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

Monday June 6, 2016 - 7:00PM City Council Room

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

Salute The Flag

Role Call

New Business

1. **#2894 LAWRENTZ HOME OCCUPATION**
   126 Crescent Street, area variance to construct a detached garage with second-story music studio; seeking relief to permit a home occupation within a residential accessory structure in an Urban Residential – 2 District.

   Documents: 2894 LAWRENTZRESIDENCEHOMEOCCUPATION_APP_REDACTED.PDF, 2894 LAWRENTZRESIDENCEHOMEOCCUPATION_ADDTLINFO.PDF

2. **#2896 ICE HOUSE TENT**
   70 and 72 Putnam Street, area variance to erect a permanent tent; seeking relief from the minimum two-story, build-to line and maximum frontage buildout requirements in the Transect-6 District.

   Documents: 2896 ICEHOUSETENT_APPLICATION_REDACTED.PDF

3. **#2897 CITY COTTAGE, LLC LOT LINE ADJUSTMENT**
   23 Jumel Place and 178 East Avenue, area variance to provide for a lot line adjustment between two lots, seeking relief from the minimum lot size and minimum average lot width requirements for one of the lots in the UR-3 District.

   Documents: 2897 CITYCOTTAGELOTLINEADJUSTMENT_APP_REDACTED.PDF

Old Business

1. **#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_ELEVATIONS5-5-16.PDF, 2880 ARMERDESORBORESIDENCEADD_CORRBLACK_REDACTED.PDF, 2880 ARMERDESORBORESIDENCEADD_REVISEDMAP4-11-16.PDF, 2880 ARMERDESORBORESIDENCEADD_APP_REDACTED.PDF, 2880 ARMERDESORBORESIDENCE_ADDTLINFO5-20-16.PDF

2. **#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_CORRRUPTON5-23-16_REDACTED.PDF, 2856.1 MOOREHALL2_BUILDINSPECTDENIAL.PDF, 2856.1 MOOREHALL2_ELEVATIONS.JPG, 2856.1 MOOREHALL2_UPDATEDVARIANCEREQ5-10-16_REDACTED.PDF, 2856.1 MOOREHALL2_COUNTYREFERRAL.PDF, 2856.1 MOOREHALL2_CORRRUPTON5-26-16_REDACTED.PDF

3. **#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_APP_REDACTED.PDF, 2890 BARLOWRESIDENCEADDITION_BUILDINSPECTDENIAL.PDF

4. **#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

5. **#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 NEEDHAMKILMERRESIDENCE_BUILDINSPECTDENIAL.PDF, 2895 NEEDHAM-KILMERRESIDENCE_CORRVLAROWELLETENDRE_REDACTED.PDF

6. **#2893 223 LAKE AVE. LLC 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_APP_REDACTED.PDF, 2893 MARIOSPIZZERIAHANDICAPRAMP_BUILDINSPECTDENIAL.PDF, 2893 MARIOSPIZZERIAHANDICAPRAMP_PHOTOS.PDF, 2893 MARIOSPIZZERIAHANDICAPRAMP_REVISIONS5-13-16_REDACTED.PDF

7. **#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_AMILLERCORR4-25-16_REDACTED.PDF, 2889 CDJTTOWNHOUSES_APP_REDACTED.PDF, 2889 CDJTTOWNHOUSES_BUILDINSPECTDENIAL.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 – MAY 9**
2. **NEXT ZONING BOARD MEETING: JUNE 20, 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.

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	Robert Lawrentz	Robert Lawrentz & Joan Sterling	Michael J. Toohey, Esq., SKTCC
Address	[redacted]	[redacted]	P. O. Box 4367, 160 West Avenue Saratoga Springs, NY 12866
Phone			[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

1. Property Address/Location: 126 Crescent Street Tax Parcel No.: 179 . 29 - 1 - 56
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 8/11/2014 3. Zoning District when purchased: UR-2

4. Present use of property: Single Family Residence 5. Current Zoning District: UR-2

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

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

8. Brief description of proposed action:
To finish the second floor of the detached garage and use a portion of it for a Home Occupation. Robert Lawrentz is an acoustic guitar player and composer and likes to record his compositions. See Narrative attached.

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 The building of the garage is underway.

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 2 Use Schedule

Dimensional Requirements	From	To
To have a Home Occupation in a Permitted Accessory Building		

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 present structure contains a one car garage. That space was not adequate for their vehicular needs and, as a result, they are constructing the detached garage. The Owners never anticipated a problem would arise pertaining to the use of the second floor as the new garage is for a non-residential purpose.

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 two story garage is permitted in this Zone. Finishing the second floor of the garage for a non-living, residential purpose will have no effect on the character of the neighborhood.

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

Please see the attached Narrative. This use meets all of the "Requirements" listed in Section 6.4.3 (B) "Home Occupancy" for the proposed use. Not only is this variance NOT "substantial", we believe it is functionally permitted.

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 a very limited use of the property. If the decibel level of the Owner playing his acoustic guitar could be louder than the ambient noise level outside of the garage, that fact is mitigated as both the "Mixing Room" and the "Studio" will be constructed with additional soundproofing in place. This will generate only very limited additional traffic or "visits" and certainly no more than normal residential traffic.

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

This is not self-created as a "Workshop or studio facility" for a composer is specifically allowed for a "Home Occupancy". The existing single family residential structure does not contain space for this use, while a two-story garage is also allowed on this property.

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.

[signature] Date: 4/30/2016
(applicant signature)

_____ Date: 4/30/16
(applicant signature)

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

Owner Signature: [signature] Date: 4/30/16

Owner Signature: [signature] Date: 4/30/16

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:
126 Crescent Street Home Occupancy

Project Location (describe, and attach a location map):
126 Crescent Street, Saratoga Springs

Brief Description of Proposed Action:
To finish the second floor of a detached garage and to include two rooms for a music studio

Name of Applicant or Sponsor:	Telephone: [redacted]
Robert Lawrentz	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: Building Permit - City of Saratoga Springs	☐	☑

3.a. Total acreage of the site of the proposed action? .43 acres
b. Total acreage to be physically disturbed? 620 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?	☐	☑	
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: Robert Lawrentz Date: 4/ 30 /2016

Signature: _____

PRINT FORM

NARRATIVE

The subject property located at 126 Crescent Street, Saratoga Springs, New York (Tax Parcel 179.29-1-56) is situated in the Urban Residential - 2 (UR-2) Zone. Within this Zone, a permitted accessory use is a "Home Occupation". A "Home Occupation" is defined within the Zoning Code as "An activity conducted entirely within a dwelling and carried on by the inhabitants thereof, which is clearly incidental and secondary to the use of the residence and does not change the character thereof". This type of use is further defined in Section 6.4.3 of the Zoning Code.

The improvements that exist on the property consist of a two story residential structure with full basement and a detached garage with second story, stair access.

The square footage of the structures are as follows:

House	First Floor:	1600 +/- square feet
	Second Floor:	1600 +/- square feet
	Basement:	1500 +/- square feet
Garage	First Floor:	600 +/- square feet
	Second Floor:	620 +/- square feet
		5,920 sq ft x 15% = 888 sq ft

The property owner is an amateur acoustic guitar player that likes to compose, perform and record music. He wishes to finish the second floor of the garage as depicted on Exhibit A. Please note that there are no cooking facilities in this space and the Powder Room does not contain a shower or bathtub. With regard to the utilization of this second floor space, the studio (recording and mix rooms) consist of 325 +/- sq ft.

The requirements for a Home Occupation:

1. The activity shall be conducted entirely within the structure and shall occupy no more than 15% of the total floor area of the residential dwelling units.

    a) The code uses plural "units", which I believe includes not just the home, but also the associated garage. If the entire second floor of the garage (620 sq ft) is considered the Home Occupation then all we would need to demonstrate is that there is 4,133 sq ft of total floor area within all of the units (4,133 x 15% = 619.95 sq ft). In this case, we have just short of 6,000 sq ft of floor area and thus we meet the 15% rule.

2. Only occupants of the residence and no more than one non-occupant may conduct the activity at any one time.

    a) For the vast majority of time, the space will only be used by one of the owners. From time to time a "Mixer" may be in attendance, but there would never be more than one person other than the occupants involved in this process.

3. The activity will generate no more than ten visits to the property per day. Visits may not occur before 8:00 am or after 9:00 pm.

    a) There will be no pattern of visits to the garage, other than the occasional Mixer and the limited visits will be within the permitted time period.

4. Any need for additional parking generated by the activity shall be met on site.

    a) There is ample room on site for both the residence and the occasional visitor.

5. One non-illuminated wall sign, not exceeding 1 ½ sq ft in area is permitted in association with the activity.

    a) There will be no signage as this is not intended as a commercial activity.

6. No outdoor storage or display of products or equipment in association with the activity is permitted.

    a) There will be no outdoor storage. A sound proof room is being created and the second room will contain some mixing equipment. The remaining portion of the second floor will look like a den or small living room.

Listed within the Zoning Code Provision (6.4.3(B)) are four (4) specific non-residential activities that are allowed. The fourth of these options is:

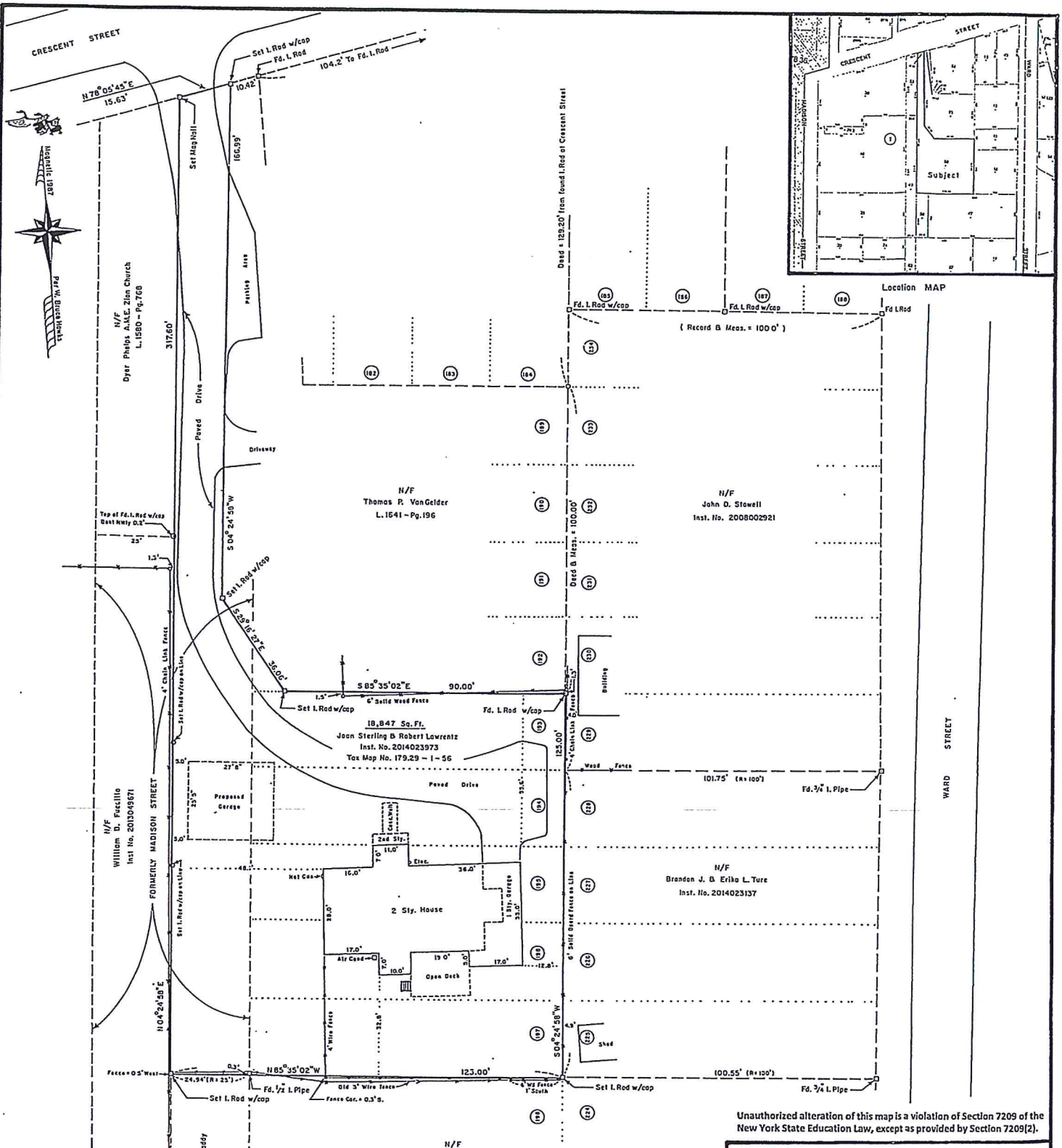
> *"4. Workshop or studio facilities for artists, composers, crafts persons, photographers, tailors, writers and the like".*

The Owner wishes to use the designated space on the second floor of the garage as a studio for the music he wishes to compose.

TAX MAP SHOWING
CONSENTING NEIGHBORS

SUBJECT PROPERTY
(Identified as "PROP")

NEIGHBORS WHO CONSENT TO PROJECT
(Identified with an "X")



Unauthorized alteration of this map is a violation of Section 7209 of the New York State Education Law, except as provided by Section 7209(2).

Notes:

1. Underground improvements, unless evident, are not shown.
2. This survey is subject to the facts that an abstract of title may show.
3. (193) = Lots as shown in Map References No. 2.
4. The strip of land shown on this map being 15.63 by 166.99 feet from Crescent Street is subject to an easement as described in deed to Joan Sterling & Robert Lawrentz via Inst. #2014023973 dated August 11, 2014.
5. This map has been made from an accurate field survey by me which meets the standards of the current code of practice of Land Surveyors as adopted by the New York State Association of Professional Land Surveyors.

Map References:

1. "Survey, Portion of Lands of Mike Roohan Builder, Inc." by W. Bruce Hawks dated 8/28/2001; last revised 12/21/2001.
2. "Plan of Lots at Crescent Park owned by M.C. Meagher, Trustee" surveyed by J.S. Mott & Son, C.E., dated Aug. 1904 and filed in the Saratoga County Clerk's Office as Map AA-25.
3. "Plot Plan of Lands Proposed to be conveyed by the City of Saratoga Springs, New York, Being a Portion of a Paper Street known as Madison Street" by Paul K. Male, P.E., P.L.S., City Engineer dated 12/31/99 and filed in the Office of the City Engineer as Drawing No. 99-17E4.

MAP Showing Survey of Lands at: 126 Crescent Street

Situate in the:

City of Saratoga Springs – Co. of Saratoga
State of New York

Scale 1" = 20 Ft.

I HEREBY CERTIFY that the lands shown on this map were surveyed by me during Oct. 1-8, 2015 and that this map was completed on Oct. 13, 2015.

Louis J. Gnip, L.S. 49022
832 Rock City Road, Ballston Spa, NY 12020
Tel. No. (518) 885-4978

Ref: SAR-409, Fld. Bk. 40, Pg's. 36-45.

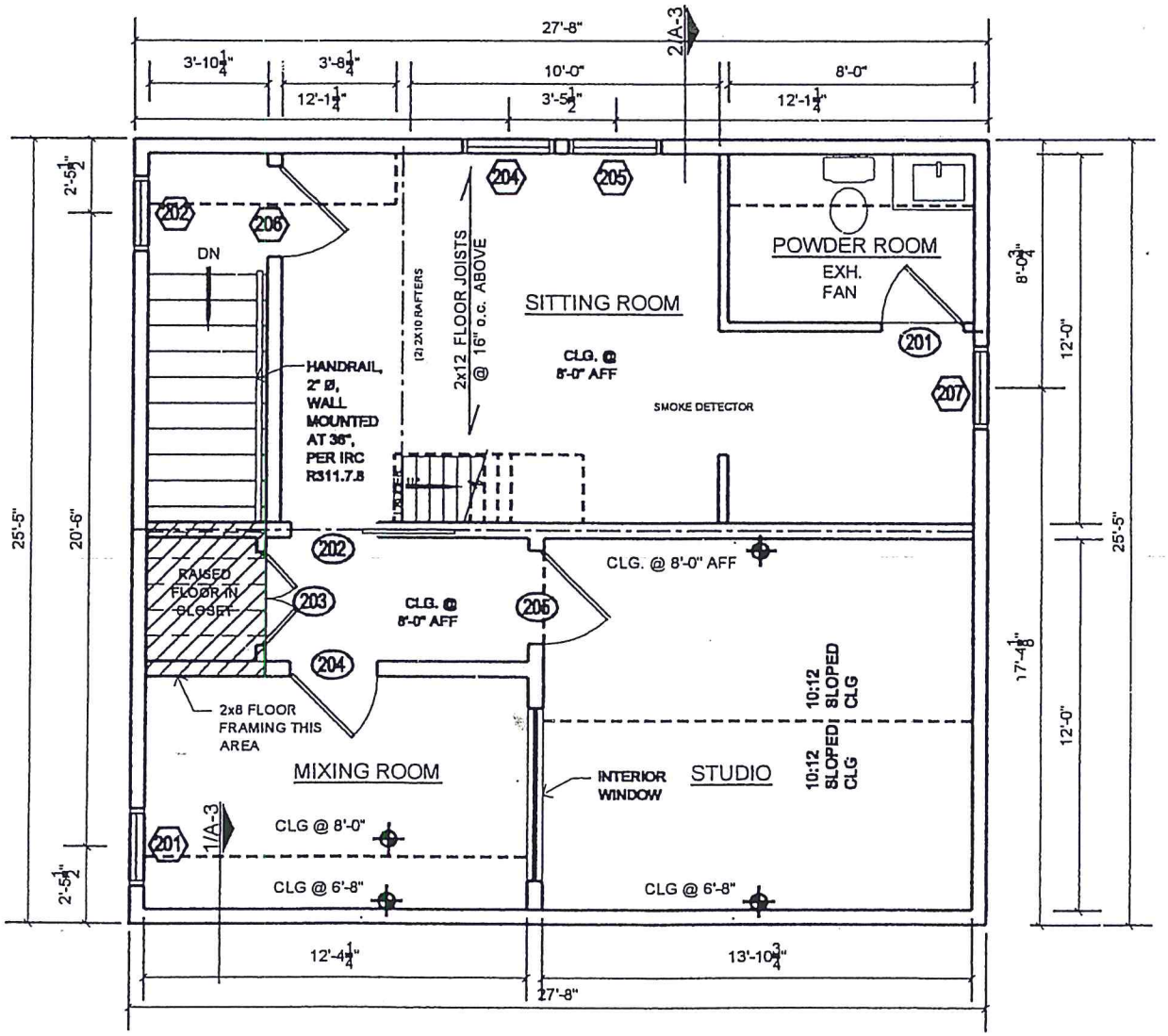
46-381

126 Crescent St
Saratoga Springs, NY
(Tax Parcel 179.29-1-56)

Variance for Finished Space: Music Studio

The undersigned ask the Zoning Board of the City of Saratoga Springs to approve the proposed use of the second floor of the detached garage presently being constructed on the real property know as 126 Crescent Street, Saratoga Springs, New York (Tax Parcel 179.29-1-56) owned by Robert Lawrentz and Joan Sterling as finished space to include a Music Studio and music Mixing Room. We do not believe this use will have any adverse impact on the area in which the residence is
located."

DATE	NAME	ADDRESS
4/28/16	Thomas Van Gelder	[redacted] Crescent St
4/28/16	L Buhowitz	[redacted] CRESCENT ST
4/28/16	Sandra Hutton	[redacted] Gridley Ave.
4/30/16	[illegible]	[redacted] Ward st Saratoga Springs NY
4/30/16	Peter M. Gaddy	[redacted] Ward Street Saratoga Springs.
4-30	[illegible]	[redacted] WARD ST Saratoga Springs N.Y.
4/30	William K Hutton	[redacted] GRIDLEY AVE.
4/30	[illegible]	[redacted] Ward St. S.S. 12866
4-30	[illegible]	[redacted] Crescent St 12866
5/1	Brandon Ture	[redacted] Ward street SS 12866
5/1	Victoria Jimenez	[redacted] Crescent St SS 12866



3 SECOND FLOOR PLAN

ENGINEERING AMERICA CO.

76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866

[redacted]

TRANSMITTAL SHEET

TO: Zoning Board of Appeals	FROM: Tonya Yasenchak
COMPANY: City of Saratoga Springs	DATE: May 9, 2016
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 1 ZBA Application + $500 App. Fee
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Lynchy's Tavern: The Ice House #70 & 72 Putnam St., Saratoga Springs	YOUR REFERENCE NUMBER:

☐ URGENT ☑ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ AS REQUESTED

Dear Zoning Board of Appeals members,

Engineering America Co. respectfully submits the attached application for an area variance for the Ice House's permanent tent structure at 70 & 72 Putnam St. in Saratoga Springs, NY. The proposed permanent tent structure will replace the prior temporary canopy / tent that had been used for several years. Due to the prior temporary tent being located towards the rear of the site, the replacement tent will not be located in compliance with the 80% "built out" and 0-12' "build to" standards for a T-6 district. Also, the tent is only one story so does not meet the 2 story min. requirement for the district. Therefore, the project requires variances to allow for the new permanent tent structure to replace the prior temporary tent in the same exact location.

This submittal includes:

- (1) original copy of the Application: Including existing survey & photos
- (1) application fee of $ 500

We would appreciate if this application could be placed on the next available agenda for discussion, preferably June 6th, 2016.

Please contact my office with any questions or if additional information is required.
Thank you for your time and cooperation.

Tonya Yasenchak, PE
Enc.

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	LYNCHY'S TAVERN, INC.		ENGINEERING AMERICA CO.
Address	70 & 72 PUTNAM ST. SARATOGA SPRINGS, NY 12866		76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866
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: 70 & 72 PUTNAM ST. Tax Parcel No.: 160 . 60 - 1 - 51 & 52
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: MAY 2005 3. Zoning District when purchased: UNKNOWN

4. Present use of property: EATING & DRINKING ESTABLISHMENT 5. Current Zoning District: T-6

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) NYS RTE. 50/9

8. Brief description of proposed action:

REPLACEMENT OF EXISTING CANOPY/TENT WITH PERMANENT TENT.

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? _____

N/A

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) TABLE 3: AREA & BULK SCHEDULE

Dimensional Requirements	From	To
MAXIMUM BUILDING HT.	2 STORY MIN.	1 STORY
MINIMUM BUILD OUT ALONG FRONTAGE %	80%	33.2%
BUILD-TO DISTANCE FROM FRONT LINE	0-12'	29'

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 COULD POSSIBLY LOCATE THE PERMANENT TENT FORWARD TOWARDS PUTNAM ST & NOT REQUIRE VARIANCES FOR FRONT BUILD OUT & DISTANCE TO PROPERTY LINE. HOWEVER, THE APPLICANT FINDS THE CURRENT PROPOSED LOCATION TO HIS BENEFIT AS: a) THE PRIOR TEMPORARY TENT WAS LOCATED TOWARDS THE BACK OF THE LOT b) LOCATING THE TENT FURTHER BACK ALLOWS FOR SOUTH & WEST SUN EXPOSURE INTO THE PATIO & EXISTING BUILDING. THE APPLICANT CAN ONLY AFFORD A TENT STRUCTURE CURRENTLY TO MEET HIS NEEDS AND THEREFORE 2 STORIES IS NOT AN OPTION. c) MOVING TENT FORWARD WOULD LIMIT FUTURE BUILDING ADDITIONS

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 TEMPORARY TENT HAS BEEN IN THE PROPOSED LOCATION FOR SEVERAL YEARS. THE NEW PERMANENT TENT STRUCTURE IS THE SAME SIZE AND WILL PRODUCE NO CHANGE IN EXISTING CONDITIONS. THEREFORE, NO UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD OR DETRIMENT TO NEARBY PROPERTIES IS EXPECTED. -PROJECT HAS ALREADY RECEIVED APPROVAL BY DRC.

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

THE VARIANCE FOR THE BUILD OUT IS 58.5% (33.2% VS 80% REQ).
THE VARIANCE FOR MIN. BUILDING HEIGHT IS 50% (1 STORY VS. 2 STORY)
THE VARIANCE FOR BUILD TO LINE IS 142% (29' VS. 0-12' REQ)
-THE VARIANCES APPEAR SUBSTANTIAL. HOWEVER, THE PERMANENT TENT WILL BE LOCATED IN THE EXACT LOCATION AS THE PRIOR TEMPORARY TENT; A TENT, BEING MORE OF AN "ACCESSORY USE" TYPICALLY IS LOCATED AWAY FROM A MAIN ROAD; THE PATIO AREA ALONG THE FRONT PRODUCES A "BUFFER" TO THE TENT.

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

THE PROPOSED PERMANENT TENT IS REPLACING THE PRIOR TEMPORARY TENT IN THE SAME SIZE & EXACT LOCATION. THE PROPOSED TENT DOES NOT INCREASE THE IMPERMEABLE AREA OF THE SITE IN ANY MANNER.

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

THE DIFFICULTY IS SELF-CREATED ONLY DUE TO THE DESIRE OF THE OWNER FOR THE NEW PERMANENT TENT TO BE LOCATED AT THE BACK OF THE LOT. HOWEVER, THIS LOCATION IS NO DIFFERENT THAN WHAT HAS EXISTED WITH THE PRIOR TEMPORARY TENT FOR SEVERAL YEARS. RELOCATING THE PERMANENT TENT FORWARD, TOWARDS PUTNAM, WOULD REQUIRE EXTENSION & RELOCATION OF EXISTING UTILITIES, WIRES AND FOUNDATIONAL SUPPORTS.

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? [X] 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.

Sean J. Lynch
(applicant signature) Date: 5/9/2016

(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:_____

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

LYNCHY'S TAVERN, INC.

Name of Action or Project:
INSTALLATION OF PERMANENT TENT STRUCTURE

Project Location (describe, and attach a location map):
70 & 72 PUTNAM ST., SARATOGA SPRINGS, NY

Brief Description of Proposed Action:
REPLACEMENT OF EXISTING, TEMPORARY CANOPY/TENT WITH A PERMANENT TENT.

Name of Applicant or Sponsor:	Telephone: [redacted]
LYNCHY'S TAVERN, INC.	E-Mail: [redacted]

Address:
70 & 72 PUTNAM ST.

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: - SARATOGA PLANNING BOARD - SITE PLAN APPROVAL - SARATOGA BUILDING DEPT. - BUILDING PERMIT	☐	☒

3.a. Total acreage of the site of the proposed action? 0.098 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.098 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): INSTITUTIONAL: ADJACENT PUBLIC LIBRARY
☐ 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? PUBLIC BUS	☐	☑	
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: PROJECT WILL MEET THE ENERGY CONSERVATION CONSTRUCTION CODE OF NYS.	☐	☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: CONTINUATION OF EXISTING PUBLIC WATER USE IN FACILITY	☐	☑	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: CONTINUATION OF EXISTING PUBLIC SEWER CONNECTION IN EXISTING FACILITY	☐	☑	
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: SEAN LYNCH Date: 05/09/2016

Signature: Sean J Lynch

PRINT FORM

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

APPLICANT: Lynchy's Tavern, Inc. TAX PARCEL NO.: 160 . 60 - 1 - 51&52

PROPERTY ADDRESS: 70 & 72 Putnam St. ZONING DISTRICT: T-6

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

Replacement of existing, temporary canopy/tent with installation of a permanent tent structure.

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

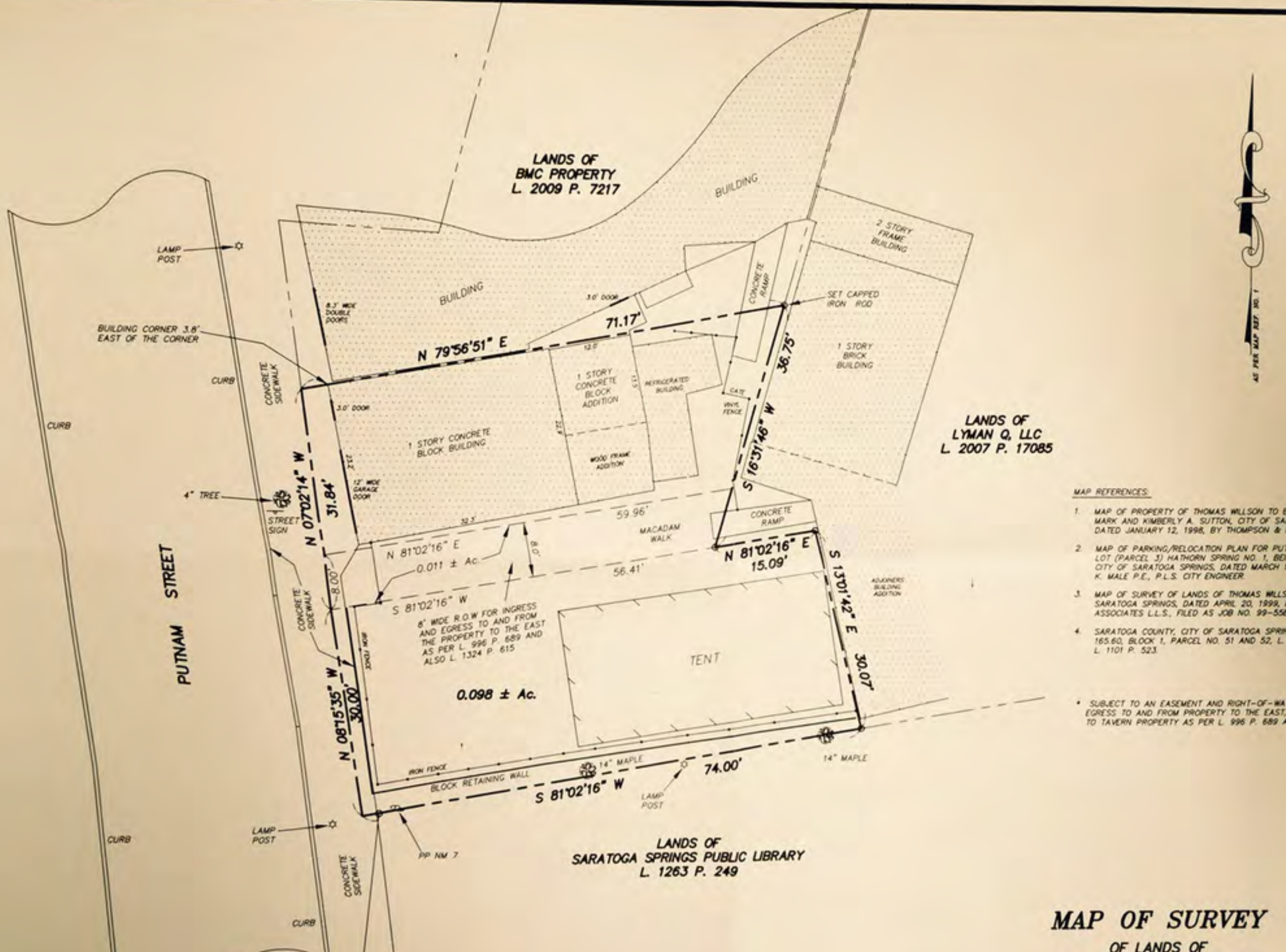
Other: _____

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR _____ DATE _____

Revised 12/2015



MAP REFERENCES:

1. MAP OF PROPERTY OF THOMAS WILLSON TO BE CONVEYED TO MARK AND KIMBERLY A. SUTTON, CITY OF SARATOGA SPRINGS, DATED JANUARY 12, 1998, BY THOMPSON & FLEMING L.S., P.C.
2. MAP OF PARKING/RELOCATION PLAN FOR PUTNAM STREET PARKING LOT (PARCEL 3) HATHORN SPRING NO. 1, BEING LANDS OF THE CITY OF SARATOGA SPRINGS, DATED MARCH 15, 1999, BY PAUL K. MALE P.E., P.L.S. CITY ENGINEER.
3. MAP OF SURVEY OF LANDS OF THOMAS WILLSON, CITY OF SARATOGA SPRINGS, DATED APRIL 20, 1999, BY W.J. ROURKE ASSOCIATES L.L.S., FILED AS JOB NO. 99-558.
4. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 165.60, BLOCK 1, PARCEL NO. 51 AND 52, L. 996 P. 689, AND L. 1101 P. 523.

* SUBJECT TO AN EASEMENT AND RIGHT-OF-WAY FOR INGRESS AND EGRESS TO AND FROM PROPERTY TO THE EAST, TO ALLOW DELIVERIES TO TAVERN PROPERTY AS PER L. 996 P. 689 AND L. 1324 P. 615.

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.

MAP OF SURVEY
OF LANDS OF
LYNCHY'S TAVERN

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK
SCALE: 1" = 10' DATE: APRIL 18, 2016

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

W. J. ROURKE, ASSOCIATES
Licensed Land Surveyors
10264 Saratoga Road, P.O. Box 1434
South Glens Falls, N.Y. 12803

16-12
JOB NO.

W.J. ROURKE, ASSOCIATES - LICENSED LAND SURVEYORS
P.O. BOX 1434, SARATOGA ROAD, SOUTH GLENS FALLS, NEW YORK 12803

43°04'53.8"N 73°47'01.8"W
Traffic, Bicycling
Northshire Bookstore
Caroline St
Karavalli
Regional Cuisine
Mio Posto
Sperry's
Dangos
Fitzgerald
Irish Steak
Putnam Den
Gardner Ln
Putnam St
Imagery ©2015 Google, Map data ©2015 Google

*PRE-EXISTING SITE WITH PREVIOUS TEMPORARY TENT & PRIOR TO KITCHEN ADDITION.

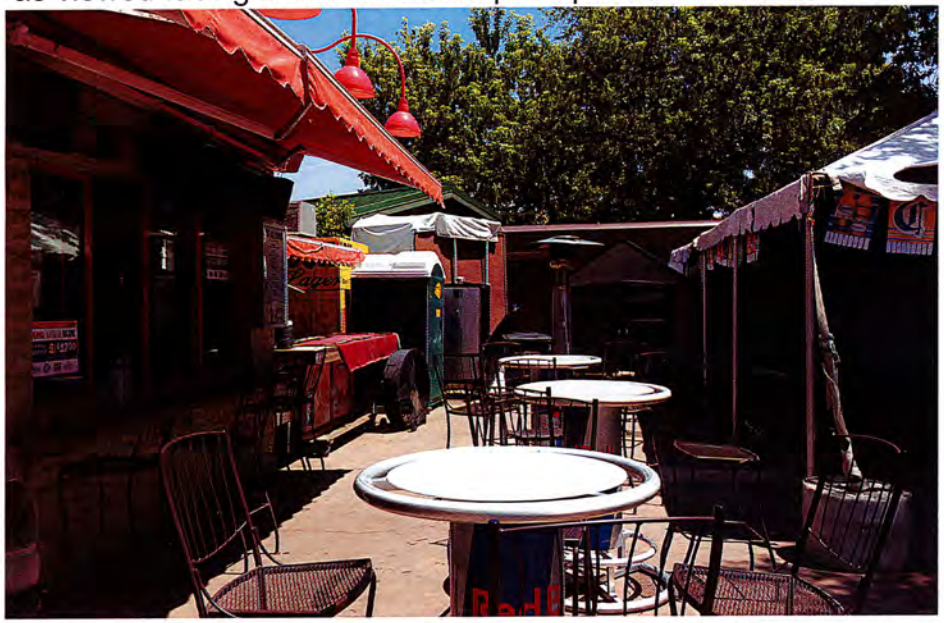
Image capture: Jul 2013 © 2015 Google

The Ice House: 70-72 Putnam St

Saratoga Springs, NY

Existing exterior service bar along right / south side of building as viewed facing North East from patio prior to kitchen addition

Pre-existing, temporary tent to be replaced with permanent tent structure



Pre-Existing Patio area as viewed facing East from Putnam St. with pre-existing, temp. tent & prior to kitchen addition

The Ice House: 70-72 Putnam St

Saratoga Springs, NY

Existing south elevation of project site as viewed facing North from Putnam St. with pre-existing temp. tent

Existing south East elevation of project site as viewed facing North West from Putnam St.

Existing front elevation of Ice House (remains unchanged) as viewed facing South East from Putnam St.

Public Library directly adjacent to the South of project site as viewed facing South East from Putnam St.

The Ice House: 70-72 Putnam St

Saratoga Springs, NY

Building across Putnam St. to the West of project site as viewed facing West from project site

Building across Putnam St. to the West of project site as viewed facing West from project site

Building across Putnam St. to the South West of project site as viewed facing South West

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	Cody Wojdyla	City Cottage, LLC	Carter Conboy, P.C.
Address	[redacted]	[redacted]	480 Broadway, Suite 250 Saratoga Springs, NY 12866
Phone	[redacted]	/	[redacted]
Email	[redacted]		

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

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

PROPERTY INFORMATION

1. Property Address/Location: 23 Jumel Place Tax Parcel No.: 166 . 13 - 1 - 15
(*for example: 165.52 – 4 – 37*)

2. Date acquired by current owner: 07/08/2005 3. Zoning District when purchased: UR-3

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

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

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

8. Brief description of proposed action: _____
Applicant is seeking a small area variance in connection with a lot line adjustment application

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) 2.3

Dimensional Requirements	From	To
Minimum Lot Size	6,600 sq. ft.	6,461 Sq 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.

   See attached Project Narrative.

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

   See attached Project Narrative.

3. Whether the variance is substantial. The requested variance is not substantial for the following reasons:
   See attached Project Narrative.

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

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

DISCLOSURE

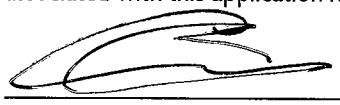
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? ☑ No ☐ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

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: 5/9/16

(applicant signature) Date:

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

Owner Signature: See authorization letter Date:

Owner Signature: Date:

CITY COTTAGE, LLC
23 Jumel Place
Saratoga Springs, NY 12866

May , 2016

City of Saratoga Springs
City Hall – 474 Broadway
Saratoga Springs, NY 12866

Att: Bradley Birge

Dear Mr. Birge:

Please allow this letter to serve as authorization to permit Cody Wojdyla to make a Lot Line Adjustment and Area Variance application to the City of Saratoga Springs Planning Board and Zoning Board on the lands belonging to City Cottage, LLC as more fully set forth and delineated in the application being filed herewith. We further authorize Carter, Conboy, Case, Blackmore, Maloney & Laird, P.C., Mr. Wojdyla's representative, to advance the applications to the Planning/Zoning Board.

Should you have any questions on the foregoing, please feel free to contact us directly.

Dated: May 9, 2016

Martha Dexter, Managing Partner

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:
City Cottage, LLC to Cody Wojdyla -- Area Variance

Project Location (describe, and attach a location map):
Saratoga Springs, NY

Brief Description of Proposed Action:
Application for a 139 square foot area variance and a lot line adjustment.

Name of Applicant or Sponsor:	Telephone: [redacted]
Cody Wojdyla & City Cottage, LLC	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? .14 acres
b. Total acreage to be physically disturbed? 0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .34 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: _____	☐	☑
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: Cody Wojdyla Date: 5/9/16

Signature: _____

PRINT FORM

23 JUMEL PLACE AREA VARIANCE

PROJECT NARRATIVE

The applicant is seeking a small area variance and lot line adjustment in connection with the sale of an approximate 2,850 sq. ft. portion of property located in the rear of the lands of City Cottage, LLC (Parcel ID 166.13-1-15) located at 23 Jumel Place ("Property"). The Property is to be conveyed to the northerly neighbor, Cody Wojdyla (Parcel ID 166.13-1-46) with a property address of [redacted] Lake Avenue. The aforementioned parcels are situated in the Urban Residential-3 zoning district and are subject to minimum lot size requirements of 6,600 square feet for 1-unit and 8,000 square feet for 2-units. The proposed purchase and sale would reduce the Propery's lot size from 9,311 square feet to 6,461 square feet while increasing Mr. Wojdyla's lot size from 5,814 square feet to 8,664 square feet.

RELIEF REQUESTED: A 2% minimum lot size variance from City Zoning Ordinance Section 2.3 for the Property (6600 SF to 6461 SF).

1. **Whether the benefit sought by the applicant can be achieved by other feasible means**

The applicant has explored alternatives to seeking a variance such as manipulating the boundary line to increase the square footage of the Property to surpass the 6,600 square foot threshold. However, the proposed alternative would result in the creation of a sliver of unusable land, whereas the requested area variance would create one symmetrical rectangular lot. The variance requested herein would create "clean" boundary lines (squared corners) to maximize the functional access to the newly created lot and reduce future lot line confusion.

Furthermore, the alternative of moving the proposed lot line 3 feet north to create two conforming lots would substantially limit Mr. Wojdlya from being able to access the new portion

of his lot because of the narrow pathway between his existing garage structure and the attendant vegetation. On the southeast corner of Mr. Wojdyla's property sits a large maple tree located between Mr. Wojdyla's garage and the boundary line. The tree is approximately two feet in width and limits the access to the new rear acreage. A conforming boundary line would further compound that limitation by reduce accessibility by an additional 3 feet, leaving Mr. Wojdyla's limited functional access to the new lot.

As such, there is no other feasible alternative that will deliver the same benefits to the applicant.

2. **Whether the variance is substantial**

The applicant is requesting a 139 square foot area variance which is an approximate 2% deviation from the minimum lot size requirement for a 1-unit property in the UR-3 zoning district. An area variance this size is minimal compared to the overall lot size.

3. **Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.**

The applicant submits that the area variance requested herein would benefit the property owners as well as result in a positive change to the neighborhood. In its current state, Mr. Wojdyla's property is a legal non-confirming lot as it relates to the minimum lot size requirements. Because Mr. Wojdyla owns a 2-unit property, the current minimum lot size for his property is 8,000 square feet and the current lot size is 5,814 square feet. The difference represents an approximate 28% deviation from the applicable minimum lot size requirements. If the requested lot line adjustment and area variance are granted, Mr. Wojdyla's lot size would be increased to 8,664 square feet, placing it into conformance with the minimum dimensional requirements. Given that the area variance requested would result in a minimal 2% deviation

from the lot size requirements applicable to the Property, the net gain in conformance would be 26%.

Therefore, the requested area variance would result in a substantial benefit to the surrounding neighborhood.

4. **Whether the variance will have adverse physical or environmental effects on neighborhood or district**

Due to the *de minimus* nature of the relief requested, there will be no adverse physical or environmental effects on the neighborhood.

5. **Whether the alleged difficulty was self-created**

The applicant acknowledges that the hardship is self-created; however, this is not fatal to an application for an area variance.

Based on the foregoing, the applicants respectfully request that this Board grant the request for a 139 square foot or 2% area variance from the minimum lot size requirement.

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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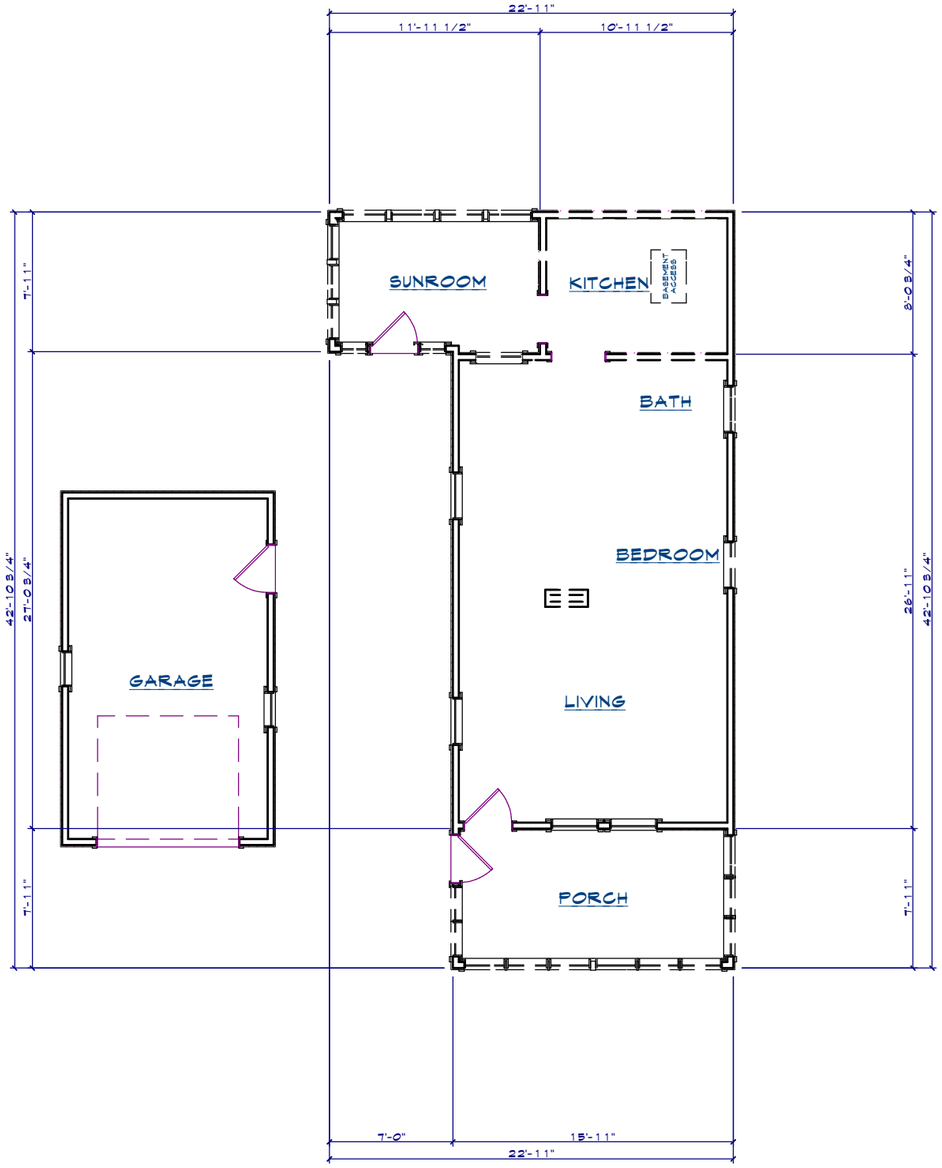
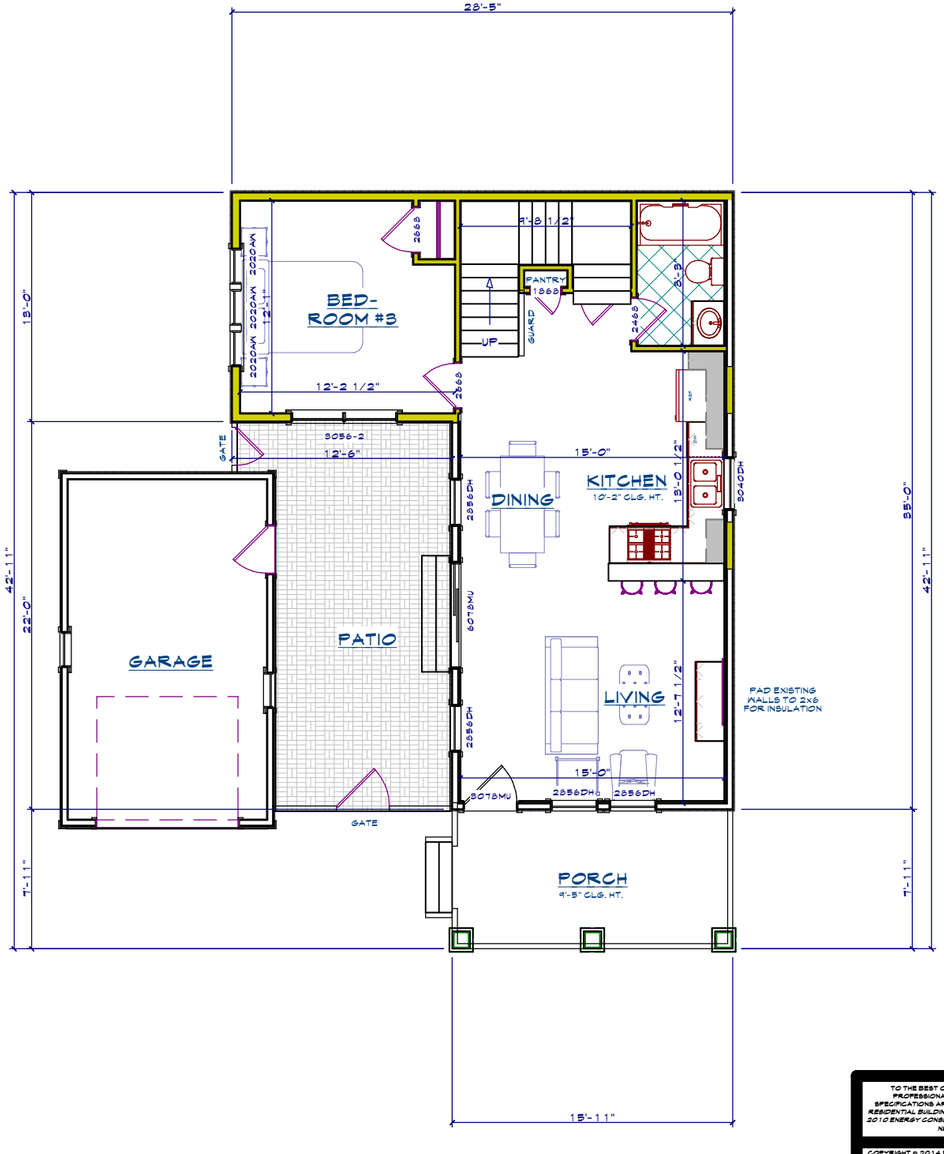
- EXISTING CONSTRUCTION
- TO BE DEMOLISHED
- NEW CONSTRUCTION

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

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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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

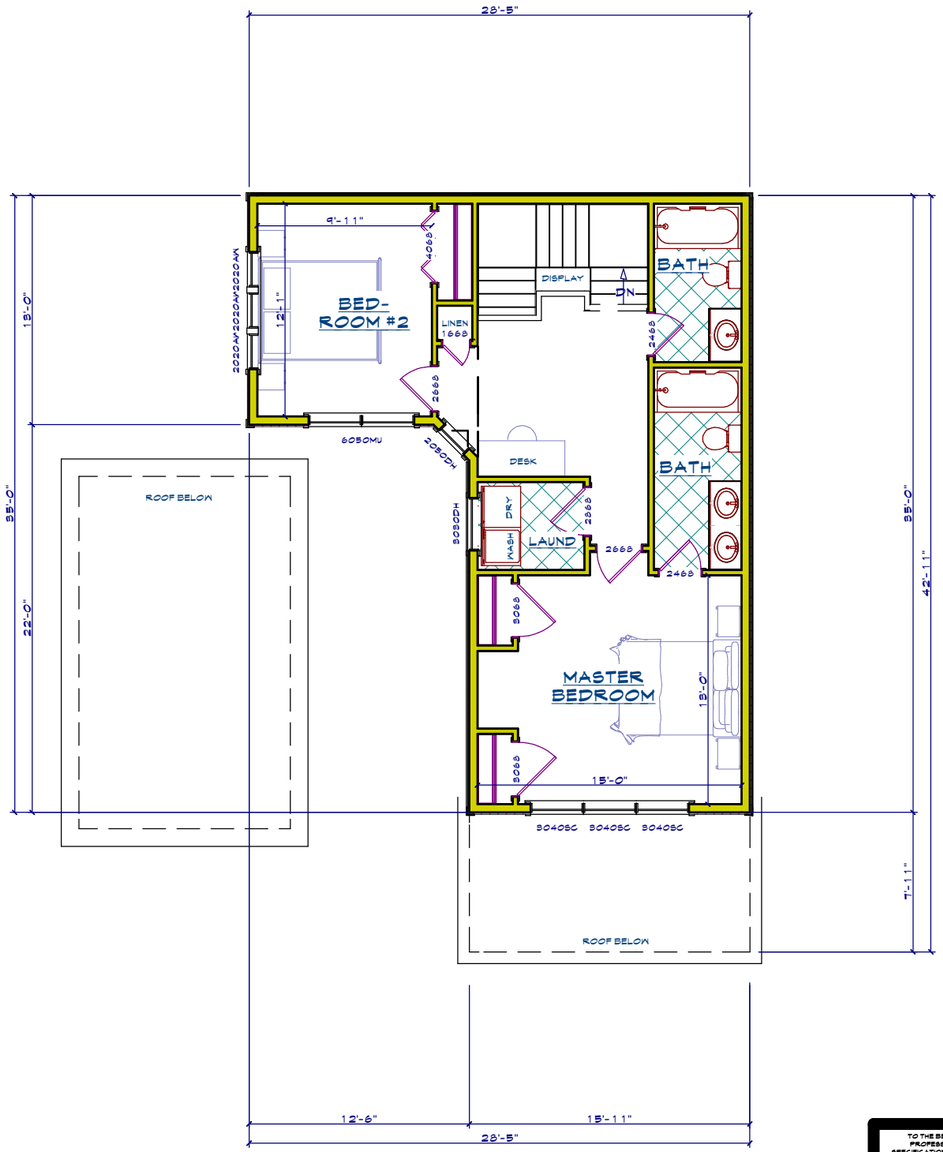
LIVING/DINING/KITCHEN

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

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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PLAN NO:

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ADDRESS:

117 MIDDLE AVE
SARATOGA
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WILLIAMS & WILLIAMS DESIGNERS INCORPORATED

509 GLEN STREET-GLENS FALLS-NEW YORK 12801
518-798-HOUSE(4687)
WILLIAMSANDWILLIAMSDESIGNERS.COM

SEAL:

05/05/16

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,

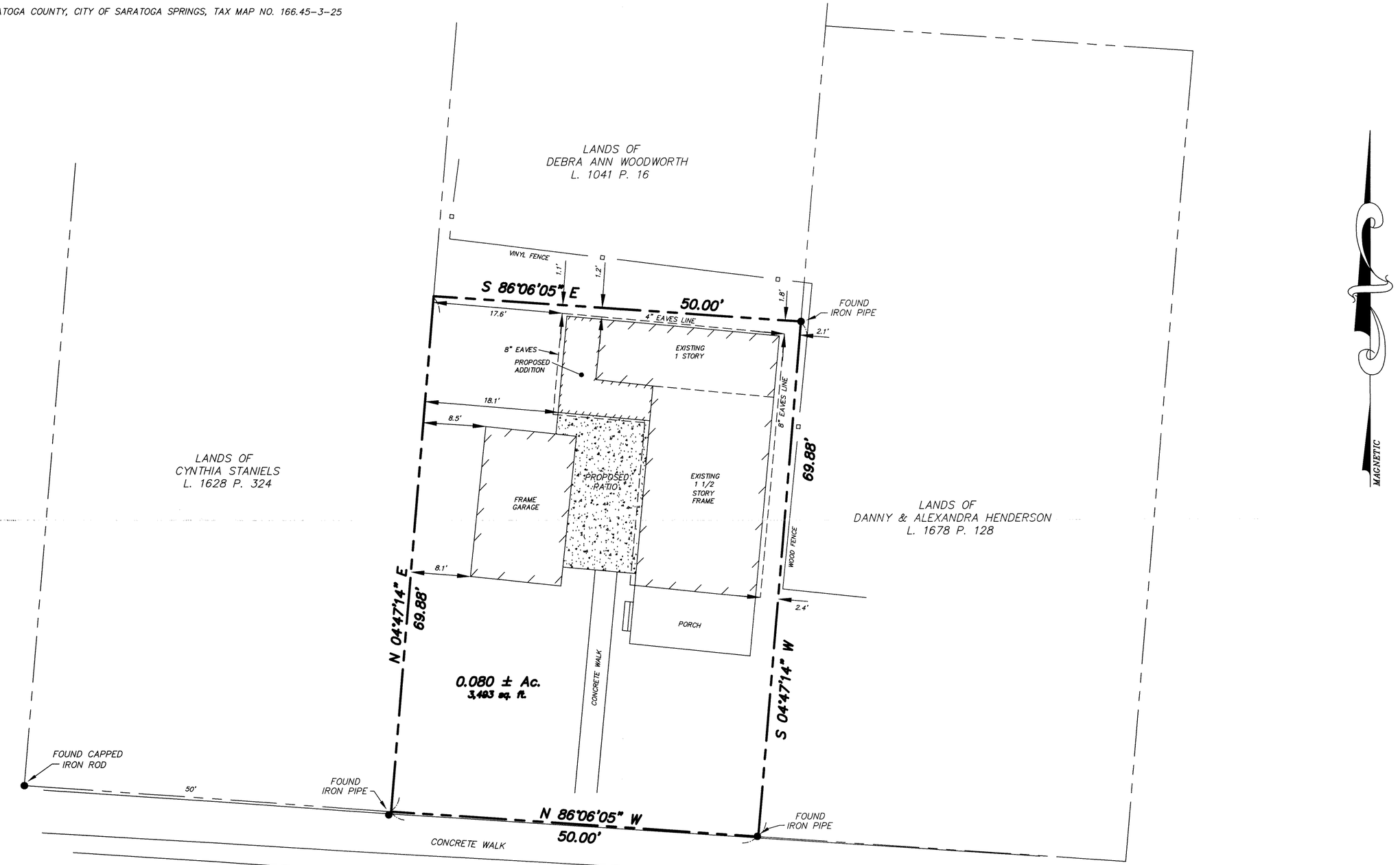
We received notice that Chris Armer & Teri DeSorbo have applied for a variance. My wife Kathryn Strassner and I own the double lot property at [redacted] York Ave. Our driveway (and main entrance) is directly adjacent to the western border of 117 Middle Ave. While at first we were concerned that development 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

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.

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

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

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE PROFESSIONAL JUDGEMENT, THESE PLANS & SPECIFICATIONS ARE IN COMPLIANCE WITH THE 2010 OF APPLICABLE BUILDING CODE OF NEW YORK STATE THE 2010 OF ENERGY CONSERVATION CONSTRUCTION CODE OF NEW YORK STATE

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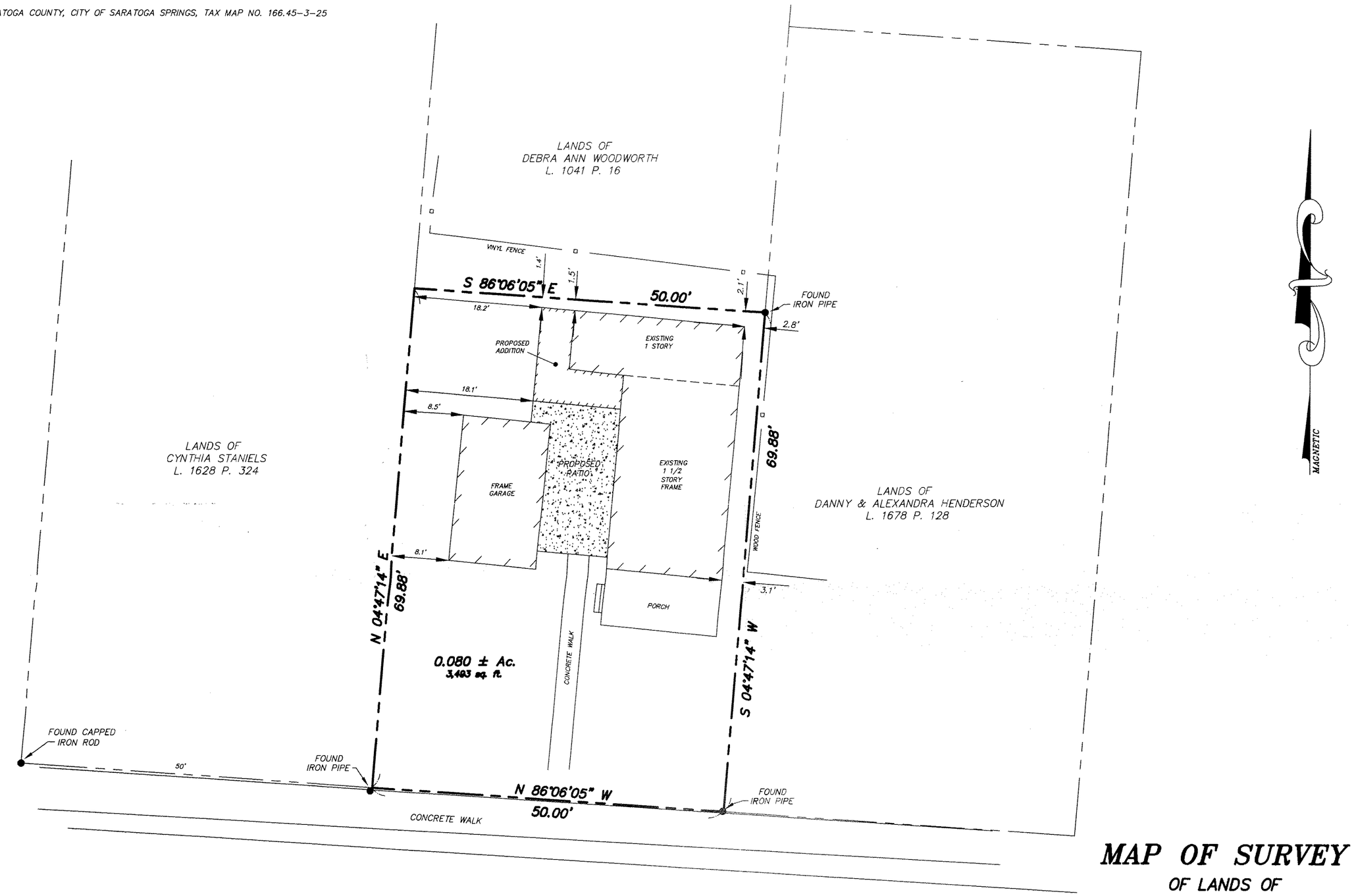
MAP REFERENCES:

1. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 166.45-3-25



LEGEND:

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- O SET IRON ROD WITH CAP
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MAP OF SURVEY

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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

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14-91
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299 RESERVOIR ROAD, FORT EDWARD, NEW YORK 12828

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.		
LOT COVERAGE	30%	33.5%

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.

   THE LOT COVERAGE COULD POSSIBLY BE ADDRESSED BY REDUCING THE SIZE OF THE FRONT PORCH. HOWEVER, IT WOULD REDUCE THE USABILITY OF THE PORCH AND IMPACT THE ARCHITECTURAL DESIGN

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.

   THE LOT COVERAGE VARIENCE IS RATHER SMALL AND I BELIEVE IT WOULD NOT HAVE ANY NEGATIVE IMPACT ON THE NEIGHBORHOOD AS MANY PROPERTIES APPEAR TO COVER A LARGE PERCENTAGE OF THE LOTS.

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.

THE LOT COVERAGE VARIANCE IS NOT SUBSTANTIAL IN THAT IT IS ONLY 3% AND IS KEEPING IN CHARACTER WITH THE NEIGHBORHOOD. THE HOME IS ALSO TOWARDS THE BACK OF THE LOT AND ANY IMPACT WOULD NOT BE NOTICABLE FROM THE STREET.

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.

THE REQUESTED LOT COVERAGE VARIENCE WOULD HAVE NO ADVERSE EFFECT ON THE NEIGHBORHOOD OR DISTRICT BECAUSE IT IS MINIMAL (3%) AND IS KEEPING IN CHARACTER WITH THE NEIGHBORHOOD. IT WOULD MOST LIKELY NOT BE NOTICABLE FROM THE STREET.

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.

THE LOT COVERAGE VARIANCE COULD BE CONSIDERED SELF-CREATED IN THAT THE PLANS HAVE A SMALL ADDITION TO THE HOUSE HOWEVER, THE HOME IS STILL OF A MINIMAL SIZE AND IS KEEPING IN CHARACTER WITH THE REST OF THE NEIGHBORHOOD

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

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

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	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

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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: _____

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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)

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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

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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

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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: _____

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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.

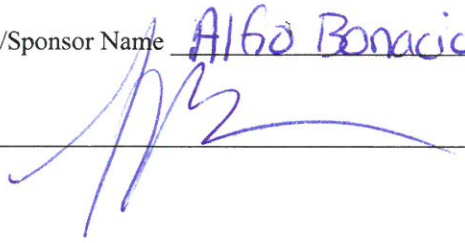
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

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.

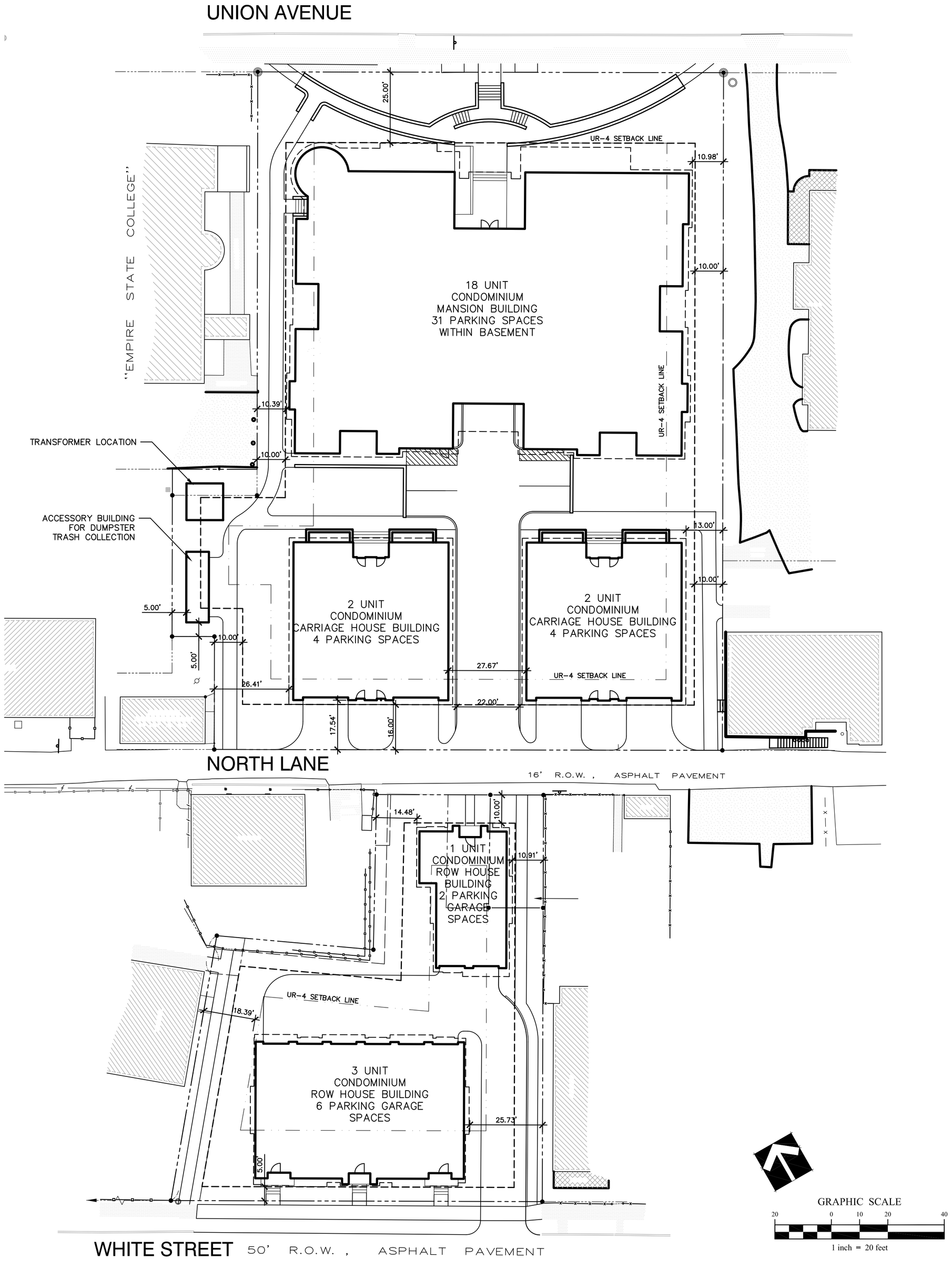
We have no records of rare or state-listed animals or plants, or significant natural communities at your site or in its immediate vicinity.

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.
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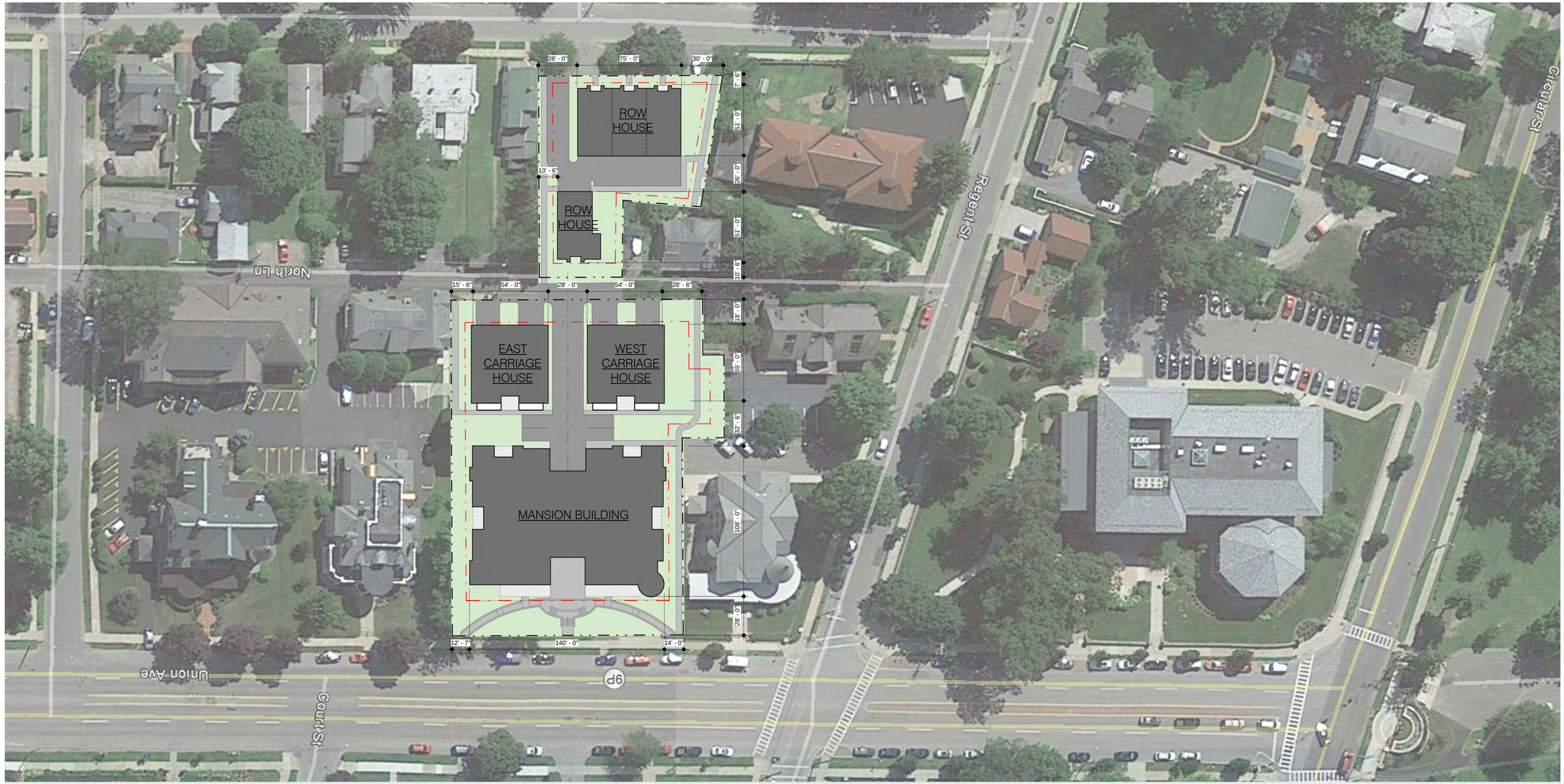
balzer + tuck
architecture

Bonacio Construction Inc.

Union Streetscape Image - Existing
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS

N



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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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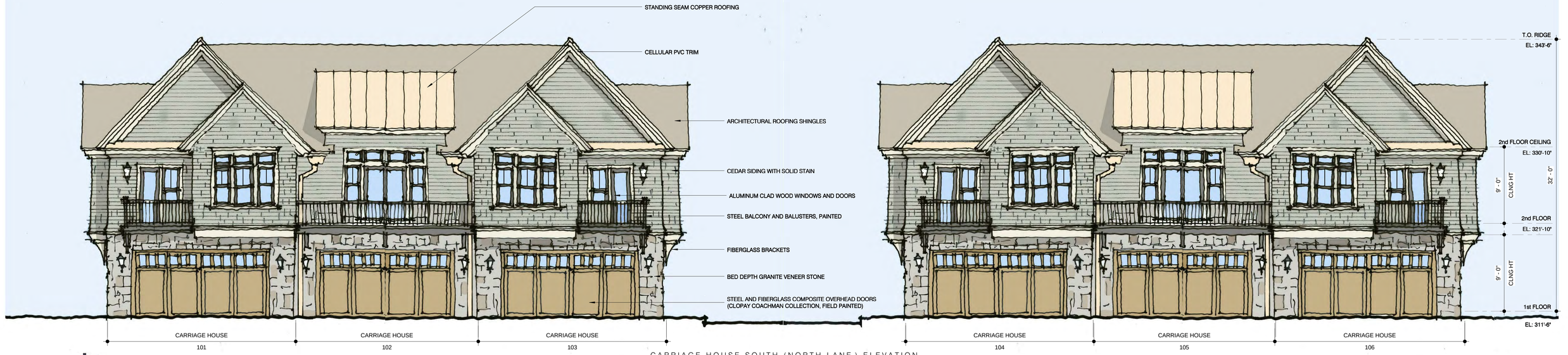
Bonacio Construction Inc.

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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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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Bonacio Construction Inc.

Union Avenue Perspective
BTA PROJECT NO: 1602

UNION AVENUE CONDOMINIUMS

SUBMITTED 5/23

ZONING BOARD OF APPEALS May 23, 2016

RE: MOORE HALL PROJECT 1/2 1st of two pages

I have several concerns regarding the Moore Hall proposed buildings for White Street.

My Home faces White Street and is located in the northwest corner of the Moore Hall parking lot, facing out over an empty parking lot. It is bordered on three sides by the proposed project, and I am very concerned on several counts the primary being construction, and demolition vibration. The proposed three row house on white street is massive. I will loose my entire view and I am concerned that I will not get any direct sunlight during the winter. The sheer mass and scale of this one building is not in accord with the neighborhood. The proposed units are homes not an apartment building, and in order to be compatible with the neighborhood should be broken up into two separate units. This separation and reduction in size will look and feel like the homes on white street, as well as giving residents a little yard area.

I feel that the density of this project in total is too high. There should be some open areas available for residents, while allowing it to blend with the neighborhood house to yard ratio. If I were attempting to build a house with this small a ratio of building to land I would be denied.

My Primary concerns are;

1) Vibration due to construction which can cause structural damage. My Home is on the Historic registry and is over a hundred years old. It is constructed of soft brick and soft mortar and may well be susceptible to heavy vibration from demolition, construction and heavy traffic. My Home is bordered on three sides by this project and will be impacted more directly than any other properties. It is 30 feet from Moore Hall and very vulnerable, especially during demolition. I would like some guarantees that if structural damage occures during or after the demolition, and construction process, that My Home will be restored to original condition.

2) Snow build up (from plowing) directly in front of my yard. I would also like to confirm that there will be a snow removal contract as there is nowhere to plow snow (ANYWHERE). I am also concerned that plowing of light snowfalls will cumulatively build up directly in front of my home (there is absolutely nowhere to plow snow anywhere in this project space).

3) Loss of any view except the back of this disproportionately large building

3) Loss of direct sun during the winter due to height and mass of new structure.

4) Inability to see the house from the street. My Home is on the historic Registry and was designed by ??????? a famous architect at the turn of the century. The house is a very beautiful little building. When viewed from White Street it is quite striking, but will be eclipsed and hidden behind all these new structures.

Thank you for your time and consideration

Richard Upton

[redacted]North Lane Alley
Saratoga Springs
[redacted]

SUBMITTED 5/23

ZONING BOARD OF APPEALS May 23, 2016

RE: MOORE HALL PROJECT 1/4 1st of 4 pages

I am writing in protest to the 46 Union Ave building using the North Lane Alley as access for its parking. The access should be on Union Avenue, not North Lane Alley.

Using North lane Alley as parking access for the Union Avenue building will potentially allow hundreds of vehicles per day to be traveling down this narrow, quite Alley. This is more traffic than many of the streets in this neighborhood host during a typical day. Currently North Lane Alley gets 6 to 12 vehicles per day, not HUNDREDS. During the winter this narrow Alley is going to be further narrowed and compromised by snow and plowed snow drifts, limiting visibility, and making it even more dangerous to pedestrians and children.

North Lane is a narrow Alley not designed for Heavy Traffic. Many of the Homes, and buildings have only a two or three foot setback, and no room for a vehicle to maneuver in the event of a problem, especially during the winter with high snow drifts. Should the City require Hundreds of vehicles to use an Alley not designed to support this type of volume it will create an unsafe environment with foreseeable consequences. This is sufficient grounds to include the city in any Litigation should anyone be injured or killed, especially children.

Regent Street has three schools within a 11/2 block distance from one of North Lanes entrances, which results in considerable traffic congestions from car and busses picking up and dropping off students. The Waldorf school is on the corner of Regent and North Lane Alley, and has students wandering around as well as busses, parents vehicles, and teachers. Heavy traffic use and Children do not Mix. While North Lane Alley as an exit onto Clark Street has limited visibility of people moving along the sidewalk. (I have personally experienced this, and not seen pedestrians until the last minute). This is also a good reason to keep North Lane Alley a two way street.

Heavy traffic concerns in regards to the previous Moore Hall renovation proposal was one of the primary issues raised. It is my opinion that using North Lane Alley as the access for the Union Ave building will pose a significantly worse traffic and congestion problem. The previous proposed units were single bedroom, meaning one occupant in general. The current condo's are large family units, suggestive of two adults plus children. Parents work and shuttle kids to events, and if the children are of driving age the coming and going will be even higher. Additionally friends visiting, and being dropped off or picked up will add to traffic.

The statement of Hundreds of vehicles using North Lane Alley is not an exaggeration. Here's the math; 44 vehicles (two per condo, for 22 units) coming and going (which is 2 vehicle trips down Alley, ((to and from)).
44 vehicles x 2 (coming and going) x 2(trips) = 176 vehicles traveling through Alley.
44 vehicles x 2 (coming and going) x 3 (trips) = 264 vehicles traveling through Alley.

Twice a day; 176 vehicles traveling down the Alley.
Plus current vehicles, Plus additional traffic, Plus friends and dropoffs

Three a Day 264 vehicles traveling down the Alley.
Plus current vehicles, Plus additional traffic, Plus friends and dropoffs

These are reasonable numbers as these are large Family Unit Condo's, many of which will have children (who might also be playing around or in the Alley) so the number of vehicle trips could be higher.

North Lane Alley is very narrow with homes and buildings set close to the asphalt. Heavy traffic would be both annoying and dangerous to people living on the Alley. Examples of this, and my personal reasons for resisting using the Alley for access to a parking complex not located on North Lane Alley but rather Union Avenue are as follows.
Heavy Traffic will be Dangerous on North Lane Alley

1) Waldorf school located on the corner of North Lane Alley, and Regent Street. Children and teachers milling around, busses unloading and loading could be very dangerous

2) Heavy traffic congestion on Regent Street during different times of the day as the three schools begin and end.
Parents drop off preschoolers and are distracted by thier children while crossing traffic Waldorf School busses, Parents dropping off Children, teachers parking cars and walking to the school .

3) Vibration due to Heavy Traffic, and construction which can cause structural damage. My Home is on the Historic registry and is over a hundred years old. It is constructed of soft brick and soft mortar and may well be susceptible to heavy vibration from demolition, construction and heavy traffic. My Home is bordered on three sides by this project and will be impacted more directly than any other properties. It is 30 feet from Moore Hall and very vulnerable, especially during demolition, while heavy construction vehicles (cement mixers, dump trucks, heavily laden delivery trucks), and construction equipment pose there own hazards. I would like some guarantees that if structural damage occurs during or after the demolition, and construction process that My Home will be restored to original condition.

4) Snow removal from rooftops. Ladders close to or on the blacktop as people

rake snow off their roofs, are not going to be 100% focused on Heavy traffic moving down the Alley. While large snow drifts will limit visibility.

5) Gardening and Working on buildings which may again entail ladders close to or on the Alley. Many of the buildings on North Lane Alley have very narrow setbacks, sometimes only two feet.

6) Loading trucks which are parked for an indefinite period, blocking North Lane Alley. The only direct access I have to my buildings is from the Alley, and I periodically load and unload crates and boxes into a truck.

7) Noise pollution; Heavy traffic on North lane Alley would be very disturbing and disruptive.

8) Vibration due to heavy traffic, and demolition, construction, heavy construction vehicles

9) Vibration due to Heavy traffic, and construction which can cause structural damage. My Home is on the Historic registry and is over a hundred years old. It is constructed of soft brick and soft mortar and may well be susceptible to heavy vibration from demolition, construction and heavy traffic.

I WOULD ALSO LIKE TO STATE THAT I AM AGAINST NORTH LANE ALLEY BEING MADE ONE WAY.

A) North Lane Alley exiting onto Clark Street is dangerous, as it has limited visibility of pedestrians on the sidewalk. In the winter with large snow drifts and people bundled up it will be even worse. Add in an icy Alley and you could have flattened pedestrian.

B) North Lane Alley entering on Regent street will cause more congestion with three shools on Regent St.

C) Snow will continuously be plowed onto my side of alley, blocking driveway and entrances. During a heavy snow season trucks may not even be able to plow continuously to one side as the drifts may be too large, especially with two to four foot setbacks on some of these buildings. the combination of small setbacks and and one direction plowing could force snow into and up the walls of existing structures resulting in severe damage.

D) Whenever I am loading or unloading my trucks the alley will be blocked and people can choose to access there homes by entering the alley from the other direction. Even if I move my truck every time someone approaches its going to delay traffic

Alley ways are for rear access to building for the purpose of deliveries (loading and unloading), trash pickup, and fire access, and for secondary living accommodations. Local residents also stroll down North Lane Alley during the summer to get away from traffic and have a quitter experience. North Lane Alley is not designed for heavy traffic use, especially for buildings not located on that Alley. They have no sidewalks, limited visibility when entering the alley, and limited room to move out of the way should a driver be distracted or be driving recklessly. These problems will be compounded significantly during the winter months.

Union Avenue parking entrance should be on Union Avenue. They can enter and drive down along the side of the building, turning behind it and enter the parking area. Upon leaving they would exit in the opposite direction, driving down the opposite side of the building and enter Union Avenue. They have sufficient room on the side of the building to make this feasible.

Thank you for your time and consideration

Richard Upton

[redacted] North Lane Alley
Saratoga Springs
[redacted]

Condominium Market Analysis - Last 24 Months

Park Place Condominiums - 268 Broadway Active/Pending

Status	MLS #	Address	Price	BRs	BAs	Style	Closing Date	Days On Market	Above Ground SQFT
ACT	201522331	268 #405 BROADWAY	$639,900	1	1.1	CND		2190	1425
ACT	201522169	268 #509 BROADWAY	$725,000	2	2	CND		2190	1620
ACT	201521890	268 #505 BROADWAY	$885,000	2	2.1	CND		2190	1980
ACT	201522058	268 #306 BROADWAY	$1,275,021	3	2.1	CND		2190	2625
ACT	201522167	268 #308 BROADWAY	$1,323,221	3	2.1	CND		2190	2725
ACT	201522175	268 #310 BROADWAY	$1,373,962	3	2.1	CND		2190	2785
ACT	201522335	268 #410 BROADWAY	$1,381,964	3	2.1	CND		2190	2785
ACT	201415659	268 BROADWAY	$1,399,000	3	3.1	CND		2190	3025
ACT	201521895	268 #312 BROADWAY	$1,575,000	2	2.1	CND		2190	2830
PND	201414552	268 BROADWAY	$850,374	3	2	CND	12/11/2015	2190	1855
PND	201414543	268 BROADWAY	$1,051,187	2	2.1	CND	9/15/2015	2190	2340

25,995 ÷ 11 ≈ 2363 ft²

Park Place Condominiums - 268 Broadway Sold Last 2 Years

Status	MLS #	Address	Price	BRs	BAs	Style	Closing Date	Days On Market	Above Ground SQFT
SLD	201400828	268 BROADWAY	$319,784	2	1.1	CND	10/29/2014	1825	2345
SLD	201414917	268 BROADWAY	$631,380	2	1.1	CND	11/18/2014	1825	1490
SLD	201416124	268 BROADWAY	$850,000	2	2.1	CND	10/31/2014	1825	1855
SLD	28101580	268 BROADWAY	$991,802	2	3.1	CND	4/10/2015	2190	2216
SLD	201404291	268 BROADWAY	$1,290,416	2	2.1	CND	9/18/2015	2190	2625
SLD	201404528	268 BROADWAY	$1,300,000	2	2	CND	5/1/2015	2190	2425
SLD	201314590	268 BROADWAY	$1,341,830	0	2.1	CND	9/29/2015	2190	2725
SLD	201407118	268 BROADWAY	$1,419,968	2	3.1	CND	10/9/2014	1825	2840
SLD	201417259	268 BROADWAY	$1,540,000	3	3.1	CND	4/3/2015	2190	3065
SLD	201324303	268 BROADWAY	$1,825,000	3	3.1	CND	8/11/2014	1825	3430

54 Phila Street Sold

Status	MLS #	Address	Price	BRs	BAs	Style	Closing Date	Days On Market	Above Ground SQFT
SLD	201217592	54-301 PHILA ST	$724,200	2	2	CND	6/10/2014	1825	1890
SLD	201217591	54-401 PHILA ST	$780,900	2	2	CND	2/13/2014	1825	1890
SLD	201217589	54-302 PHILA ST	$782,000	1	2	CND	1/24/2014	1825	1940
SLD	201505080	54 PHILA ST	$812,500	2	2	CND	6/8/2015	2190	1940
SLD	201217590	54-402 PHILA ST	$840,200	2	2	CND	9/25/2012	1095	1940
SLD	201217593	54-303 PHILA ST	$1,234,000	3	3	CND	7/11/2014	1825	2925
SLD	201123007	54 Unit 403 PHILA ST	$1,322,250	3	3	CND	7/11/2012	1095	2925

38 High Rock Condominiums Active/Pending

Status	MLS #	Address	Price	BRs	BAs	Style	Closing Date	Days On Market	Above Ground SQFT
ACT	201524569	38 HIGH ROCK - 4G	$705,200	2	2	CND		2190	1595
ACT	201501850	38 HIGH ROCK - 6J	$735,000	1	1.1	CND		2190	1455
ACT	201524617	38 HIGH ROCK - 6D	$762,000	2	2	CND		2190	1608
ACT	201524632	38 HIGH ROCK - 6F	$865,000	2	2	CND		2190	1744
ACT	201524634	38 HIGH ROCK - 6G	$870,000	2	2	CND		2190	1759
ACT	201411301	38 HIGH ROCK - 6E	$930,000	2	2	CND		2190	1871
ACT	201524572	38 HIGH ROCK - 5N	$980,000	3	3	CND		2190	2274
ACT	201524611	38 HIGH ROCK - 6B	$1,035,000	2	2.1	CND		2190	2374
ACT	201524570	38 HIGH ROCK - 5F	$1,050,000	2	2.1	CND		2190	2419
ACT	201517546	38 HIGH ROCK - 6H	$1,315,000	2	2.1	CND		2190	3026
ACT	201524646	38 HIGH ROCK - 6I	$1,485,000	3	3	CND		2190	3006
ACT	201421671	38 HIGH ROCK - 5P	$1,540,000	3	2.1	CND		2190	3248
PND	201513897	38 HIGH ROCK - 4F	$1,190,000	2	2.1	CND	11/30/2015	2190	2419
PND	201504504	38 HIGH ROCK - 5I	$946,000	2	2	CND	5/29/2015	2190	2350

31,138 ÷ 14 ≈ 2,224 ft²

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

APPLICANT: MOORE HALL, LLC

TAX PARCEL NO.: 165.76-1-32, 33, 34.13, 40

PROPERTY ADDRESS: 28 UNION AVENUE/35 WHITE STREET
ZONING DISTRICT: URBAN RESIDENTIAL – 4

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

Proposed demolition of an existing dormitory and construction of a total of 26 dwelling units.

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

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

☐ Extension of existing variance ☐ Interpretation

☐ Use Variance to permit the following: _____

☒ Area Variance seeking the following relief:

Dimensional Requirements	From	To
Minimum lot size per dwelling unit:	78,000 sq. ft.	56,192.4 sq. ft
Minimum side yard setback: west 18-unit bldg.	20 feet	10 feet
Minimum side yard setback: east 18-unit bldg.	20 feet	10 feet
Minimum total side yard setback: 18-unit bldg.	45 feet	20 feet
Minimum rear yard setback: North Ln. two-unit (west)	25 feet	16 feet
Minimum rear yard setback: North Ln. two-unit (east)	25 feet	16 feet
Minimum side yard setback: two-unit (east)	20 feet	11 feet
Minimum rear yard setback: North Ln. one-unit	25 feet	10 feet
Minimum side yard setback: one-unit (west)	20 feet	14 feet
Minimum side yard setback: one-unit (east)	20 feet	10 feet
Minimum total side yard setback: one-unit	45 feet	24 feet
Minimum front yard setback: White St. three-unit	25 feet	5 feet
Maximum principal building coverage: Union Ave.	25%	52.39%
Maximum principal building coverage: White St.	25%	39%

Note: Planning Board site plan review and DRC Historic Review required.

☑ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

5/23/16
DATE

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

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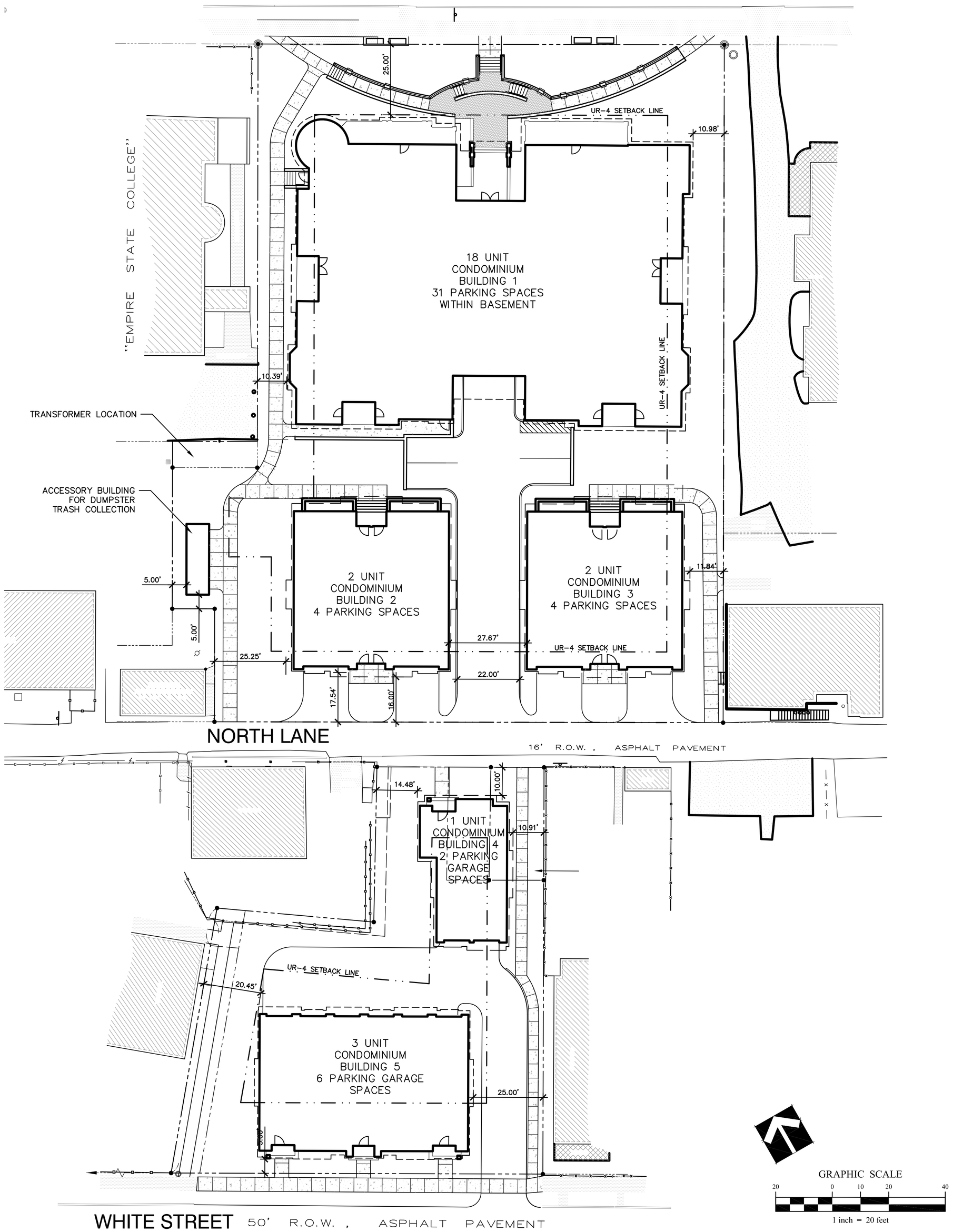

GRAPHIC SCALE

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
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40 Long Alley
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NY 12866
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f: 518-587-0180
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

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: "richard upton" [redacted]
To: "Susan Barden" <susan.barden@saratoga-springs.org>
Cc: "richard upton" [redacted]
Sent: Thursday, May 26, 2016 4:07:23 PM
Subject: Moore Hall Project

Susan Barden May 26, 2016
Senior Planner
Planning & Economic Development

RE: MOORE HALL PROJECT 1/2 1st of two pages

I have several concerns regarding the Moore Hall proposed buildings for White Street.

I am not against the project, on the contrary it may add something to the area. The neighborhood residents also seem happy with the proposal. I just have a few concerns, some of them potentially serious.

My Home faces White Street and is located in the northwest corner of the Moore Hall parking lot, facing out over an empty parking lot. It is bordered on three sides by the proposed project, and I am very concerned on several counts the primary being demolition, and construction vibration. The proposed three row house on white street is massive. I will loose my entire view and I am concerned that I will not get any direct sunlight during the winter. The sheer mass and scale of this one building is not in accord with the neighborhood. The proposed units are homes not an apartment building, and in order to be compatible with the neighborhood should be broken up into two separate units. This separation and reduction in size will look and feel like the homes on white street, as well as giving residents a little yard area.

I feel that the density of this project in total is too high. There should be some open areas available for residents, which would allow it to blend with the neighborhood house to yard ratio. If the average homeowner were attempting to build a house with this small a ratio of building to land the Zoning and permits would be denied.

My Primary concerns are;

1) Vibration due to demolition, and construction which can cause structural damage. My Home was built in 1906, and is constructed of soft brick and soft mortar and may well be susceptible to heavy vibration from demolition, construction and heavy traffic. My Home is bordered on three sides by this project which will amplify vibration, impacting it more directly than any other properties. It is 30 feet from Moore Hall and very vulnerable, especially during demolition. I would like some guarantees that if structural damage occurs during or after the demolition, and construction process, that My Home will be restored to original condition.

2) Snow build up (from plowing) directly in front of my yard. I would also like to confirm that there will be a snow removal contract as there is nowhere to plow snow (ANYWHERE). I am also concerned that plowing of light snowfalls will cumulatively build up directly in front of my home (there is absolutely nowhere to plow snow anywhere in this project space).

3) Loss of any view except the back of this disproportionately large building

3) Loss of direct sun during the winter due to height and mass of new structure.

4) Inability to see the house from the street. My Home maybe on the historic Registry (still checking) and was designed by (still researching) a famous architect at the turn of the century. The home is a very beautiful little brick and mortar building built in 1906. When viewed from White Street it is quite striking, but will be eclipsed and hidden behind all these new structures.

Thank you for your time and consideration

Richard Upton

[redacted] North Lane Alley
Saratoga Springs
[redacted]

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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	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.

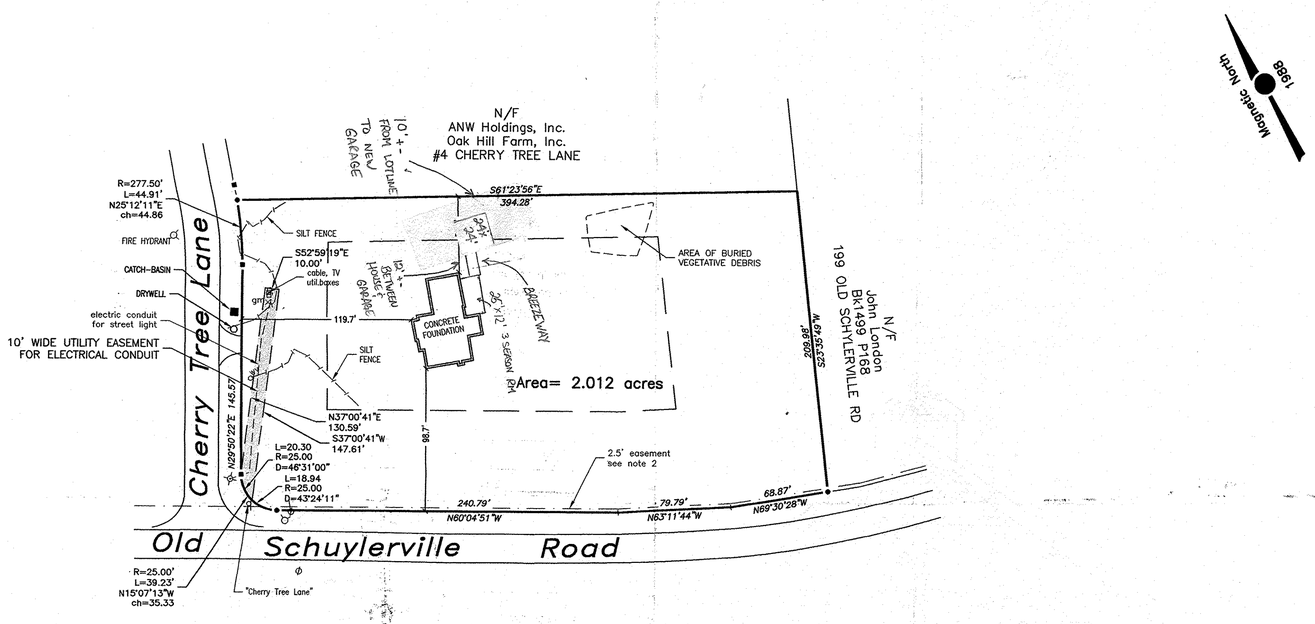
(applicant signature) Date: 3-25-16

(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: 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

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

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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.

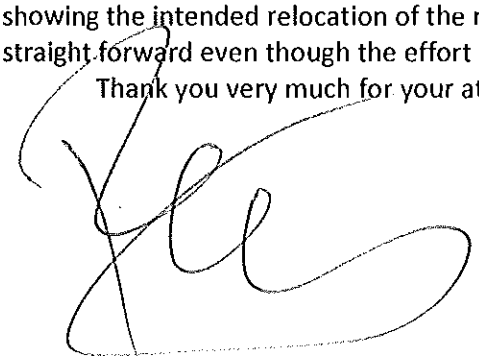
Because of the "overlap" of the planned structure with the new wetland, a permit has to be secured to permit any construction at all. Applicant is seeking permission to fill 2500± square feet of the site, which would create a site for the building and very limited working space.

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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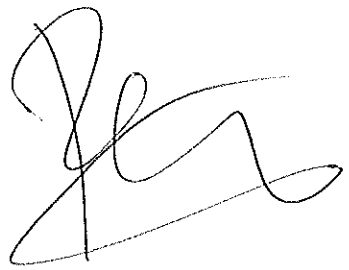
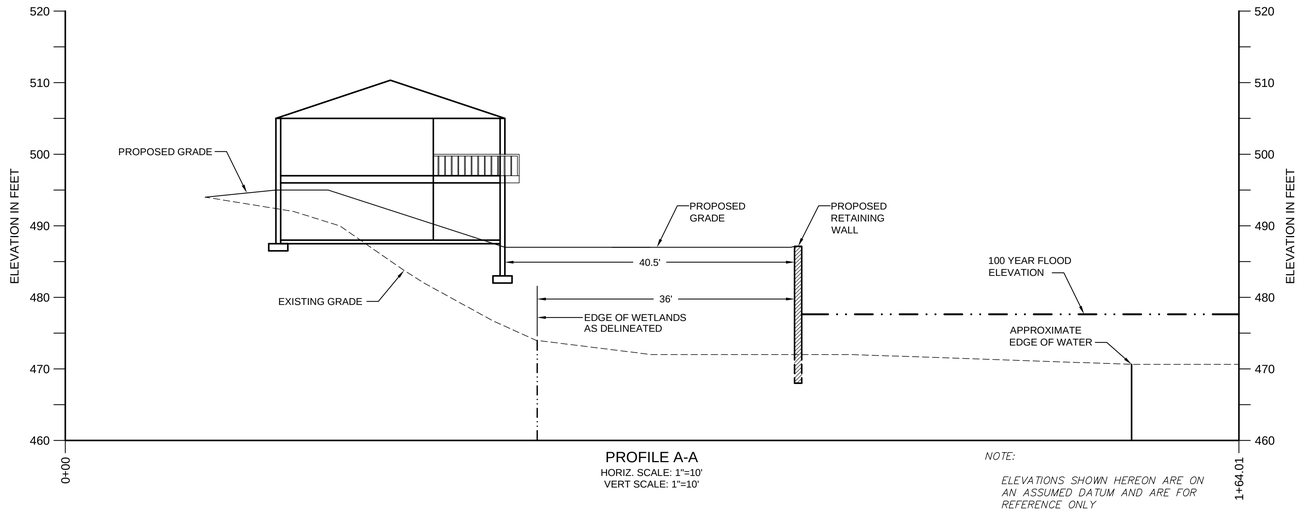
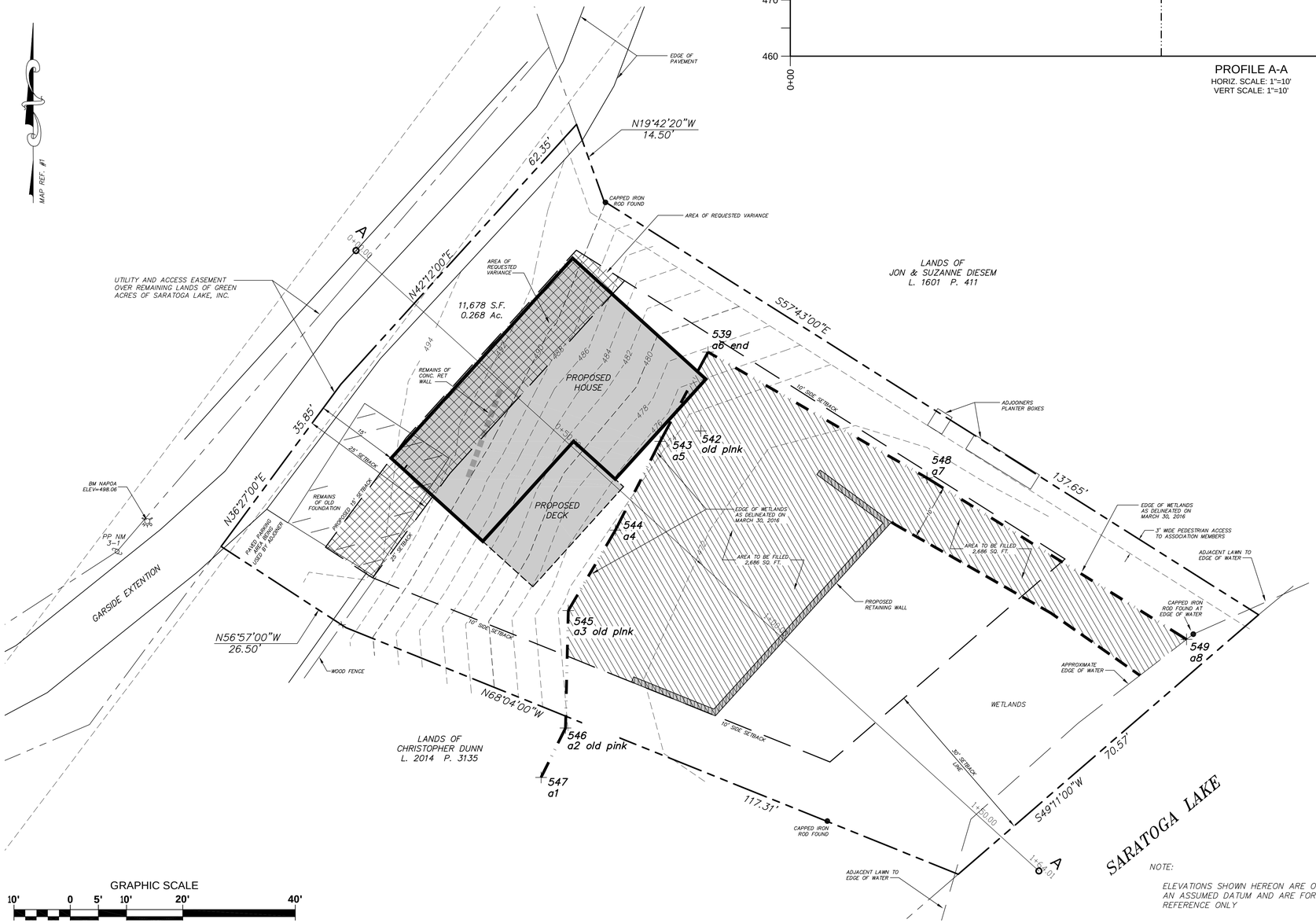


RUTHMWN WORK.dwg



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 _____

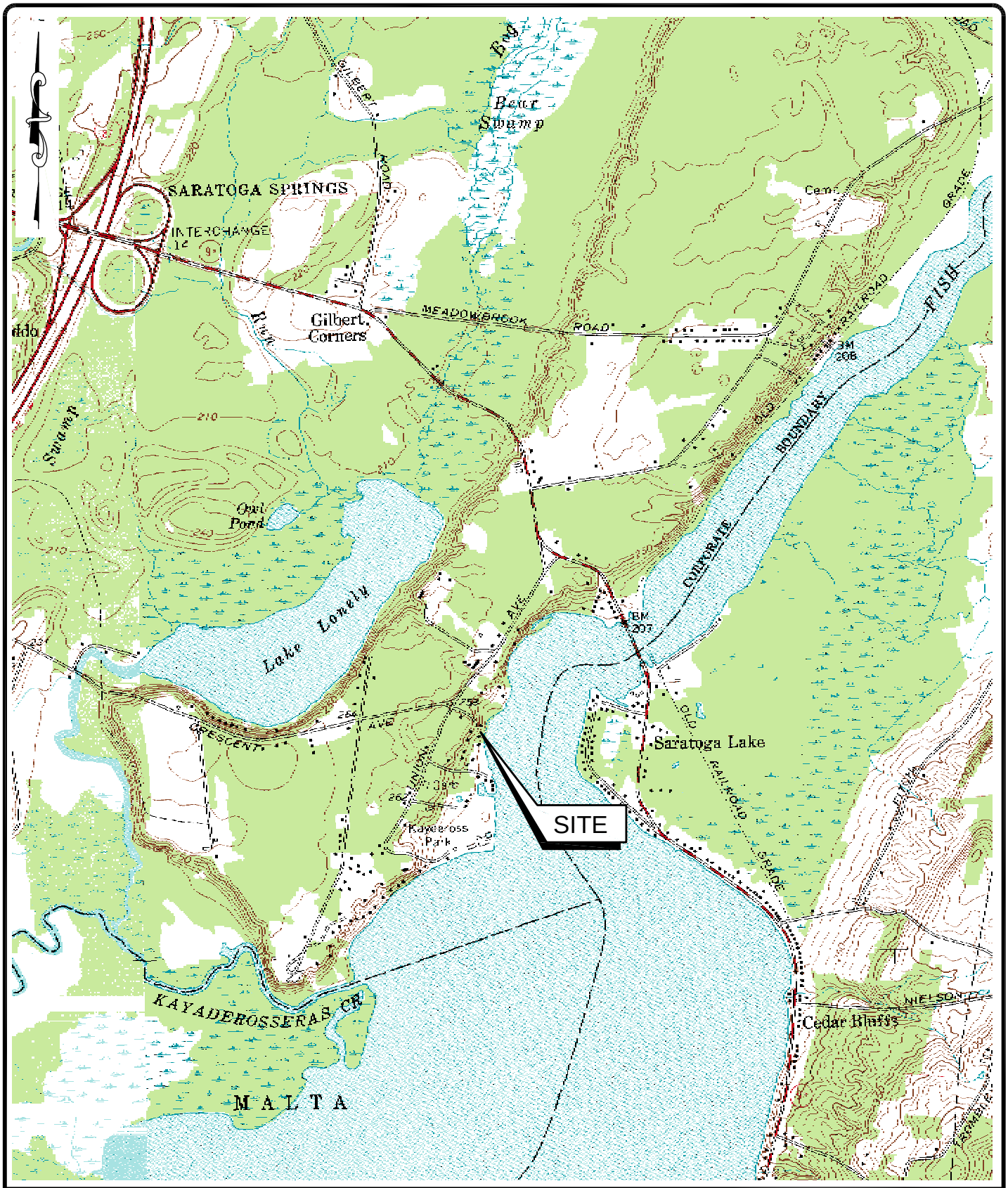
_____ (Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

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

900 Route 146, Clifton Park, New York 12065 phone (518) 371-7621 fax (518) 371-8601

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.

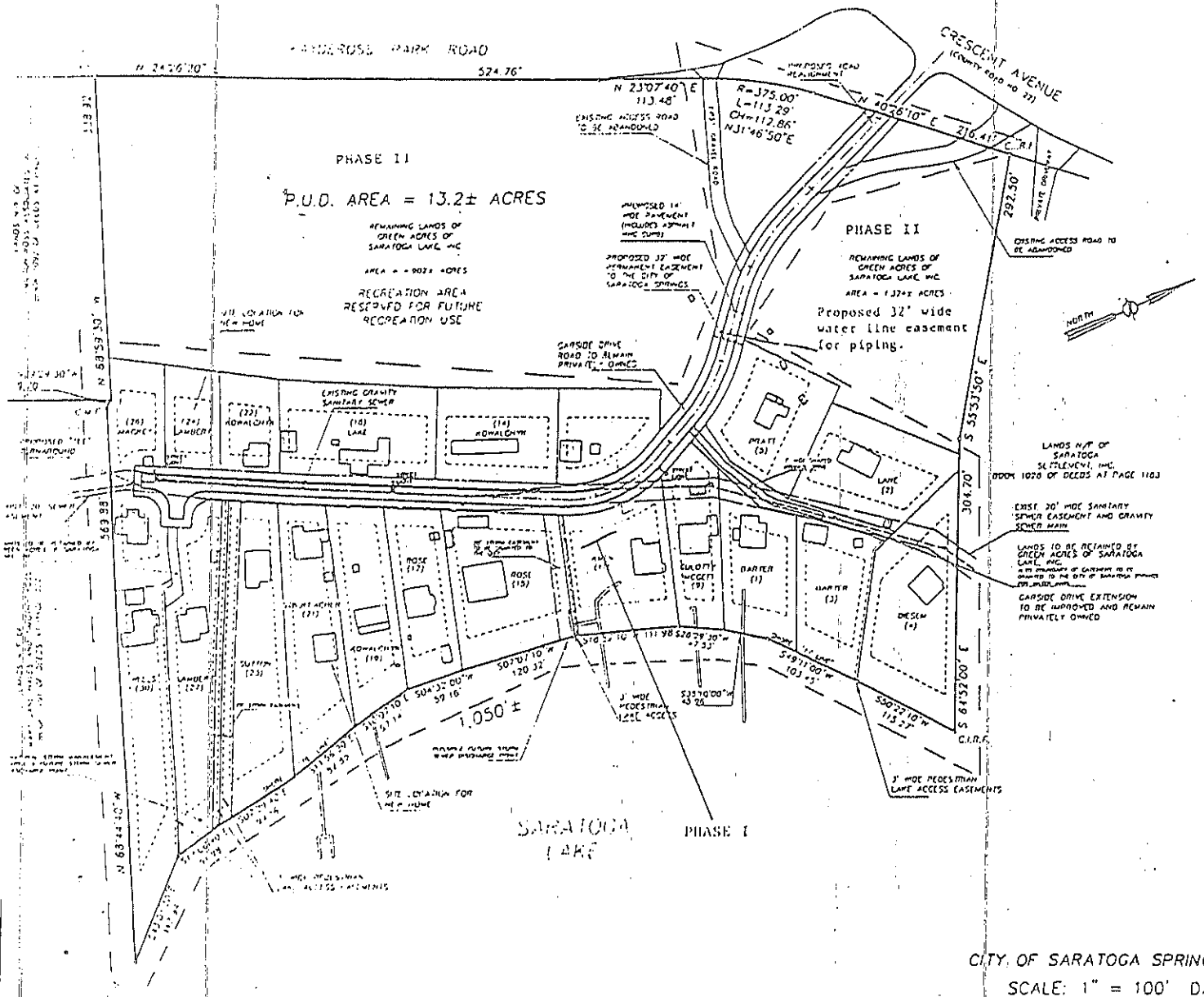
The purpose of this description is to describe a proposed P.U.D. and not to be used for the conveyance of Real Property.

Prepared by: TJM
March 18, 1999

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

C:\KINGWOOD\DESC\FUDCA.DOC

900 Route 146, Clifton Park New York 12065 phone (518) 371-7621 fax (518) 371-3540



LEGEND:

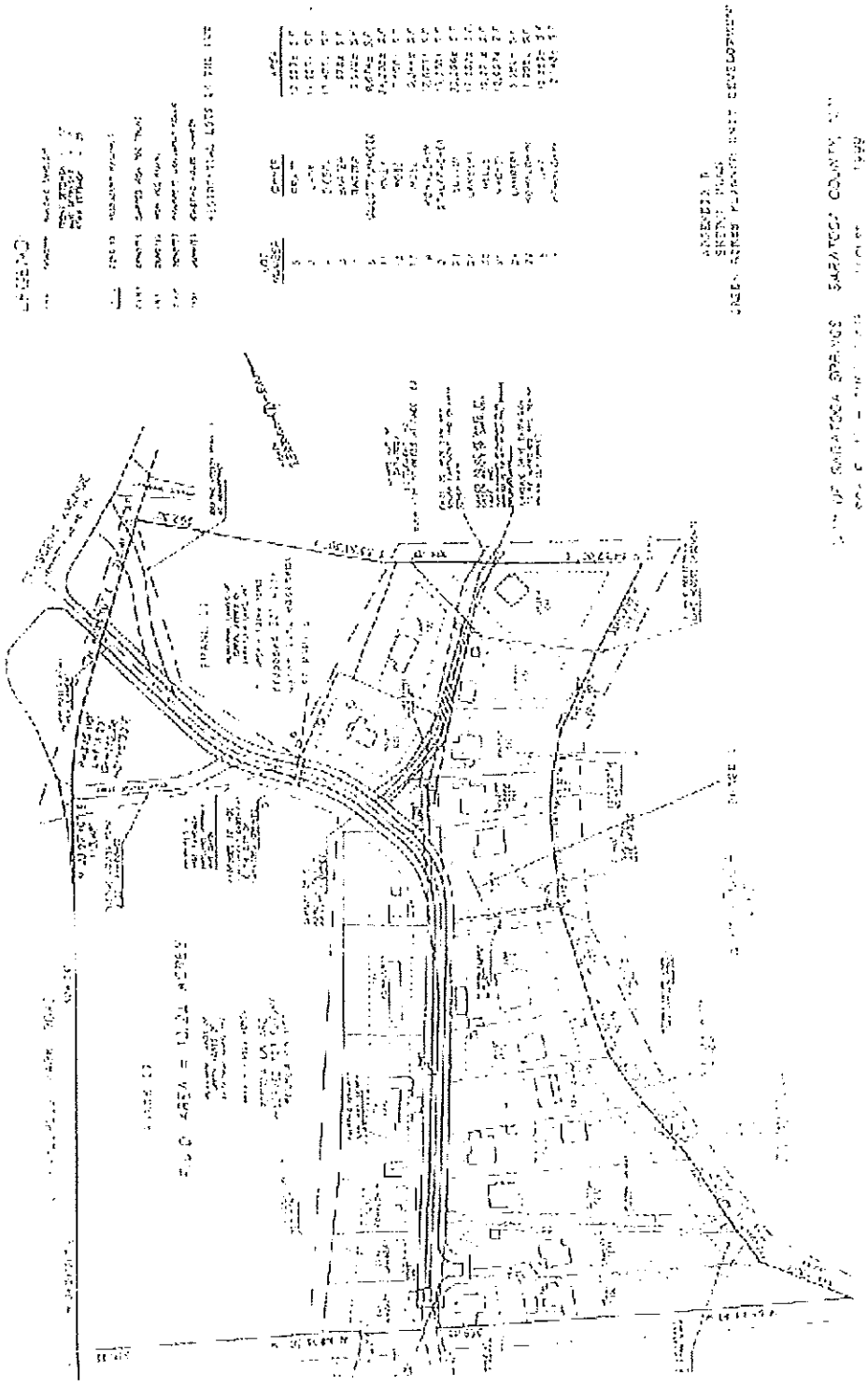
- ..... DENOTES BUILDING ENVELOPE
  - FRONT SETBACK = 15'
  - SIDE SETBACKS = 10'
  - REAR SETBACK = 30'
- [ ] DENOTES ACCESSORY BUILDINGS
- C.I.R.F. DENOTES CAPPED IRON ROD FOUND
- I.R.F. DENOTES IRON ROD FOUND
- C.M.F. DENOTES CONCRETE MONUMENT FOUND
- (18) DENOTES EXISTING HOUSE NUMBER

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

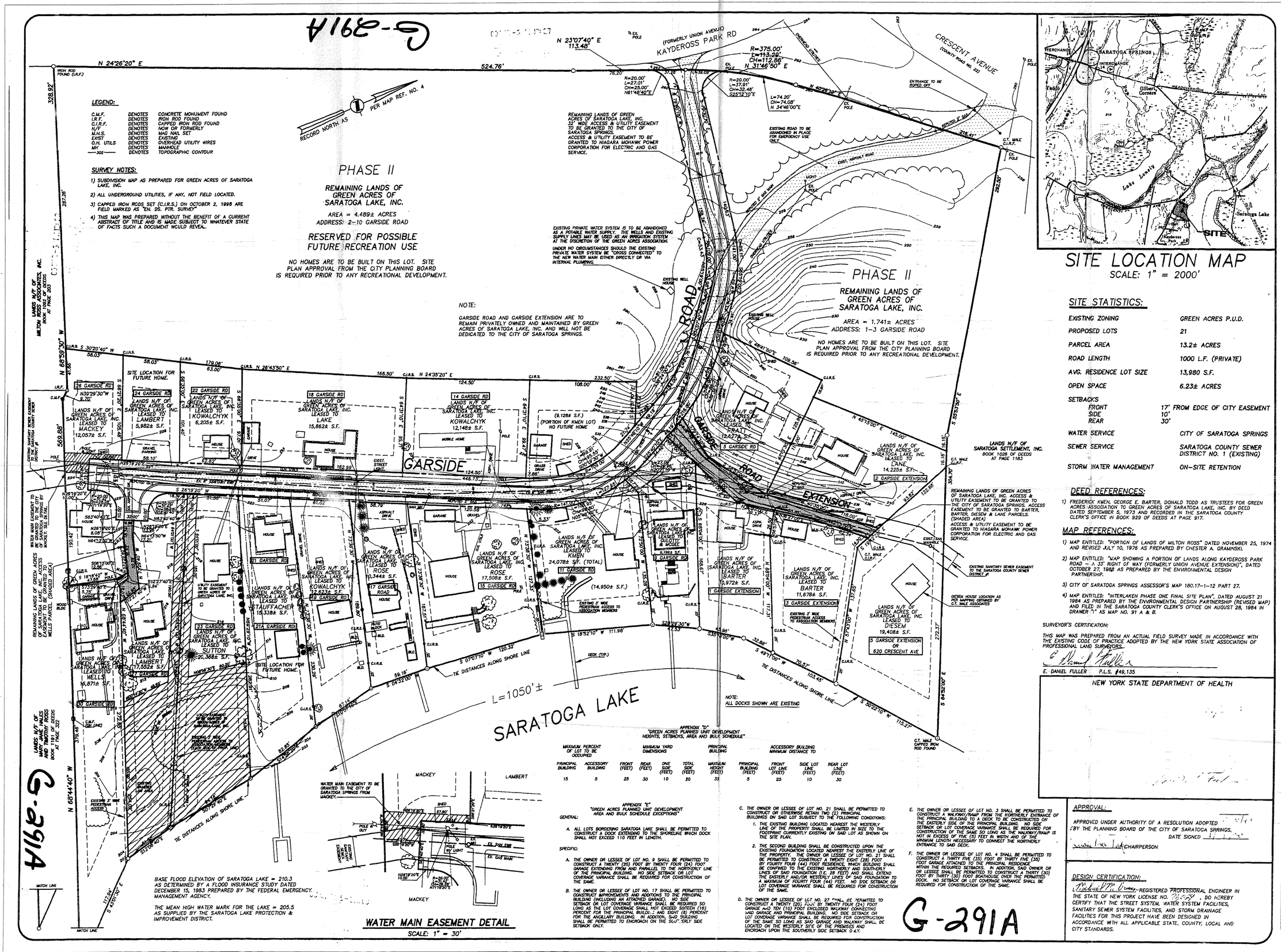
ENVIRONMENTAL DESIGN PARTNERSHIP, LLP
ROUTE 146 CLIFTON PARK, NY 12065 (518) 371-7621
ENGINEERING + LANDSCAPE ARCHITECTURE + LAND SURVEYING

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.

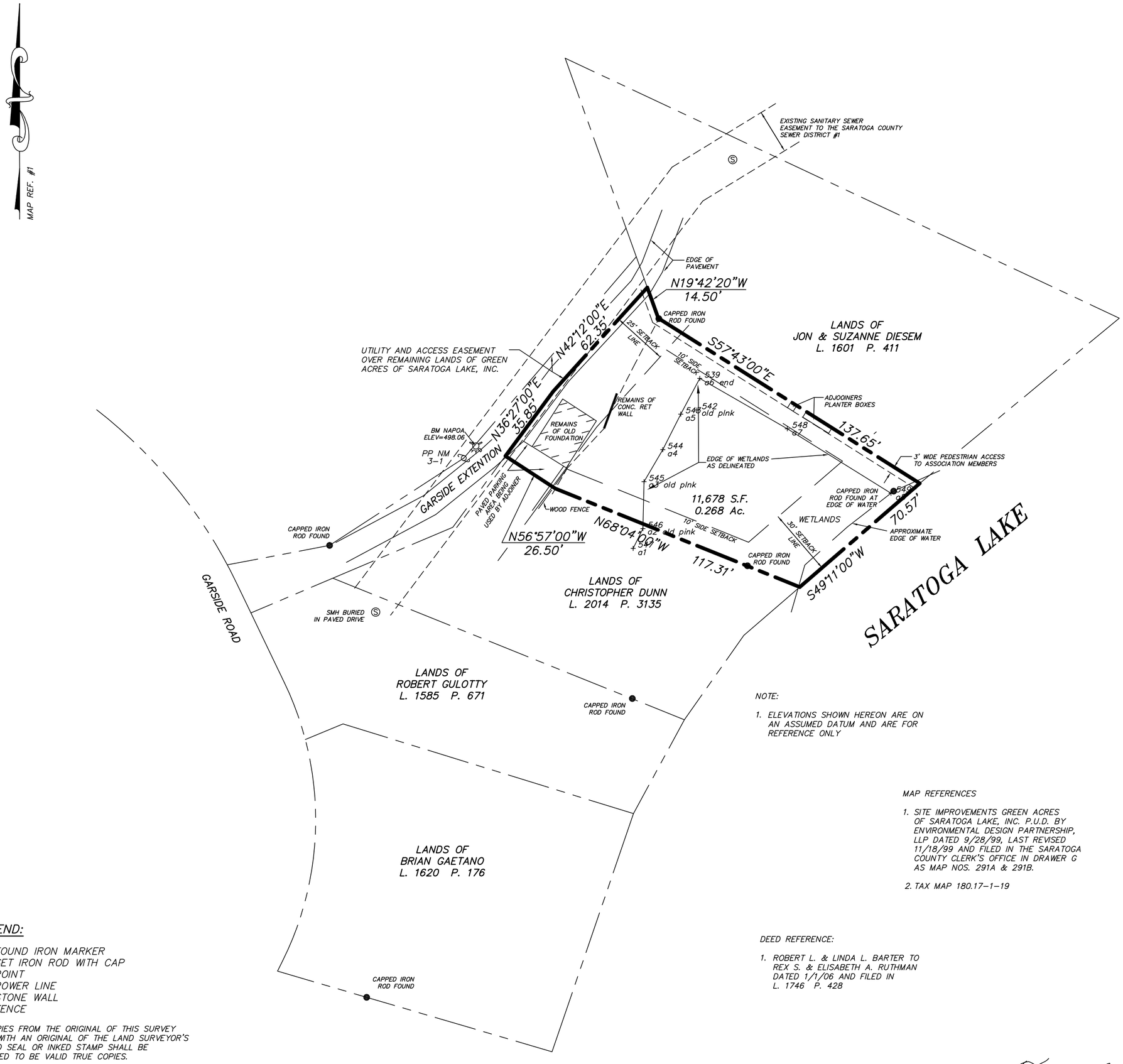
SCALE:	PROJECT NO.	SHEET NO.
1" = 40'		1

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.

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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

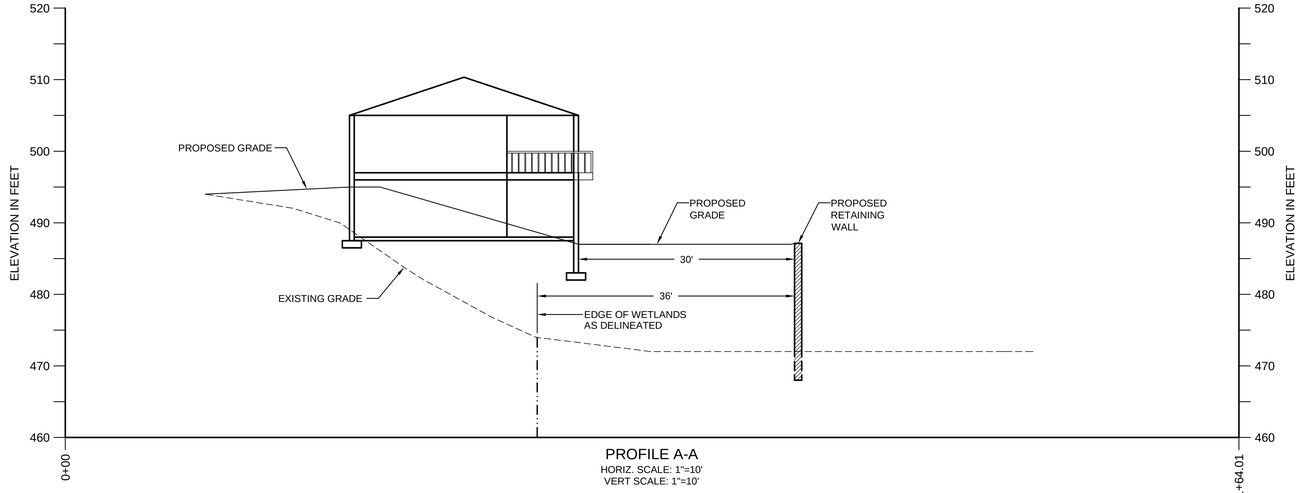
BOUNDARY SURVEY

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

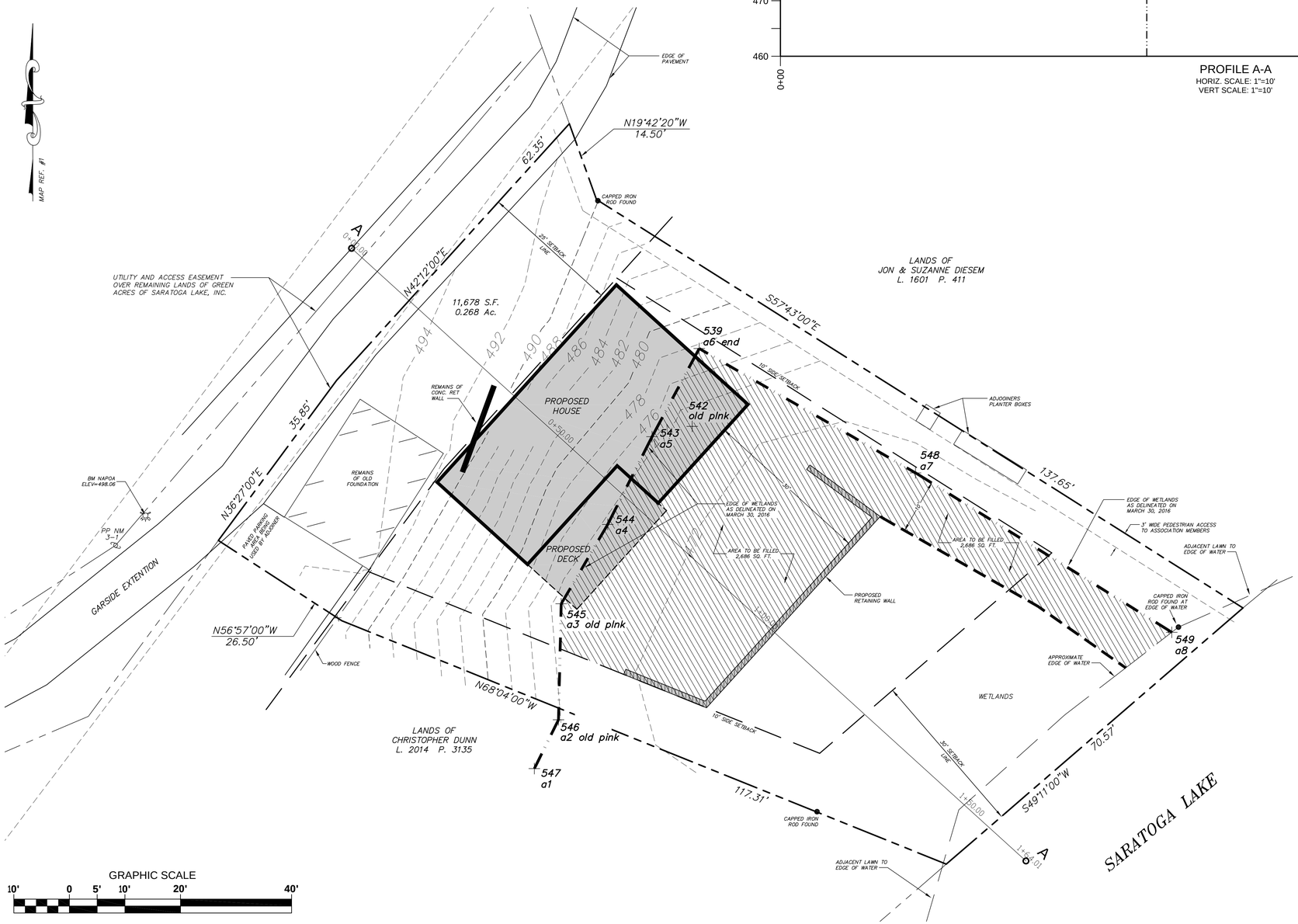
JOB NO. 15-1009

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.

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CONSULTING ENGINEERS * PLANNERS
743 COLUMBIA TURNPIKE, EAST GREENBUSH, NEW YORK 12061
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PROPOSED RESIDENCE OF REX S. & ELISABETH A. RUTHMAN

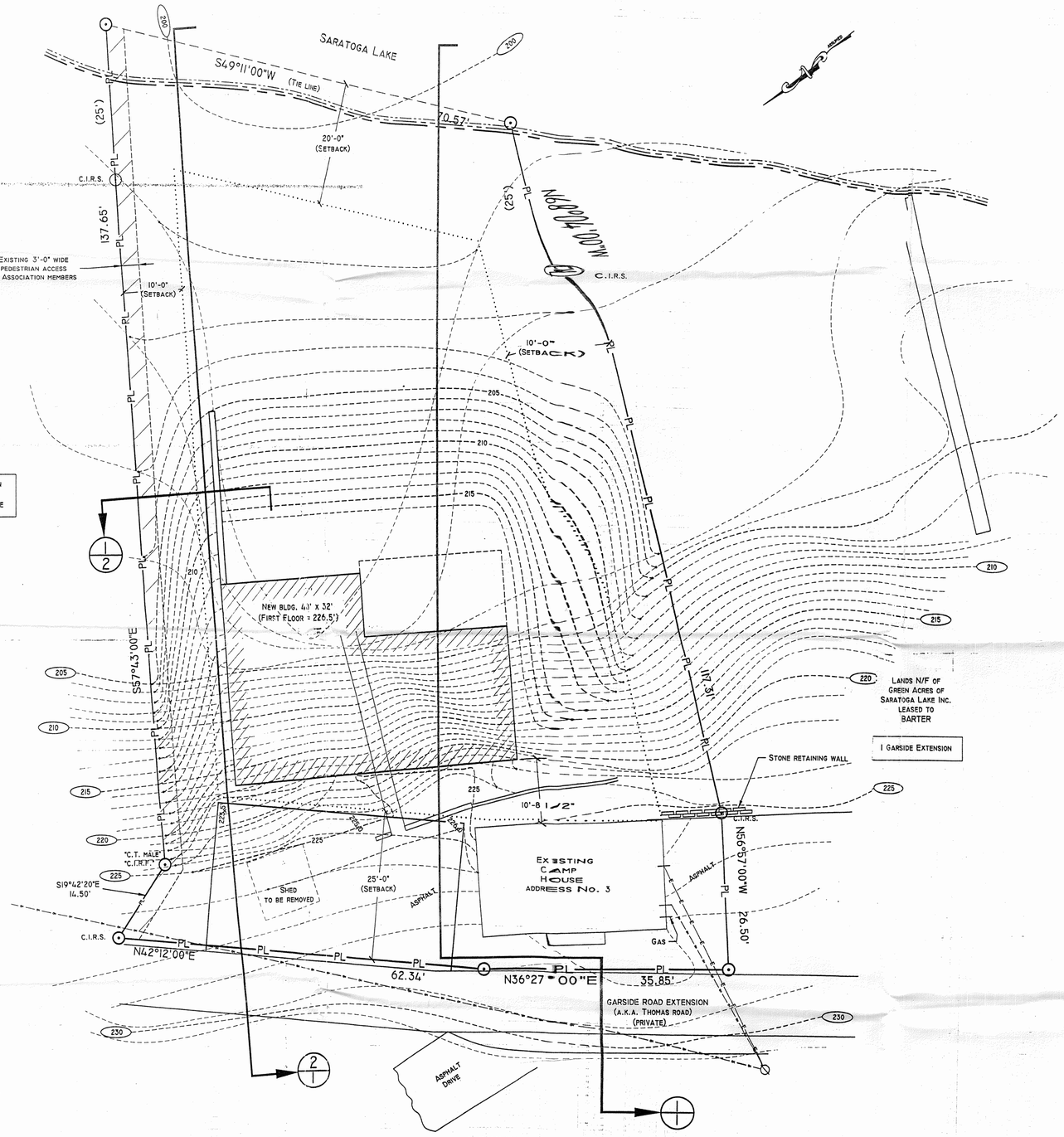
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY
STATE OF NEW YORK

TITLE: SITE PLAN AND PROFILE

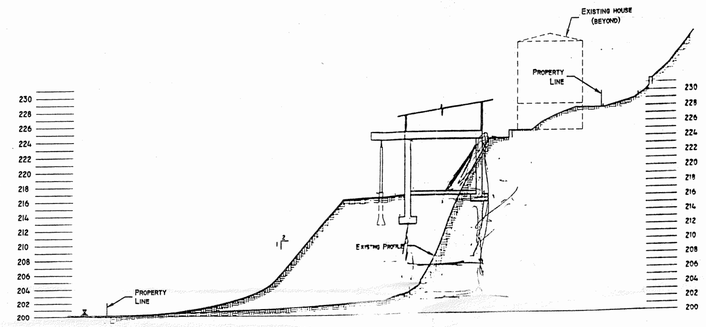
	DRAWN BY:	DATE:	CHECKED BY:	SCALE:
REVISION	JDF	04/04/16	TEB	AS SHOWN
DATE				
REVISION				
DATE				

DRAWING NUMBER: 1 / 1

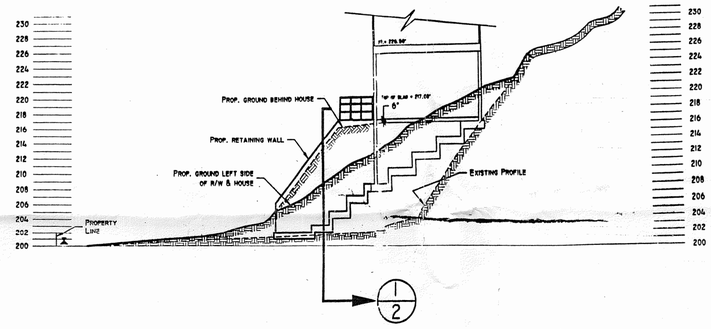
SPN: 15-01



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.

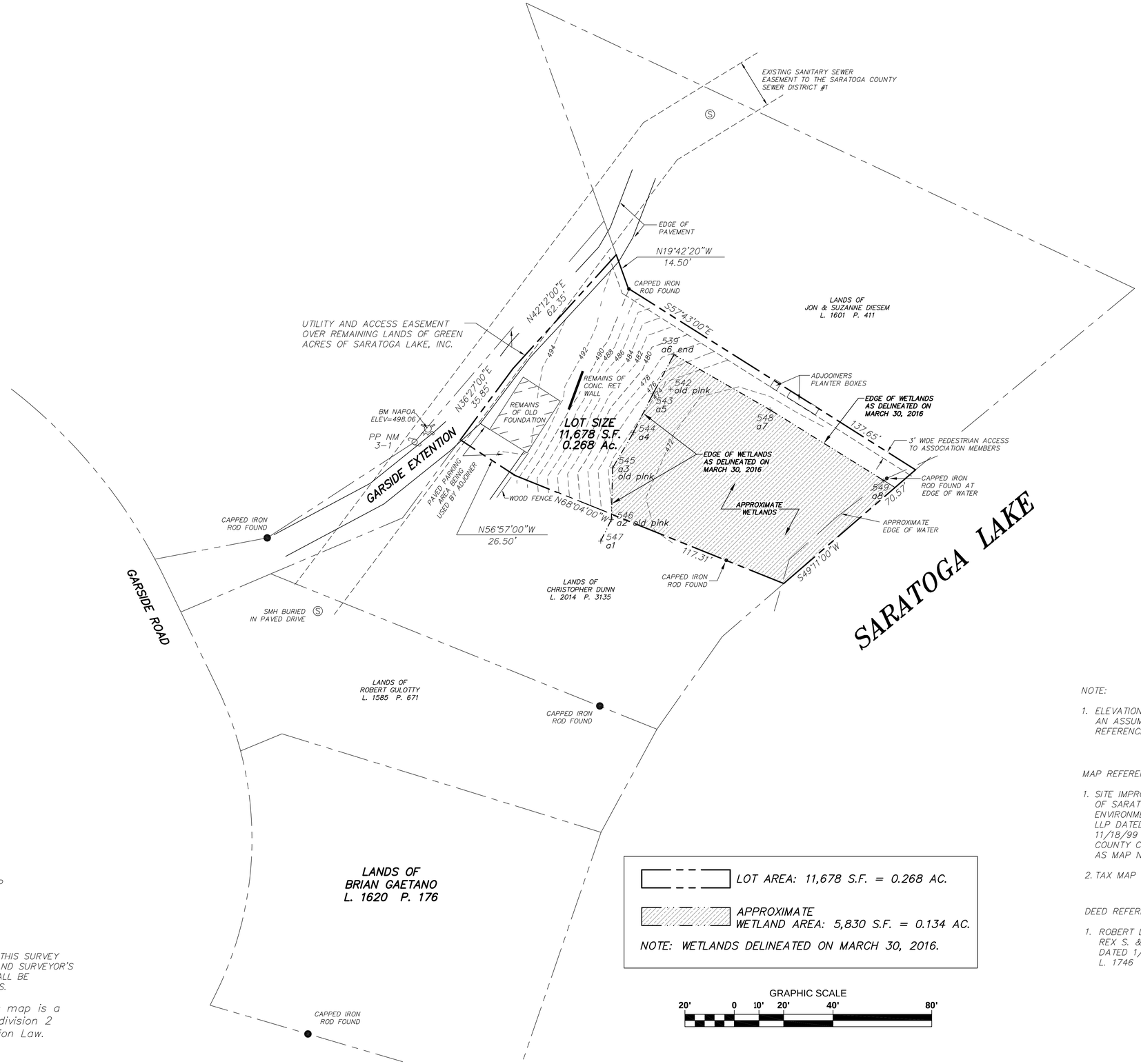
If I can be of any further assistance please don't hesitate to call.

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

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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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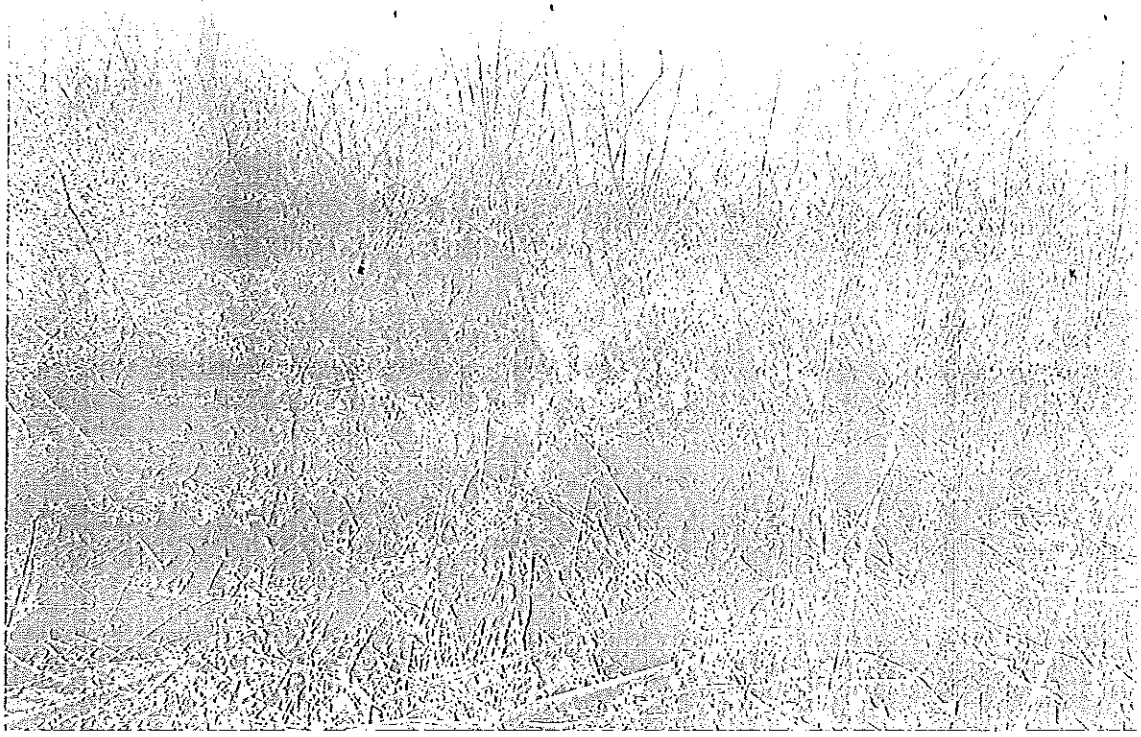
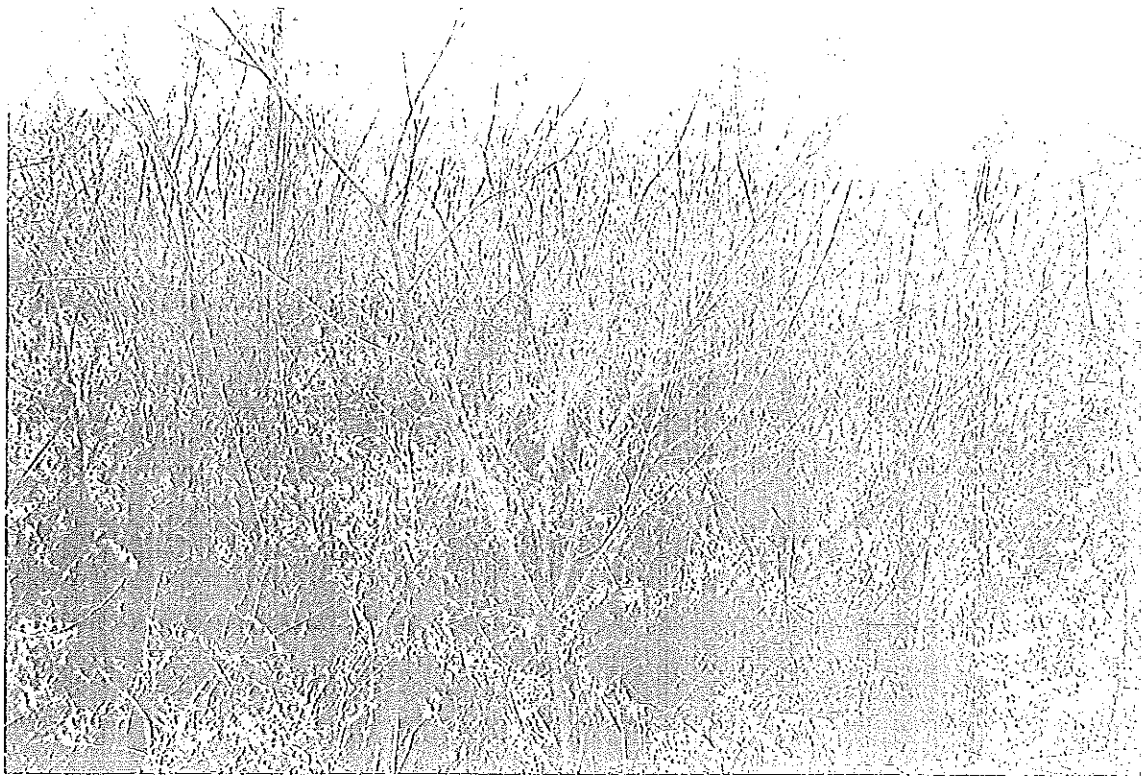
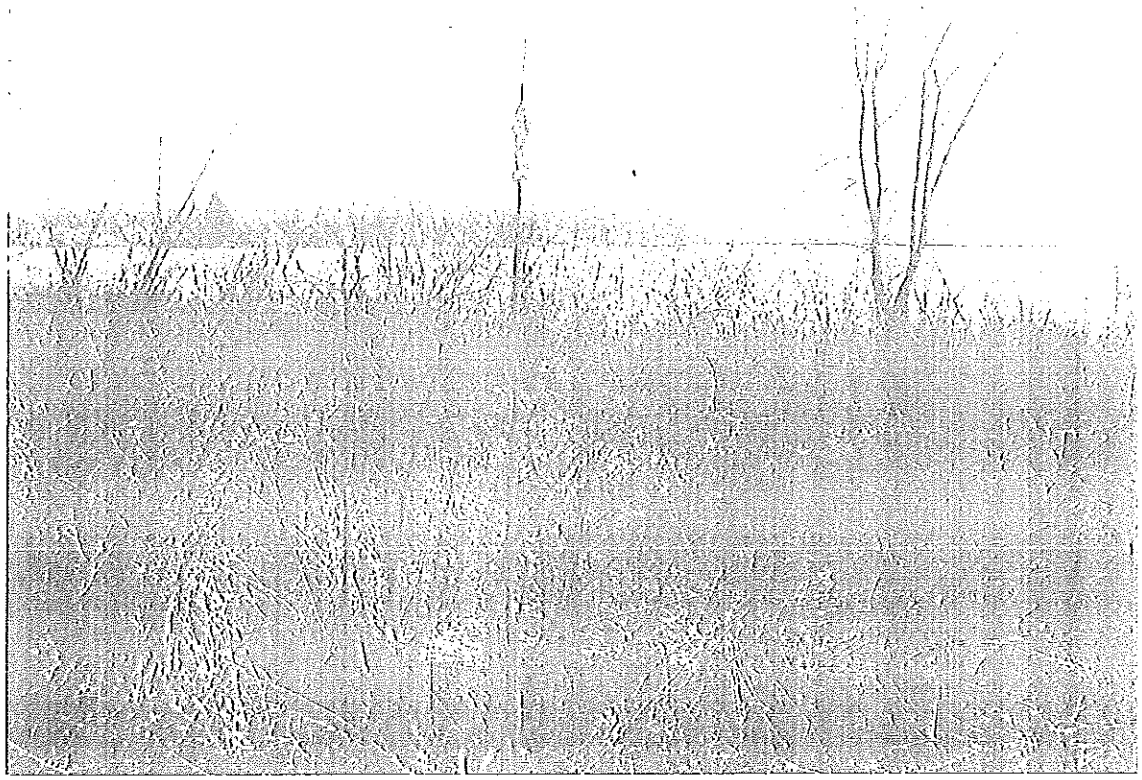
BREWER ENGINEERING ASSOCIATES, P.C.



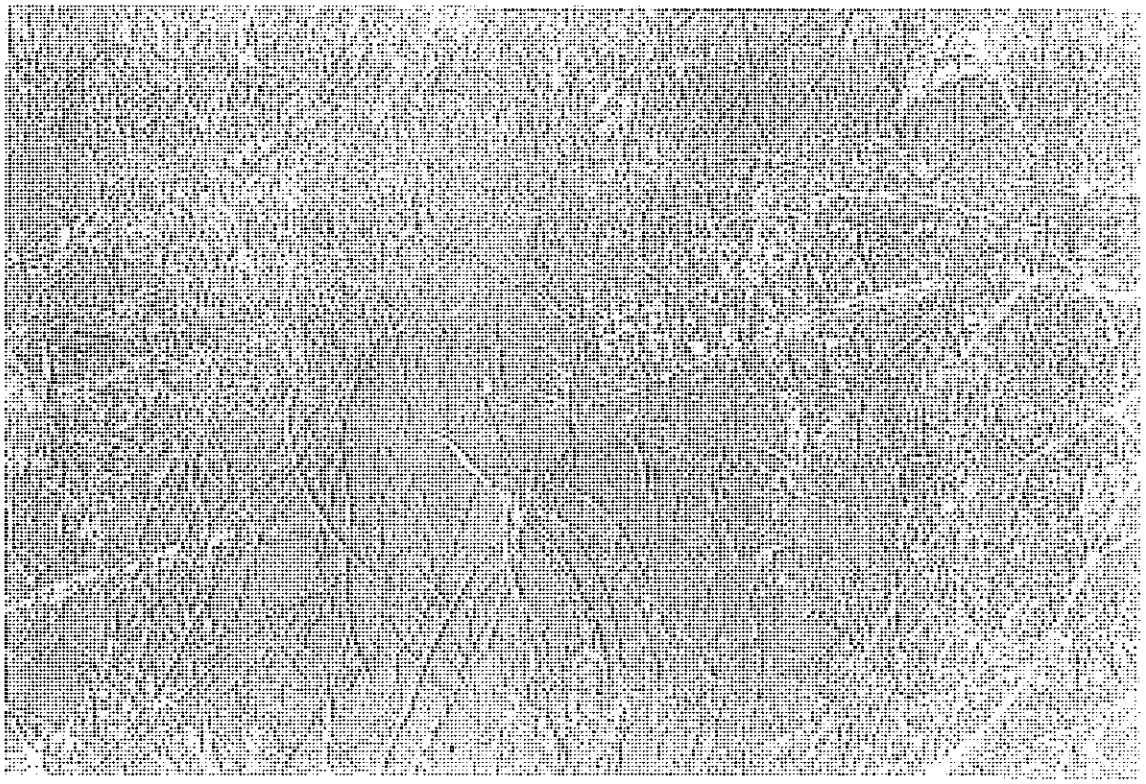
Above: The herbaceous layer in the wetland is nearly a monoculture of sensitive fern (FACW).

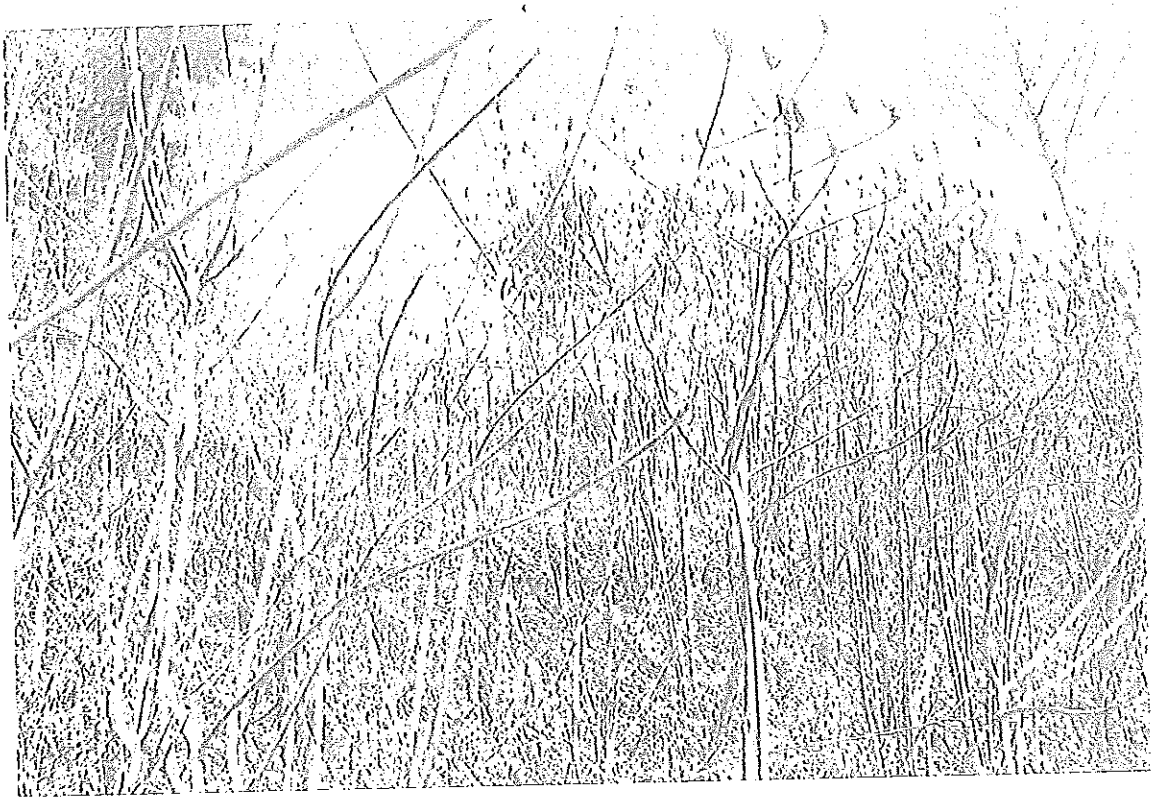
Below: The shrub layer in the wetland is composed of silky dogwood, stiff gray dogwood and speckled alders (FACW).





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

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 LOCATION AND 2001 AERIAL MAP

DRAWN BY:	JDF	DATE:	03 / 04 / 16	CHECKED BY:	TEB	SCALE:	AS SHOWN
DATE		REVISION		DATE		REVISION	

DRAWING NUMBER: 1 / 1

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

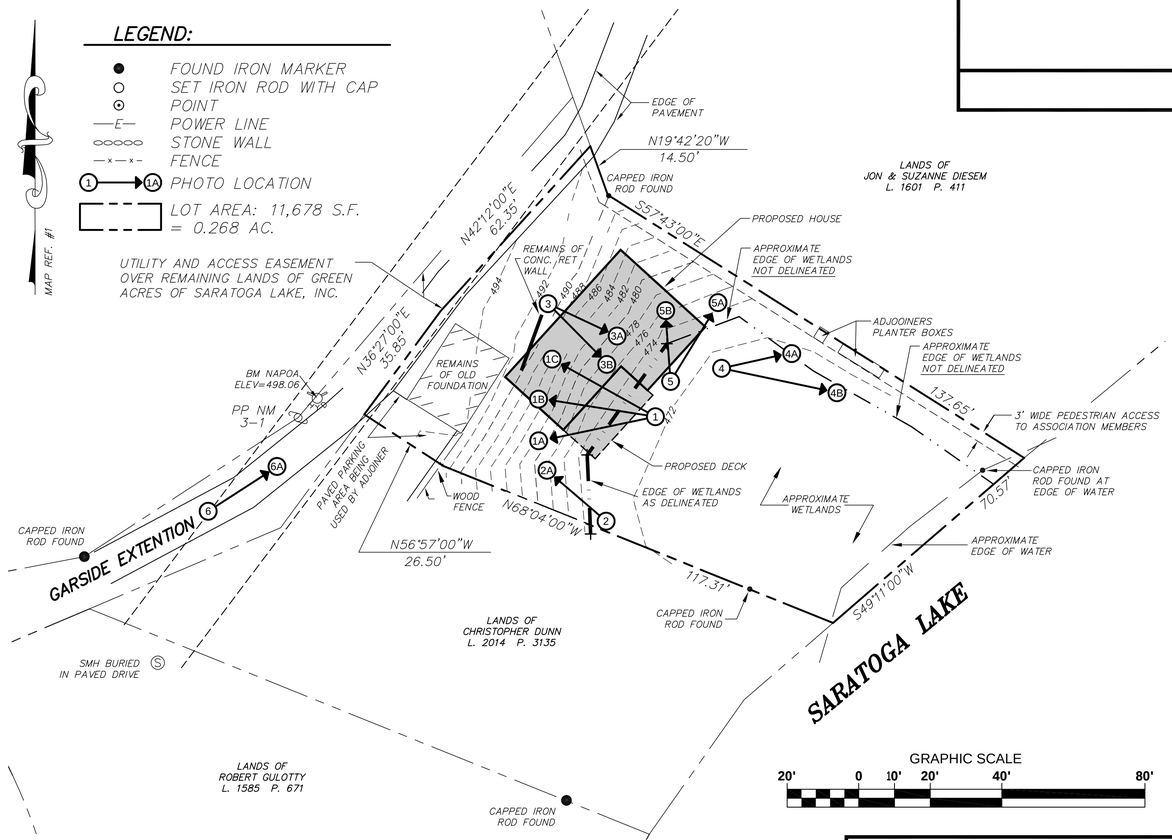
PHOTO 2A

LOCATION 2

PHOTO 3A

PHOTO 3B

LOCATION 3



2006 - PHOTO LOCATIONS

BREWER ENGINEERING ASSOCIATES, P.C.
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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: 2006 - PHOTO LOCATION MAP

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		REVISION				DATE	REVISION
DATE							

DRAWING NUMBER: 1 / 1

APN: 15-16

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PhotoLoc.dwg

LOCATION 2

PHOTO 2A

PHOTO 2B

PHOTO 2C

LOCATION 1

PHOTO 1A

PHOTO 1B

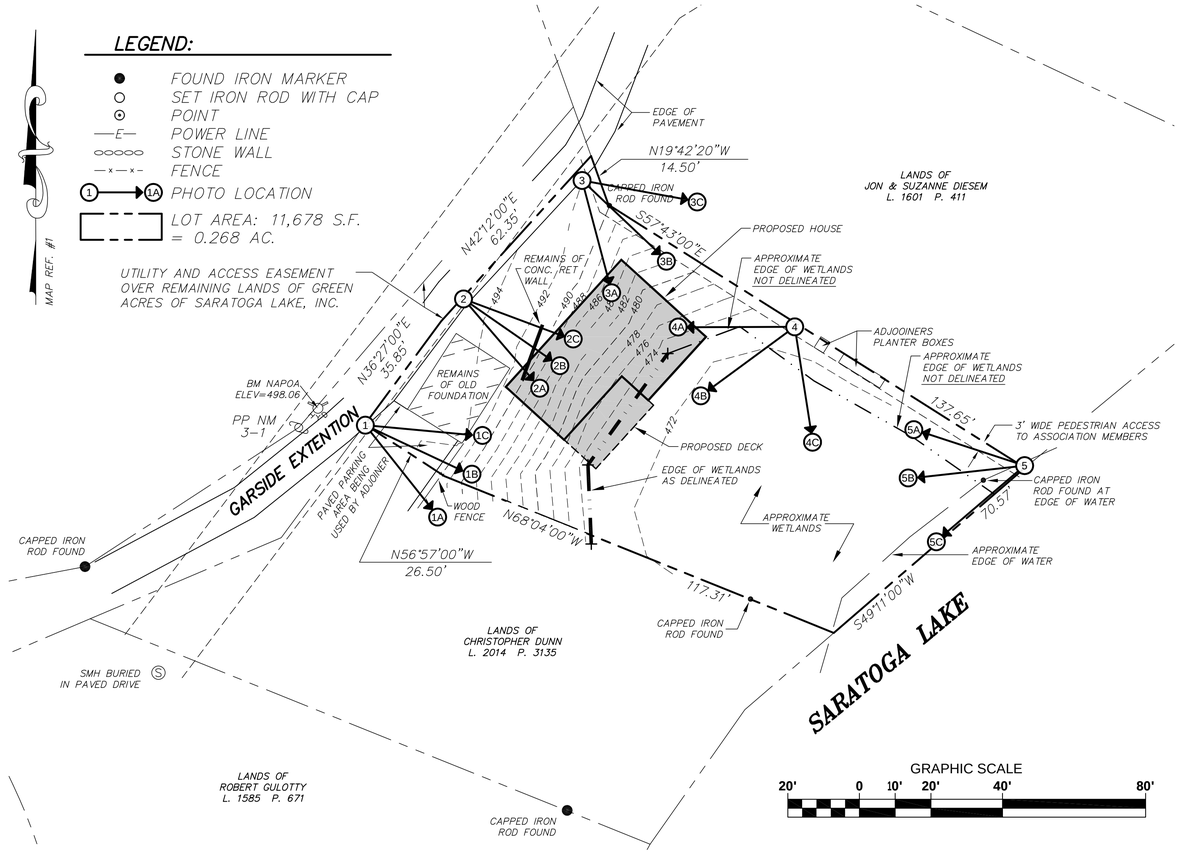
PHOTO 1C

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

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: 2015 - PHOTO LOCATION MAP

DRAWN BY:	TD	DATE:	11/04/15	CHECKED BY:	TEB	SCALE:	AS SHOWN
		REVISION				DATE	REVISION

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

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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

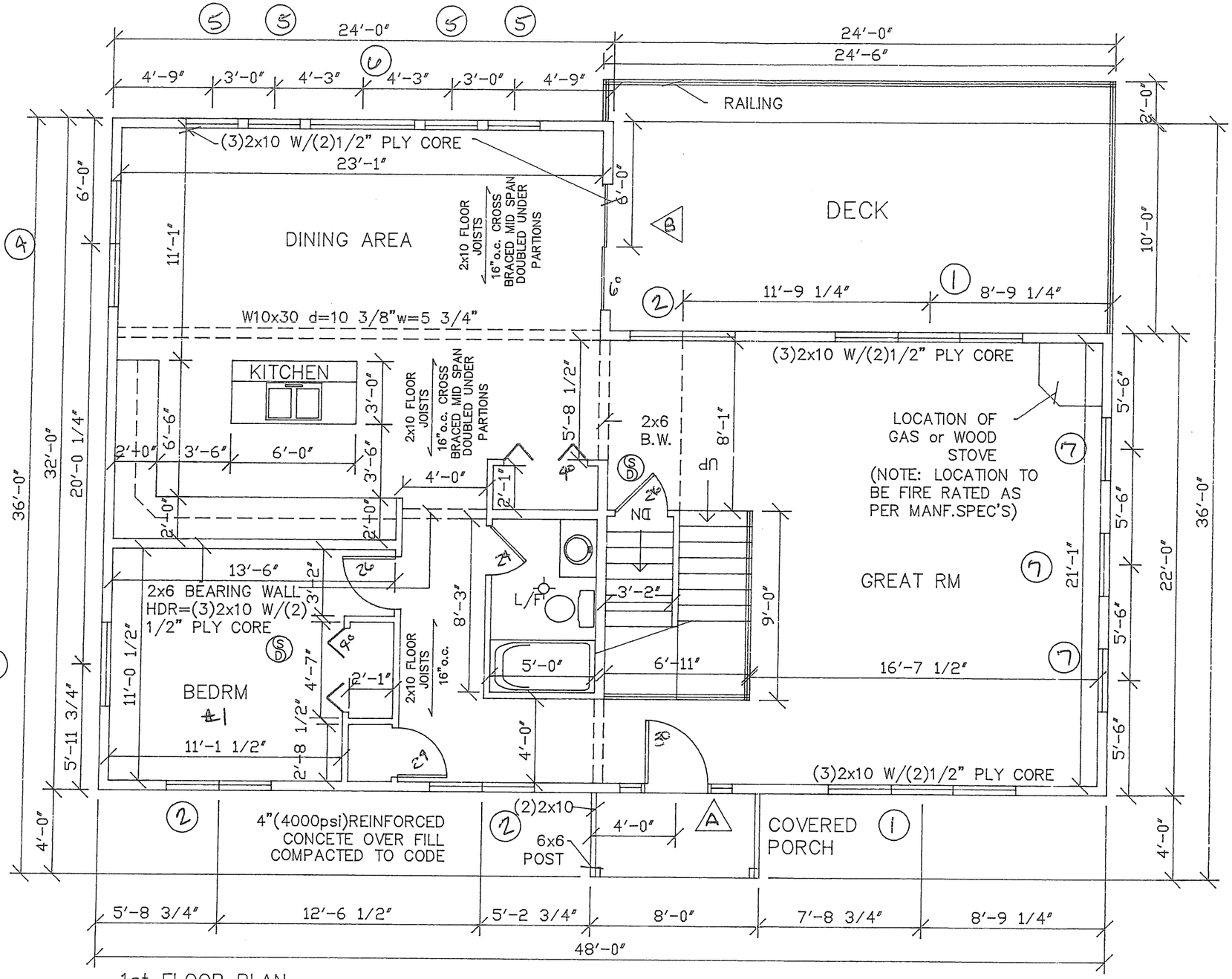
FOUNDATION

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

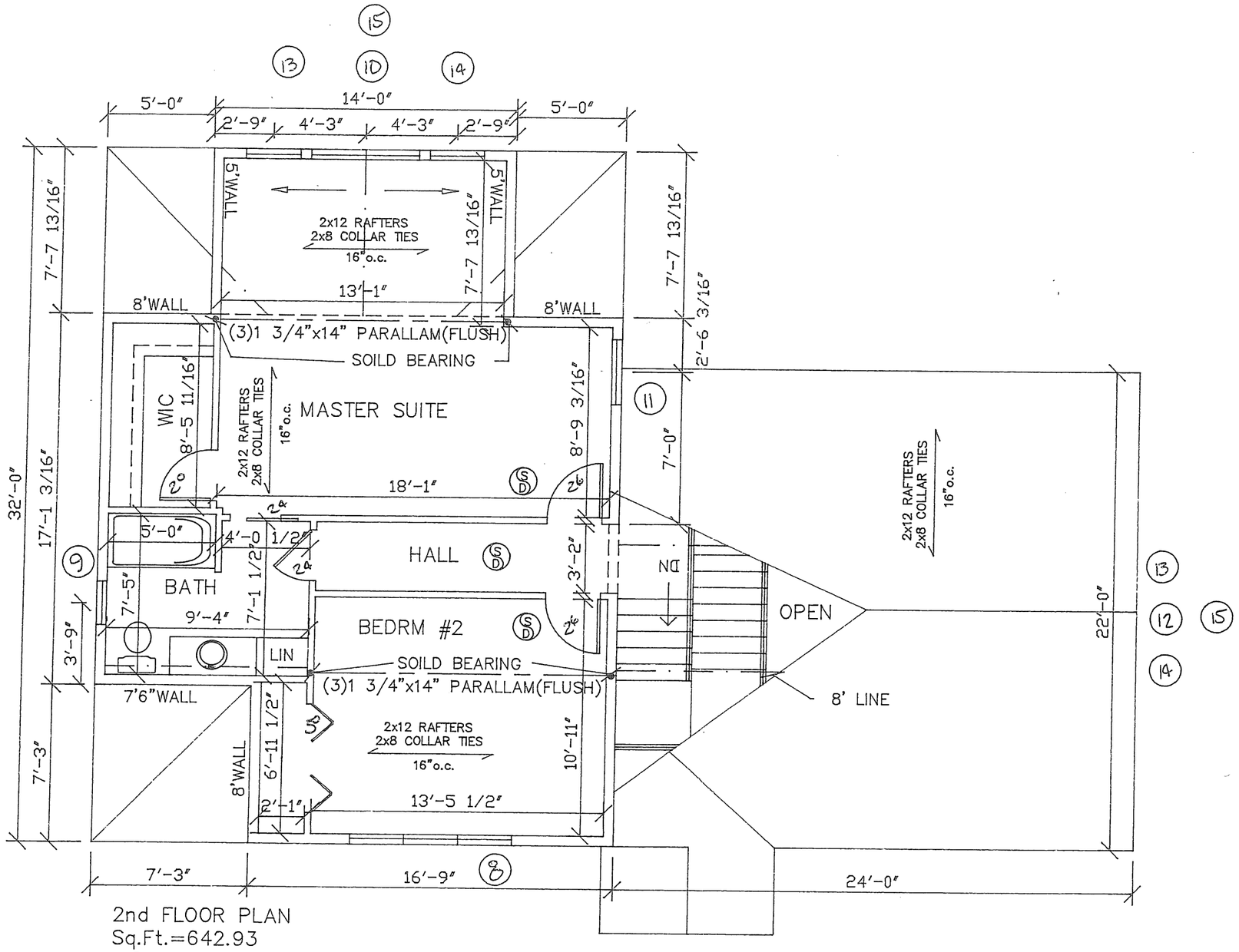
DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

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:
DONE BY: RKO
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

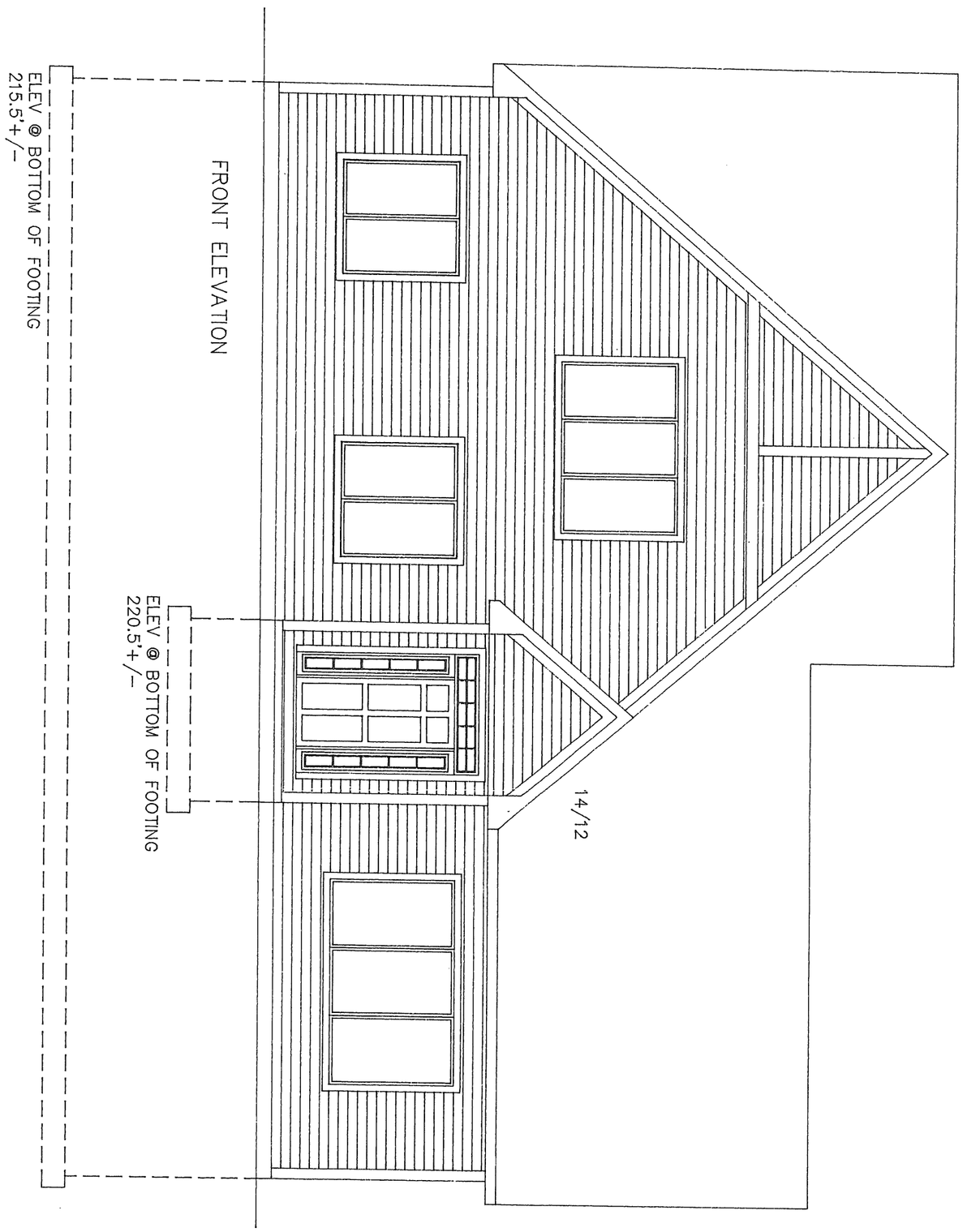
FLOOR PLAN

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

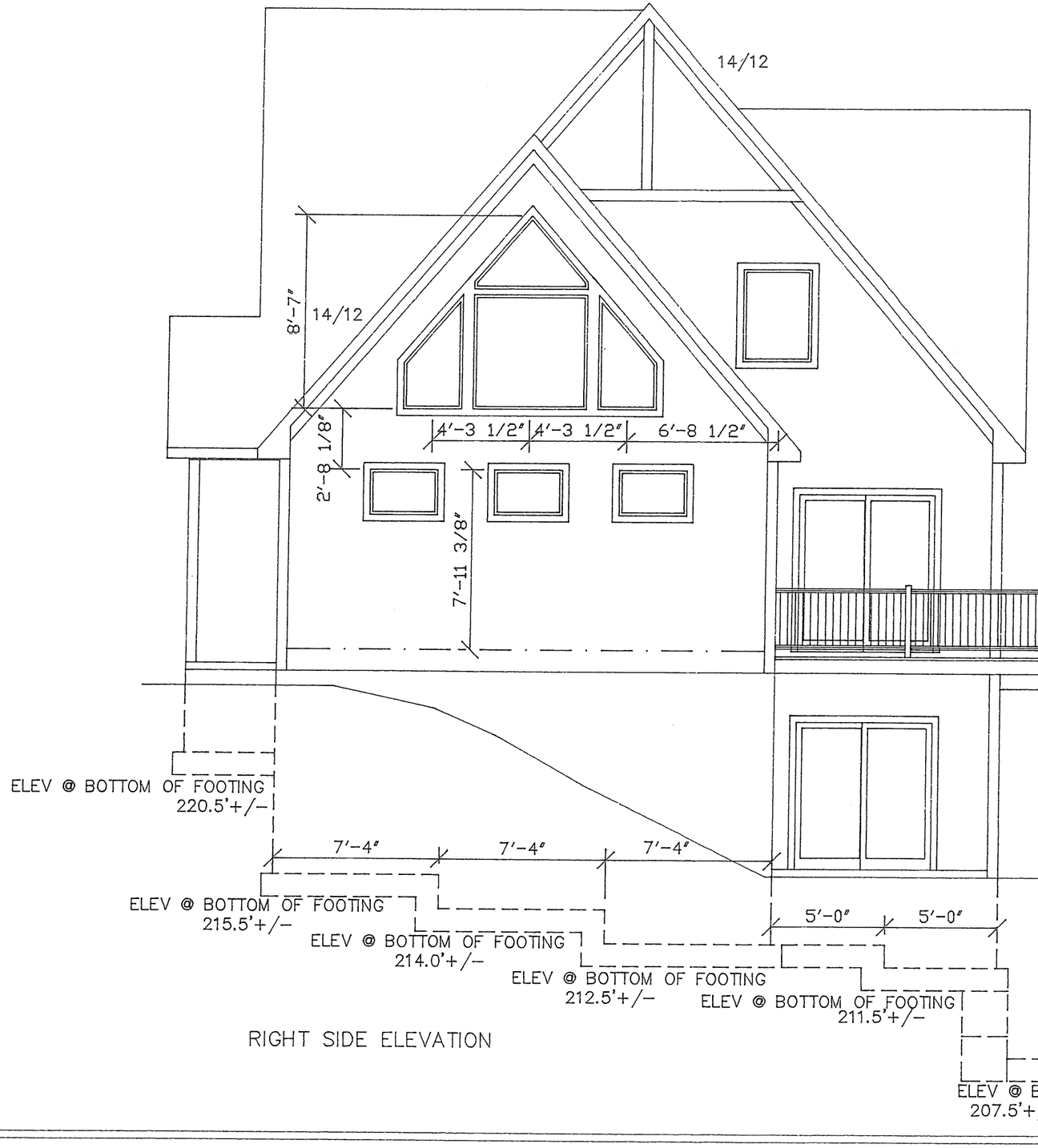
DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

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:
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SCALE: 3/16"=1'

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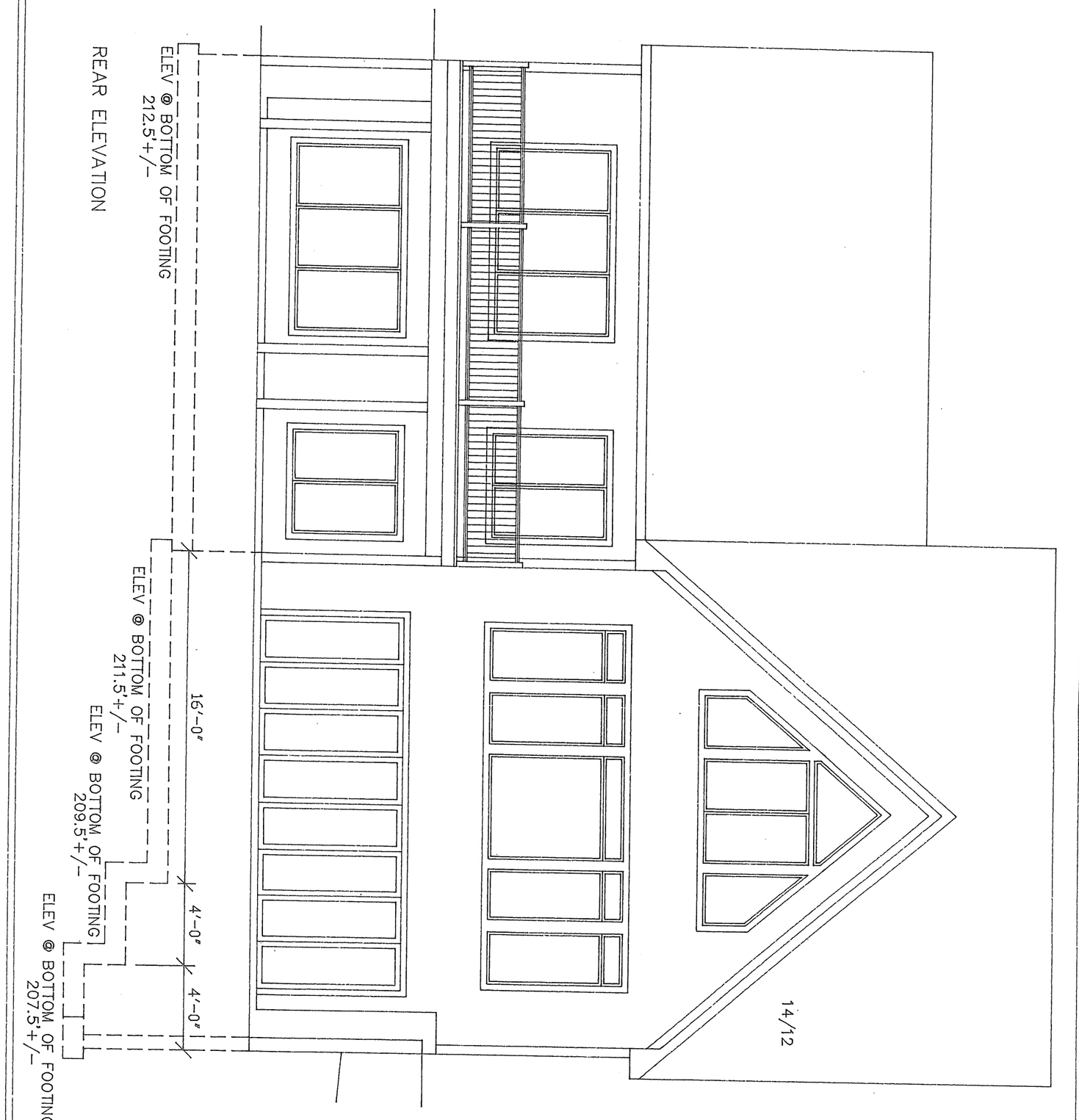


	CHECKED:	NEW RESIDENCE SARATOGA LAKE; NY		DATE 2/14/06 SHEET OF
	DONE BY: RKO	ELEVATION		OWNER RUTHMAN
FILE # DC19-RX	SCALE: 3/16"=1'	DeRaven Design & Drafting 321 Delaware Ave; Delmar NY 518*478*0630	R.H.Green PE PC Consulting Engineers 321 Delaware Ave; Delmar NY 518*439*6474/fax 439*6475	CONTRACTOR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

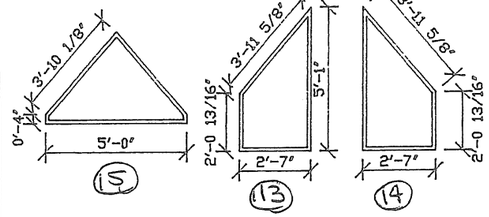
4'-0"

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

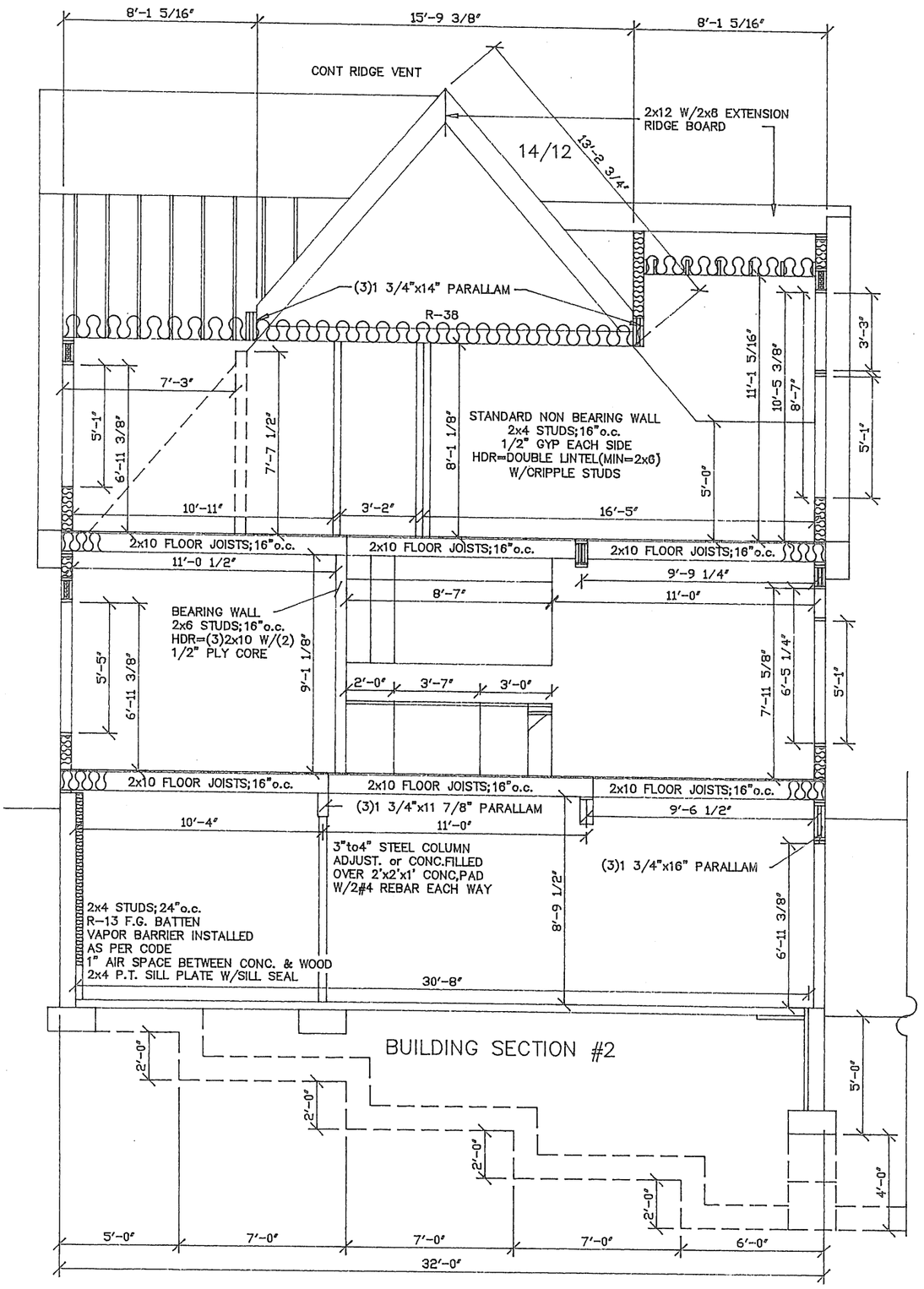
DeRaven Design & Drafting
321 Delaware Ave; Delmar NY
518*478*0630

CHECKED:

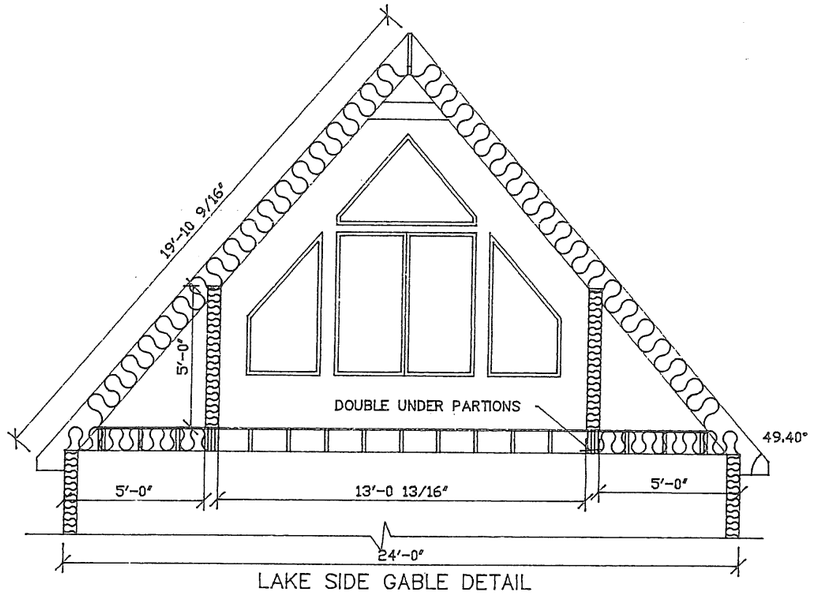
DONE BY: RKO

SCALE: 3/16"=1'

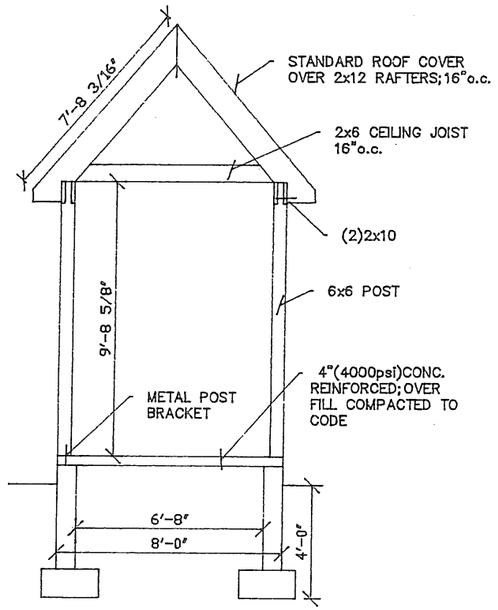
FILE # DC19RXSC



	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
Volume 01746 Page 00428
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".

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

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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.

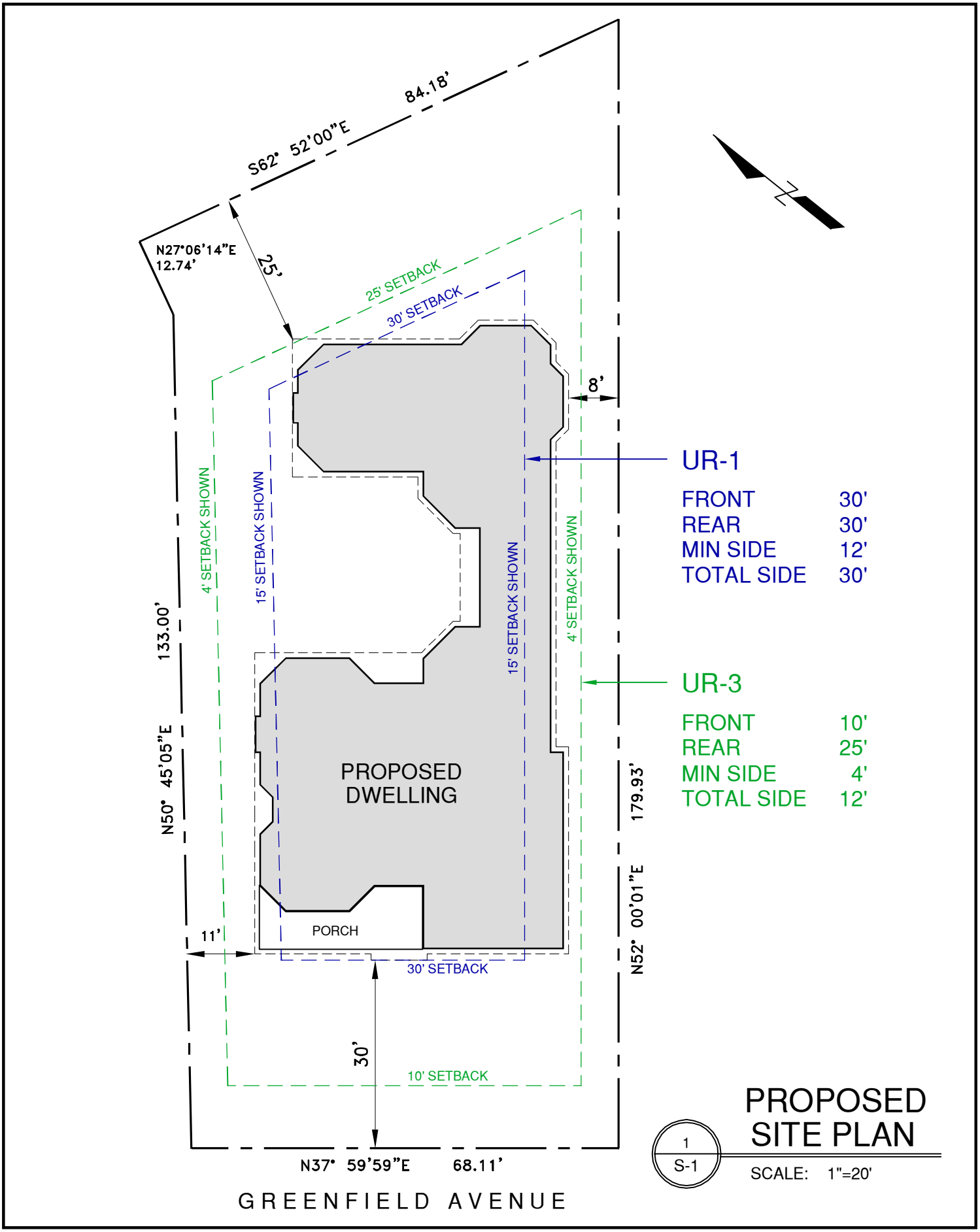
Judith Needham
(applicant signature) Date: 02 May 2016

(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:_____



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Architecture Planning Interior Design

419 FOURTH STREET
ANNAPOLIS, MD 21403
TEL: (410) 263-5860
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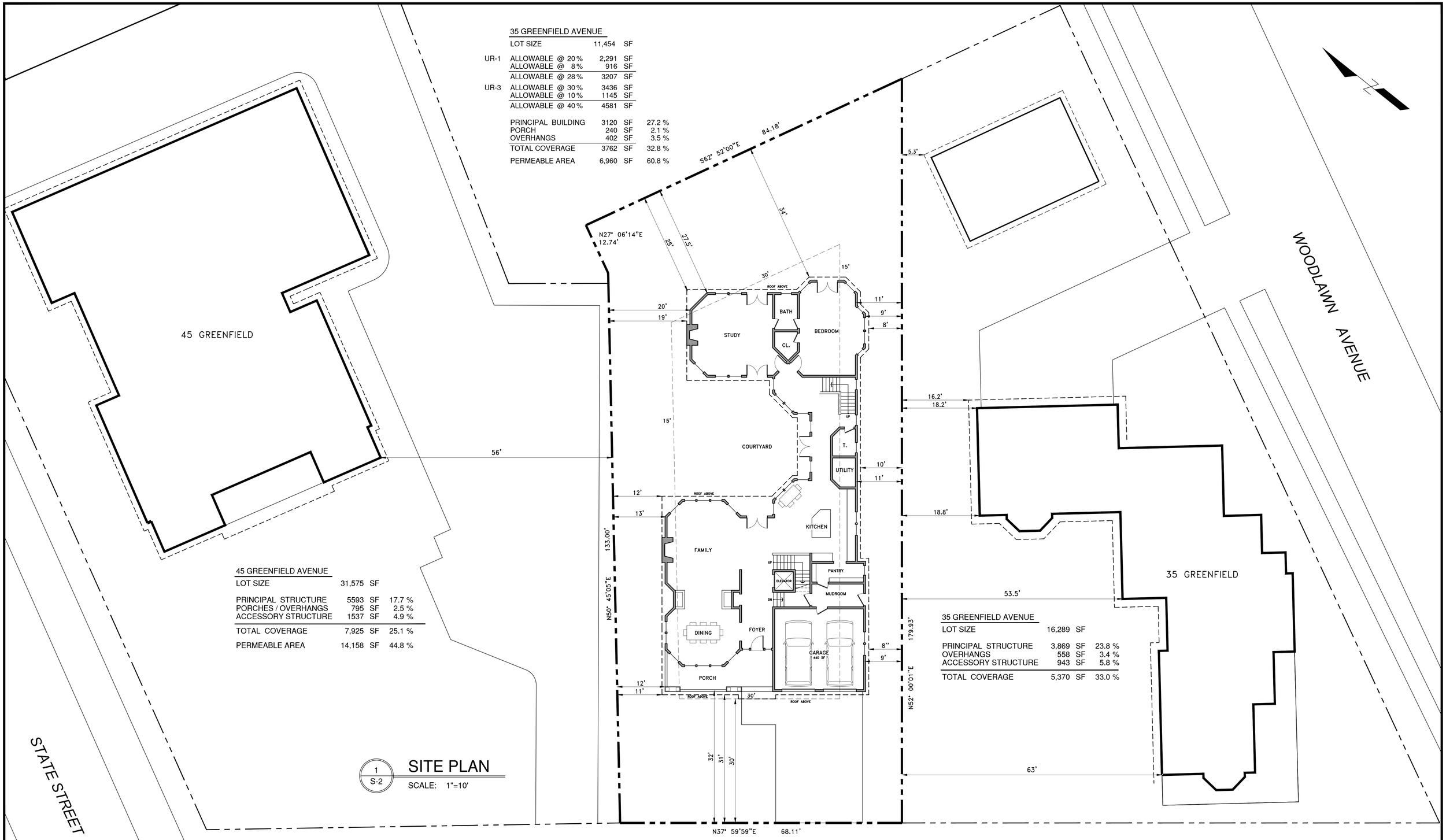
PROJECT: NEEDHAM/ KILMER RESIDENCE
SCALE: 1" = 20'
DATE: 02 MAY 2016

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.

SCOTT L. RAND AIA

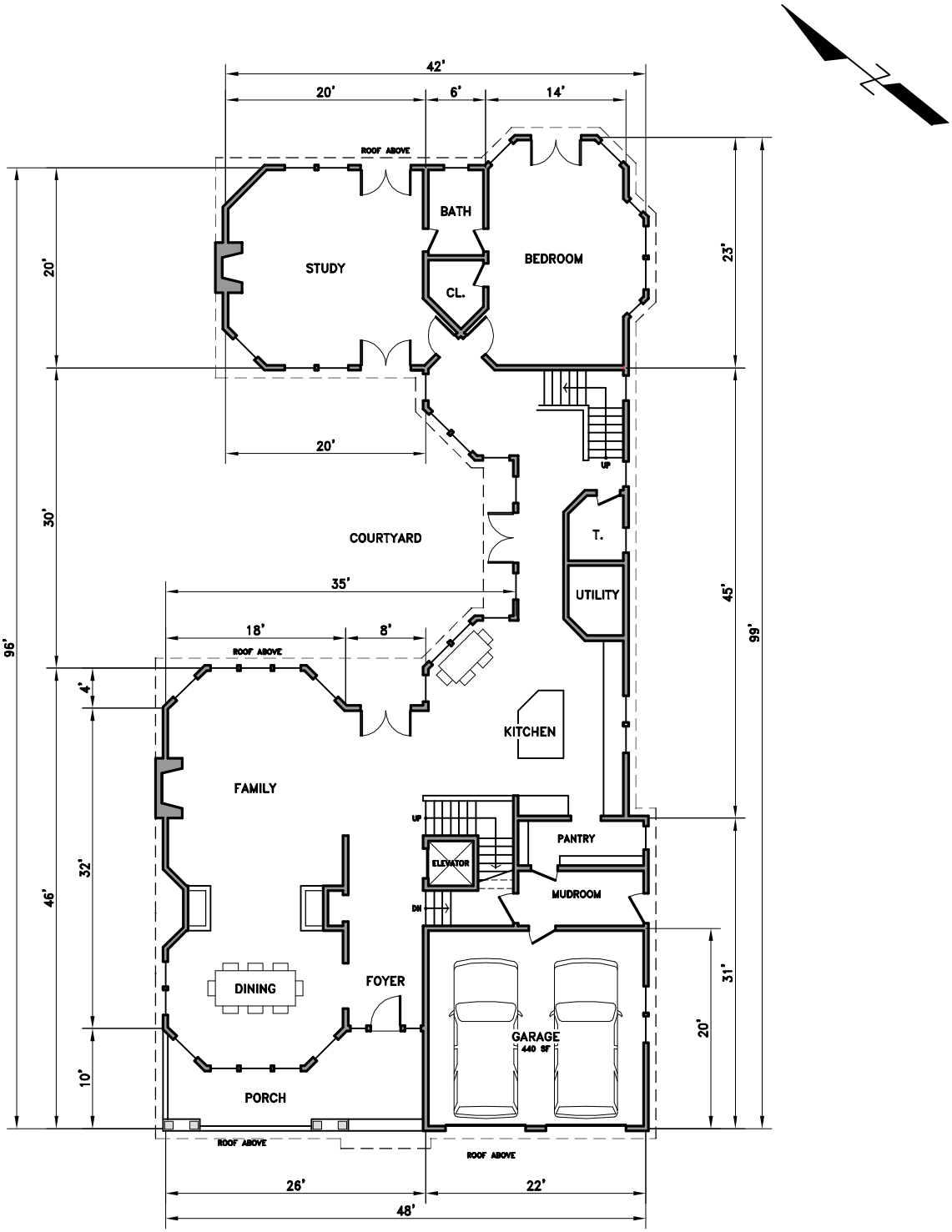
Architecture Planning Interior Design

[redacted]

WWW.SCOTTRANDARCHITECTS.NET

S-2

Z:\Architectural Drawings\2016\36001 Needham - Saratoga Springs\Architectural\PLAN - 03.dwg, 02-May-16 11:30:25



1
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

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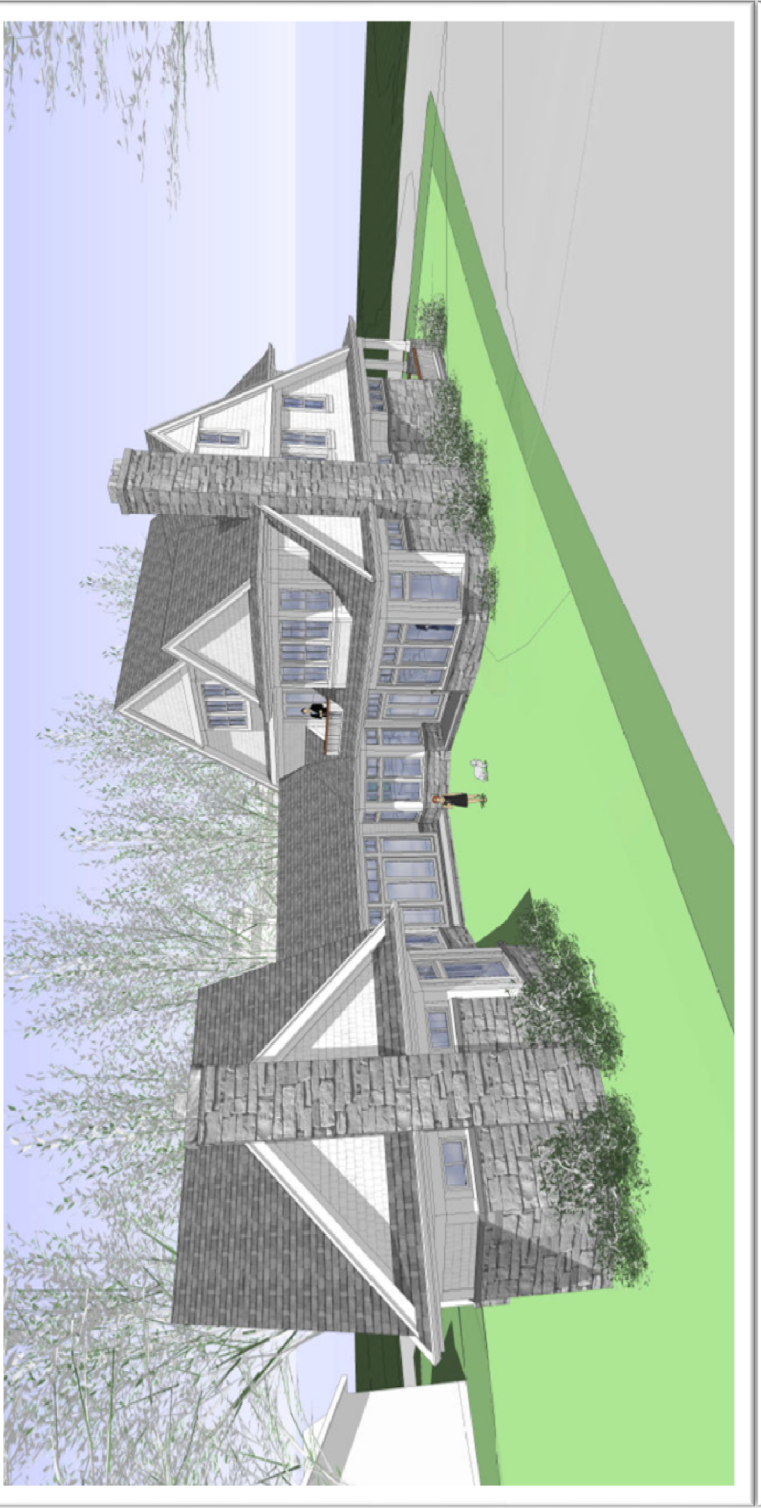
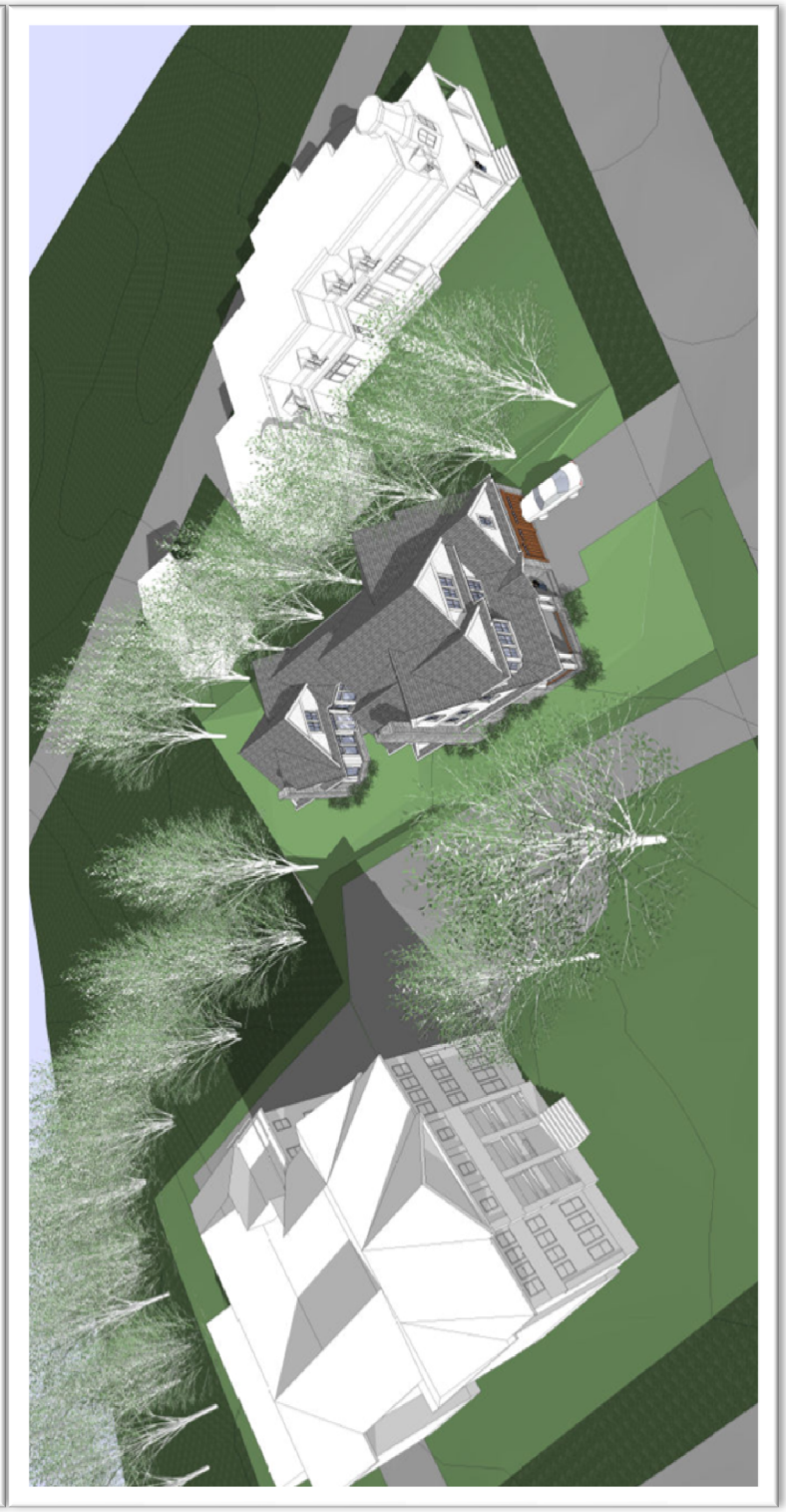


VIEW 3



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

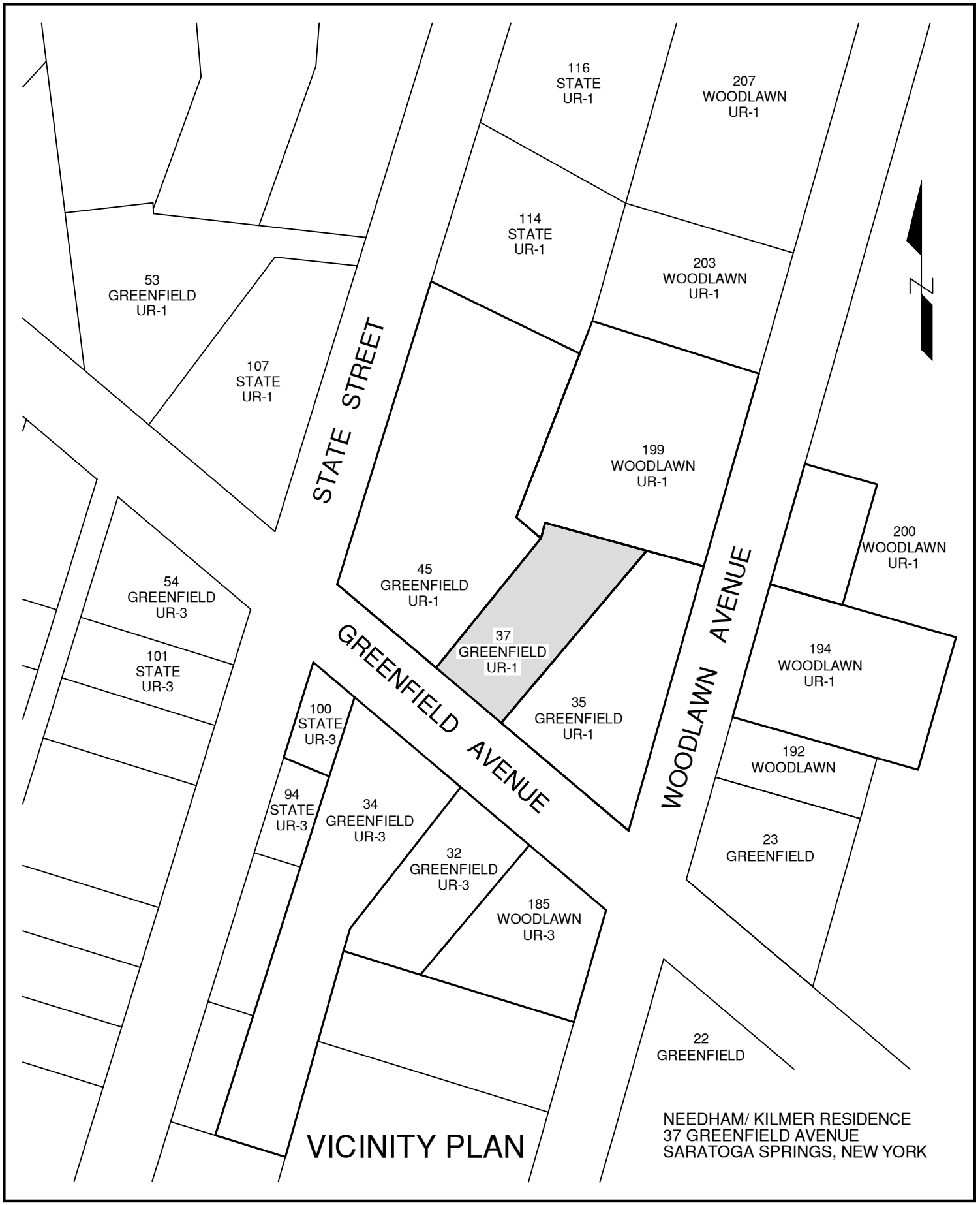
UR-3
100 State St.

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

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

APPLICANT: JUDITH NEEDHAM

TAX PARCEL NO.: 165.36-1-15.1

PROPERTY ADDRESS: 37 GREENFIELD AVENUE
ZONING DISTRICT: URBAN RESIDENTIAL – 1

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):

240-2.3 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: west	12 feet	11 feet
Minimum side yard setback: east	12 feet	8 feet
Minimum total side yard setback:	30 feet	19 feet
Minimum rear yard setback:	30 feet	25 feet
Maximum principal building coverage:	20%	32.8%

Note: _____

☐ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

5/23/16
DATE

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

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

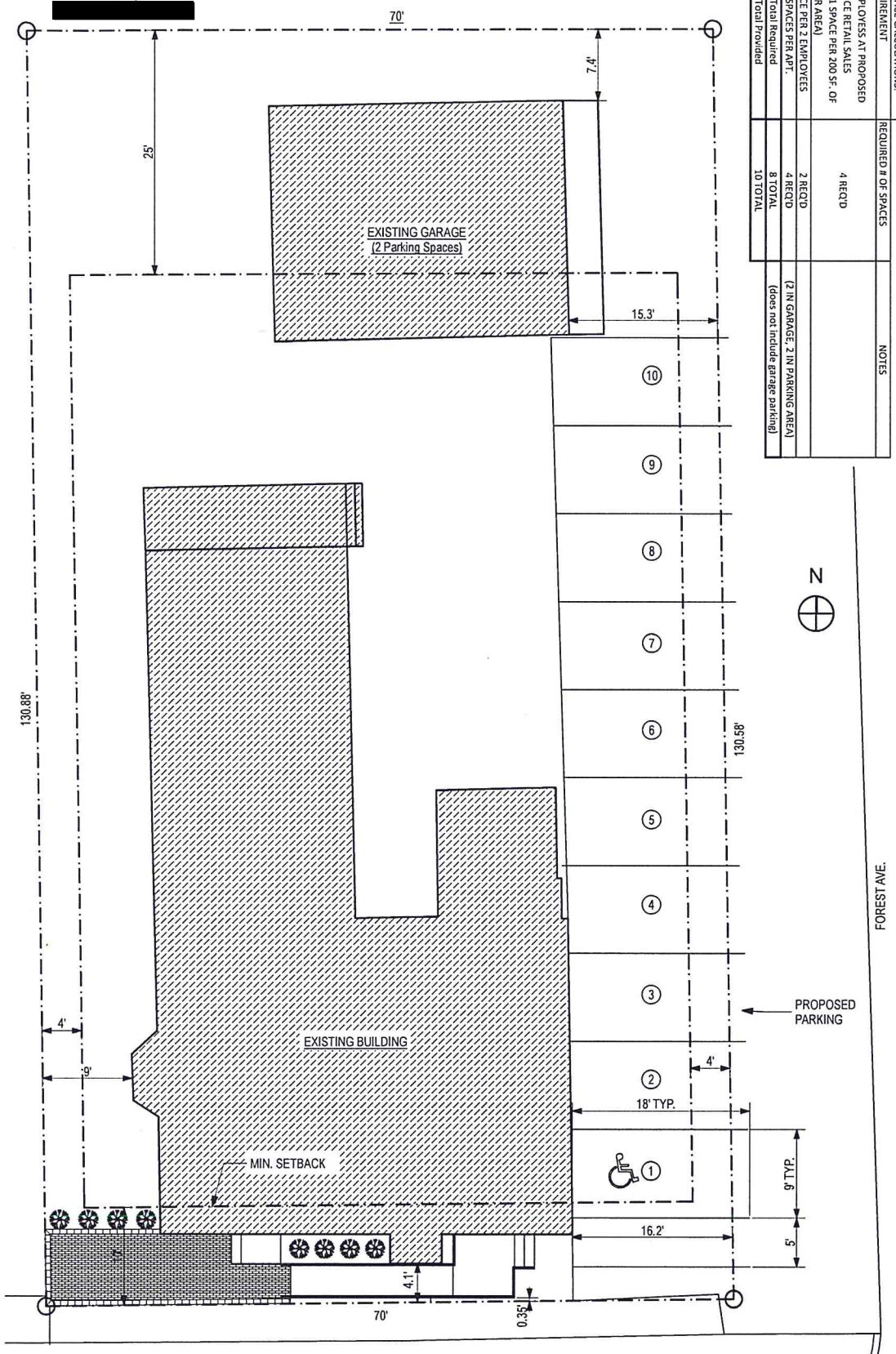
LEVINGSTON STREET
H-8

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)

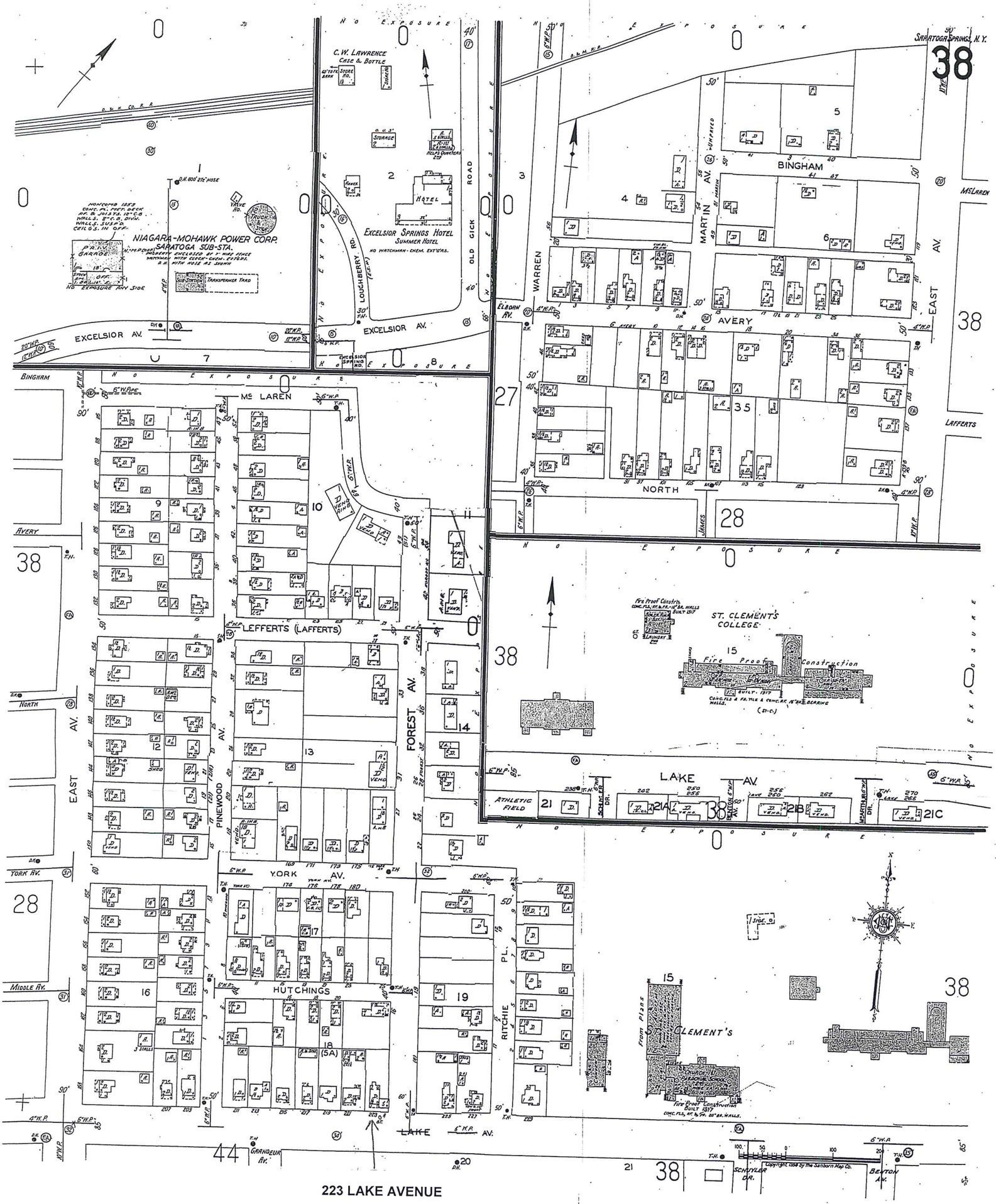
MIN. % TO REMAIN PERMEABLE	% PERMEABLE
25% (2,252 SF)	39% (3,497 SF)

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

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

APPLICANT: 223 LAKE AVE., LLC

TAX PARCEL NO.: 166.46-2-59

PROPERTY ADDRESS: 223 LAKE AVENUE
ZONING DISTRICT: UR-3

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

Proposed construction of a handicap ramp.

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 front yard setback:	10 feet	.35 feet
Maximum principal building coverage:	30%	32%

Note: _____

☑ Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

5/23/16
DATE

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:

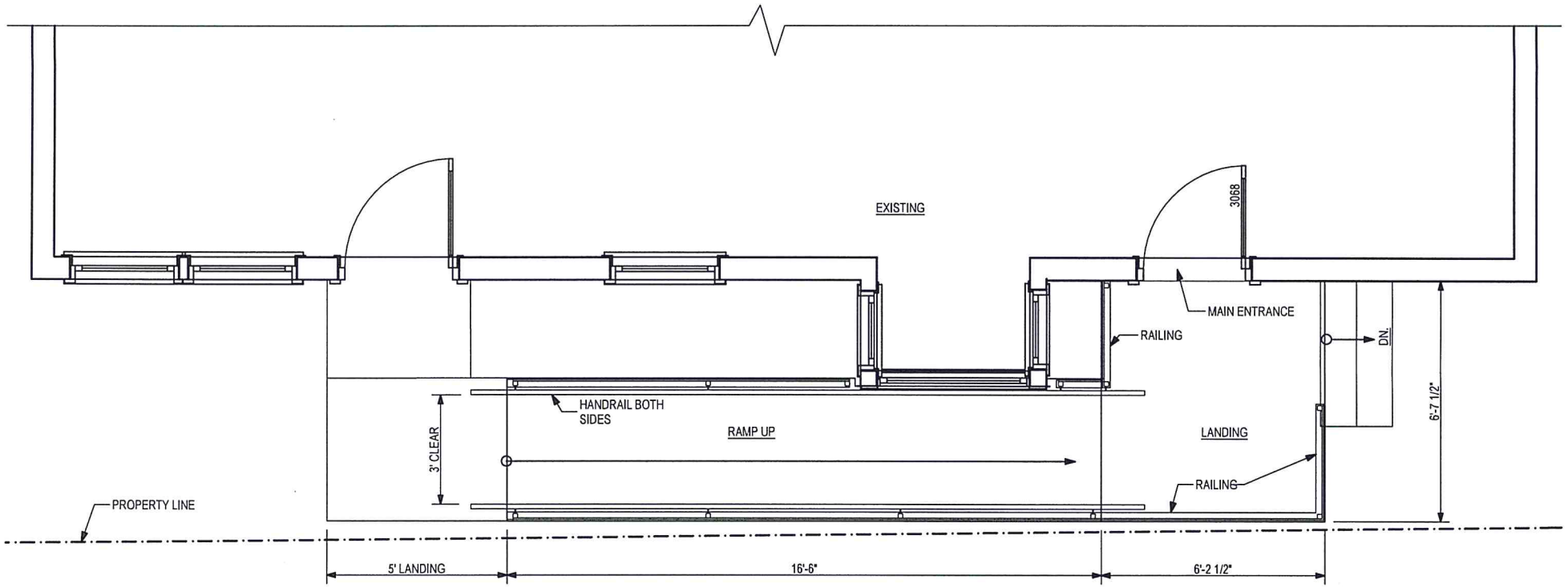
DRAWN BY: MS

CHK'D BY: MS

REVISIONS:		
0	5/12/16	ISSUED FOR ZBA APPROVAL
MARK	DATE	DESCRIPTION

DRAWING NO.

A-206



1 / A-206

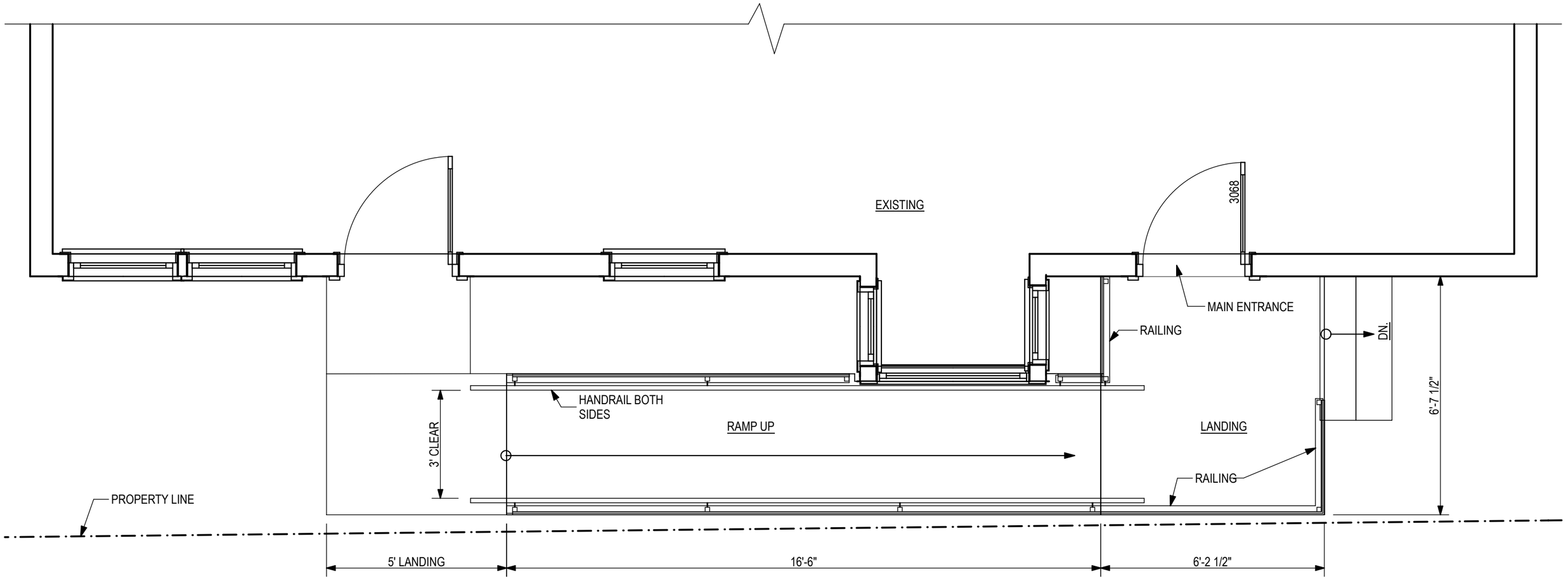
1 / A-105 **RAMP PLAN**

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"

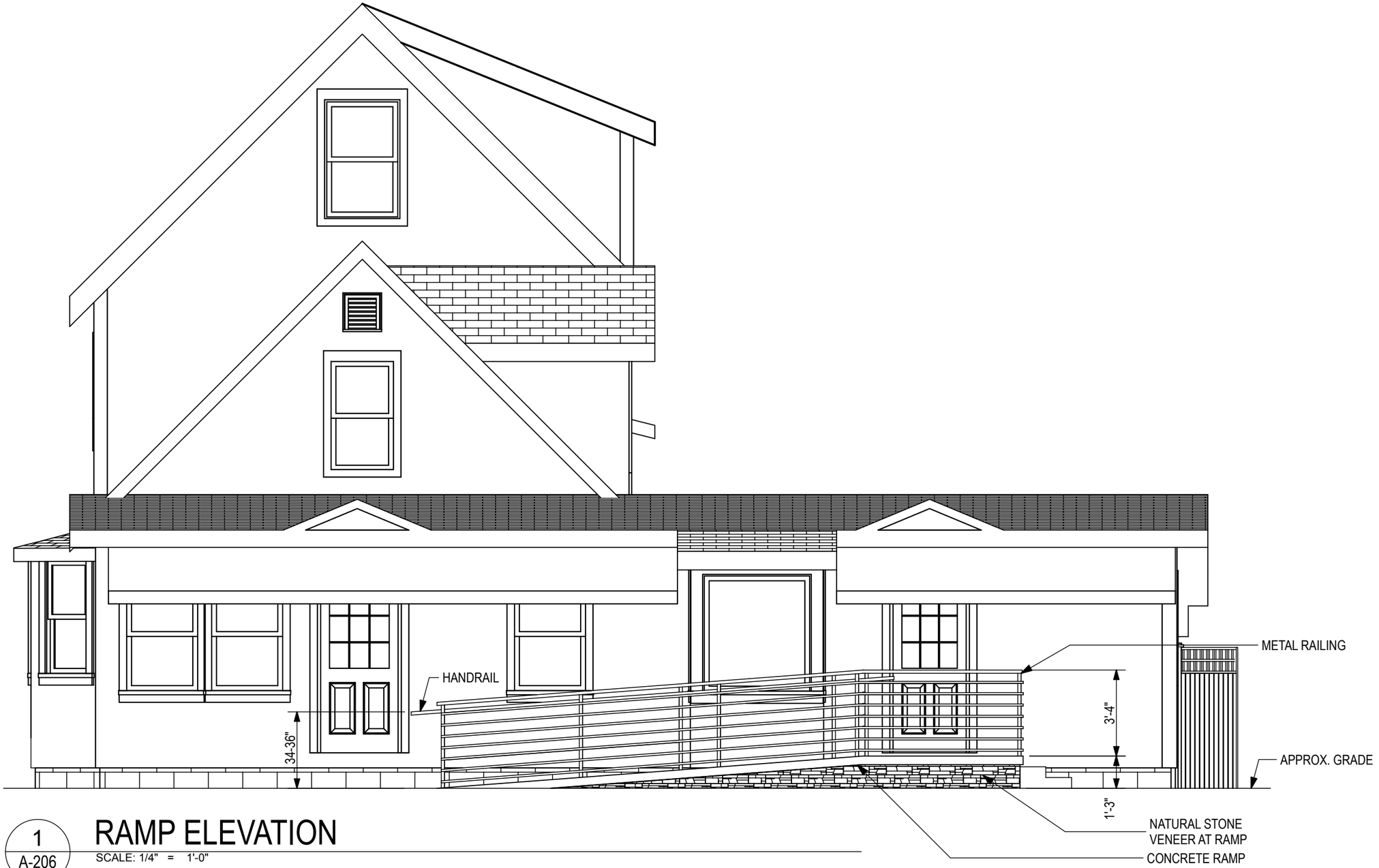
SITEWORKS ASSOCIATES, LLC DRAFTING & DESIGN SERVICES 45 LEXINGTON AVE. GLENS FALLS. NY 12801 [redacted]	Stewart Remodel Owner: Rodney Stewart 223 Lake Ave. Saratoga Springs, NY 12801	DRAWING TITLE: RAMP PLAN PROJECT NO: DRAWN BY: MS CHK'D BY: MS

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]

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>

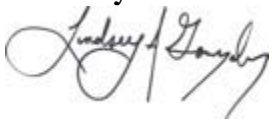
Board Members,

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:

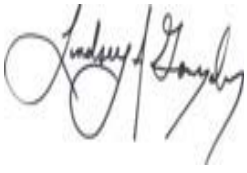
Aimee Miller
121 Madison St
Re: 124 Jefferson St Use Variance Request

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

[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