxxxx, NY	2016-03-16	I'm against the overdevelopment that's destroying this town
Shealyn Heritage	Ballston Spa, NY	2016-03-16	I for one may not live I Toga directly but was born at Saratoga hospital lived in the outside towns all my life and have many Saratoga relatives of all era of Saratoga. It sadden my heart thinking about the stories I've heard of old Saratoga, Stories I have from Saratoga In the times before all the condo when we went to see our Saratoga family and The Saratoga now. Why does everything have to be so glamorized. We need some original and not just Original historical. Stop changing zoning laws for these big wig glamizatation.
Cindy June	Ballston Spa, NY	2016-03-16	Save my hometown from the developers who only see $$$$$$
Lori LeBarron	Gansevoort, NY	2016-03-16	There seems to an influx of developers who are presenting proposals that do not adhere to Saratoga Springs zoning laws. This needs to stop!
Leslie Brown	Saratoga Springs, NY	2016-03-16	There is way too much development in Saratoga and we're losing the quietness of the city. Please stop the building.
Joan Nellhaus	Saratoga Springs, NY	2016-03-16	This is wrong in so many ways. Integrity must be maintained.
Hillary Takahashi	Saratoga Springs, NY	2016-03-16	Protect our picturesque and wonderful neighborhoods.
Mary O'Donnell	Saratoga Springs, NY	2016-03-16	As a native, I have watched our city change way too much and not for the better in my estimation. This project would set a precedent and continue to ruin the very reason some people moved here. We want to keep our city's character.

Name	Location	Date	Comment
Jay Rogoff	Saratoga Springs, NY	2016-03-16	Approval of Downton Walk, a development entirely out of character with the neighborhood, would send a signal to developers that our zoning regulations are meaningless and can be circumvented at will.
Judi Duclos	Saratoga Springs, NY	2016-03-16	I do not like the path that our beautiful city seems to be on!!!!!
Penny Jolly	Saratoga Springs, NY	2016-03-16	This is a residential neighborhood, protected supposedly by our zoning laws. Please observe those laws! Do NOT permit all these special variances. Don't overcrowd our neighborhoods and try to make them into something they are not: a pretentious "Downton Walk" with expensive condos instead of separate one-family homes of modest size.
Brucie Rosch	Saratoga Springs, NY	2016-03-16	Developers can make their money elsewhere. It would be one thing if they had a track record of building affordable housing in Saratoga Springs, but They. Do. Not.
Tracy Millis	Saratoga Springs, NY, NY	2016-03-16	The entire project is foolish.
Regina Camilletti	Saratoga Springs, NY	2016-03-16	This development will scar an otherwise homogenous, established neighborhood of older homes. People are invested in these homes and that neighborhood. Who has the right to step in and on behalf of a builder and his cohort, threaten their investment? If anything goes, how about lets build some stables next to City Hall and put those 7 condos on East, really close to Skidmore. Sure. I would sue you if I could.
Jacklyn Clark	Saratoga Springs, NY	2016-03-16	I don't want this in my neighborhood, I've lived on this street for 24 years and to alter the streetscape with gaudy condos would be a disgrace. More importantly if the city government allows this to become reality that would be sinful. Keep within the parameters of the neighborhood, amen!!!!!!
Barbara Ungar	Saratoga Springs, NY	2016-03-16	Developers and greed are ruining what makes Saratoga Springs a desirable place to live and visit.
Celete Caruso	Saratoga springs, NY	2016-03-16	I'm signing because the Integrity of each neighborhood within the city needs to be maintained
Suzanne kwasniewski	Saratoga Springs, NY	2016-03-16	Too many projects are approved that deviate from zoning ordinances.
Richard Hibbert	Burlington, VT	2016-03-16	My mother has lived on Jumel Place, in the other block, since 1959. My siblings and I spent part of our formative years in that neighborhood. The house belongs to our family, and we value the character of the neighborhood. That includes the portion of the street for which this project is proposed. I believe that this would be a drastic, and negative, change in the character of this part of the city.
Annette Damron	Lecanto, FL	2016-03-16	I was born and raised there and don't want to come home to a metropolis.
Susan Traylor	Saratoga Springs, NY	2016-03-16	I don't want Saratoga Springs, my beautiful home town to turn into a Clifton Park!
Marisa Wade	Saratoga Springs, NY	2016-03-16	Saratoga is starting to loose some of it's charm to all of these apartments and condominiums
JOHN DUANE	Middle Grove, NY	2016-03-16	to keep saratoga saratoga !
Arthur Porter III	Saratoga Springs, NY	2016-03-16	I believe that this is yet another example of the abuse of the zoning variance process to circumvent existing zoning designations and the Comprehensive Plan.
Katherine Totten	Saratoga Springs, NY	2016-03-16	Enough is enough
Karin Vollkommer	Saratoga Springs, NY	2016-03-16	This project is too big for the neighborhood.
kathleen orefice	westport, CT	2016-03-16	I want Saratoga to stay the way it is. It's already changing too much.

Name	Location	Date	Comment
Amy Syrell	South Glens Falls, NY	2016-03-16	Saratoga Springs needs to be a place for all people, not just those with a lot of money.
Jill P McMahon	Saratoga Springs, NY	2016-03-16	The project seems too large for the space available. More shoehorning of big houses out of character with the neighborhood that loom over their neighbors.
Frank Capone	Saratoga Springs, NY	2016-03-16	preserve the residential character
Bette Brill	Saratoga Springs, NY	2016-03-16	Just do not change the zoning laws for this or any project in a neighborhood that is not zoned for it....
amejo amyot	saratoga springs, NY	2016-03-16	I like green space around homes and consistent density in neighborhoods. this is a 1 and 2 family area.
Patricia Cornute	Saratoga Springs, NY	2016-03-16	Too many developments already in our town, hard to recognize the charming place it used to be., when the sun can't even shine down on you as you walk down certain streets any more.
sue scherer	Saratoga Springs, NY	2016-03-16	Enough with the overgrowth.
linda battiste	Schenectady, NY	2016-03-16	I grew up in Saratoga and it's beautiful the way it is!
Mary Frances Healy	Saratoga Springs, NY	2016-03-16	I have lived here my whole life and don't like the direction we are going
MaryAnn Wager	Saratoga Springs, NY	2016-03-16	I have lived in Saratoga my entire life and I am concerned for the future of our beautiful city. It is quickly losing its historical look and feel.
Patricia Mathews	Sanford, ME	2016-03-16	I strongly believe in preserving the integrity of all cities, but most importantly those cities that represent the history of our country. I lived on Jumel Place until I graduated from college. When I go back to visit family I am often disappointed to see yet another set of new and expensive Town Houses, apartment buildings, hotels, and condos. With each change Saratoga Springs loses a little of its identity. Just take a walk on Jumel Place, and you will clearly see that a development of this type is out of character with the neighborhood. Saratoga, a city I have always been proud to call my hometown, should not lose its charm to moneymaking investments.
Deb Garrelts	Saratoga Springs, NY	2016-03-16	I agree that we are being over-run with condominiums and that our neighborhoods need protection
Denise Dart	Clifton Park, NY	2016-03-16	I'm signing because I am a native Saratogian and the alleged zoning codes worked against my Dad and now we have foreigners coming in and being allowed to build wherever and however big they want just because they have the money.
Barbara Claydon	Saratoga Springs, NY	2016-03-16	inappropriate development of the space for the existing neighborhood in which I happen to live
Paul Hibbert	Broken Arrow, OK	2016-03-16	My family has property on Jumel place
Chris Pringle	Saratoga Springs, NY	2016-03-16	I've lived in saratoga almost all my life and I'm sick of seeing this great little town desecrated by these monstrosities being built with no thought what so ever. The west side of town now looks like a haven for yuppies and has driven out the families that have resided there for years. Downtown hardly looks the same as I remember it as a child. All the once family owned businesses that occupied Broadway are now gone and these corporate goons have bullied their way in forcing the rent to a ridiculous level that only 6 figure a year income families can afford. This use to be a great place to live a place I called home now I don't even recognize the town I grew up in. Enough is enough.
Joyce McKnight	Lake Luzerne, NY	2016-03-16	Saratoga Springs already has empty developments...the zoning board is either ineffectual or "on the take."

Name	Location	Date	Comment
Ann Diller	Gansevoort, NY	2016-03-16	I am appalled at the over-development that has changed our city so that it unaffordable to longtimers, courtesy of boards that are overly generous to devevlopers.
Randy Hammond	Porter Corners, NY	2016-03-16	Saratoga is heading in the wrong direction
helen travis	Saratoga Springs, NY	2016-03-16	They are destroying Saratoga making hard for families to live homeless rase now its more homeless families working families that can't effored Saratoga price or anywhere els for that matter rent has raise so high everywhere its sad and decrees
kayla rynasko	Schenectady, NY	2016-03-16	Born and raised in Saratoga. Graduate of Saratoga high. All my family lives here!
Kathy Becker	Greenfield Center, NY	2016-03-16	I was born and raised in Saratoga Springs. I am so upset by huge changes that have been made in Saratoga. What ever happened to preserving the historical buildings in the city. It looks like the almighty dollar has won out. It is such a shame and so sad.
Liz Mark	Gansevoort, NY	2016-03-16	Saratoga is being overrun by greedy developers like Bonacio and losing its charm.
Charles Kish	Saratoga Springs, NY	2016-03-17	The character of too many neighborhoods are at stake when projects are granted that require numerous large scale changes to existing zoning. When developers profit concerns trump zoning considerations and justifiable and considered opposition by neighbors to this degree, who's opposition is totally supported by current zoning, the zoning board is not doing it's job. There is zoning for a reason based on long term plans and consideration for the city as a whole. Wholesale variances granted solely for the purpose of developer profit is is a travesty.
Nancy Flynn	Buskirk, NY	2016-03-17	We have a family home on the other block of Jumel Place that my mom lives in and believe this will hurt the whole street and set a bad precedent.
Ann Haller	Saratoga Springs, NY	2016-03-17	This is an inappropriate use if the land. It is not in accordance with the zoning. developers should not be exempt from rules just because they want to maximize their profits. The city is running out of build-able lots, so the developer is trying to squeeze as much profit as he can out of this lot.
renee harder	gansevoort, NY	2016-03-17	way to much development now
Richard Dunham	Saratoga Springs, NY	2016-03-17	I do not believe that a previous factory/Dance Studio in a residential neighborhood needs to be re-zoned to accommodate more living space than the current regulations allow. Enough cronieism. Build a house, or two.
Kelly Mackison	Gansevoort, NY	2016-03-17	I am bored in raided is Saratoga
Jodi Stevens	Saratoga Springs, NY	2016-03-17	I grew up on this area and just can't stand by and watch the integrity of this beautiful, quaint neighborhood be destroyed...
Jennifer Kleindienst	Middletown, CT	2016-03-17	I grew up near Saratoga and visit often. I would hate to see the city's charm erode with a project like this.
Patricia Duval	Portland, OR	2016-03-17	To oppose approvals requested for this project. Plan is totally irrelevant to the existing neighborhood. Approving these requests would set a bad precedent and many of Saratoga neighborhoods would be at risk.
Gloria Burke	Waterville, ME	2016-03-17	This would set a terrible president.
Dorene Couch	Saratoga Springs, NY	2016-03-17	I want to show my support for our local residents and weigh in on matters of development that will have a negative impact on our neighborhoods

Name	Location	Date	Comment
Wayne T. Senecal	Saratoga Springs, NY	2016-03-17	I believe the developer's application is a change in use requiring City Council Approval not just Zoning Board of Appeals approval.
Jerome Luhn	Saratoga Springs, NY	2016-03-17	People are entitled to know what development plans are being proposed so that they, and the officials entrusted with authority over zoning decisions, can make informed judgments that affect the character of the place where they live over the long term. Seemingly material omissions in presentation, together with behavior by the developer and relevant board officials, have given neighbors reason to raise questions, such as whose interests enjoy primacy in this proposal? No one wants to wake to rude surprises after the foundations are poured. That's something any developer should understand.
Sheila Levo	Saratoga Springs, NY	2016-03-17	I'm signing because although I am a Saratoga native, I no longer live in the city After my husband died, I sold my house as the upkeep (lawn, snow, etc.) was too much for me. The prices for decent rentals in the city were outrageous. I was forced to look elsewhere and as a consequence, I now live in Ballston. This project, if allowed, would be another example of pricing the the middle class out Saratoga.
Melanie Herter	New York City, NY	2016-03-17	Trying to keep my neighborhood from illegal property use and major congestion
Ina Harney	Saratoga Springs, NY	2016-03-17	This has to stop in Saratoga, not only in my backyard but this one too. Residents have to pay attention to all of these plans, not only their neighborhoods. Every time the builders manage to get one over on our city government leaders and build these monstrocsities it gives them permission to ruin another neighborhood.
Nicholas Rossi	Parrish, FL	2016-03-17	I lived in Saratoga 62yrs. I grew up in that part of town & owned a home at 213 East AVE. Allowing this development is wrong
James Lestrange	Saratoga Springs, NY	2016-03-17	Stop putting the interests of the wealthy ahead of long time Saratoga residents. We have enough development already. Too many people moving in making everything more expensive and causing traffic congestion.
richard bradley	Ballston Spa, NY	2016-03-17	developers are destroying the Saratoga I grew up in. they just need to leave things alone. they are just fine as they are
Henry Bovee	Saratoga Springs, NY	2016-03-17	For my friend
Michael Graul	Granby, CO	2016-03-17	I would like to see the zoning laws upheld in this single family neighborhood where I grew up. I hope those individuals on the zoning board haven't lost sight of doing what is right.
HEATHER STABLES	SARATOGA SPRINGS, NY	2016-03-18	This is NOT NYC....
Michael Stoneback	Saratoga Springs, NY	2016-03-18	developers are ruining the city with maximizing land use with the approval of city boards and their own interpretation of zoning
Barbara Bovee	Saratoga Springs, NY	2016-03-18	To preserve Saratoga
deborah koransky	Saratoga Springs, NY	2016-03-18	i am opposed to this Witt project.
Maureen Curtin	Saratoga Springs, NY	2016-03-18	There are an excessive number of substantial variances, which if granted would make our zoning laws useless.
Deb Mattison	Saratoga Springs, NY	2016-03-18	Following the zoning ordinances will create a home more in character with the neighborhood in which we live and work.
Tara graul	Lyndhurst, NJ	2016-03-18	I oppose this development. Anyone else who truly loves Saratoga Springs and the neighborhood surrounding Jumel Place knows that approving zoning for this project would be inappropriate. I hope that the board does the right thing.
Deb Mattison	Saratoga Springs, NY	2016-03-18	Following the zoning ordinances will create a home more in character with the neighborhood in which we live and work.

Name	Location	Date	Comment
Margaret Bradley	Saratoga Springs, NY	2016-03-18	Again, our "City in the Country" is being challenged.
Jamie Barss	Saratoga Springs, NY	2016-03-18	I grew up in this neighborhood and I can stand the way developers are ruin my home town Saratoga has turn in to a town for the rich and are push the every day people out This was always a family friendly town but not anymore I think this will ruin the charm of the eastside
Virginia Ponessa	Saratoga Springs, NY	2016-03-19	I used to live on Jumel Place and am so sad to see how negatively the town has been changing.
Mary-Ellen Callahan	Edgewater, NJ	2016-03-19	My family lives in Saratoga Springs and this is a dangerous proposal to all future zoning. There is a greater need for protecting the zoning code than a need for a seven unit development.
Reginald Lilly	Saratoga Springs, NY	2016-03-19	I live around the corner from this project and it would transform the character of the neighborhood in a very negative way. It would have a negative impact as well on property values in the neighborhood. I strongly oppose this project.
Connie Crawford	Ballston Spa, NY	2016-03-19	I'm sick of all the condos and ugly huge boxy buildings going up in Saratoga, especially the UNAFFORDABLE high rents they charge....
Nancy Toole	Saratoga Springs, NY	2016-03-19	DOWNTON WALK should NOT be allowed to be built in this neighborhood. And if it is, a bad precedent will have been set.
Joyce Dart	saratoga springs, NY	2016-03-19	I'm signing because I like having neighborhoods with homes and sidewalks. I don't want big box buildings that block the sun.
Dillon Moran	Saratoga Springs, NY	2016-03-19	The invasiveness of development in Saratoga Springs is more than enough without bending all of the rules put in place to govern it. This project is simply too much
Steven Mattison	Saratoga Springs, NY	2016-03-20	I think it is ridiculous that there are zoning laws in place and a high profile builder can sweep in and have multiple zoning ordinances changed just to get the big buck without regard to the neighbors and neighborhood.
Christiana HOLLAND	SARATOGA SPGS, NY	2016-03-20	We have enough apartments and condos for now! Let's all take a break
M.Thomas Porter	Saratoga Springs, NY	2016-03-20	This is a terrible precedent to set for the future in old established Saratoga Springs neighborhoods.
Linda Church	Saratoga Springs, NY	2016-03-20	I disagree with the variances being requested. Present something more in line with the area. This is too dense, and too big!
Grant Gentner	Saratoga Springs, NY	2016-03-20	We are losing too much of our charm to building. We also are losing green space. If we lose our Saratoga charm, it will be difficult to come back.
Kathleen Bryan	Niskayuna, NY	2016-03-20	I've seen too many changes in Saratoga over the last 27 years. It would be nice to keep the neighborhoods family friendly.
Robert Vogel	Saratoga Springs, NY	2016-03-20	I am opposed to the Downtown Walk development project
Kim Stevens	Saratoga Springs, NY	2016-03-20	I live in the neighborhood and I don't want to start the precedent of building large condos among single family homes.
Joanie Rupprecht	Saratoga Springs, NY	2016-03-20	I like the feel of Saratoga w/ old, private houses, I esp. like that feel on JUMEL where I LIVE !!! Please respect the current zoning !!!
Peggy Tayler-MacNeill	Saratoga Springs, NY	2016-03-20	I care about keeping keeping this a family neighborhood without the density discussed in this petition. Imagine if each condo had 4 children? Or more? It is an outrageous expectation for that small property to expect to fit seven condos with any size family. What about sewer and water capacity?
James Pollard	Saratoga Springs, NY	2016-03-20	I object to this development in my neighborhood because it violates current zoning law, seeks variances and exceptions which, if granted, would significantly and negatively impact the density and character my immediate environment, and of the city

Name	Location	Date	Comment
John Boardman	Saratoga Springs, NY	2016-03-20	The stepped up assault on the zoning ordinances, under the cover of the vaguely worded "Comprehensive Plan", has got to stop. This is the third major project in 6 months (see Moore Hall and the hospital expansion) where developers have attempted to slip projects that would need a major zoning change as simple variances. The ZBA and Planning Board need to see these for what they are and insist development comply with the existing ordinance. The Comprehensive Guide does not overrule the Zoning Ordinance - it's the reverse.
James Pollard	Saratoga Springs, NY	2016-03-20	I object to the project as proposed because it is non-compliant with current zoning regulations, and because it seeks an audacious and unprecedented number of variances, most of which (if granted) would have a severe negative impact to the density and character of my neighborhood and are therefor unacceptable.
Lisa Wilcox	Huntsville, AL	2016-03-20	I loved the old Saratoga. Too many changes, too fast
Laura Giannini	Saratoga Springs, NY	2016-03-20	Although I support rejuvenation of the property at 27 Jumel Place, I strongly feel that the proposed project is not appropriate for our neighborhood. I down the street from the subject property, and we ask the zoning board to respect the wishes of our family and our neighbors and reject the requested radical variances to the current laws. We feel this project itself is not beneficial to the neighborhood and its invaluable character, and allowing the violation of the zoning laws would set a dangerous precedent moving forward.
Russell Pittenger	Saratoga, NY	2016-03-20	The variances asked for seen excessive.
Chris Bernd	Saratoga Springs, NY	2016-03-20	The condominum/townhouse growth in Saratoga is out of control, taking away open spaces and I believe zoning laws need to be followed.
Albert Mather	Saratoga Springs, NY	2016-03-20	I'm signing because I do not want our neighborhood to become "mansionized" like the neighborhood from which we moved in Wellesley MA
Tina K. Morris	Saratoga Springs, NY	2016-03-20	The proposed Downton Walk Development is near my home. A large development is not in keeping with the existing small early 20th century homes. I strongly object to waiving zoning regulations which will set a negative precedent for the entire city of Saratoga Springs.
Ralph Yusavage	Saratoga Springs, NY	2016-03-21	Its not okay to ignore the rules whenever its convenient. The developers will build the charm right out of our city if we let them.

Thomas and Rachel Uccellini
[redacted] Granger Avenue
Saratoga Springs, NY 12866

March 21, 2016

Susan Barden
The Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Zoning Board of Appeals:

We are writing in favor and to further offer our resounding support for Witt Construction's proposed Downton Walk Project. It goes without saying that Downton's European exterior would be a welcome improvement from the dilapidated, vacant building that exists on Jumel Place today, but, moreover, these variance's have previously been approved and this site plan of single-family condominiums are better suited for the wholly residential neighborhood.

Three years ago, we, too, were up against varying public discourse from both the neighbors and the City of Saratoga Springs. After a year of meetings with the Zoning Board of Appeals, we were approved for a front yard setback of 27.3 feet (91% relief) and rear yard setback of 24 feet (80% relief) from the minimum 30 feet setback requirement. In addition, we also received maximum building coverage of principal building of 11% (55% relief). Given what on paper appears to be a huge concession, the finished product fits perfectly on this city lot and has garnered positive feedback from most of the people that were against the project. One of the most common comments is that the house "looks like it has been on the lot for years." This is a testament to Mr. Witt's ability to uphold the characteristic of the neighborhood, as well as, the city of which he has been a lifelong resident.

It is apparent that our Witt home added both aesthetic beauty and increased surrounding property values. Downton Walk will enhance our neighborhood and add to the continued development and enrichment of the City of Saratoga Springs.

Sincerely,

Thomas and Rachel Uccellini

signatures_1458577853

Name	City	State	Postal Code	Signed On
Sandra Cohen	Saratoga Springs	New York		2016-03-15
Sam Brewton	Saratoga Springs	New York	12866	2016-03-15
Kira Cohen	Saratoga Springs	New York	12866	2016-03-15
John Spinelli	DeLand	Florida	32724	2016-03-15
Kristin Brenner	Saratoga Springs	New York	12866	2016-03-15
Catherine Golden	Saratoga Springs	New York	12866	2016-03-15
Olivia Cruz	Saratoga Springs	New York	12866	2016-03-15
Scott Starr	Saratoga Springs	New York	12866	2016-03-15
Bryan N.	Saratoga Springs	New York	12866	2016-03-16
Gary Daluisio	Gansevoort	New York	12831	2016-03-16
Jane Stevens	Saratoga Springs	New York	12866	2016-03-16
Holly Bates	Saratoga Springs	New York	12866	2016-03-16
Jeannine Moran	Saratoga Springs	New York	12866	2016-03-16
Carol Schupp Star	Saratoga Springs	New York	12866	2016-03-16
Karen Pettigrew	Saratoga Springs	New York	12866	2016-03-16
Margaret Selikoff	Saratoga Springs	New York	12866	2016-03-16
Kim Fonda	Saratoga Springs	New York	12866	2016-03-16
kathy shimm	saratoga Springs	New York	12866	2016-03-16
Ronnie Betor	Saratoga Springs	New York	12866	2016-03-16
Janice Pancake	Ballston Spa	New York	12020	2016-03-16
Frank Callucci	Saratoga Springs	New York	12866	2016-03-16
debbie barry	Saratoga springs	New York	12866	2016-03-16
Joann Lorman	Porter Corners	New York	12859	2016-03-16
isabella warner	Saratoga Springs	New York	12866	2016-03-16
Mary Tipton	Saratoga Springs	New York	12866	2016-03-16
Claire Demarest	Saratoga Springs	New York	12866	2016-03-16
Robert Bostick	Arlington	Virginia	22202	2016-03-16
John Veitch	Saratoga Springs	New York	12866	2016-03-16
Liam Sheji	Saratoga Springs	New York	12866	2016-03-16
Jim Favaloro	Saratoga Springs	New York	12866	2016-03-16
Marie falls	Woodbridge	Virginia	22193	2016-03-16
Philip Donnelly	Saratoga Springs	New York	12866	2016-03-16
Jarred Butler	Corinth	New York	12822	2016-03-16
Judy Riester	Saratoga Springs	New York	12866	2016-03-16
Jennifer South	Saratoga Springs	New York	12866	2016-03-16
Theresa Boisseau	Saratoga Springs	New York	12866	2016-03-16
Susan DeRossi	Saratoga Springs	New York	12866	2016-03-16
Christine Guarnieri	Saratoga Springs	New York	12866	2016-03-16
Carrie Warner	Saratoga Springs	New York	12866	2016-03-16
Michael Yarinsky	Brooklyn	New York	11205	2016-03-16
Jena Rotheim	Saratoga Springs	New York	12866	2016-03-16
Steven McCarthy	Saratoga Springs	New York	12866	2016-03-16
Martha Strohl	Saratoga Springs	New York	12866	2016-03-16
Cherylle Hudak	Saratoga Springs	New York	12866	2016-03-16
Lillian Spost	Saratoga Springs	New York	12866	2016-03-16
Michael Gent	Saratoga Springs	New York	12866	2016-03-16
Rick Leverence	Somerville	Massachusetts	2144	2016-03-16
Melany Gent	Saratoga Springs	New York	12866	2016-03-16

Anthony Smith	Washington	District of Columbia	20011	2016-03-16
Rob Wright	Saratoga springs ny	New York	12866	2016-03-16
Sherry Dapello	Ballston Spa	New York	12020	2016-03-16
Shawn Banner	Saratoga Springs	New York	12866	2016-03-16
Allison Williford	Calabash	North Carolina	28467	2016-03-16
Julie Behrens	Candor	New York	13743	2016-03-16
c frank parisi	Albany	New York	12210	2016-03-16
Randi Kish	Saratoga Springs	New York	12866	2016-03-16
Justin Cressey	Pompano Beach	Florida	33066	2016-03-16
Mame Noonan	Saratoga Springs	New York	12866	2016-03-16
Eric Gould	Rensselaer	New York	12144	2016-03-16
Hannah Christopher Christopher	Clifton Park	New York	12065	2016-03-16
Amber Duffney	Keeseville	New York	12944	2016-03-16
Sunshine Stewart	Greenfield Center	New York	12833	2016-03-16
Lynn Blasso	Saratoga Springs	New York	12866	2016-03-16
John Kaufmann	Saratoga Springs	New York	12866	2016-03-16
Deena Smith	Saratoga Springs	New York	12866	2016-03-16
Meghan Cherny	Corinth	New York	12822	2016-03-16
Janice Bellamy	Saratoga Springs	New York	12866	2016-03-16
Lynda goodness	Saratoga Springs	New York	12866	2016-03-16
Martha Ray	Saratoga Springs	New York	12866	2016-03-16
Amy Barakat	Saratoga Springs	New York	12866	2016-03-16
patricia rubio	saratoga springs	New York	12866	2016-03-16
Kathleen Brown	Saratoga Springs	New York	12866	2016-03-16
Erin Wiggin	Gansevoort	New York	12831	2016-03-16
Ardath Stroman	Middleport	New York	14105	2016-03-16
Llona Hogan	Gansevoort	New York	12831	2016-03-16
Pepper Wolfe	Saratoga Springs	New York	12866	2016-03-16
Robert McTague	Saratoga Springs	New York	12866	2016-03-16
Daniel Schwank	Saratoga Springs	New York	12866	2016-03-16
Gordon Ray	Saratoga Springs	New York	12866	2016-03-16
Emma Folkins	Saratoga Springs	New York	12866	2016-03-16
Beverlee Patterson	Ballston Spa	New York	12020	2016-03-16
Shealyn Heritage	Ballston Spa	New York	12020	2016-03-16
Vanessa Saari	Clifton Park	New York	12065	2016-03-16
Theresa Capozzola	Saratoga Springs	New York	12866	2016-03-16
Cindy June	Ballston Spa	New York	12020	2016-03-16
Lori LeBarron	Gansevoort	New York	12831	2016-03-16
Leslie Brown	Saratoga Springs	New York	12866	2016-03-16
Joan Nellhaus	Saratoga Springs	New York	12866	2016-03-16
Gabriel Stinson	Saratoga Springs	New York	12866	2016-03-16
Michelle Cameron	Ballston Spa	New York	12020	2016-03-16
Laura Blunt	Saratoga Springs	New York	12866	2016-03-16
Nancy Wilder	Saratoga Springs	New York	12866	2016-03-16
Hillary Takahashi	Saratoga Springs	New York	12866	2016-03-16
Noah Casner	Salem	New York	12865	2016-03-16
Judith Brenner	Saratoga Springs	New York	12866	2016-03-16
Mary O'Donnell	Saratoga Springs	New York	12866	2016-03-16
Jay Rogoff	Saratoga Springs	New York	12866	2016-03-16

Judi Duclos	Saratoga Springs	New York	12866	2016-03-16
Penny Jolly	Saratoga Springs	New York	12866	2016-03-16
Frank DeRossi	Saratoga Springs	New York	12866	2016-03-16
Brucie Rosch	Saratoga Springs	New York	12866	2016-03-16
Tracy Millis III	Saratoga Springs	New York	12866	2016-03-16
Regina Camilletti	Saratoga Springs	New York	12866	2016-03-16
Jacklyn Clark	Saratoga Springs	New York	12866	2016-03-16
Matt schwarz	Fort Myers	Florida	33919	2016-03-16
Barbara Ungar	Saratoga Springs	New York	12866	2016-03-16
Sherry Callahan	Braselton	Georgia	30517	2016-03-16
Celete Caruso	Saratoga springs	New York	12866	2016-03-16
Suzanne kwasniewski	Saratoga Springs	New York	12866	2016-03-16
Deborah Millis	Saratoga Springs	New York	12866	2016-03-16
MaryBeth Hibbert	Burlington	Vermont	5408	2016-03-16
Richard Hibbert	Burlington	Vermont	5408	2016-03-16
Ann Sette	Saratoga Springs	New York	12866	2016-03-16
Johanna Garrison	Saratoga Springs	New York	12866	2016-03-16
William Pettigrew	Saratoga Springs	New York	12866	2016-03-16
Annette Damron	Lecanto	Florida	34461	2016-03-16
Davene Jones	Wilton	New York	12831	2016-03-16
Robert Lippman	Saratoga Springs	New York	12866	2016-03-16
Peter Lee	Saratoga Springs	New York	12866	2016-03-16
Susan Traylor	Saratoga Springs	New York	12866	2016-03-16
Marisa Wade	Saratoga Springs	New York	12866	2016-03-16
JOHN DUANE	Middle Grove	New York	12850	2016-03-16
Arthur Porter	Saratoga Springs	New York	12866	2016-03-16
Kathryn Fitzgerald	Saratoga Springs	New York	12866	2016-03-16
Annmarie Palmieri	Saratoga Springs	New York	12866	2016-03-16
doug lake	Saratoga Springs	New York	12866	2016-03-16
Nanci StJohn	Saratoga Springs	New York	12866	2016-03-16
Katherine Totten	Saratoga Springs	New York	12866	2016-03-16
Robin Kish	Saratoga Springs	New York	12866	2016-03-16
Cathy Hoff	Ballston Spa	New York	12020	2016-03-16
Rhea Demory	Saratoga Springs	New York	12866	2016-03-16
John Schroeder	Saratoga Springs	New York	12866	2016-03-16
Derek Olsen	Saratoga Springs	New York	12866	2016-03-16
Teri Blasko	Saratoga Springs	New York	12866	2016-03-16
Karin Vollkommer	Saratoga Springs	New York	12866	2016-03-16
David Lombardo	Saratoga Springs	New York	12866	2016-03-16
Kathleen Ruggles Orefice	Westport	Connecticut	6880	2016-03-16
Dina Fittipaldi	Saratoga Springs	New York	12866	2016-03-16
Margaret Fittipaldi	Saratoga Springs	New York	12866	2016-03-16
Tracy Maimone	East Rochester	New York	14445	2016-03-16
Amy Syrell	South Glens Falls	New York	12803	2016-03-16
Julio Olvera	Saratoga Springs	New York	12866	2016-03-16
Holly Lawton	Saratoga Springs	New York	12866	2016-03-16
Jill P McMahon	Saratoga Springs	New York	12866	2016-03-16
Stephen Farenell	Saratoga Springs	New York	12866	2016-03-16
Frank Capone	Saratoga Springs	New York	12866	2016-03-16

Bette Brill	Saratoga Springs	New York	12866	2016-03-16
amejo amyot	saratoga springs	New York	12866	2016-03-16
Joy Burke	Saratoga Springs	New York	12866	2016-03-16
Patricia Cornute	Saratoga Springs	New York	12866	2016-03-16
sue scherer	Saratoga Springs	New York	12866	2016-03-16
nancy Henry	Albany	New York	12203	2016-03-16
David Morris	Saratoga Springs	New York	12866	2016-03-16
linda battiste	Schenectady	New York	12302	2016-03-16
Mary Frances Healy	Saratoga Springs	New York	12866	2016-03-16
Tara Chhabra	Saratoga Springs	New York	12866	2016-03-16
Annette Carman	Saratoga Springs	New York	12866	2016-03-16
MaryAnn Wager	Saratoga Springs	New York	12866	2016-03-16
Patricia Mathews	Sanford	Maine	4073	2016-03-16
Stephanie Ryall	Saratoga Springs	New York	12866	2016-03-16
Lisa Campilango	Saratoga Springs	New York	12866	2016-03-16
Deborah Garrelts	Saratoga Springs	New York	12866	2016-03-16
Joosje Anderson	Saratoga Springs	New York	12866	2016-03-16
Denise Dart	Clifton Park	New York	12065	2016-03-16
Barbara Claydon	Saratoga Springs	New York	12866	2016-03-16
Paul Hibbert	Broken Arrow	Oklahoma	74011	2016-03-16
Chris Pringle	Saratoga Springs	New York	12866	2016-03-16
Darrell Rikert	Greenfield Center	New York	12833	2016-03-16
Joyce McKnight	Lake Luzerne	New York	12846	2016-03-16
james brophy	saratoga springs	New York	12877	2016-03-16
Diller Ann	Gansevoort	New York	12831	2016-03-16
monica winn	Saratoga Springs	New York	12866	2016-03-16
Tracey Radigan	Saratoga Springs	New York	12866	2016-03-16
Amy Hichman	Saratoga Springs	New York	12866	2016-03-16
Rick Moran	Saratoga Springs	New York	12866	2016-03-16
Randy Hammond	Porter Corners	New York	12859	2016-03-16
Kayla Rynasko	Saratoga Springs	New York	12866	2016-03-16
Jeanne Oconnor	Saratoga Springs	New York	12866	2016-03-16
Kathy Becker	Greenfield Center	New York	12833	2016-03-16
Chuck Lamb	Saratoga Springs	New York	12866	2016-03-16
Liz Mark	Gansevoort	New York	12831	2016-03-16
Charles Kish	Saratoga Springs	New York	12866	2016-03-16
Colleen Downing	Saratoga Springs	New York	12866	2016-03-16
Nancy Flynn	Buskirk	New York	12028	2016-03-16
Ann Haller	Saratoga Springs	New York	12866	2016-03-17
Beverlee Patterson	Ballston Spa	New York	12020	2016-03-17
Ellen Boyce	Saratoga Springs	New York	12866	2016-03-17
Deanne Marg	Saratoga Springs	New York	12866	2016-03-17
Michele McClure	Schuylerville	New York	12871	2016-03-17
Michelle Deyette	Saratoga Springs	New York	12866	2016-03-17
Thomas Wadsworth	Cobleskill	New York	12043	2016-03-17
renee harder	gansevoort	New York	12831	2016-03-17
Richard Dunham	Saratoga Springs	New York	12866	2016-03-17
Kelly O'DONNELL -Mackison	Gansevoort	New York	12831	2016-03-17
Jodi Stevens	Saratoga Springs	New York	12866	2016-03-17

Jennifer Kleindienst	Middletown	Connecticut	6457	2016-03-17
Louisa Foye	Saratoga Springs	New York	12866	2016-03-17
Karen Thomas	Saratoga Springs	New York	12866	2016-03-17
Joseph Marcuccio	Saratoga Springs	New York	12866	2016-03-17
Bethany Cohen	Boca Raton	Florida	33433	2016-03-17
Vicki Feldman	Saratoga Springs	New York	12866	2016-03-17
Patricia Duval	Saratoga Springs	New York	12866	2016-03-17
Gloria Burke	Saratoga Springs	New York	12866	2016-03-17
Karen Hefter	Hughesville	Maryland	20637	2016-03-17
Tamara Woolsey	Saratoga Springs	New York	12866	2016-03-17
Dorene Couch	Saratoga Springs	New York	12866	2016-03-17
Ingrid H Stone	Saratoga Springs	New York	12866	2016-03-17
Barbara Proctor	Saratoga Springs	New York	12866	2016-03-17
Oona Grady	Saratoga Springs	New York	12866	2016-03-17
Alysia Han	Davidson	North Carolina	28036	2016-03-17
Roxanne Mead	Saratoga Springs	New York	12866	2016-03-17
Wayne T. Senecal	Saratoga Springs	New York	12866	2016-03-17
Martha Almgren	Ballston Spa	New York	12020	2016-03-17
Tara Martin	Saratoga Springs	New York	12866	2016-03-17
EDWARD Jewell	Saratoga Springs	New York	12866	2016-03-17
Susan king	Schuylerville	New York	12871	2016-03-17
Jerome Luhn	Saratoga Springs	New York	12866	2016-03-17
Chris Mathiesen	Saratoga Springs	New York	12866	2016-03-17
Sheila Levo	Saratoga Springs	New York	12866	2016-03-17
William Yusavage	Saratoga Springs	New York	12866	2016-03-17
Melanie Herter	Saratoga Springs	New York	12866	2016-03-17
Ina Harney	Saratoga Springs	New York	12866	2016-03-17
Nicholas Rossi	Parrish	Florida	34219	2016-03-17
James Lestrange	Saratoga Springs	New York	12866	2016-03-17
richard bradley	Ballston Spa	New York	12020	2016-03-17
Loretta Martin	Please Select:	New York	12866	2016-03-17
doug klein	Schuylerville	New York	12871	2016-03-17
Michael Taormina	Waterford	New York	12188	2016-03-17
LeeAnne Olsen	Saratoga Springs	New York	12866	2016-03-17
Joanne Dwornik	Saratoga Springs	New York	12866	2016-03-17
Alan Edstrom	Saratoga Springs	New York	12866	2016-03-17
Henry Bovee	Saratoga Springs	New York	12866	2016-03-17
Michael Graul	Aurora	Colorado	80015	2016-03-17
james yellen	Wayne	New Jersey	7470	2016-03-17
Kelly Winters	Saratoga Springs	New York	12866	2016-03-18
Phyllis Hecker	NY	New York	12205	2016-03-18
Arvilla Morett	CITY		POSTAL COD	2016-03-18
Stephanie Waring	Saratoga Springs	New York	12866	2016-03-18
HEATHER STABLES	SARATOGA SPRINGS	New York	12866	2016-03-18
Michael Stoneback	Saratoga Springs	New York	12866	2016-03-18
jessica moore	Gansevoort	New York	12831	2016-03-18
Debra Murphy	CANTON	Georgia	30114-7795	2016-03-18
Barbara Bovee	Saratoga Springs	New York	12866	2016-03-18
Gerald Mattison	Saratoga Springs	New York	12866	2016-03-18

deborah koransky	Saratoga Springs	New York	12866	2016-03-18
Judith LaPook	Saratoga Springs	New York	12866	2016-03-18
Elizabeth Fisher	Porter Corners	New York	12859	2016-03-18
Maureen Curtin	Saratoga Springs	New York	12866	2016-03-18
Tara Graul	Lyndhurst	New Jersey	7071	2016-03-18
Deb Mattison	Saratoga Springs	New York	12866	2016-03-18
Margaret Bradley	Saratoga Springs	New York	12866	2016-03-18
Virginia Ponessa	Saratoga Springs	New York	12866	2016-03-19
Richard Snyder	Saratoga Springs	New York	12866	2016-03-19
Deborah Graul	Saratoga Springs	New York	12866	2016-03-19
jerry hilliker	Saratoga Springs	New York	12866	2016-03-19
Nathaniel Harrington	Saratoga Springs	New York	12866	2016-03-19
Cherae Remillard	Saratoga Springs	New York	12866	2016-03-19
Mary-Ellen Callahan	East Hartford	Connecticut	6118	2016-03-19
Tomarra McCall	Saratoga Springs	New York	12866	2016-03-19
Jessica Glagov	Saratoga Springs	New York	12866	2016-03-19
gay murrisky	Saratoga Springs	New York	12866	2016-03-19
Reginald Lilly	Saratoga Springs	New York	12866	2016-03-19
Sara Zlotnick	Saratoga Springs	New York	12866	2016-03-19
Connie Crawford	Ballston Spa	New York	12020	2016-03-19
Nancy Toole	Saratoga Springs	New York	12866	2016-03-19
Joy Holcomb	Saratoga Springs	New York	12866	2016-03-19
Joyce Dart	Saratoga Springs	New York	12866	2016-03-19
Dillon Moran	Saratoga Springs	New York	12866	2016-03-19
Kerri Barber	Saratoga Springs	New York	12866	2016-03-19
Colleen Macvean	Saratoga Springs	New York	12866	2016-03-19
John Clark	Saratoga Springs	New York	12866	2016-03-19
Eleanor Williams	Saratoga Springs	New York	12866	2016-03-19
Saraya Robison	Salem	New York	12865	2016-03-20
Eugene Waters	Saratoga Springs	New York	12866	2016-03-20
Suzanne Kelleher	Saratoga Springs	New York	12866	2016-03-20
Kira Lajeunesse	Saratoga Springs	New York	12866	2016-03-20
Steven Mattison	Saratoga Springs	New York	12866	2016-03-20
Mercer Anderson	Saratoga Springs	New York	12866	2016-03-20
Deborah Reed	Saratoga Springs	New York	12866	2016-03-20
Susan Bernd	Saratoga Springs	New York	12866	2016-03-20
Jeannette Green	Newbury Park	California	91320	2016-03-20
Jan Roth	Saratoga Springs	New York	12866	2016-03-20
Ryan McKenzie	Saratoga Springs	New York	12866	2016-03-20
William Finlay	Saratoga Springs	New York	12866	2016-03-20
Christy Holland	Saratoga Springs	New York	12866	2016-03-20
Mary Beth Donohoe	Saratoga Springs	New York	12866	2016-03-20
M.Thomas Porter	Saratoga Springs	New York	12866	2016-03-20
Linda Church	Saratoga Springs	New York	12866	2016-03-20
Grant Gentner	Saratoga Springs	New York	12866	2016-03-20
Kathleen Bryan	Niskayuna	New York	12309	2016-03-20
Robert Vogel	Saratoga Springs	New York	12866	2016-03-20
Kimberly Stevens	Saratoga Springs	New York	12866	2016-03-20
Joanie Rupprecht	Saratoga Springs	New York	12866	2016-03-20

Peggy Tayler-MacNeill	Saratoga Springs	New York	12866	2016-03-20
John Boardman	Saratoga Springs	New York	12866	2016-03-20
James Pollard	Saratoga Springs	New York	12866	2016-03-20
Lisa Wilcox	Huntsville	Alabama	35805	2016-03-20
Laura Giannini	Saratoga Springs	New York	12866	2016-03-20
Rachel Morgan	Saratoga Springs	New York	12866	2016-03-20
James Purdy	Saratoga Springs	New York	12866	2016-03-20
Russ Pittenger	Saratoga Springs	New York	12866	2016-03-20
Anne Trainor	Saratoga Springs	New York	12866	2016-03-20
Betsey Porter	Saratoga Springs	New York	12866	2016-03-20
Cristina Zambuto	Saratoga Springs	New York	12866	2016-03-20
Adam Giannini	Saratoga Springs	New York	12866	2016-03-20
Angela Gardner	Saratoga Springs	New York	12866	2016-03-20
Chris Bernd	Saratoga Springs	New York	12866	2016-03-20
Deborah Fuller	Saratoga Springs	New York	12866	2016-03-20
Lisa Wong	Saratoga springs	New York	12867	2016-03-20
Johnny Martinez	Saratoga Springs	New York	12866	2016-03-20
Albert Mather	Saratoga Springs	New York	12866	2016-03-20
Tina K. Morris	Saratoga Springs	New York	12866	2016-03-20
Carolyn Coogan	Albany	New York	12203	2016-03-21
Meghan Flewwelling	Saratoga Springs	New York	12866	2016-03-21
Sylvia Bloom	Greenwich	New York	12834	2016-03-21
rachid Daoui	GaNSEVOORT	New York	12831	2016-03-21
Kate Brown	Saratoga Springs	New York	12866	2016-03-21
Jane Valetta	Saratoga Springs	New York	12866	2016-03-21

OUR STANCE AS NEIGHBORS of proposed "Downton Walk":

- We don't oppose Mr. Witt per se, or that he should develop this property.
- But we are concerned about the scale of the variances he is requesting and of the project as currently designed.
- We are concerned that the current design and density of the proposal and the number and size of the proposed homes are out of character with this historic neighborhood.
- We would like a revised more reasonable proposal.

Joan Cuppredt, [redacted] Jumel Place

Larry Britt

Marie Britt [redacted] Caroline St.

Anne Kearney Prouty [redacted] Jumel Pl.

Bill Evans [redacted] June Pl.

Mary Hilbert [redacted] Jumel Place

(Gabriel Fidell) [redacted] Jumel Pl.

Richard P. Ferri [redacted] Jumel Pl.

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[redacted] Ludlow St.

[redacted] Ludlow St SSNY 12866

[redacted] Ludlow St 12866

[redacted] Maple Ave 12866

[redacted] Grand Pl 12866

[redacted] Lake Ave
Saratoga Springs NY 12866

[redacted] Lake Ave
Saratoga Springs NY 12866

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Karyn Zanetti [redacted] Lake

Karen Hicks [redacted] Lake Ave

William Max Oswald [redacted] East Ave

Marie Sanok [redacted] East Ave

Tina Morris [redacted] Pinewood Ave I do oppose this development

Joe Fitzgerald [redacted] East Ave

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LITWIN, ERIC [redacted] LAKE AVE

William F. Savage (SAVAGE) WILLIAM [redacted] East Ave

Linda Church Linda Church [redacted] Lake Ave, Saratoga Springs NY

Paul Church [redacted] LAKE AVE SARATOGA SPRINGS, NY 12866

Jim MacNeill [redacted] Lake Ave SS. Jim MacNeill

Susie O. Tocone [redacted] East Ave. S.S. 12866

[redacted] Hutchins St 12866

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[redacted] (SAVAGE) WILLIAM [redacted] East Ave

Linda Church Linda Church [redacted] Lake Ave, Saratoga Springs NY

Paul Church [redacted] LAKE AVE SARATOGA SPRINGS, NY 12866

Jim MacNeill [redacted] Lake Ave SS. Jim MacNeill

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[redacted] Hutchins St 12866

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Karen Hicks [redacted] Lakeside

William Max Oswald [redacted] East Ave

Wm Max Oswald

Marie Sanok [redacted] East Ave

I do oppose.

Gina Morris [redacted] Pinewood Ave this development

Joe Fitzgerald [redacted] East Ave

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Rachel D [redacted] Ludlow St.

[redacted] Ludlow St SS NY 12866

[redacted] Ludlow St 12866

[redacted] Maple ave 12866

[redacted]

Alison Manning [redacted] Jumel Pl 12866

Elizabeth DiMuzzo [redacted] Lake Ave Saratoga Springs NY 12866

[redacted] Lake Ave Saratoga Springs NY 12866

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Larry Britt

Marie Britt [redacted] Caroline St.

Anne Kearney Prouty [redacted] Jumel Pl.

Bill Evans [redacted] June Pl.

Mary Hibbert [redacted] Jumel Place

(Gabriel Edell) [redacted] Jumel Pl.

Michael P. Perri [redacted] Jumel Pl.

From: "Kim Stevens" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 9:26:22 AM
Subject: Condos on Jumel

Susan,
I used to live at [redacted] Jumel and I currently live at [redacted] Circular St., on the corner of Circular and York.

Please do not approve the proposed multi-unit condo unit at 27 Jumel place. It would not be a good precedent to start on the east side. I have seen this pattern in other communities and it really breaks up the neighborhood.

I know we have many single family homes that have been split into 2 -3 apartments, but 7 units, surrounded by small modest homes would not work. The one apartment-only home in the other section of Jumel already creates some stress on that block.

I appreciate the controlled home renovations that have been taking place on York. The upgraded homes fit in with their neighbors. Please keep with this pattern.

Thanks,
Kim Stevens

From: "Jim MacNeill" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 9:34:27 AM
Subject: Downtown Walk ..... John Witt

Good Morning Susan, my wife and I live at [redacted] Lake Ave …… very close to the proposed sub-division. I am opposed to this project as the size of the houses proposed do not fit with the neighborhood, the total lack of yard and space between the new houses and the neighborhood and the asking price of the new houses. Currently the old factory has no set back to any of its neighbors and the drawings Mr. Witt has passed around seem to carry this forward with the proposed project. All the houses that border this project are very modest at best and this would upset the balance and perhaps lead to further demolition and more upscale housing in the neighborhood.

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From: "J Rupprecht" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 10:04:46 AM
Subject: 27 Jumel Condos

Hi,
I live at [redacted] Jumel Place. Several times per week, I walk to the East Side rec field to use the tennis courts. Please do not approve the multiple zoning variances requested for the proposed condo at 27 Jumel. The spread of condos in the town should not spread into the east side neighborhood.

Thanks,
Joan Rupprecht

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From: "Bob Mctague" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 10:59:27 AM
Subject: Downton Walk

Susan,

Hi my name is Bob McTague and I very much support your efforts to stop greedy developers.

I will be attending the ZBA meeting tonight. I run the face book page SACRAP Chat. We need to support all our neighbors with a watch full eye.

Hope to meet you at the meeting.

Bob McTague
[redacted] nelson Ave
Saratoga Springs
[redacted]

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From: "jerry luhn" [redacted] >
To: "Susan Barden" <Susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 1:08:23 PM
Subject: Jumel Place project proposal

Dear Ms. Barden,

I am a nearby neighbor to the project area of John Witt's proposal, and wish to register my opposition to the scale and density required by it. I have to say I share the dismay registered by other neighbors in whose judgment this undertaking, however skillfully crafted in the abstract, is simply too much for the neighborhood and, in a word, wrong.

The zoning plan for that area is relatively recent and thoughtful, and could even accommodate the greater part of the proposal being put forward. I urge you to exert your influence and your own best judgment to keep faith with the plan we have for this area, and in so doing to protect the character of the neighborhoods around Jumel Place and elsewhere in town.

Respectfully,
Jerry Luhn
[redacted] Pinewood Avenue

From: "AKP Jumel" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>, "Anne Kearney Proulx" <mdmjumel@yahoo.com>
Sent: Monday, March 21, 2016 1:26:22 PM
Subject: 27 Jumel Place

Hi Susan - I meant to e-mail you much earlier today, but it slipped my mind. I hope I'm not too late to show my support for all you folks who are up against the proposed development at 27 Jumel. I've lived in my house at [redacted] Jumel since I was 4 years old - I'm in my 60s now and I remember the Tarant Mfg. Company like it was yesterday. The proposed project would be a wonderful addition to our little street. BUT not on the scale that John Witt has proposed. I will be at the 7 pm mtg tonight and will voice my opinion if I'm allowed.

Hope to talk to you there.

Anne Kearney Proulx
[redacted]

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From: "Richie Ball" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: [redacted]>
Sent: Monday, March 21, 2016 3:19:07 PM
Subject: 27 Jumel Downton Walk

Susan,

Good afternoon, I would like to express my support for the Down-Ton Walk project. This will be an enormous improvement to the neighborhood, I'd really like to see this moving forward, since being on hold for some time now. There are more positives than negatives to this wonderful project. I know and trust Witt construction to do the right thing, for us as neighbors, and to the great city of Saratoga Springs.

Thank you, Richard Ball

Also, my property at [redacted] Granger Avenue, border's 150 feet of the existing structure, which is in dire need of demolition. Looking forward to it.
Thank you once again!

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From: "Elizabeth DiNuzzo" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 4:07:11 PM
Subject: Jumel Place development

Hi Susan,
As a homeowner on Lake Ave, I am writing to encourage you to deny the existing "Downton Walk" proposal. East Side Saratoga is known for its authenticity and community. A high-end cookie-cutter development does not fit with this neighborhood. The high fence is especially upsetting. The people who might buy these homes have no idea how unwelcome this development will be - and why would we put them in a position of being resented rather than welcomed by their new neighbors? It doesn't make any sense to change the existing zoning. Let him build five single family homes with tasteful architecture and appropriate fencing - he'll still make money, the new homeowners will be welcomed, and the existing neighborhood will retain its unique and historic character.
Best,
Elizabeth DiNuzzo
[redacted]

Sent from my iPhone

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From: "Marie Sandholdt" [redacted]>
To: "Susan Barden" <Susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 4:45:50 PM
Subject: Downtown walk

We are writing to express concern about the proposed project referred to as "Downtown Walk" located on Jumle Place. John Witt came to our door last week looking for support, he presented the project in a way that made sense. That he was planning on knocking down a old unused building and would like to replace it with some nice homes. This sounded great except Mr. Witt was not forthcoming with the fact that he was looking for exemptions and variances with the code for the area and that he was looking to exceed what was allowed. Because of this I (Mark) signed a paper in support when in fact after seeing off the facts I do not support this project in its current state.
The amount of housing Mr. Witt wants to place on this lot exceeds what it should hold. Looking at the first hand, I have no idea how he would be able to fit everything he wishes, for if he did he would create a distraction in the neighborhood. Multiple structures that would not fit in with the pre-existing homes, as well as creating a problem with parking. Mr. Witt isn't just asking for one exemption, or modification to the code, he is asking for numerous ones which just prove that his plans need to be scalled back because in their current state they do not fit the land or the neighborhood.

I do however believe and would support a project to replace this building that followed the city guidelines and code for our neighborhood. After all the codes were created for a reason, to make sure over croweding did not happen and to preserve the community and

neighborhood. I'm sure when the codes were created much care and thought was put into them.

With these concerns and more I sincerely hope the Zoning Board of Appeals rejects proposal and requests Mr.Witt to modify his plans to fit within the zoning regulations the city has set.

Thank you for your time.

Mark English
Marie Sandholdt
[redacted] East Avenue

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From: "Johnny Miller" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Tuesday, March 22, 2016 7:47:36 AM
Subject: Downton Walk

Susan,

I agree that the density of the project is too high and should comply with the zoning codes currently in place. I live across the street and was denied a variance for expanding my carriage house beyond the allowable lot coverage, therefore I built it according to the allowable size.
I'm for a project that is in compliance with the zoning codes.

Enjoy,

Johnny Miller

On The Spot Photos
[redacted]

From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Monday, March 21, 2016 8:06:31 PM
Subject: 27 Jumel Proposal

Ms. Barden:
First, please know I appreciate the dedication and excellent work by the Zoning Board in dealing with the many challenging issues and proposals in our city.
The proposed development at 27 Jumel concerns me deeply. As currently documented, I object to it strenuously.
I'm a (retired) architect, I live at [redacted] Ludlow Street and the view from my property is up Jumel Place to the project site.
The character and density of my neighborhood is surely worth preserving. My wife and I have owned our home since 1977 and are grateful that zoning regulations have guided construction and development here, including several appropriate zoning variances that we've supported. We believe the neighborhood's defining character has (to date) been successfully retained.
The variances and exceptions requested for the 27 Jumel Place project are truly astonishing! If approved, their dramatic negative impact to the neighborhood character would be devastating in my opinion. The proposed change in density and contrasting setbacks is an affront to abutting neighbors and to the design vocabulary of the area.
The property at 27 Jumel is potentially a clean slate. But the applicant has chosen a design which seems to totally ignore its context and city regulations, creating a self imposed dilemma. It

completely disrespects the neighborhood and its long established and protected attributes.
I remain confident that the Board will reject such wrongheaded proposals, and further, will foster the possibility that the applicant may make future application for a project at 27 Jumel Place that is consistent with Saratoga's Comprehensive Plan and with zoning regulations, and which would require minimal, if any, variances.
Thank you, and your Board colleagues, for your continued attention to this matter.
James (Jay) Pollard

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From: D. Mattison<[redacted]>
Date: March 18, 2016
To: susan.barden@saratoga-springs.org
The Zoning Board of Appeals of the City of Saratoga Springs, NY

Re: Application for "seven single family condominiums,"
and requests for substantial Zoning Variances at
27 Jumel Place, Saratoga Springs, by ANW Holdings, Builder, John Witt
Public Hearing #2 to be held at the Zoning Board of Appeals meeting on March 21, 2016

I am writing this letter prior to the March 21st, 2016 meeting of the Saratoga Springs Zoning Board in regard to the proposed zoning variances being requested by builder John Witt for the property located at 27 Jumel Place in Saratoga Springs, New York. I am hoping that you will forward this to members of The Zoning Board of Appeals of Saratoga Springs.

Mr. Witt is creating an oversized project which is out of character with the existing homes on the street. He is making intrusive variance requests. In his letter to neighbors dated February 11, 2016 he understated the variances requested, (3 rather than 5). Therefore neighbors were given incomplete and deceptive information about the project. His letter asked for:

-Increased lot coverage by 16%
-Decrease minimum front yard setback by 9 feet
-Raise the height of the residential fence by 2 feet

In actuality, there are five variances being requested that include:

1 – The maximum building coverage allowed on this lot is 30%. The previous request was for a 43.5% building coverage allowance, or 45% more than what is allowed. The request has been increased to 46%, or 53.3% more than what is allowed.

2 – The rear yard setback required for each unit is 25 feet. The applicant is asking that this requirement be eliminated by 100% for five units, going from the 25 feet required to zero (0) feet. For the remaining two units he is asking for a 76% reduction in the rear yard setback from 25 feet to 6 feet.

3 – The front yard setback required for the two front units is 10 feet. The applicant is asking for one (1) foot, a 90% reduction in the front yard setback.

4 – The fence height allowed in this UR-3 residential area is six feet. The applicant is asking for an eight foot fence, a 33% increase in height over what is allowed.

5 – The applicant is asking for a maximum principal building on one lot to be increased from one to seven, a 600% increase.

It would be a travesty for the board to disregard the above facts and override zoning ordinances that have been in effect for years. At the very least, a compromise of the extreme variance requests needs to be negotiated.

It is my hope that these substantial variances, as they are proposed, be denied.

Sincerely,
Debra Mattison
[redacted] Lake Avenue

change.org

Saratoga Neighbors for Zoning Enforcement

Recipient: Saratoga Springs Zoning Board of Appeals and Susan Barden

Letter: Greetings,

Keep Saratoga Springs Neighborhoods Special: Enforce our Zoning codes!

Comments

Name	Location	Date	Comment
Sam Brewton	Saratoga Springs, NY	2016-03-15	We're not against developing this plot, but we opposed the massive scope of the requested variances, loss of setbacks, and the cramming-in of more buildings than this lot is zoned for. What's the point of zoning if it can be this easily skirted? This lot can be successfully developed, and we'd welcome this same developer if a more reasonable plan were presented.
Holly Bates	Saratoga Springs, NY	2016-03-16	Saratoga Springs is changing far too quickly and losing the character that made it so beloved. These changes are so often the result of wealthy developers making their way around zoning laws that are there for a reason. Our officials have been elected by the citizens of Saratoga Springs, and as such, they are the people to whom they should listen.
jeannine moran	saratoga springs, NY	2016-03-16	Uphold our zoning laws and do not cave to developers.
Kira Cohen	Saratoga Springs, NY	2016-03-16	I grew up in Saratoga Springs and have lived 25 years in the neighborhood that is threatened by this development. I do not want to see my neighborhood put at risk by the casting aside of our city's zoning ordinance. The Saratoga Neighbors for Zoning Enforcement does not oppose new housing in our neighborhood, we simply feel that the scale of this project is beyond necessary and asks for too many variances to the zoning laws of our district. This puts not only our homes at risk, but the new homes as well. It also opens the door for these types of overboard developments to move into other residential neighborhoods throughout town - thus dismantling the core ideology behind our comprehensive plan and zoning ordinance, and disrupting the historical character and dignity of our beautiful town.
Margaret Selikoff	Saratoga Springs, NY	2016-03-16	There is no reason for this type of development in this neighborhood.
Kim Fonda	Saratoga Springs, NY	2016-03-16	I am sick and tired of double standards. The Zoning Board is a disgrace and our hopes for good stewardship decline day by day!
Janice Pancake	Saratoga Springs, NY	2016-03-16	If this goes as planned, it will set a precedent in our city that builders can get zoning laws changed and build wherever they want. Seems to me that our city has allowed all kinds of new, unaffordable, condos, etc. and taken the charm away from my hometown...
Joann Lorman	Porter Corners, NY	2016-03-16	Saratoga is getting to many large buildings. ..let's not lose its charm!
Robert Bostick	Arlington, VA	2016-03-16	I love the Saratoga of my childhood, my youth and to alter those memories of the alleys, streets and diverse neighborhoods would be sacrilege.
John Veitch	Saratoga Springs, NY	2016-03-16	This is not proper for that neighborhood. Simply out of character. I live next to the old St. John Neumann residence, and that conversion was fine for that building. This is not appropriate for Jumel Place
Liam Sheji	Saratoga Springs, NY	2016-03-16	It's important to preserve our cities history, and replacing our historic buildings is a crime to our lifestyle
Marie falls	Lorton, VA	2016-03-16	I hate seeing my hometown lose its charm!
Steven McCarthy	Saratoga Springs, NY	2016-03-16	Enough is Enough
Martha Strohl	Saratoga Springs, NY	2016-03-16	The Comprehensive Plan and our zoning codes are meant to be observed, not abused.
Lillian Spost	Saratoga Springs, NY	2016-03-16	Saratoga risks losing the charm that is its reputation.
Michael Gent	Saratoga Springs, NY	2016-03-16	Once you open the floodgates,there'll be no stopping them.The town is enough of a mess already.

Name	Location	Date	Comment
Anthony Smith	Washington, DC	2016-03-16	I'm shocked that the lovely tree-lined streets of my hometown would be destroyed by this condo developer. Enforce the zoning laws and stop this blight on the community.
shawn banner	Saratoga Springs, NY	2016-03-16	Our town is special because far sighted folk created a charter and zoning codes that preserve what is best about Saratoga. Lately, it seems that special dispensation keeps getting given to folks who want to build exactly what those far-sighted zoning laws and city planning decisions were meant to avoid. Growth is good--in fact, growth is great, but not growth that breaks the carefully crafted rules that make Saratoga a pleasure to reside in. Please do not keep giving in to developers' whims at the expense of what makes our fair city both fair and special!
Z. Parisi	Saratoga Springs, NY	2016-03-16	cp
Amber Duffney	Keeseville, NY	2016-03-16	O remember Saratoga the way it used to be. I have seen neighborhoods destroyed by "improvement", I would hate to see Saratoga to become a city of high rises, and loose it's charm and historic value.
Sunshine Stewart	Greenfield Center, NY	2016-03-16	Keep Saratoga beautiful!!!
Meghan Cherny	Corinth, NY	2016-03-16	Bit by bit we are losing our history and our roots, that which makes it all beautiful. Saratoga is beautifully old, we must fight for her.
Janice Bellamy	Saratoga Springs, NY	2016-03-16	Too many extreme variances requested. This won't blend in with the neighborhood. The builder is asking the Zoning Board for special treatment.
Amy Barakat	Saratoga Springs, NY	2016-03-16	I don't like the direction my hometown has headed since I was a child. Too much commercialization and too much building.
patricia rubio	saratoga springs, NY	2016-03-16	I am concerned about the violation of the City zoning laws the variance would entail.
Kathleen Brown	Saratoga Springs, NY	2016-03-16	Wrong plan, wrong place, & more overpriced real estate not needed!
bob mctague	saratoga sp, NY	2016-03-16	Our neighborhoods are under attack by greedy builders who have no reguard for families that live in the communities.
Daniel Schwank	xxxxxxxxxx, NY	2016-03-16	I'm against the overdevelopment that's destroying this town
Shealyn Heritage	Ballston Spa, NY	2016-03-16	I for one may not live I Toga directly but was born at Saratoga hospital lived in the outside towns all my life and have many Saratoga relatives of all era of Saratoga. It sadden my heart thinking about the stories I've heard of old Saratoga, Stories I have from Saratoga In the times before all the condo when we went to see our Saratoga family and The Saratoga now. Why does everything have to be so glamorized. We need some original and not just Original historical. Stop changing zoning laws for these big wig glamizatation.
Cindy June	Ballston Spa, NY	2016-03-16	Save my hometown from the developers who only see $$$$$$
Lori LeBarron	Gansevoort, NY	2016-03-16	There seems to an influx of developers who are presenting proposals that do not adhere to Saratoga Springs zoning laws. This needs to stop!
Leslie Brown	Saratoga Springs, NY	2016-03-16	There is way too much development in Saratoga and we're losing the quietness of the city. Please stop the building.
Joan Nellhaus	Saratoga Springs, NY	2016-03-16	This is wrong in so many ways. Integrity must be maintained.
Hillary Takahashi	Saratoga Springs, NY	2016-03-16	Protect our picturesque and wonderful neighborhoods.
Mary O'Donnell	Saratoga Springs, NY	2016-03-16	As a native, I have watched our city change way too much and not for the better in my estimation. This project would set a precedent and continue to ruin the very reason some people moved here. We want to keep our city's character.

Name	Location	Date	Comment
Jay Rogoff	Saratoga Springs, NY	2016-03-16	Approval of Downton Walk, a development entirely out of character with the neighborhood, would send a signal to developers that our zoning regulations are meaningless and can be circumvented at will.
Judi Duclos	Saratoga Springs, NY	2016-03-16	I do not like the path that our beautiful city seems to be on!!!!!
Penny Jolly	Saratoga Springs, NY	2016-03-16	This is a residential neighborhood, protected supposedly by our zoning laws. Please observe those laws! Do NOT permit all these special variances. Don't overcrowd our neighborhoods and try to make them into something they are not: a pretentious "Downton Walk" with expensive condos instead of separate one-family homes of modest size.
Brucie Rosch	Saratoga Springs, NY	2016-03-16	Developers can make their money elsewhere. It would be one thing if they had a track record of building affordable housing in Saratoga Springs, but They. Do. Not.
Tracy Millis	Saratoga Springs, NY, NY	2016-03-16	The entire project is foolish.
Regina Camilletti	Saratoga Springs, NY	2016-03-16	This development will scar an otherwise homogenous, established neighborhood of older homes. People are invested in these homes and that neighborhood. Who has the right to step in and on behalf of a builder and his cohort, threaten their investment? If anything goes, how about lets build some stables next to City Hall and put those 7 condos on East, really close to Skidmore. Sure. I would sue you if I could.
Jacklyn Clark	Saratoga Springs, NY	2016-03-16	I don't want this in my neighborhood, I've lived on this street for 24 years and to alter the streetscape with gaudy condos would be a disgrace. More importantly if the city government allows this to become reality that would be sinful. Keep within the parameters of the neighborhood, amen!!!!!!
Barbara Ungar	Saratoga Springs, NY	2016-03-16	Developers and greed are ruining what makes Saratoga Springs a desirable place to live and visit.
Celete Caruso	Saratoga springs, NY	2016-03-16	I'm signing because the Integrity of each neighborhood within the city needs to be maintained
Suzanne kwasniewski	Saratoga Springs, NY	2016-03-16	Too many projects are approved that deviate from zoning ordinances.
Richard Hibbert	Burlington, VT	2016-03-16	My mother has lived on Jumel Place, in the other block, since 1959. My siblings and I spent part of our formative years in that neighborhood. The house belongs to our family, and we value the character of the neighborhood. That includes the portion of the street for which this project is proposed. I believe that this would be a drastic, and negative, change in the character of this part of the city.
Annette Damron	Lecanto, FL	2016-03-16	I was born and raised there and don't want to come home to a metropolis.
Susan Traylor	Saratoga Springs, NY	2016-03-16	I don't want Saratoga Springs, my beautiful home town to turn into a Clifton Park!
Marisa Wade	Saratoga Springs, NY	2016-03-16	Saratoga is starting to loose some of it's charm to all of these apartments and condominiums
JOHN DUANE	Middle Grove, NY	2016-03-16	to keep saratoga saratoga !
Arthur Porter III	Saratoga Springs, NY	2016-03-16	I believe that this is yet another example of the abuse of the zoning variance process to circumvent existing zoning designations and the Comprehensive Plan.
Katherine Totten	Saratoga Springs, NY	2016-03-16	Enough is enough
Karin Vollkommer	Saratoga Springs, NY	2016-03-16	This project is too big for the neighborhood.
kathleen orefice	westport, CT	2016-03-16	I want Saratoga to stay the way it is. It's already changing too much.

Name	Location	Date	Comment
Amy Syrell	South Glens Falls, NY	2016-03-16	Saratoga Springs needs to be a place for all people, not just those with a lot of money.
Jill P McMahon	Saratoga Springs, NY	2016-03-16	The project seems too large for the space available. More shoehorning of big houses out of character with the neighborhood that loom over their neighbors.
Frank Capone	Saratoga Springs, NY	2016-03-16	preserve the residential character
Bette Brill	Saratoga Springs, NY	2016-03-16	Just do not change the zoning laws for this or any project in a neighborhood that is not zoned for it....
amejo amyot	saratoga springs, NY	2016-03-16	I like green space around homes and consistent density in neighborhoods. this is a 1 and 2 family area.
Patricia Cornute	Saratoga Springs, NY	2016-03-16	Too many developments already in our town, hard to recognize the charming place it used to be., when the sun can't even shine down on you as you walk down certain streets any more.
sue scherer	Saratoga Springs, NY	2016-03-16	Enough with the overgrowth.
linda battiste	Schenectady, NY	2016-03-16	I grew up in Saratoga and it's beautiful the way it is!
Mary Frances Healy	Saratoga Springs, NY	2016-03-16	I have lived here my whole life and don't like the direction we are going
MaryAnn Wager	Saratoga Springs, NY	2016-03-16	I have lived in Saratoga my entire life and I am concerned for the future of our beautiful city. It is quickly losing its historical look and feel.
Patricia Mathews	Sanford, ME	2016-03-16	I strongly believe in preserving the integrity of all cities, but most importantly those cities that represent the history of our country. I lived on Jumel Place until I graduated from college. When I go back to visit family I am often disappointed to see yet another set of new and expensive Town Houses, apartment buildings, hotels, and condos. With each change Saratoga Springs loses a little of its identity. Just take a walk on Jumel Place, and you will clearly see that a development of this type is out of character with the neighborhood. Saratoga, a city I have always been proud to call my hometown, should not lose its charm to moneymaking investments.
Deb Garrelts	Saratoga Springs, NY	2016-03-16	I agree that we are being over-run with condominiums and that our neighborhoods need protection
Denise Dart	Clifton Park, NY	2016-03-16	I'm signing because I am a native Saratogian and the alleged zoning codes worked against my Dad and now we have foreigners coming in and being allowed to build wherever and however big they want just because they have the money.
Barbara Claydon	Saratoga Springs, NY	2016-03-16	inappropriate development of the space for the existing neighborhood in which I happen to live
Paul Hibbert	Broken Arrow, OK	2016-03-16	My family has property on Jumel place
Chris Pringle	Saratoga Springs, NY	2016-03-16	I've lived in saratoga almost all my life and I'm sick of seeing this great little town desecrated by these monstrosities being built with no thought what so ever. The west side of town now looks like a haven for yuppies and has driven out the families that have resided there for years. Downtown hardly looks the same as I remember it as a child. All the once family owned businesses that occupied Broadway are now gone and these corporate goons have bullied their way in forcing the rent to a ridiculous level that only 6 figure a year income families can afford. This use to be a great place to live a place I called home now I don't even recognize the town I grew up in. Enough is enough.
Joyce McKnight	Lake Luzerne, NY	2016-03-16	Saratoga Springs already has empty developments...the zoning board is either ineffectual or "on the take."

Name	Location	Date	Comment
Ann Diller	Gansevoort, NY	2016-03-16	I am appalled at the over-development that has changed our city so that it unaffordable to longtimers, courtesy of boards that are overly generous to devevlopers.
Randy Hammond	Porter Corners, NY	2016-03-16	Saratoga is heading in the wrong direction
helen travis	Saratoga Springs, NY	2016-03-16	They are destroying Saratoga making hard for families to live homeless rase now its more homeless families working families that can't effored Saratoga price or anywhere els for that matter rent has raise so high everywhere its sad and decrees
kayla rynasko	Schenectady, NY	2016-03-16	Born and raised in Saratoga. Graduate of Saratoga high. All my family lives here!
Kathy Becker	Greenfield Center, NY	2016-03-16	I was born and raised in Saratoga Springs. I am so upset by huge changes that have been made in Saratoga. What ever happened to preserving the historical buildings in the city. It looks like the almighty dollar has won out. It is such a shame and so sad.
Liz Mark	Gansevoort, NY	2016-03-16	Saratoga is being overrun by greedy developers like Bonacio and losing its charm.
Charles Kish	Saratoga Springs, NY	2016-03-17	The character of too many neighborhoods are at stake when projects are granted that require numerous large scale changes to existing zoning. When developers profit concerns trump zoning considerations and justifiable and considered opposition by neighbors to this degree, who's opposition is totally supported by current zoning, the zoning board is not doing it's job. There is zoning for a reason based on long term plans and consideration for the city as a whole. Wholesale variances granted solely for the purpose of developer profit is is a travesty.
Nancy Flynn	Buskirk, NY	2016-03-17	We have a family home on the other block of Jumel Place that my mom lives in and believe this will hurt the whole street and set a bad precedent.
Ann Haller	Saratoga Springs, NY	2016-03-17	This is an inappropriate use if the land. It is not in accordance with the zoning. developers should not be exempt from rules just because they want to maximize their profits. The city is running out of build-able lots, so the developer is trying to squeeze as much profit as he can out of this lot.
renee harder	gansevoort, NY	2016-03-17	way to much development now
Richard Dunham	Saratoga Springs, NY	2016-03-17	I do not believe that a previous factory/Dance Studio in a residential neighborhood needs to be re-zoned to accommodate more living space than the current regulations allow. Enough cronieism. Build a house, or two.
Kelly Mackison	Gansevoort, NY	2016-03-17	I am bored in raided is Saratoga
Jodi Stevens	Saratoga Springs, NY	2016-03-17	I grew up on this area and just can't stand by and watch the integrity of this beautiful, quaint neighborhood be destroyed...
Jennifer Kleindienst	Middletown, CT	2016-03-17	I grew up near Saratoga and visit often. I would hate to see the city's charm erode with a project like this.
Patricia Duval	Portland, OR	2016-03-17	To oppose approvals requested for this project. Plan is totally irrelevant to the existing neighborhood. Approving these requests would set a bad precedent and many of Saratoga neighborhoods would be at risk.
Gloria Burke	Waterville, ME	2016-03-17	This would set a terrible president.
Dorene Couch	Saratoga Springs, NY	2016-03-17	I want to show my support for our local residents and weigh in on matters of development that will have a negative impact on our neighborhoods

Name	Location	Date	Comment
Wayne T. Senecal	Saratoga Springs, NY	2016-03-17	I believe the developer's application is a change in use requiring City Council Approval not just Zoning Board of Appeals approval.
Jerome Luhn	Saratoga Springs, NY	2016-03-17	People are entitled to know what development plans are being proposed so that they, and the officials entrusted with authority over zoning decisions, can make informed judgments that affect the character of the place where they live over the long term. Seemingly material omissions in presentation, together with behavior by the developer and relevant board officials, have given neighbors reason to raise questions, such as whose interests enjoy primacy in this proposal? No one wants to wake to rude surprises after the foundations are poured. That's something any developer should understand.
Sheila Levo	Saratoga Springs, NY	2016-03-17	I'm signing because although I am a Saratoga native, I no longer live in the city After my husband died, I sold my house as the upkeep (lawn, snow, etc.) was too much for me. The prices for decent rentals in the city were outrageous. I was forced to look elsewhere and as a consequence, I now live in Ballston. This project, if allowed, would be another example of pricing the the middle class out Saratoga.
Melanie Herter	New York City, NY	2016-03-17	Trying to keep my neighborhood from illegal property use and major congestion
Ina Harney	Saratoga Springs, NY	2016-03-17	This has to stop in Saratoga, not only in my backyard but this one too. Residents have to pay attention to all of these plans, not only their neighborhoods. Every time the builders manage to get one over on our city government leaders and build these monstrocsities it gives them permission to ruin another neighborhood.
Nicholas Rossi	Parrish, FL	2016-03-17	I lived in Saratoga 62yrs. I grew up in that part of town & owned a home at 213 East AVE. Allowing this development is wrong
James Lestrange	Saratoga Springs, NY	2016-03-17	Stop putting the interests of the wealthy ahead of long time Saratoga residents. We have enough development already. Too many people moving in making everything more expensive and causing traffic congestion.
richard bradley	Ballston Spa, NY	2016-03-17	developers are destroying the Saratoga I grew up in. they just need to leave things alone. they are just fine as they are
Henry Bovee	Saratoga Springs, NY	2016-03-17	For my friend
Michael Graul	Granby, CO	2016-03-17	I would like to see the zoning laws upheld in this single family neighborhood where I grew up. I hope those individuals on the zoning board haven't lost sight of doing what is right.
HEATHER STABLES	SARATOGA SPRINGS, NY	2016-03-18	This is NOT NYC....
Michael Stoneback	Saratoga Springs, NY	2016-03-18	developers are ruining the city with maximizing land use with the approval of city boards and their own interpretation of zoning

A NOT-SO-LITTLE BIT OF INTERESTING DOWNTON INFO . . .

On closer inspection of the plans for Downton Walk, I realized that I had picked up **footprint** square footage for the homes from the permeability chart. It is my understanding that, for permeability numbers, one presents the square-foot measurements of the footprint of the home **only**. That means **only the first floor** of a multi-story home.

That is where I got the size figures I posted in my previous letters. That begins to explain why, in the builder's response to my latest missive, the square footage **he** presented had jumped at the high end, to 3,000**+** square feet. **Note the plus sign**. We believe it's there for a reason . . .

If a builder puts the square footage of the footprint on a permeability chart, and it is 2,700 square feet for example, it is likely that the square footage of the entire house -- all floors -- will be much larger than that.

So, using rough figures as an example, because it's impossible to know if the second floor will cover every square foot of what is below it (some homes have slightly smaller second floors – but not usually very much so), one **could** estimate that a home that we thought was 2,700 sq. ft. could really be as large as 4,000 to even 5,400 square feet (the discrepancy being any porches and overhangs included in that 2,700 figure; and the second floor might or might not extend over them.)

This leads us to the permeability chart for Downton Walk . . .

The numbers are not all easy to read, as this is a small side chart, on a plan that has fuzzy type. And, keep in mind, this is supposed to be the **footprint** of the building – including **only** the first floor (overhangs and porches are in other areas of the chart).

The footprints of the seven homes alone add up to 14,526 sq.ft. (builder's numbers).

The builder has already told us that two of the structures are 1,800 sq.ft. – which would probably be those with the 1,357 sq.ft. and 1,472 sq.ft. footprints on his chart. Let's assume they will be exactly 1,800 sq.ft. each. That means that the second floor adds just under 40% to the footprint size.

On the larger ones, he has quoted 2,800 – 3,000+ sq.ft.

To begin at his 2,800-sq.ft. number for the larger homes, you also need to add around 40% to the smallest large home.

So we'll use 40% as a general guide.

(**ALERT**: This is where that plus sign after the 3,000 sq.ft. quote comes in; because a 2,759 sq.ft. home footprint – which is the size of one footprint on his chart – **without** its attached garage that would add almost 600 sq.ft. more -- with only 40% added for a second floor, means there likely will be at least a 3,900 sq.ft. structure [and the overhangs will add an additional 228 sq. ft. and the garage almost 600 sq. ft. more, for a total of approximately 4,700 sq.ft.]. We have no way of knowing if the builder will be including living space over the garage, so we didn't include that in these figures.) Obviously, much more detail is needed from the builder.

The builder has said that the total **footprint** for all seven homes is 14,526 sq. ft. That does NOT include the roof overhangs. In addition, the garages themselves total 4,175 sq.ft. (Again, please keep in mind that, not having seen full architectural plans, we can't tell if there will be any living space built above the garages, so although we are adding in the builder's number, we are not adjusting the garage number with the additional 40 percent.)

The following total is likely on the small side, because we're assuming that the second floor is only 40% the size of the first floor (not very likely); and we're **ignoring** that the plans show windows in four different floors of the buildings. Why would there be windows in a basement, if it is only used for storage? And the window on the top floor is a clue to the possibility of a small attic room as well.

Please keep in mind that the surrounding homes on Jumel Place average about around 1,450 sq.ft., with half of them being somewhat smaller, and one as small as 900 sq. ft**. (This includes the total interior square footage of all floors.)**

Because of the way Downton Walk homes are situated in the plans, and because there is such little room for green space between them, they will mass visually, on Jumel Place, as if they are one giant compound, likely exceeding 25,000 sq. ft. -- including the homes, the (*single-story*) garages, and the porches. (Note: There is also something labeled "Living" that is another 5,665 sq.ft. in the non-permeable section. Because we cannot determine what that is, exactly, it is not included it in the 25,000 estimated sq.ft. size of the "Downton Walk Enclosure".

If this project goes through to completion as currently designed, the only upside we see, in addition to the removal of the existing factory building, might be the possibility of more Hershey bars at Halloween.

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MORE THAN 25,000 SQUARE FOOT MASS ?
A NOT-SO-LITTLE BIT OF INTERESTING DOWNTON INFO . . .

On closer inspection of the plans for Downton Walk, it appears that there has been some misconception regarding the actual size of the development. If people are visualizing the quoted sizes that have been used in the various articles that have previously been presented, they might be in for a surprise.

It appears that a complex that felt large at the 14,526 sq.ft.-total of first-floor footprints -– which is the only measurement that was written the drawings –- when massed together as complete homes -- will likely produce what, visually, will appear to be an almost contiguous structure well in excess of 25,000 sq.ft.

This writer, for one, previously referred to square-footage for the homes from the builder's permeability chart. However, for permeability numbers, only the square-foot measurements of the first floor of the home are used, regardless of how many stories will be added to that. So the actual structure, once it is built, unless it is single-story construction, will be appreciably larger. And the drawings of Downton Walk indicate homes with two or more floors.

Please note that, to get to the larger figure, we have used 40% as a conservative addition for the second floors of these homes. There is no way of knowing how these homes will really lay out, because Mr. Witt has not provided this important information to the neighbors or community. Many homes in Saratoga are built

almost like boxes, with the first floor and second floor being exactly the same size. In such case, one would simply double the square footage to get the total living area. Others have a more modest upper level. So 40% was our compromise.

And keep in mind that we're ignoring that the plans show windows for four different levels. Why would there be windows in a basement, if it is only used for storage? And the window on the top floor is sometimes a clue to the possibility of a small attic room as well. We also have added nothing for any space that might be built above the garages. So that "in excess of 25,000 sq.ft." could easily become a much larger number. Obviously, more detail is needed from the builder to be complete on this.

But this begins to explain why, in the builder's response to my latest missive, the square footage he presented had jumped at the high end, to 3,000**+** square feet. His plus-sign is quite accurate, because the addition of multiple floors to the home sizes written on that chart makes a huge difference.

For perspective, please keep in mind that the surrounding homes on Jumel Place average about 1,450 sq.ft., in size, with half of them being somewhat smaller, and one as small as 900 sq. ft. (This includes the total interior square footage of both floors on any two-story structures.)

So, visually, five of those average-size Jumel Place homes, if placed on that lot after subdivision to the maximum number of homes allowed there by Code, would create a visual mass of only 12,100 square feet, including relative proportions of Mr. Witt's figures for overhangs, garages, porches, and such -- less than half of what is proposed (and only conservatively approximated) -- and much more in keeping with the character of the neighborhood.

The ZBA should allow Mr. Witt to build what **is** permitted there: five single-family homes or four two-family homes, not "seven single-family condominiums" which are not permitted in an Urban Residential–3 Zoning District.

###

Susan Barden
Zoning Board of Appeals
Saratoga Springs City Hall

17 March, 2016

Ms. Barden & Members of the Zoning Board of Appeals,

I have lived on the 200 block of Lake Avenue for 25 years. The back property line of my home abuts the property of 27 Jumel Place and runs nearly its entire length. I have a great many concerns in regard to the Downton Walk development plan that is proposed for that location.

Our current zoning laws forbid developments of this kind, not only in our Urban Residential-3 classification, but also within the larger Core Residential Neighborhood-1. Multi-family housing is against the codes.

Mr. Witt's proposal that this project is a "single-family condominium" attempts to skirt these codes by tying together two separate types of housing. Either it is a single-family designation, or it is a condominium. To go forward as single-family and fit multiple homes on the lot, he would have to subdivide – for which he has not applied. This would only allow up to five homes on the lot, not seven as proposed. Without subdivision, it goes forward as a condominium, which is forbidden in this district.

In order to accommodate seven homes onto the lot, several variances to the legal property setbacks have been requested. However, these variances are not within an acceptable range. They seek to nullify nearly all space between properties. The legal setback is 25 ft. A variance bringing that space down to 6 ft. is unacceptable. It poses privacy issues, as well as safety issues for not only the existing neighbors, but for those who will be living in these new homes.

Yes, the current building at 27 Jumel sits on top of its property lines. It was built before zoning laws were implemented to protect the character and safety of our neighborhoods. The proximity of the current structure has always been a sore point, but I feel that adding only 6 ft. of space is still not adequate to provide privacy and prevent noise. Especially since the trees that exist along the back will be removed and cannot be replaced, as they would pose a risk to the foundations of these new homes.

I, and my neighbors, do not oppose new housing being brought into our neighborhood. We fully support Mr. Witt's effort to provide residential infill for the city and beautify the street of Jumel Place. However, we feel the scale of this project is over-zealous and out of character - not only for our neighborhood, but with the rest of Saratoga as well. A neighborhood boasting very modest sized homes (averaging 1450 sq.ft.) that are late American victorian/craftsman/turn-of-the-century in design is not the proper place for extremely large English country style homes.

Should the Downton Walk development be approved with the current variance requests, it paves the way for future developments of this scale to move into other neighborhoods throughout town, thus threatening the integrity and historical character of our city.

The neighbors ask that there be negotiation on the scale of the project and the requested variances. We would love to welcome Mr. Witt's talents into our neighborhood. But we desire our zoning laws to be upheld. They were not put in place just to be cast aside on a whim. We ask that you please take our concerns into consideration.

Thank you for your time.

Sincerely,

Kira Cohen

signatures_1458277405

Name	Postal Code	State	Signed On
Chris Mathiesen	12866	New York	2016-03-17
Kristin Brenner	12866	New York	2016-03-15
Catherine Golden	12866	New York	2016-03-15
Olivia Cruz	12866	New York	2016-03-15
Scott Starr	12866	New York	2016-03-15
Bryan N.	12866	New York	2016-03-16
Jane Stevens	12866	New York	2016-03-16
Jeannine Moran	12866	New York	2016-03-16
Carol Schupp Star	12866	New York	2016-03-16
Karen Pettigrew	12866	New York	2016-03-16
Margaret Selikoff	12866	New York	2016-03-16
Kim Fonda	12866	New York	2016-03-16
kathy shimm	12866	New York	2016-03-16
Ronnie Betor	12866	New York	2016-03-16
Frank Callucci	12866	New York	2016-03-16
debbie barry	12866	New York	2016-03-16
isabella warner	12866	New York	2016-03-16
Mary Tipton	12866	New York	2016-03-16
Claire Demarest	12866	New York	2016-03-16
John Veitch	12866	New York	2016-03-16
Liam Sheji	12866	New York	2016-03-16
Jim Favaloro	12866	New York	2016-03-16
Philip Donnelly	12866	New York	2016-03-16
Jennifer South	12866	New York	2016-03-16
Theresa Boisseau	12866	New York	2016-03-16
Susan DeRossi	12866	New York	2016-03-16
Christine Guarnieri	12866	New York	2016-03-16
Carrie Warner	12866	New York	2016-03-16
Jena Rotheim	12866	New York	2016-03-16
Steven McCarthy	12866	New York	2016-03-16
Martha Strohl	12866	New York	2016-03-16
Cherylle Hudak	12866	New York	2016-03-16
Lillian Spost	12866	New York	2016-03-16
Michael Gent	12866	New York	2016-03-16
Melany Gent	12866	New York	2016-03-16
Rob Wright	12866	New York	2016-03-16
Shawn Banner	12866	New York	2016-03-16
Randi Kish	12866	New York	2016-03-16
Mame Noonan	12866	New York	2016-03-16
Lynn Blasso	12866	New York	2016-03-16
John Kaufmann	12866	New York	2016-03-16
Deena Smith	12866	New York	2016-03-16
Janice Bellamy	12866	New York	2016-03-16
Lynda goodness	12866	New York	2016-03-16
Martha Ray	12866	New York	2016-03-16
Amy Barakat	12866	New York	2016-03-16
patricia rubio	12866	New York	2016-03-16

Kathleen Brown	12866	New York	2016-03-16
Pepper Wolfe	12866	New York	2016-03-16
Robert McTague	12866	New York	2016-03-16
Daniel Schwank	12866	New York	2016-03-16
Gordon Ray	12866	New York	2016-03-16
Emma Folkins	12866	New York	2016-03-16
Theresa Capozzola	12866	New York	2016-03-16
Leslie Brown	12866	New York	2016-03-16
Joan Nellhaus	12866	New York	2016-03-16
Gabriel Stinson	12866	New York	2016-03-16
Laura Blunt	12866	New York	2016-03-16
Nancy Wilder	12866	New York	2016-03-16
Hillary Takahashi	12866	New York	2016-03-16
Judith Brenner	12866	New York	2016-03-16
Mary O'Donnell	12866	New York	2016-03-16
Jay Rogoff	12866	New York	2016-03-16
Judi Duclos	12866	New York	2016-03-16
Penny Jolly	12866	New York	2016-03-16
Frank DeRossi	12866	New York	2016-03-16
Brucie Rosch	12866	New York	2016-03-16
Tracy Millis III	12866	New York	2016-03-16
Regina Camilletti	12866	New York	2016-03-16
Jacklyn Clark	12866	New York	2016-03-16
Barbara Ungar	12866	New York	2016-03-16
Celete Caruso	12866	New York	2016-03-16
Suzanne kwasniewski	12866	New York	2016-03-16
Deborah Millis	12866	New York	2016-03-16
Johanna Garrison	12866	New York	2016-03-16
William Pettigrew	12866	New York	2016-03-16
Robert Lippman	12866	New York	2016-03-16
Peter Lee	12866	New York	2016-03-16
Susan Traylor	12866	New York	2016-03-16
Marisa Wade	12866	New York	2016-03-16
Arthur Porter	12866	New York	2016-03-16
Kathryn Fitzgerald	12866	New York	2016-03-16
Annmarie Palmieri	12866	New York	2016-03-16
doug lake	12866	New York	2016-03-16
Nanci StJohn	12866	New York	2016-03-16
Katherine Totten	12866	New York	2016-03-16
Robin Kish	12866	New York	2016-03-16
Rhea Demory	12866	New York	2016-03-16
John Schroeder	12866	New York	2016-03-16
Derek Olsen	12866	New York	2016-03-16
Teri Blasko	12866	New York	2016-03-16
Karin Vollkommer	12866	New York	2016-03-16
David Lombardo	12866	New York	2016-03-16
Dina Fittipaldi	12866	New York	2016-03-16
Margaret Fittipaldi	12866	New York	2016-03-16
Julio Olvera	12866	New York	2016-03-16

Holly Lawton	12866	New York	2016-03-16
Jill P McMahon	12866	New York	2016-03-16
Stephen Farenell	12866	New York	2016-03-16
Frank Capone	12866	New York	2016-03-16
Bette Brill	12866	New York	2016-03-16
amejo amyot	12866	New York	2016-03-16
Joy Burke	12866	New York	2016-03-16
Patricia Cornute	12866	New York	2016-03-16
sue scherer	12866	New York	2016-03-16
David Morris	12866	New York	2016-03-16
Mary Frances Healy	12866	New York	2016-03-16
Tara Chhabra	12866	New York	2016-03-16
Annette Carman	12866	New York	2016-03-16
MaryAnn Wager	12866	New York	2016-03-16
Stephanie Ryall	12866	New York	2016-03-16
Lisa Campilango	12866	New York	2016-03-16
Deborah Garrelts	12866	New York	2016-03-16
Joosje Anderson	12866	New York	2016-03-16
Barbara Claydon	12866	New York	2016-03-16
Chris Pringle	12866	New York	2016-03-16
monica winn	12866	New York	2016-03-16
Tracey Radigan	12866	New York	2016-03-16
Amy Hichman	12866	New York	2016-03-16
Rick Moran	12866	New York	2016-03-16
Kayla Rynasko	12866	New York	2016-03-16
Jeanne Oconnor	12866	New York	2016-03-16
Chuck Lamb	12866	New York	2016-03-16
Charles Kish	12866	New York	2016-03-16
Colleen Downing	12866	New York	2016-03-16
Ann Haller	12866	New York	2016-03-17
Ellen Boyce	12866	New York	2016-03-17
Deanne Marg	12866	New York	2016-03-17
Richard Dunham	12866	New York	2016-03-17
Jodi Stevens	12866	New York	2016-03-17
Louisa Foye	12866	New York	2016-03-17
Karen Thomas	12866	New York	2016-03-17
Joseph Marcuccio	12866	New York	2016-03-17
Vicki Feldman	12866	New York	2016-03-17
Patricia Duval	12866	New York	2016-03-17
Gloria Burke	12866	New York	2016-03-17
Tamara Woolsey	12866	New York	2016-03-17
Dorene Couch	12866	New York	2016-03-17
Ingrid H Stone	12866	New York	2016-03-17
Barbara Proctor	12866	New York	2016-03-17
Sandra Cohen	12866	New York	2016-03-15
Oona Grady	12866	New York	2016-03-17
Roxanne Mead	12866	New York	2016-03-17
Wayne T. Senecal	12866	New York	2016-03-17
Tara Martin	12866	New York	2016-03-17

EDWARD Jewell	12866	New York	2016-03-17
Jerome Luhn	12866	New York	2016-03-17
Sheila Levo	12866	New York	2016-03-17
William Yusavage	12866	New York	2016-03-17
Melanie Herter	12866	New York	2016-03-17
Ina Harney	12866	New York	2016-03-17
James Lestrange	12866	New York	2016-03-17
Loretta Martin	12866	New York	2016-03-17
LeeAnne Olsen	12866	New York	2016-03-17
Joanne Dwornik	12866	New York	2016-03-17
Alan Edstrom	12866	New York	2016-03-17
Henry Bovee	12866	New York	2016-03-17
Sam Brewton	12866	New York	2016-03-15
Michelle Deyette	12866	New York	2016-03-17
Judy Riester	12866	New York	2016-03-16
Holly Bates	12866	New York	2016-03-16
Ann Sette	12866	New York	2016-03-16
Kira Cohen	12866	New York	2016-03-15
Michelle Deyette	12866	New York	2016-03-17
Judy Riester	12866	New York	2016-03-16
Holly Bates	12866	New York	2016-03-16
Michele McClure	12871	New York	2016-03-17
Susan king	12871	New York	2016-03-17
doug klein	12871	New York	2016-03-17
james brophy	12877	New York	2016-03-16
Amy Syrell	12803	New York	2016-03-16
Jarred Butler	12822	New York	2016-03-16
Meghan Cherny	12822	New York	2016-03-16
Gary Daluisio	12831	New York	2016-03-16
Erin Wiggin	12831	New York	2016-03-16
Llona Hogan	12831	New York	2016-03-16
Lori LeBarron	12831	New York	2016-03-16
Davene Jones	12831	New York	2016-03-16
Diller Ann	12831	New York	2016-03-16
Liz Mark	12831	New York	2016-03-16
renee harder	12831	New York	2016-03-17
Kelly O'DONNELL -Mackison	12831	New York	2016-03-17
Sunshine Stewart	12833	New York	2016-03-16
Darrell Rikert	12833	New York	2016-03-16
Kathy Becker	12833	New York	2016-03-16
Joyce McKnight	12846	New York	2016-03-16
JOHN DUANE	12850	New York	2016-03-16
Joann Lorman	12859	New York	2016-03-16
Randy Hammond	12859	New York	2016-03-16
Noah Casner	12865	New York	2016-03-16
Amber Duffney	12944	New York	2016-03-16
Julie Behrens	13743	New York	2016-03-16
Ardath Stroman	14105	New York	2016-03-16
Tracy Maimone	14445	New York	2016-03-16

Michael Yarinsky	11205	New York	2016-03-16
Janice Pancake	12020	New York	2016-03-16
Sherry Dapello	12020	New York	2016-03-16
Beverlee Patterson	12020	New York	2016-03-16
Shealyn Heritage	12020	New York	2016-03-16
Cindy June	12020	New York	2016-03-16
Michelle Cameron	12020	New York	2016-03-16
Cathy Hoff	12020	New York	2016-03-16
Beverlee Patterson	12020	New York	2016-03-17
Martha Almgren	12020	New York	2016-03-17
richard bradley	12020	New York	2016-03-17
Nancy Flynn	12028	New York	2016-03-16
Thomas Wadsworth	12043	New York	2016-03-17
Hannah Christopher Christopher	12065	New York	2016-03-16
Vanessa Saari	12065	New York	2016-03-16
Denise Dart	12065	New York	2016-03-16
Eric Gould	12144	New York	2016-03-16
Michael Taormina	12188	New York	2016-03-17
nancy Henry	12203	New York	2016-03-16
c frank parisi	12210	New York	2016-03-16
linda battiste	12302	New York	2016-03-16
Michael Yarinsky	11205	New York	2016-03-16
Janice Pancake	12020	New York	2016-03-16
Sherry Dapello	12020	New York	2016-03-16
Beverlee Patterson	12020	New York	2016-03-16
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Nancy Flynn	12028	New York	2016-03-16
Thomas Wadsworth	12043	New York	2016-03-17
Hannah Christopher Christopher	12065	New York	2016-03-16
Vanessa Saari	12065	New York	2016-03-16
Anthony Smith	20011	District of Columbia	2016-03-16
Karen Hefter	20637	Maryland	2016-03-17
Marie falls	22193	Virginia	2016-03-16
Robert Bostick	22202	Virginia	2016-03-16
Alysia Han	28036	North Carolina	2016-03-17
Allison Williford	28467	North Carolina	2016-03-16
Sherry Callahan	30517	Georgia	2016-03-16
John Spinelli	32724	Florida	2016-03-15
Justin Cressey	33066	Florida	2016-03-16
Bethany Cohen	33433	Florida	2016-03-17
Matt schwarz	33919	Florida	2016-03-16
Nicholas Rossi	34219	Florida	2016-03-17
Annette Damron	34461	Florida	2016-03-16

Paul Hibbert	74011	Oklahoma	2016-03-16
Michael Graul	80015	Colorado	2016-03-17
Rick Leverence	2144	Massachusetts	2016-03-16
Patricia Mathews	4073	Maine	2016-03-16
MaryBeth Hibbert	5408	Vermont	2016-03-16
Richard Hibbert	5408	Vermont	2016-03-16
Jennifer Kleindienst	6457	Connecticut	2016-03-17
Kathleen Ruggles Orefice	6880	Connecticut	2016-03-16
james yellen	7470	New Jersey	2016-03-17
Rick Leverence	2144	Massachusetts	2016-03-16
Patricia Mathews	4073	Maine	2016-03-16
MaryBeth Hibbert	5408	Vermont	2016-03-16
Richard Hibbert	5408	Vermont	2016-03-16
Jennifer Kleindienst	6457	Connecticut	2016-03-17
Kathleen Ruggles Orefice	6880	Connecticut	2016-03-16
james yellen	7470	New Jersey	2016-03-17

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of proposed "Downton Walk":

- We don't oppose Mr. Witt per se, or that he should develop this property.
- But we are concerned about the scale of the variances he is requesting and of the project as currently designed.
- We are concerned that the current design and density of the proposal and the number and size of the proposed homes are out of character with this historic neighborhood.
- We would like a revised more reasonable proposal.

Joan Rupprecht, [redacted] Jumel Place

Larry Britt

Marie Britt [redacted] Caroline St.

Anne Kearney Prouty [redacted] Jumel Pl.

Bill Evans [redacted] June Pl.

Mary Hibbert [redacted] Jumel Place

[illegible]

(Gabriel Edell) [redacted] Jumel Pl.

Michael P. Perri [redacted] Jumel Pl.

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Rachel D Morris [redacted] Ludlow St.

[illegible] [redacted] Ludlow St SS NY 12866

[illegible] [redacted] Ludlow St 12866

[illegible] [redacted] Maple ave 12866

[redacted]

Alison Manning [redacted] Jumel Pl 12866

Elizabeth DiMuzzo [redacted] Lake Ave Saratoga Springs NY 12866

[illegible] [redacted] Lake Ave Saratoga Springs NY 12866

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Karyn Lanatti [redacted] Lake

Karen Hicks [redacted] Lake Ave

William MAX OSWALD [redacted] EAST Ave

Marie Sanok [redacted] East Ave

I do oppose.

Gina Morris 8 Pinewood Ave this development

Joe Fitzgerald [redacted] EAST Ave

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[signature] LITWIN, ERIC [redacted] LAKE AVE

[signature] YUSAVAGE, WILLIAM [redacted] East Ave

Linda Church Linda Church [redacted] Lake Ave, Saratoga Springs NY

Paul Church [redacted] LAKE AVE SARATOGA SPRINGS, NY 12866

Jim MacNeill [redacted] Lake Ave SS. Jim MacNeill

Susie O. Torone [redacted] East Ave. S.S. 12866

[signature] [redacted] Hutchins St 12866

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LITWIN, ERIC [redacted] LAKE AVE

William F. Savage (SAVAGE) WILLIAM [redacted] East Ave

Linda Church Linda Church [redacted] Lake Ave, Saratoga Springs NY

Paul Church [redacted] LAKE AVE SARATOGA SPRINGS, NY 12866

Jim MacNeill [redacted] Lake Ave SS. Jim MacNeill

Susie O. Toone [redacted] East Ave. S.S. 12866

[redacted] Hutchins St 12866

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Karyn Zanetti [redacted] Lake

Karen Hicks [redacted] Lake Ave

William Max Oswald [redacted] East Ave

Marie Sanok [redacted] East Ave

Tina Morris [redacted] Pinewood Ave I do oppose this development

Joe Fitzgerald [redacted] East Ave

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Rachel D Morris [redacted] Ludlow St.

[illegible] [redacted] Ludlow St SS NY 12866

[illegible] [redacted] Ludlow St 12866

[illegible] [redacted] Maple ave 12866

[redacted]

Alison Manning [redacted] Jumel Pl 12866

Elizabeth DiMuzzo [redacted] Lake Ave Saratoga Springs NY 12866

[illegible] [redacted] Lake Ave Saratoga Springs NY 12866

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Mary Hibbert [redacted] Jumel Place

(Gabriel Edell) [redacted] Jumel Pl.

Michael P. Perri [redacted] Jumel Pl.

WATER UNDER THE BRIDGE . . .

After spending much time with the drawings and plans for Downton Walk, something about the numbers has not felt right. But, this time, it had to do with permeability, the amount of vacant land on a lot that is available to absorb water, such as rain, melting snow, pipe break, swimming pool overflow, etc.

Because we were previously pursuing other issues, we didn't really look at the math in the permeability charts presented on the drawings. A closer examination reveals some inconsistencies and numbers don't seem to add up.

If you want to follow along, we draw your attention to the builder's package presented at the March 7, 2016 meeting of the Zoning Board of Appeals. Copies of the documents can still be found online at http://www.saratoga-springs.org/AgendaCenter/ViewFile/Item/379?fileID=1546

We are referring specifically to pages 14 & 17. The numbers on page 14 are very fuzzy, because they are reduced copies of what appears to be a blueprint. So, our figures might not be exact, but we are confident that they are very close. Also, it is our understanding that, to find the permeable area that is left on a lot, one adds the footprints of the homes planned for the land to the other areas designated as non-permeable, because the areas under roof are considered non-permeable.

Witt states on the drawings chart that the **non-permeable area** (listed as the size of the road, driveways, pavers, porches, "living", and garages -- **excluding** the housing footprints) is roughly **21,300** sq.ft. When we add in the home **footprints** total from the other chart – roughly **15,900** sq.ft. – we arrive a grand total of non-permeable surface of **37,200** sq.ft. Yet, the area of the lot itself is only **34,765** sq.ft. So something **must** be wrong, especially when 25% of the land – in this case, **8,691** sq.ft. – must be kept permeable.

At best, perhaps we could remove the "Living" line item in the Non-Permeable Areas part of the chart on page 14. That represents about 5,660 sq.ft. We cannot understand what that is. So we're thinking perhaps it was a mistake? That would **adjust** the designated **Non–Permeable area** to **15,640** sq. ft. Added to the **15,900** sq.ft. of **home footprints**, the **total Non-Permeable** would be reduced to **31,540**. However, the difference of **3,225 sq.ft. (9.28%)** does not meet the City's need for **8,691 sq. ft. (25%)** of permeability.

At a glance, it appears to all work beautifully for him on page 17, **because** he has only cited Roads and Driveways as non-permeable, **neglecting to add in the other non-permeable items on his chart on page 14: specifically pavers, porches, "living", and garages**. If there is a viable reason for this, we would greatly appreciate an explanation. If not, we think the City has an obligation to make certain he's not accidentally taking advantage of more area variances than he is requesting.

We feel quite certain that, should this project proceed, detailed plans with accurate measurements will be forthcoming. But that might be far too late, because it is not impossible that the ZBA will have already cast the die for the Jumel Place “seasonal swimming pool” which -- because of non-permeability of the land -- could periodically replace the street itself.

So we ask the ZBA to stop this process and request accurate accounting of permeability as well as further information on the expected final sizes of the homes being planned, as at least five of the square footages being discussed in the media either match or come close to the sizes that appear as **single-story footprints** on the permeability chart -- while the project elevations call for multiple story structures.

###

From: "Kira Lajeunesse" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 4:06:50 PM
Subject: Downton Walk Proposal-27 Jumel Place

Ladies and Gentleman of the Zoning Board of Appeals,

There is no reason that Mr. Witt should be granted any variance to the current zoning law of the City of Saratoga Springs. The lot upon which he wishes to build is in a UR3 zone which does not permit the type or size of structure which he seeks permission to erect. The homes surrounding this site are single family residences with no more than 2000 square feet of living space. The structures proposed by Witt simply do not fit in the neighborhood, and clearly will change or alter the character of this neighborhood.

Mr. Witt can build homes that do, in fact, blend with the neighborhood, that do not violate

the zoning law and do not require any variances and still realize a profit..

This seems another example of local builders trying to convince the Zoning Board that in order to make a profit they must be given a variance. There is no hardship that he will suffer if not granted the variance that he seeks.

As an owner of two homes in Saratoga's Historic District (one on Circular Street and one on White Street) and a resident of Saratoga's historic district for over thirty years, I am appalled by the gross changes that have begun to encroach on our neighborhoods.

Please deny the variance for the benefit of the city and the residents who have made Jumel Place their home.

Thank you,
Kira Lajeunesse

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From: "Laura Giannini" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 3:12:47 PM
Subject: Opposition to proposed 27 Jumel Place development

Ms. Barden,

I'd like to express my objection to the proposed Downton Walk project and the associated variance requests for the 27 Jumel Place property. I live several houses away on Jumel Place, and I strongly feel that the scope of the project is not fitting or appropriate for our neighborhood. Additionally, the proposed density and the number of requested variances are concerning for both this particular property and the precedent that approval may set moving forward. I am not opposed to rejuvenation of this property in general, just the specifics of this particular proposal. I would support a more balanced project in line with

the invaluable character of our neighborhood.

I often walk past this property on my way to East Side Rec with my young son, and I do not want that part of our street to be built up in a fashion so incongruous with the scale, architecture, and lot set-up as the rest of the street.

Thank you for your consideration of the views of the neighbors as you evaluate this decision.

Laura Giannini
[redacted] Jumel Place, Saratoga Springs

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From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 11:45:51 AM
Subject: Save Saratoga

We agree that the Downtown Walk proposal on Jumel should not go forward.

Lesley and Bob Vogel
[redacted] Caroline Street

From: "Reg Lilly" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Saturday, March 19, 2016 1:39:51 PM
Subject: 27 Jumel

Hello,
I live at [redacted] Granger, right around the corner from the propsed condominium. Last I heard, there was a plan to build several McMansions there. I'm definitely opposed to the development that I now read about on the flyer you left on my door.

Sincerely,
Reginald Lilly
[redacted] Granger Ave
Saratoga Springs, NY

From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Saturday, March 19, 2016 10:04:10 AM
Subject: PLEASE!!!!!!!!!!!!!!!

STOP THE MADNESS THAT IS GOING ON WITH THE BUILDERS/DEVELOPERS & THE REAL ESTATE BUSINESS!!!!!!!!!!!!!!!!

From: "Penny Jolly" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Friday, March 18, 2016 9:25:27 AM
Subject: Downto Walk

Dear Ms. Barden,

I wish to urge the ZBA to turn down the request for all the variances so that the builder can build 7 codos in what is clearly a neighborhood of one-family houses on individual plots of land. I live about 3 blocks away from the site and often walk there; Downton Walk simply does not fit in: it's pretentious, crowded, and totally out of character with the neighborhood. That's why we have zoning laws: to maintain certain types of structures in certain parts of the city. Please do NOT waive these zoning restrictions.

Thank you,
Penny Jolly

****

Dr. Penny Howell Jolly
Professor of Art History
Filene 111
Skidmore College
Saratoga Springs, NY 12866

From: "Deborah Garrelts" <[redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Friday, March 18, 2016 7:22:45 AM
Subject: downton walk

Ms. Barden and zoning board of appeals,
I am voicing objection to the downton walk project.
the zoning variances and elimination of set backs is an intrusion
on the existing neighborhood.

The "charm" of the condo units does not fit at all in the existing
character of the neighborhood despite Mr. Witt's extensive
reputation. It calls to mind a McMansion that was built on
North Broadway which inspires ridicule for being over the top and pretentious.

The project impacts its immediate neighbors in a negative way
through loss of trees, loss of light by towering over other structures, and
loss of privacy through reduced or eliminated setbacks.

I urge the zoning board of appeals to reject the project as it is until changes are made
to lessen the negative impacts on neighbors and the neighborhood.

--
Deborah Garrelts

---------- Forwarded message ----------
From: **Darlene Murray** [redacted]
Date: Fri, Mar 18, 2016 at 7:13 AM
Subject: The Witt Construction Project called "Downton WalK"
To: bbirge@saratoga-springs.org, maynard@saratoga-springs.org, cindy.phillips@saratoga-springs.org, gonzalez@saratoga-springs.org, Christina.Carton@saratoga-springs.org, susan.barden@saratoga-springs.org
Cc: jwitt@wittconstruction.com, Sam Zucchini [redacted], Debbie Garrelts [redacted], William Yusavage [redacted]

Dear Members of the Zoning Board of Appeals

I am writing to express my concerns about the project called "Downton Walk" proposed by John Witt. My husband, William Yusavage and I currently own a two-family home at [redacted] East Avenue, and I own a a single family home located behind my house at [redacted] East Avenue, around the corner from Jumel Place. I pass the lot in question on a daily basis when walking. I have lived in Saratoga Springs since 1991, and have owned four houses in the city, including three in this neighborhood. I have lived on East Avenue for a combined total of 20 years, and I love it because of the neighbors who all look out for one another.

Its a warm and inviting neighborhood of middle-class families, and I know a number of them personally.

First, let me say that I mistakenly signed a letter of support for the project last week when Mr. Witt came to my house on a door-to-door mission to gain support. I was pleased to hear that the stucco building that is currently at the location on Jumel Place would be replaced with housing, however now I am concerned with the style and scope of the project.

My current understanding is that the lot is zoned for five single-family homes or four two-family homes. I understand that Mr. Witt wants to build seven single family homes on this lot. Unfortunately, the project he has put forth does not appear to fit into the neighborhood, becasue of its design and scope. It is my understanding the required setbacks are being violated with this plan. Looking at the rendering, it appears to have a stone facade and an Elizabethan design. Contrast this with the modest wood-framed Victorian homes surrounding the lot on all sides, and it looks completely out-of-place. It certainly appears that there would be no back yards, front yards or even adequate parking spaces on the lot, which is concerning to me as a local resident. It means that these houses would not appeal to families, but rather to retirees or those purchasing a second home, who don't want the trouble of yard upkeep. As second homes these houses may sit empty for much of the year. In addition, I am concerned that the lot may be fenced in at a hight of 8 feet. Nothing says "I don't want to get to know my neighbor" more than an 8 foot high fence! Look around the nighborhood and note that there are almost no high fences separating yards. In fact, our fences are 3 or 4 feet high so that we can chat with our neighbors, and keep an eye on each other's homes, especially during the racing season when burgleries and other crimes spike in our neighborhood.

For these, and many other reasons, I respectfully request that the Zoning Board of Appeals deny Mr. Witt's current propossal and ask him to modify his plans to include no more that five single-family homes, with Victorian style architectural elements, adequate off-street parking, and that no high fences be erected that would wall-off the houses like a gated community.

Thank you for your consideration of my request.

Darlene D. Murray
[redacted] East Avenue
Saratoga Springs, NY
[redacted]

From: "Gerald Mattison" [redacted]>
To: "joanne yepsen" <joanne.yepsen@saratoga-springs.org>, "michele madigan" <michele.madigan@saratoga-springs.org>, "christian mathiesen" <christian.mathiesen@saratoga-springs.org>, "john frank" <john.frank@saratoga-springs.org>, "skip scirocco" <skip_scirocco@saratoga-springs.org>, "joseph ogden" <joseph.ogden@saratoga-springs.org>, "tim cogan" <tim.cogan@saratoga-springs.org>, "sharon kellner-chille" <sharon.kellner-chille@saratoga-springs.org>, "lynn bachner" <lynn.bachner@saratoga-springs.org>, "eileen finneran" <eileen.finneran@saratoga-springs.org>
Sent: Wednesday, March 16, 2016 6:01:01 PM
Subject: Jumel Redevelopment Proposal

Dear Mayor Yepsen and the City Council.

I'm sure by now you are aware of the Downton Walk Development proposed for 27 Jumel. Though we all probably agree that the removal of the factory building that presently occupies the property and replacing with residential housing would be the ideal for all involved parties, the present proposal before the Zoning Board of Appeals violates the spirit and intent of the current zoning ordinances. This is not only manifested by the number of variances sought (5) but also by the significant amount of relief requested for each variance. The net result is not just a minor tweak such as to allow a homeowner change a deck, or perhaps enlarge a garage built for buggies to accommodate a vehicle, but rather the variances are being used to subvert the local Zoning. It is important that this ***not*** become a precedent that can be cited for development in other City residential areas!

To be sure I do not blame the developer. It is in the realm of the City Planners and the Zoning Board of Appeals to protect the spirit of the Zoning ordinances yet provide case specific variances that will minimally alter the spirit of the zoning. This is especially important in residential areas. I contend, at least in this case, those we have hired or appointed, have fallen short in carrying out the mission that the residents have entrusted them to perform.

The Zoning Board of Appeals has yet another chance on Monday to review the application and hopefully recommend to the developer a resubmission of a plan that will not subvert the intent of the Zoning Ordinances. I would hope the Mayor and City Council would also agree that the spirit of the zoning should not be compromised and will also express their concerns to the Zoning board of Appeals.

Respectively,

Gerald Mattison,

[redacted] Lake Ave Saratoga

Cell: [redacted]

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From: "Peter Dorsman" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Wednesday, March 16, 2016 9:39:20 AM
Subject: Downton Walk Development

Susan

I have been following the approval process regarding Downton Walk and wanted to express my support. It is my understanding the Saratoga Springs Planning Board has agreed to an extension of the previously received approval of the development and a similar extension request will be reviewed by the Saratoga Springs Zoning Board.

Before moving to Saratoga Springs in 2014 I lived in Manhattan so I am familiar with housing density. The plans I have seen for Downton Walk are aesthetically appealing and representative of "the art of the possible" when designing residences in an existing neighborhood.

My Saratoga residence (Park Alley North) is in an area that was developed by John Witt. While I did not purchase my home from Witt Construction, I bought the home because I was impressed with the quality of the construction and what Witt Construction was able to create in a relatively small area. I am confident Witt Construction will deliver a similar result with the development of Downton Walk.

Peter Dorsman

From: "Kara Conway Love" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: [redacted]
Sent: Tuesday, March 15, 2016 9:50:14 PM
Subject: Witt Construction Project - 27 Jumel Place

Dear Ms. Barden- we are in favor of the Witt Construction project on Jumel Place in the City of Saratoga Springs. We recently met with Mr. Witt to learn more about the proposed single family condominium project. We believe that the project will improve the neighborhood by eliminating the existing commercial building and constructing attractive homes which will fit in the neighborhood. The proposed homes will have similar setbacks to the existing homes on the street. This project is sure to enhance the neighborhood and increase property values.

Thank you for your time.

John Love and Kara Conway Love
[redacted] Waldens Pond Rd, Albany, New York 12203
[redacted] (Kara cell)

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----- Forwarded Message -----
From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 8:25:20 PM
Subject: Jumel Place development

I'm writing to express my concern about the proposed Jumel Place development, which would be unacceptably out of scale with the surrounding neighborhood. Not only would the variances requested result in irrevocable harm to what is now a beautiful area, but granting them would set a very dangerous precedent. I ask that the variances be denied, and only a neighborhood-compatible plan approved.
Thank you.
Judith LaPook
[redacted] Horseshoe Drive
Saratoga Springs

Sent from my iPhone

From: "Linda Church" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 8:12:10 PM
Subject: Jumel Place - Downton Walk

Dear Ms. Barden and members of the zoning board,

I am writing to express my concern about the variances requested by Mr. Witt for the proposed project on Jumel Place. The size and scope of the project is not in scale with the existing neighborhood, and the density for the size of the property is inappropriate for this UR3 zoned area. The current zoning exists for a reason, and if you grant these variances, this will give license to any builder who wishes to do the same. The city is already choking under all the growth, and we are losing the quaint character of what was Saratoga.

Mr. Witt builds beautiful homes. I respectfully ask that he submit a project that is smaller

in size, more fitting to the surrounding homes (most of which are under 2000 square feet), which do not encroach on the neighbors, and one that keeps more green space in our neighborhood. Deny this change in zoning for the good of our city, and the neighbors on Jumel.

Respectfully Submitted,

Linda Reese Church
[redacted] Lake Ave.

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From: "Tina Morris" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 20, 2016 6:09:00 PM
Subject: "Downton Walk Development"

Susan,
I live very near-by this proposed project and am extremely concerned.

Seven single condominiums could easily be only the beginning of a major change to our small early 20th century neighborhood.

I was born and raised in Los Angeles, CA where set backs and limits on the number of stories have been ignored. The results are in a word, a "mess"!

If zoning regulations/laws are waived for Mr. Witt then a long line of developers will follow! A precedent should definitely not be set here, no exceptions!

Tina Morris

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From: "Scott Dexter" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 27, 2016 12:00:51 PM
Subject: 27 Jumel

Ms. Barden,

We own [redacted] Jumel Place, which has a long shared property border with the proposed property.
The issue of the application for variance for 27 Jumel has only recently come to our attention.

We oppose the variance for the number of proposed properties for the sight.

Furthermore, we particularly opposed the variances for the setback, since buildings would be within 6 feet of our property, as well as the proposed 8 foot fence, if indeed that fence will border the back yard of [redacted] Jumel.
These variances will adversely impact the enjoyment and aesthetics of our property. In fact, I am sure the zoning codes were designed to protect property owners from precisely such an adverse impact.

Sincerely,
Scott and Martha Dexter

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

March 22, 2016

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

RE: SCPB Referral Review#13-109–Area Variance- ANW Holdings/Witt
Demolition of existing building to construct a 7-unit condo building needing variances for front yard setbacks, lot coverage and height for exterior fence. Jumel Place, north side & Granger Ave., west side.

Received from the City of Saratoga Springs Zoning Board of Appeals on March 18, 2016.

Reviewed by the Saratoga County Planning Board on March 22, 2016.

Decision: No Significant County Wide or Inter Community Impact

Comment: We recognize the referral to be submitted because the original variances granted to the appellant on May 1, 2014 have expired without any activity having been undertaken. It is additionally acknowledged that the appellant has presented nothing of great magnitude as new or additional to the variance request made since our last review of the project. In accordance with the Memorandum of Understanding (MOU) between the City of Saratoga Springs Zoning Board of Appeals and the Saratoga County Planning Board (SCPB) the above-noted area variances have been reviewed and deemed to present no impacts or issues of a countywide or intermunicipal nature.

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

From: "stephanie waring" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Sunday, March 13, 2016 2:06:36 PM
Subject: Downton Walk

Dear Ms. Barden,

I've read the Saratogian article on Downton Walk and I have been aware of this project. I'm worried that it is a clever way to get around zoning laws. What is the point of zoning laws if you can get around them so easily? I'm not from this neighborhood. I live in Saratoga. If John Witt is granted what he's asking for then why do we have laws if any developer can come in and develop any way he/she wants in this City? I don't understand how this project was approved the first time and why it is being considered again. Thank you and I appreciate the opportunity to make my feelings known.

Sincerely,

Stephanie Waring

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From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: "Linda" [redacted]
Sent: Saturday, March 12, 2016 11:36:51 AM
Subject: Fwd: Witt Construction Downton Walk

Ms. Braden -

My wife Linda and I live at [redacted] East Ave. and also own the residence at [redacted] East Ave. As we have previously communicated to Mr. Witt, we are in support of his project and believe it will ultimately improve the neighborhood. Our one concern, also communicated to Mr. Witt, is in regards to the demolition of the current property. Specifically, this property has been (mostly) vacant and in disrepair for several years and we are worried that there may be various 'pests' living in/on the property that may become dislodged during demolition and then relocate throughout the neighborhood. Mr. Witt has assured us that he will take proper measures to ensure this does not happen. We would ask that the city be aware of this concern and stress/ensure remediation measures are taken when granting Zoning approval.

Regards,

Jeff & Linda Anderson
[redacted] East Avenue
Saratoga Springs, NY 12866

Ph. [redacted]

- sent from my iPad

Begin forwarded message:

From: Marci Robinson [redacted] >
Date: March 11, 2016 at 11:38:09 AM EST
To: Marci Robinson [redacted] >
Subject: Witt Construction Downton Walk

All,

We are pleased to inform you that we are moving along with our plans for the property on 27 Jumel Place, Saratoga Springs. Due to the lengthy probate process the City approvals we received have expired. We received approval for an extension from the Planning Board last night and we are scheduled to go before the Zoning Board again this month to apply for an extension. Attached is a drawing of the proposed 7 lot single family condominium project. The project will improve the neighborhood by eliminating the existing commercial building and constructing attractive homes which will fit in the neighborhood with similar setbacks to the existing homes on the street. This project is sure to enhance the neighborhood and increase property values.

We hope that you will express your support by sending a brief email to Susan Barden (the planner assigned to the ZBA) susan.barden@saratoga-springs.org. as we go before the City Zoning Board of Appeals for approval on Monday, March 21, 2016 at 7pm. It is important to include your name and physical address on the email. Please send the email to Susan Barden and cc me so that John Witt will have a copy of all letters supporting the project.

Once the extension is approved, we plan to close on the property and move full speed ahead with construction!

Best,
MR

Marci Robinson
Sales Assistant

Witt Construction, Inc.
563 North Broadway
Saratoga Springs, NY 12866
518.587.4113

[image/jpeg:image002.jpg]

From: "John Cashin" [redacted]>
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Friday, March 11, 2016 3:09:21 PM
Subject: Downton Walk Zoning Variance

Dear Ms. Barden,
I wish to add my voice to those City residents in opposition to the proposed zoning variances necessary to permit the Witt subdivision called Downton Walk. John Witt has repeatedly shown his insensitivity to the needs of the communities where his subdivisions are being developed. His only concern is to maximize the return on his investment in the parcels he purchases. He has wantonly cleared in a designated "no cut" zone in the Town of Greenfield and has proposed clear cutting in a designated "Open Space" in a planned Conservation subdivision in the town of Saratoga. In the furtherance of his plans, he has repeatedly attempted to misconstrue the provisions of the zoning regulations and the explicit provisions of the Comprehensive Plan to achieve his ends.

While he is fully aware of the Zoning requirements in a Urban Residential-3 zone, Witt simply believes that the Zoning laws and the provisions of the City's Comprehensive Plan do not apply to him. Below I have reproduced an excerpt from an well written and researched article by City resident, Sandy Cohen. The article succinctly describes Witt's attempt to manipulate the zoning provisions well beyond their original intent and shows his total disregard to the explicit provisions of the City's Comprehensive Plan. His lack of concern for community character simply knows no bounds.

Please advise the Zoning Board of Appeals to deny this application.
Respectfully,
John Cashin

The most basic of the issues was the **seven condominiums** he is proposing to build. All will be free-standing structures. So, in his mind, they are basically single-family homes. However, the owners will only be buying the walls and the space within them. The land under and around them will be owned by all the homeowners with an undivided interest and managed by a Homeowners Association that they will direct to maintain and care for it – thus the condominium moniker. The ZBA feels that such ownership is not enough to consider the project a "regular" condominium for zoning purposes – because it will "look like" it's made up of single-family homes. This becomes a confusing issue, because, on one hand, the builder is admitting he is building condos, only because of the land-ownership factor; but, on the other hand, he wants special consideration for his request to place more structures on the lot than allowed by law.

Most communities refer to Witt's model as "zero-lot-line" homes and do not "condominiumize" the land. Zero-lot-line homes are considered **cluster housing** and, in Saratoga Springs, are allowable **only** in the Urban Residential-1 (UR-1) and Suburban Residential-2 (UR-2) districts. The codes for those types of communities require the land to be subdivided before it can be approved. Witt has not applied for subdivision, which requires much heavier oversight before approval. The codes addressing cluster housing **require** adherence to proper set-backs to existing properties, although they can be ignored between the homes within land being developed. They also require a strict percentage of the land to be left green. Witt is requesting relief from those setbacks; and has not even made a request for as much relief as he would need, because of the orientation of the homes on the land. And he is not leaving anywhere near as much green land surrounding those homes as required by law. But even those two issues are trumped by the fact that these **are** condos that may NOT be built in a UR-3 district.

If Witt wants to continue to ask for such allowances, especially for condos/multi-family housing in a UR-3 area, we believe it is incumbent on him – by the City's Comprehensive Plan, Charter, and Zoning Codes – to petition the City Council, which we also believe is the **only** group that can make such exception, by changing language in the Comprehensive Plan itself to allow multi-family housing in a Core Residential Neighborhood-1 (CRN-1) category. However, such a drastic change as this would be opposed by most of the more than 10,000 homeowners throughout the residential neighborhoods in our city.

We contend that the Zoning Board of Appeals will be operating outside of its purview, if it approves Witt's application.

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From: [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: "Marci Robinson" [redacted]
Sent: Friday, March 11, 2016 11:24:45 AM
Subject: Witt Construction Downton Walk-Jumel Place

Meghan O'Connor
Realty USA-Scott Varley Team
66 Warren St
Saratoga Springs, NY 12866

Susan,

I'm writing this email in support of the Downton Walk on 27 Jumel Place. I have several clients that are very interested in building in this neighborhood. The proposed plans and neighborhood concept will only help and increase the value of existing homes. This John Witt project will be a great addition to the city of Saratoga Springs. Please make sure that this email is recorded in favor of the project. Thank you for your time.

Sincerely,

Meghan OConnor

3/14/2016

To: Saratoga Zoning Board of Appeals

Saratoga Council and Planning Board,

First of all I can appreciate the awkward position in which the proposal to develop 27 Jumel Place puts the Zoning Board of Appeals, after having already approved the numerous substantial variances two years ago. Having said that, this also gives the Zoning Board, the neighborhood, and the Saratoga Community at large, another opportunity to take a second look at this proposal and its potential city wide long term effects.

I think we all agree the development of the property into residential use could be an asset to the neighborhood and the City Tax Rolls as well.

The broader questions, First : Is this is the right development for this piece of property? John Witt and his construction company are well-known at producing high quality, high end units. By John's own description this would add six million + to the tax rolls. However, a project of this magnitude on this property is requiring numerous (at least 5) and substantial variances (90% and more) relief with major modifications to the zoning regulations in a residential area.

Second: There are questions as to this *type* of development in the UR-3 zoning. This kind of development seems to be a first for the City's residential areas…Do we really want to make quasi-single family / condominium a precedent for change for other parts of the City's residential zoning?

One of the criteria that the Zoning Board of Appeals must consider is **"Whether the benefits sought by the applicant can be achieved by any other means".**

Does anybody really believe you need a six million dollar plus project to reasonably and economically develop this site? It seems reasonable that a scaled back project even in the 3 to 4 million dollar range that stays within zoning requirements would be feasible and lucrative. Even at that level it far surpasses the value of any property in the area, perhaps even the Eastside. Understandably a developer wants to maximize their investment; however it should not be the role of the Zoning Board of Appeals to grant variances to ensure increased profitability of the development. A more modest development that remains within the guidelines is in order.

Another criterion the ZBA must consider is **"Whether the variances will produce an undesirable change in the neighborhood or a detriment to nearby properties"**.

An increase of lot coverage over 50% above Zoning restrictions is very significant, especially considering this is one of the largest parcels in the neighborhood. Although none of the public materials available indicate the height of any of the buildings, presumably all are well under the 60 ft zoning limit. Pertaining to the two Jumel Place facing structures however, the graphics indicate 3 stories with copula's which are well above the surrounding 1 to 1 ½ story homes; in addition they rise up 1 foot from the sidewalk. Slightly smaller homes appear to be depicted toward the rear of the property. At such heights privacy to the surrounding neighboring back yards is reduced. The development is also surrounded with a 6 to 8 foot opaque wall separating the older neighboring properties from the new development. All of these would seem to be an undesirable change if not a detriment to the neighborhood. A more modest development that remains within the guidelines would be appropriate.

A third consideration of the ZBA is **"Whether the variance is substantial"**

All Five of the variances sought after seem very substantial, ranging from a 50% to 90% relief in the codes. A more modest development that remains within the guidelines is obtainable.

And the last ZBA consideration: **"Was the alleged difficulty self created?"**

The concerns of criteria 1, 2, & 3 can all be resolved with: A more modest development that remains within the guidelines of the zoning.

I urge the Zoning Board of Appeals to deny the zoning variances and to suggest a redesign of the proposed development.

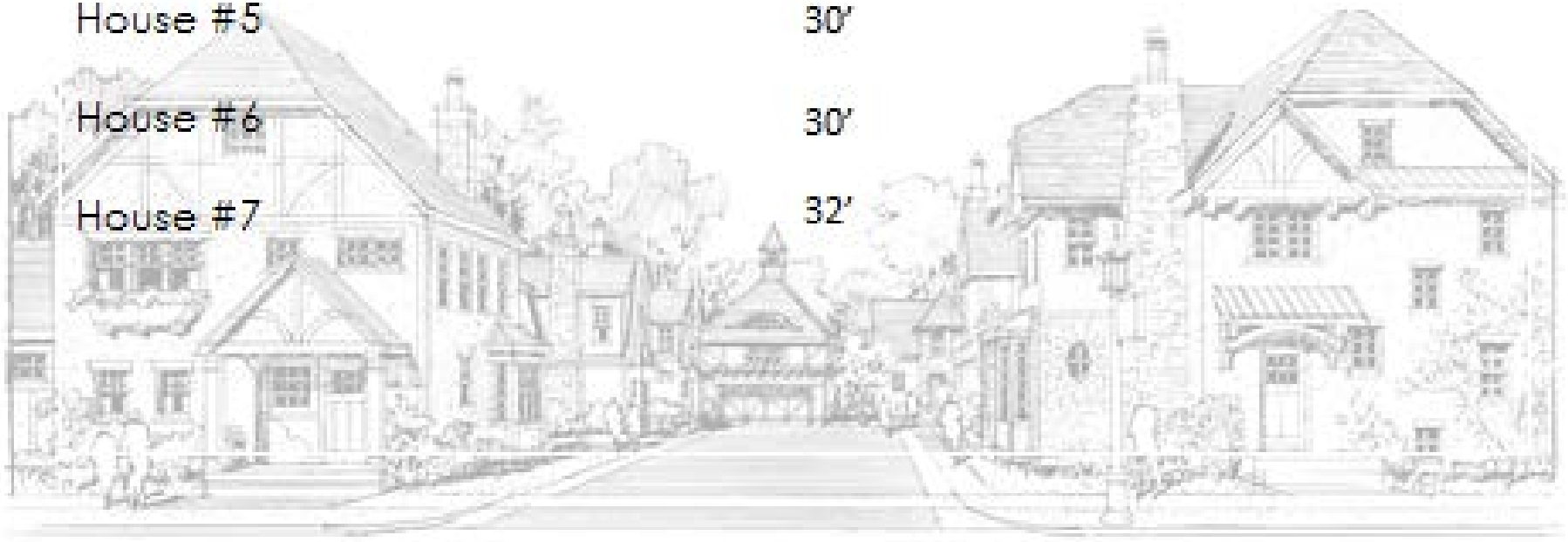
Respectively Submitted,

Gerald Mattison

[redacted]

Approximant Height of Homes

	Ridge
House #1	33'-6"
House #2	27'
House #3	27'
House #4	32'
House #5	30'
House #6	30'
House #7	32'



Fence Concepts:

6’foot fence with 2’ lattice.

Zimbra **lindsey.gonzalez@saratoga-springs.org**

#2759.1 ANW HOLDINGS RESIDENTIAL DEVELOPMENT

From : J Valetta [redacted] Wed, Mar 09, 2016 01:10 PM

Subject : #2759.1 ANW HOLDINGS RESIDENTIAL DEVELOPMENT

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

Cc : kate maynard <kate.maynard@saratoga-springs.org>, bbrige@saratoga-springs.org, cindy phillips <cindy.phillips@saratoga-springs.org>, lindsey gonzalez <lindsey.gonzalez@saratoga-springs.org>, christina carton <christina.carton@saratoga-springs.org>, joanne yepsen <joanne.yepsen@saratoga-springs.org>, skip scirocco <skip.scirocco@saratoga-springs.org>, christian mathiesen <christian.mathiesen@saratoga-springs.org>, michele madigan <michele.madigan@saratoga-springs.org>

To: The Zoning Board of Appeals of the City of Saratoga Springs, NY

cc: Saratoga Springs City Council, Saratoga Springs Planning and Economic Development Department

Re: Application for “seven unit condominium project,” and requests for substantial Zoning Variances at 27 Jumel Place, Saratoga Springs, by ANW Holdings

We are writing to ask you to deny the zoning appeal from ANW Holdings for variances to build 7 unit condominium project on the property of 27 Jumel Place. We would welcome the development of our adjoining property; however we feel the variances that have been requested are too excessive. In addition, according to the definition of condominium in our city zoning ordinance as a multi-family dwelling, it is not allowed in the UR-3 zoning district.

The Saratoga Springs Zoning Ordinance defines a condominium as follows:

“CONDOMINIUM: A multifamily dwelling containing individually owned dwelling units, wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the

development."

A subdivided lot this size, of which this request for a variance is not, in a Core Residential Neighborhood-1 or a UR-3 Zoning District would allow for 5 single family homes or 4 two-family homes.

The Land Use category of Jumel Place in our city's 2015 Comprehensive Plan is a Core Residential Neighborhood-1 (CRN-1), allowing a maximum density of 10 units/acre. In our city's Zoning Ordinance, Jumel Place is located in an Urban Residential-3 (UR-3) Zoning District, which allows for only single and two-family homes to be built. By law, this particular parcel of land is large enough to allow five single family homes or four two-family homes.

The request for seven single family condominiums is 40% over the density allowed in an UR-3 Zoning District and creates a 40% density bonus. In our city's Zoning Ordinance, a density bonus of this magnitude is only allowed for affordable senior housing. This project has not been presented as neither senior nor affordable housing.

To allow for the density the applicant is requesting, the city council would have to change the Land Use category of this area in the Comprehensive Plan from a Core Residential Neighborhood-1 (CRN-1), which allows up to 10 units/acre, to a Core Residential Neighborhood-2 (CRN-2), which allows up to 15 units/acre.

The substantial variances the applicant is asking for include:

1) The maximum building coverage allowed on this lot is 30%. The previous request was for a 43.5% building coverage allowance, or 45% more than what is allowed. The request has been increased to 46%, or 53.3% more than what is allowed.

2) The rear yard setback required for each unit is 25 feet. The applicant is asking that this requirement be eliminated by 100% for five units, going from the 25 feet required to zero (0) feet. For the remaining two units he is asking for a 76% reduction in the rear yard setback from 25 feet to 6 feet.

3) The front yard setback required for the two front units is 10 feet. The applicant is asking for one (1) foot, a 90% reduction in the front yard setback.

4) The fence height allowed in this UR-3 residential area is six feet. The applicant is asking for an eight foot fence, a 33% increase in height over what is allowed.

5) The applicant is asking for a maximum principal building on one lot to be increased from one to seven, a 600% increase.

We hope you will agree that this appeal to the Zoning Board of Appeals by ANW Holdings should be denied at this time.

Thank you.

Sincerely,

Jane Valetta

John Valetta

[redacted] Jumel Place

From: "bob mctague" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Sent: Wednesday, March 9, 2016 11:23:46 AM
Subject: John Witts application for variences on Jumel Place

Susan, I just can not believe this application is even considered. It is absurd. Bob McTague, Saratoga Springs

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distribution, or taking any other action with respect to the contents of this message is strictly prohibited. If you have received this e-mail in error, please delete it and notify the sender by return e-mail. Thank you for your cooperation.

From: "Max Peter" [redacted]>
To: "Kate Maynard" <kate.maynard@saratoga-springs.org>, "Bradley Birge" <bbirge@saratoga-springs.org>, "Susan Barden" <susan.barden@saratoga-springs.org>, [redacted]
Sent: Tuesday, March 1, 2016 10:14:03 PM
Subject: ZBA area variance at 27 Jumel Place (#2795.1)

March 1, 2016

To: Saratoga Springs Zoning Board of Appeals

RE: #2795.1, ANW Holdings, seeking area variance for 27 Jumel Place

Dear members of the ZBA board,

I appreciated the opportunity to speak to the board during the previous ZBA meeting on Feb 22, and would like to re-iterate my concerns with this area variance request.

In particular, I am concerned about ANW Holding's request for a variance on the minimum rear setback. My understanding is that UR-3 zoning requires a 25' minimum rear setback. My understanding is that ANW Holdings seeks a variance to reduce this to a 6' setback across the entire rear of the property line.

I ask the board to deny this rear setback variance for two reasons.

1. The variance is substantial. I acknowledge that there is a building with an existing variance on the rear setback. However, this existing rear variance is a 1-story structure limited to the northeast corner of the lot. The northwest rear corner is currently open space. ANW's request will substantially increase the existing rear variance. It will extend the variance upwards by at least one full additional story as well as an additional gabled roof. There also appears to be a steeple structure on a rear building. I do not know the exact proposed heights, but I am guessing it increases the rear variance from a 10' height to 30'. It will also extend the rear variance from the northeast half of the lot to the entire rear lot line. This is a significant increase in the mass and scale of the existing rear setback variance.
2. The variance will be a detriment to nearby properties and will produce an undesirable change in the neighborhood. My property is [redacted] Lake Ave, corner to the northwest. If the proposed variance is approved, a 2-story gabled roof building will be only 6' from my backyard, and will overshadow my back yard and invade my family's privacy and be a detriment to our enjoyment of our back yard. Although ANW's rendering appeared to show some foliage along this rear setback, I believe that this 6' setback is likely to be insufficient to plant any trees along the setbacks. I believe that allowing large multi-story dwellings 6' from the rear lot line will in fact be a detriment to my property and will produce an undesirable change in my neighborhood.

I ask the board to consider a compromise, whereby the rear setback is limited to the existing variance on the northeast corner. The northwest corner should be left as open space, reducing the number of proposed buildings from 7 to 6, and allowing open space for the planting of trees and green space.

Thank you for your consideration,

Max Peter

[redacted] Lake Ave

Saratoga Springs, NY 12866

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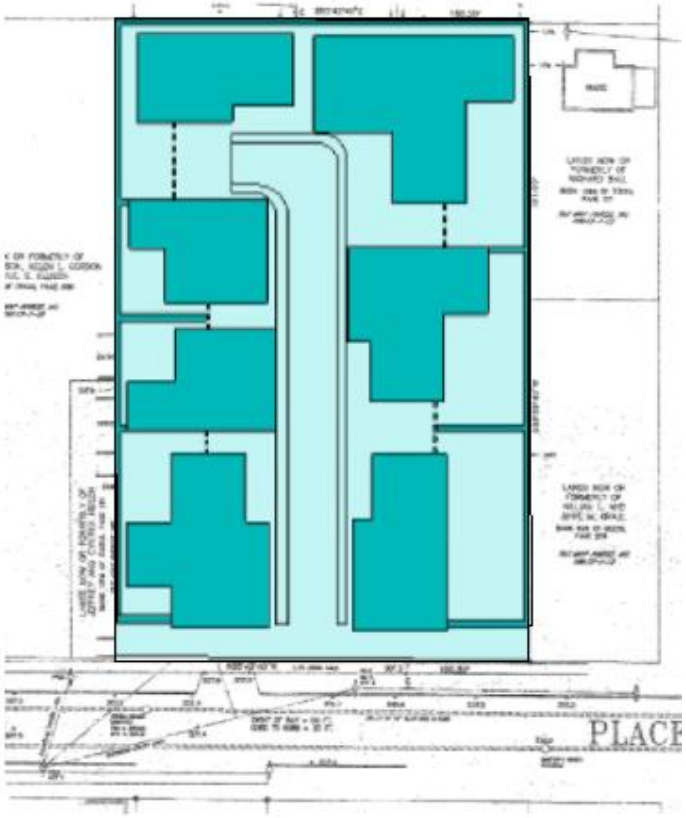
DOWNTON WALK

WITT CONSTRUCTION, INC.

563 NORTH BROADWAY, SARATOGA SPRINGS, NY 12866

518.587.4113 | WITTCONSTRUCTION.COM

Granger Ave
Jumel Pl



Concept Site Plan

Site Plan with Existing Building

Proposed Downton Walk

Examples of drives, paving areas, yards and green space

Area Variance Criteria

1. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties

2. 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

3. Whether the requested area variance is substantial

4. Whether the proposed variance will have adverse physical or environmental effects on neighborhood or district

5. Whether the alleged difficulty was self-created

1. Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties

Granting the use and area variance will **not** produce an undesirable change, but rather enhance the neighborhood.

By eliminating a large commercial & multi-family structure that takes up ~50% of the lot and fails to meet the front, side and rear setbacks. Its replacement will be a very attractive single-family condominium project.

2. 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

Other feasible means are **not** available:

Alternative designs options are fewer units, smaller units or taller units.

- Fewer units will make the cost of the land for each unit prohibitive. (See following slide)
- Smaller units would be both undesirable and smaller than the surrounding homes. The proposed home sizes are consistent with that of the existing neighborhood.
- Taller units would not be in keeping with the homes in the existing neighborhood

All adjacent land is currently occupied with single family homes.

Estimated Development Costs

Jumel Place Project

Land Purchase	370,000
4103 Land Development-Professional Fees	23,000
4116 Land Development - Interest	42,000
4117 Land Development - Taxes	20,000
4132 Land Development - Soil Testing	11,700
4140 Land Development - Construction	60,000
4141 Land Development - Fill Dirt	21,000
4142 Land Development - Demolition & Asbestos Removal	155,000
4142 Land Development - Lot Clearing	10,000
4145 Land Development - Silt Fencing	6,000
4155 Land Development - Electric lines	24,000
4183 Land Development - Trees	12,000
Total	754,700
Reasonable Return for Development Risk	150,700
Total Cost of Land to Be Divided by number of Home Sites	905,460

3. Whether the requested area variance is substantial

The requested variance is **not** substantial due to :

- The new setbacks requested are less than what currently exists with the existing structure.
- The new setbacks are consistent with the setbacks of other single family homes in the neighborhood.
- The percent of lot to be covered is less than the existing multi-use structure.
- The permeable area of the lot will be increased with the new development as compared to the existing development

4. Whether the proposed variance will have adverse physical or environmental effects on neighborhood or district

The proposed variance will **not** have adverse physical or environmental effects on neighborhood or district.

- The proposed single family development will be contained on the one lot with one curb cut for all vehicle access to the property
- The net permeability of the development will be great than the existing development

5. Whether the alleged difficulty was self-created

The difficulty was self-created, **however:**

It was created by the need to change the deteriorating non-conforming multi-family/ mixed-use structure to a use consistent with the existing neighborhood.

- The change will be a win for the neighbors with the replacement of a multi-use / commercial structure with single family homes.
- The change will be a win for the city with additional tax revenues and a higher tax base.

Lot Statistics

27 Jumel Place
Saratoga Springs NY

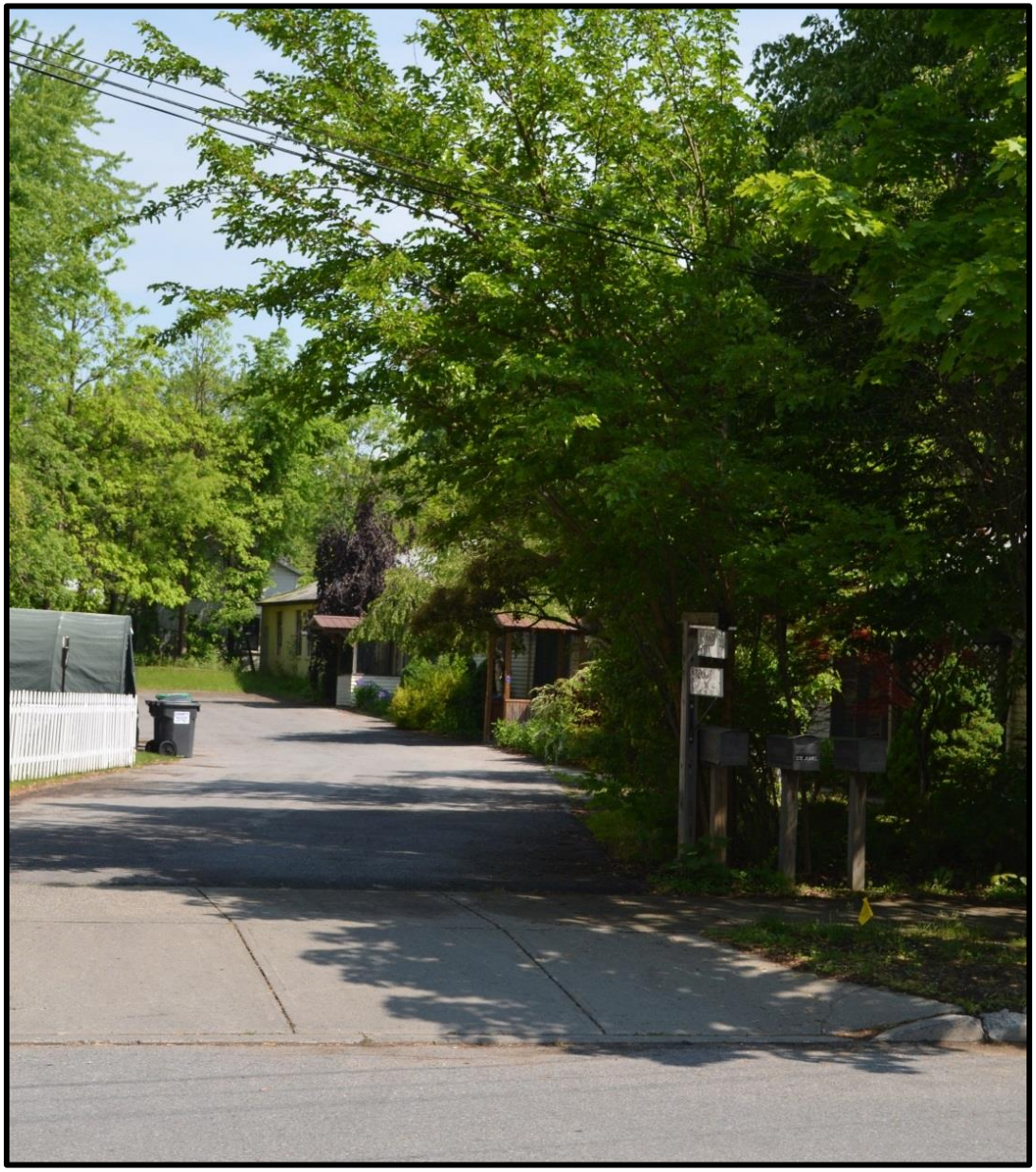
Witt Construction
6/12/2013

	Depth	Width	Area (sq. ft.)
Lot Size	231	150.5	34,765.50

Area	Existing	% of Lot	As Drawn	% of Lot
Principle Building	17,161	49.4%	14,801	42.60%
Accessory Building	160	0.5%	344	0.98%
Misc./ Overhangs				2.42%
Total				46.00%
Driveways/Road	6,357	18.3%	7,157	20.60%
Premeable Areas	11,088	31.9%	12,191	35.10%

Setbacks	**Foundation (ft)**
Front	0
Rear	6
Right Side	Meet UR-3
Left Side	Meet UR-3

Existing Building



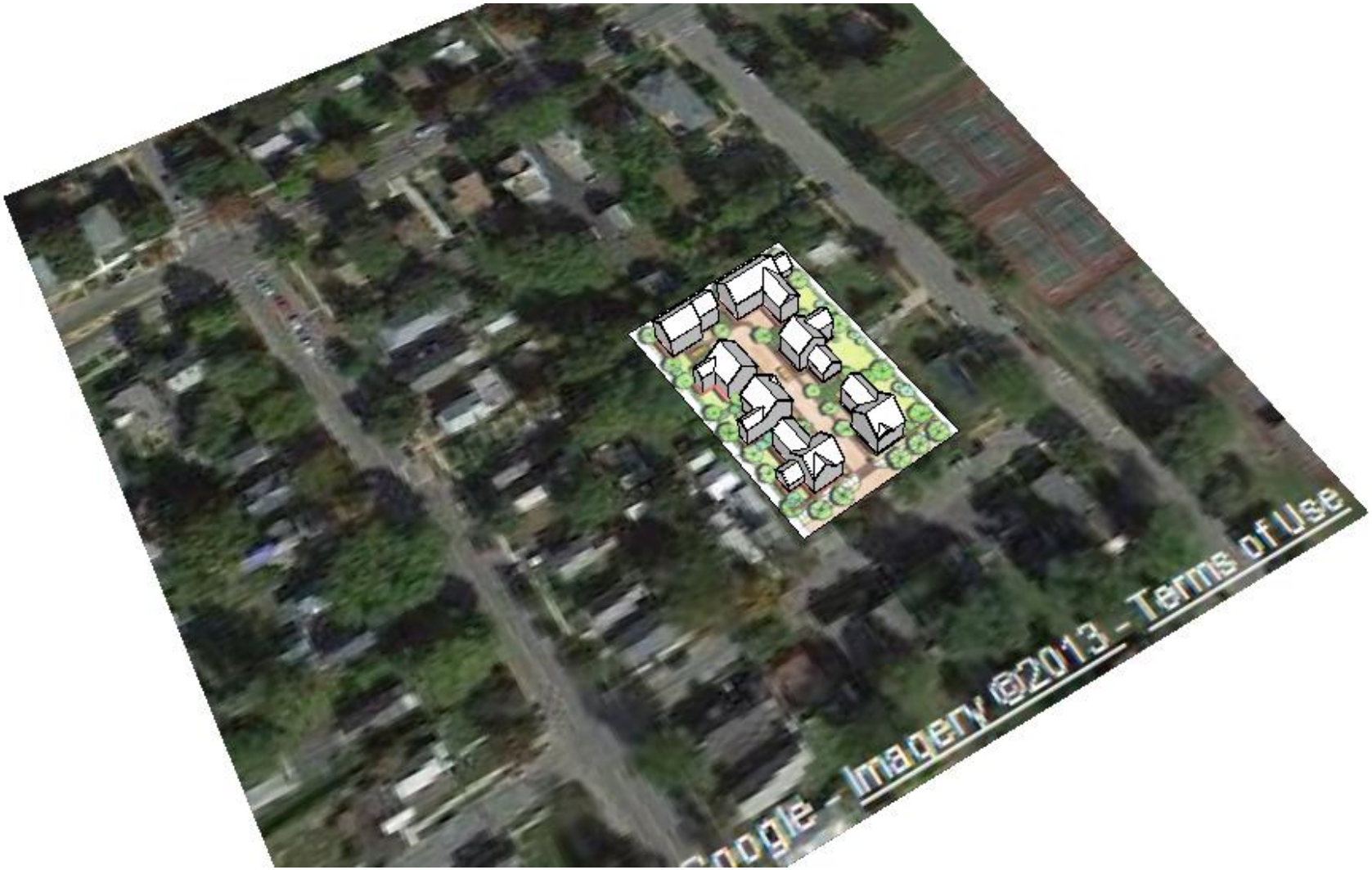
SARATOGA
CITY BALLET
TENKARA
KARATE

Neighborhood

NO PARKING
24 HRS

STOP

188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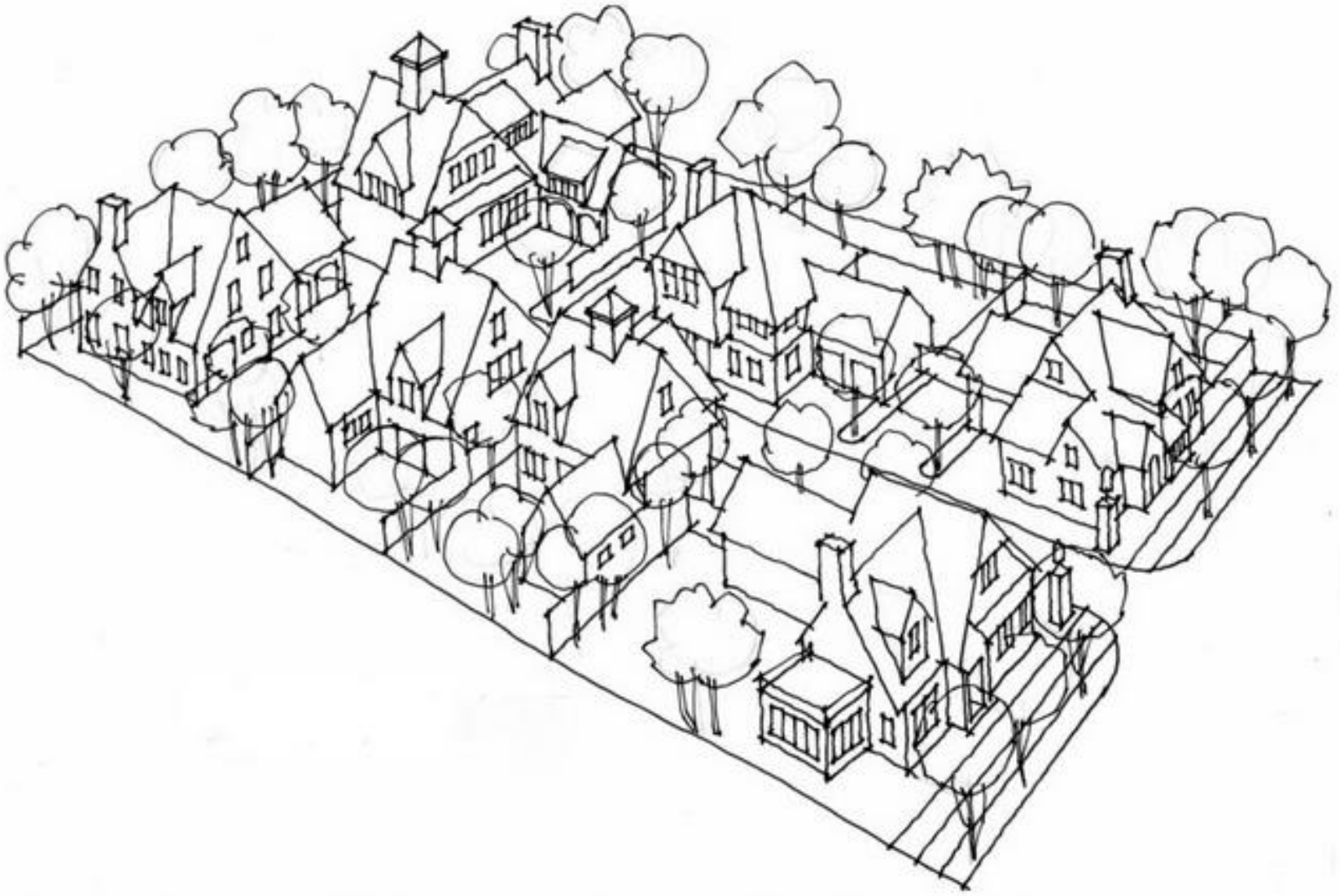
Proposed Downton Walk

Proposed Downton Walk



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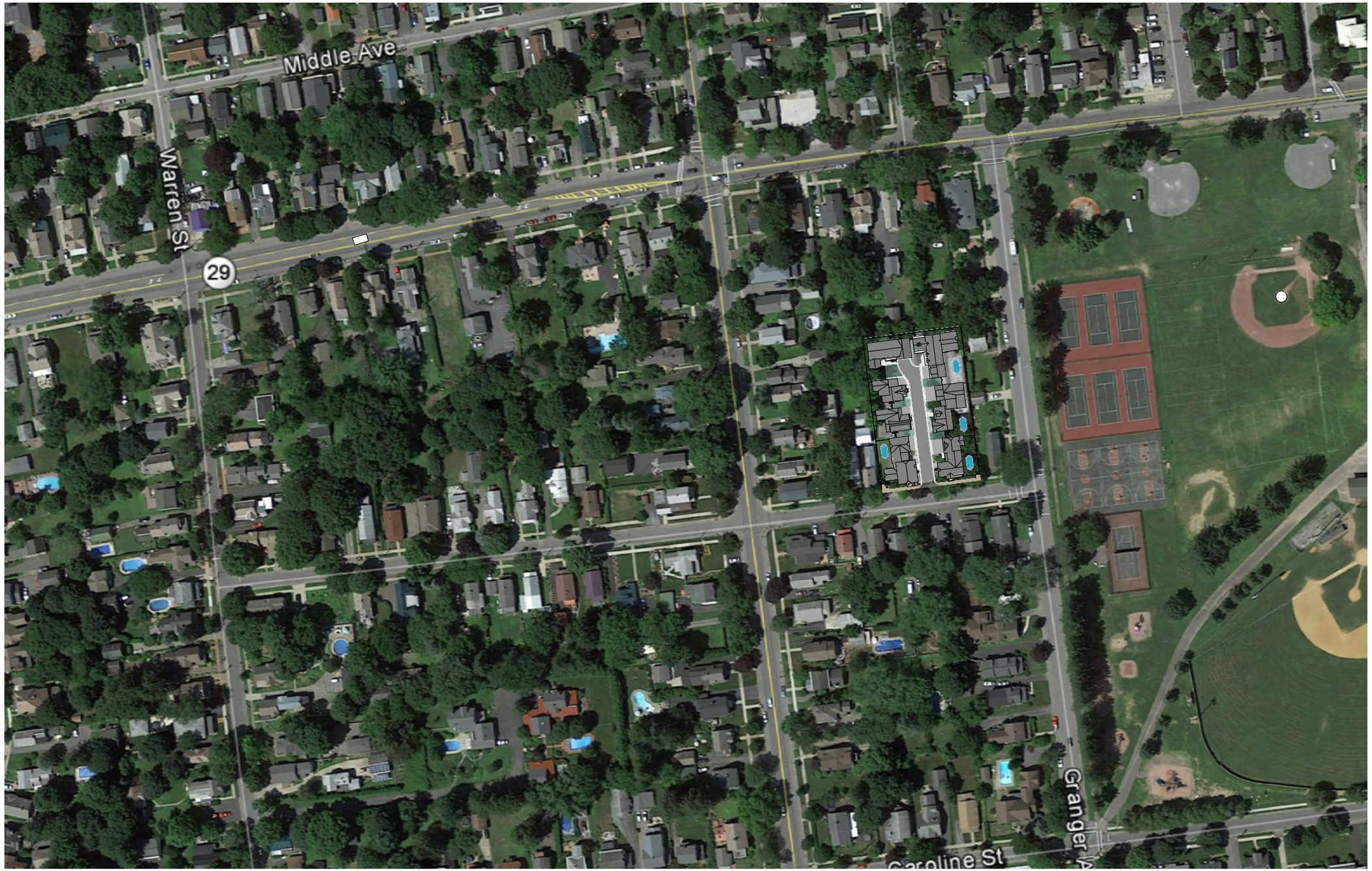

Witt Construction

563 N Broadway Saratoga Springs, NY 12866

March 1, 2016

Downton Walk

Aerial View

Scale: 1" = 150'

From: SANDRA COHEN – [redacted] Lake Avenue, Saratoga Springs, NY – [redacted]

To: SARATOGA SPRINGS ZONING BOARD OF APPEALS
SARATOGA SPRINGS CITY COUNCIL
SARATOGA COUNTY SUPERVISORS
SARATOGA SPRINGS PLANNING DEPARTMENT
REGIONAL PRESS & BLOGS

Re: APPLICATION FOR CONDOMINIUMS
AND REQUESTS FOR ZONING VARIANCES
27 JUMEL PLACE, SARATOGA SPRINGS, BY BUILDER – JOHN WITT

It appears that the Saratoga Springs Zoning Board of Appeals might be in danger of overstepping its purview if they approve Developer John Witt's current request which will effectively change the zoning ordinance regarding the type of housing allowed in a long-existing Jumel Place neighborhood, within a mile of Saratoga Race Course. Witt has requested an area variance, when what he needs is a use variance, because the condominiums he proposes are not legally allowed within the property's UR-3 zoning. According to our zoning laws – which have the stated interest of maintaining a particular harmony within each of the city's different districts – such use variance would need the approval of the City Council, not an end run through the ZBA. But a vote is scheduled for the ZBA meeting on March 7.

Although the City offers ample opportunity to build cluster housing in UR-1 and SR-2 zones (per Article 4, Section 241-13-A of the city code - ecode.360.com), Witt is attempting to cluster seven single-family condominiums on a 0.79-acre UR-3 lot. Current zoning only allows for either one single family residence or one two-family residential structure. In his proposal, the seven owners would each have an undivided interest in the entire property, while they own their individual structures that sit on the commonly-owned land (which is what defines its condominium status). Contrary to claims that condominiumizing the land alone is only a financial move, it is a clear change of use of the land, in that it automatically includes the clustering model which, in addition to being restricted to specific other areas of the City, allows for tighter lot-lines between homes, albeit they must still follow specific setback and open space codes.

In addition to such change of use, he has also asked for setbacks that would be in violation of code even within a clustered community – as crowded as 1-foot from the existing front sidewalk (10 feet is legal) and 6-feet from the rear (25' is legal). Witt is also requesting additional height, approaching three-storeys, on his structures – which would be interruptively noticeable from Lake Avenue (Route 29), one of the main thoroughfares into the City. He also wants permission to erect an 8-foot fence around three sides of the perimeter to enclose/isolate his Downton Walk community, an English-Cotswold-style development, from the rest of the Victorian/American-turn-of-the-century neighborhood, in which some homes have been there since the late 1800s among others from the 1920s.

Saratoga code (Section 241-13-G) states that new clustered housing – which includes condominiums, townhouses, row houses, zero-lot-line homes, and other multiples – are ONLY allowed in UR-1 and SR-2 locations. In order to build them, even in the specified districts, one must first file for a subdivision of the property, which Witt has not done. That would have resulted in permission to build only five single-family homes or four two-family homes on that size property, ***along with the requirement that each structure must adhere to code setbacks from existing property lines and, within the new multiple community, must meet the percentages of open space.***

The percentage of open space of this project, as presented, does not even adhere to cluster code; nor do the requests for relief from setbacks between the cluster structures and existing neighboring properties, including the City-owned sidewalk. Much of the builder's positive comparison on building standards are irrelevant, as they take into consideration the structure currently on the site, which was built before Saratoga had zoning codes.

Neighbors have no issue with Witt as a quality builder. Nor do they have issue with multiple structures on the property, as long as there is adherence to existing codes. Overloading the space and radically cutting setbacks endangers both the new property and the neighboring structures. It also presents quality of life issues for the current residents, including increased noise and the effect of being walled-off from the contiguous neighborhood. As it is currently planned, the project ***will alter the essential character of the neighborhood and will present an adverse physical impact on the community in which it would be situated.*** The concept of allowing condominiums in UR-3 neighborhoods is a slippery slope that would present an even greater threat to the entire City. Such disregard of our zoning codes will open the door to requests and expectations of similar divergent development in other neighborhoods.

###

February 28, 2016

To: The Zoning Board of Appeals of the City of Saratoga Springs, NY

cc: Saratoga Springs City Council, Saratoga Springs Planning and Economic Development Department, gridsaratoga.com, saratogaspringspolitics.com, Saratoga Today, The Saratogian, The Times Union

Re: Illegal Application for "seven single family condominiums,"
and requests for substantial Zoning Variances at
27 Jumel Place, Saratoga Springs, by ANW Holdings, Builder, John Witt

Public Hearing #2 to be held at the Zoning Board of Appeals meeting on March 7, 2016

Fr: Neighbors of Surrounding Properties

On Monday night, March 7th, the Zoning Board will be deciding on a major project on Jumel Place which is illegal and out of character with the neighborhood. The builder, John Witt, is asking for 7 single condominiums which would be selling for up to 1.5 million dollars per unit. Condominiums are not allowed in UR-3 zoning and the lot is zoned for only 5 units. The builder should be required to follow the zoning law. Mr. Witt is also asking for substantial variances as well.

The Zoning Board of Appeals needs to protect the residential neighborhoods on East Avenue, Lake Avenue, Granger St, and Jumel Place, which surround 27 Jumel Place, from this massively overdone and illegal application. This project will negatively impact the value of our homes and the quality of life in our neighborhood. There are far too many legal questions and large variances being sought, which if granted, would make zoning law useless.

First and foremost, the Land Use category of Jumel Place in our city's 2015 Comprehensive Plan is a Core Residential Neighborhood-1 (CRN-1), allowing a maximum density of 10 units/acre. In our city's Zoning Ordinance, Jumel Place is located in an Urban Residential-3 (UR-3) Zoning District, which allows for only single and two-family homes to be built. By law, this particular parcel of land is large enough to allow five single family homes or four two-family homes.

The applicant is requesting to build "seven single family condominiums." Condominiums are not allowed on Jumel Place, as by definition in our Zoning Ordinance, condominiums are multifamily. The city's Zoning Ordinance states the definition of a condominium as follows: "CONDOMINIUM: A multifamily dwelling containing individually owned dwelling units, wherein the real property title and ownership are vested in an owner, who has an undivided interest with others in the common usage areas and facilities which serve the development."

Multifamily structures are not allowed in a Core Residential Neighborhood-1 or a UR-3 Zoning District. The request by the applicant must be called what they are, 7 single family homes. However, only 5 single family units are allowed on this size lot, or 4 two-family units. (Actually only one unit is allowed, as the applicant has not sub-divided the lot.)

The request for seven single family homes is 40% over the density allowed in an UR-3 Zoning District and creates a 40% density bonus for Mr. Witt's $700K to $1.5 million dollar homes. In our city's Zoning Ordinance, a density bonus of this magnitude is only allowed for affordable senior housing. This is not affordable housing.

To allow for the density the applicant is requesting, the city council would have to change the Land Use category of this area in the Comprehensive Plan from a Core Residential Neighborhood-1 (CRN-1), which allows up to 10 units/acre, to a Core Residential Neighborhood-2 (CRN-2), which allows up to 15 units/acre.

Why is the applicant insisting on calling these seven single family homes "seven single family condominiums"?
Is it because the applicant believes he will only have to provide back yards for two of the seven units, as his application shows? Five of the units have no back yards at all. A 25' back yard setback is required for every unit in a UR-3 Zoning District.
Is it so the applicant doesn't have to spend the money to subdivide the lot?
Is it because the applicant thinks he will be allowed more units than the maximum of five single family homes allowed on this lot?
Is it because these $700K to $1.5 million dollars homes may receive a condominium tax break, thereby forcing the far more modest homes in the area to virtually subsidize them?
Is it because of all of these reasons? We simply do not know.

Legally, whether these seven single family homes are called condominiums, or not, they are not allowed on this property site. **Only five single family homes are allowed by law on this property.** Approving this application would be in violation of the city's Comprehensive Plan and its Zoning Ordinance.

In addition to the applicant requesting two units more than legally allowed on this lot, the applicant also is asking for the following massive variances.

Variance 1) The maximum building coverage allowed on this lot is 30%. The applicant had previously asked for a 43.5% building coverage allowance, or 45% more than what is allowed. He has recently increased this request to 46%, or 53.3% more than what is allowed. Granting either of these requests would be substantial.

Variance 2) The rear yard setback required for each unit is 25 feet. The applicant is asking that this requirement be eliminated by 100% for five units, going from the 25 feet required to zero (0) feet. For the remaining two units he is asking for a 76% reduction in the rear yard setback from 25 feet to 6 feet.

Variance 3) The front yard setback required for the two front units is 10 feet. The applicant is asking for one (1) foot, a 90% reduction in the front yard setback. The applicant claims that this is so "our (2) front porches [can] be placed on the unit." However, his drawings show that he is not proposing porches, only overhangs.

Variance 4) The fence height allowed in this UR-3 residential area is six feet. The applicant is asking for an eight foot fence, a 33% increase in height over what is allowed. Why is this necessary only for this development? Is the applicant trying to exclude the rest of the neighborhood? A fence this high would create an exclusive walled enclave shutting out the existing neighborhood.

Variance 5) The applicant is asking for a maximum principal building on one lot to be increased from one to seven, a 600% increase. As mentioned earlier, only five single family units are allowed by law on this property, after the property is subdivided. Why is this property not being subdivided?

This project will negatively impact the value of our homes and the quality of life in our neighborhood.

There are far too many legal questions and large variances being sought, which if granted, would make zoning law useless.

This illegal application with its substantial variances needs to be denied by the Saratoga Springs Zoning Board of Appeals at their upcoming meeting on March 7th.

The neighbors would support a more balanced project with 5 single family homes on 30% of the land with more standard setbacks.

For additional information contact: [redacted]

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

APPLICANT: ANW HOLDINGS, INC. TAX PARCEL NO.: 166.13-1-50.2

PROPERTY ADDRESS: 27 JUMEL PLACE
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 seven-unit condominium project (detached single-family residences).

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 A., Table 3 and 6.4.5 A. 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
Max principal building coverage: 7 units combined	30%	46%
Max principal buildings on one lot:	1	7
Minimum front yard setback:	10 ft.	1 ft.
Minimum rear yard setback:	25 ft.	6 ft.
Maximum height residential fence:	6 ft.	8 ft.

☒ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR 2/22/16 DATE

From: "Tracy Miller" [redacted] >
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: [redacted]
Sent: Sunday, February 21, 2016 10:28:43 PM
Subject: ANW Holdings "Downton Walk"

Dear Ms. Barden -

My husband and I live at [redacted] Jumel Place, [redacted] across the street from 27 Jumel Place. We received the notice of public hearing for the above mentioned project. It is unlikely that we will be able to attend the meeting on Monday February 22 in person, but wanted to make a statement for the record.

We are in support of the project. The project is an enormous improvement over the existing structure, and its previous uses.

We understand the request for variance from the front yard setback, and agree it will maintain a similar look to what exists on the street.

Thank you.

Sincerely,
Tracy and Johnny Miller

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