



CITY OF SARATOGA SPRINGS
ZONING BOARD OF APPEALS
□
CITY HALL - 474 BROADWAY
SARATOGA SPRINGS, NEW YORK 12866
PH) 518-587-3550 FX) 518-580-9480
WWW.SARATOGA-SPRINGS.ORG

Bill Moore, *Chair*
Keith 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 ICEHOUSE TENT_APPLICATION_REDACTED.PDF](#)

Old Business

1. **#2856.1 MOORE HALL REDEVELOPMENT**
28 Union Avenue/35 White Street, area variance for proposed demolition of an existing dormitory and construction of 26 dwelling units; seeking relief from the minimum lot size per dwelling unit, minimum side (each) and total side yard setbacks (18-unit condominium building), minimum rear and side yard setbacks (2-unit carriage house), minimum front, side and total side yard setbacks (3-unit row house), minimum rear yard setback (1-unit carriage house), maximum principal building coverage (Union Ave. and White St. parcels) requirements in an Urban Residential – 4 District.
Documents: [2856.1 MOOREHALL2_APPLICATION_REDACTED.PDF](#), [2856.1 MOOREHALL2_CORRRUPTON5-23-16_REDACTED.PDF](#), [2856.1 MOOREHALL2_BUILDINSPECTDENIAL.PDF](#), [2856.1 MOOREHALL2_ELEVATIONS.JPG](#), [2856.1 MOOREHALL2_UPDATEDVARIANCEREQ05-10-16_REDACTED.PDF](#), [2856.1 MOOREHALL2_COUNTYREFERRAL.PDF](#), [2856.1 MOOREHALL2_CORRRUPTON5-26-16_REDACTED.PDF](#)
2. **#2890 BARLOW RESIDENCE**
2 Cherry Tree Lane, area variance to construct an attached garage and breezeway to an existing single-family residence; seeking relief from the minimum side yard setback requirements in the Rural Residential District.
Documents: [2890 BARLOWRESIDENCEADDITION_APP_REDACTED.PDF](#), [2890 BARLOWRESIDENCEADDITION_BUILDINSPECTDENIAL.PDF](#)
3. **#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](#)
4. **#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](#)
5. **#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 CDJT TOWNHOUSES_AMILLERCORR4-25-16_REDACTED.PDF](#), [2889 CDJT TOWNHOUSES_APP_REDACTED.PDF](#), [2889 CDJT TOWNHOUSES_BUILDINSPECTDENIAL.PDF](#)

Adjourned Items

- ~~4. **#2856 MOORE HALL**
28 Union Avenue/35 White Street, area variance to convert the existing building to a 63-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

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Robert Lawrentz	Robert Lawrentz & Joan Sterling	Michael J. Toohy, Esq., SKTCC
Address	[REDACTED]	[REDACTED]	P. O. Box 4367, 160 West Avenue
Phone	[REDACTED]	[REDACTED]	Saratoga Springs, NY 12866
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: 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".

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

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

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

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

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

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

5) Annual income generated from property: \$ _____

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

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

Appraisal Assumptions: _____

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

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

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

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

If yes, describe frequency and name of publications: _____

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

If yes, list dates when sign was posted: _____

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

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

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

Table 2 Use Schedule

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

Dimensional Requirements

To have a Home Occupation in a Permitted Accessory Building

From

To

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

Other: _____

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

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

The 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.

Rat Junt
(applicant signature)

4/30/2016

Date: _____

(applicant signature)

Date: 4/30/16

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

Owner Signature: JE Sterling

Date: 4/30/16

Owner Signature: Rat Junt

Date: 4/30/16

Short Environmental Assessment Form

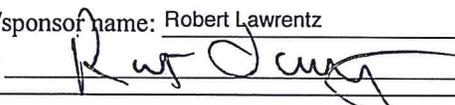
Part 1 - Project Information

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: Robert Lawrentz		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit - City of Saratoga Springs			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
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.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Robert Lawrentz</u> Date: <u>4/30</u> /2016</p> <p>Signature: <u></u></p>		

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:	<u>620 +/- square feet</u>
		$5,920 \text{ sq ft} \times 15\% = 888 \text{ sq ft}$

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 ($4,133 \times 15\% = 619.95 \text{ sq ft}$). 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”.

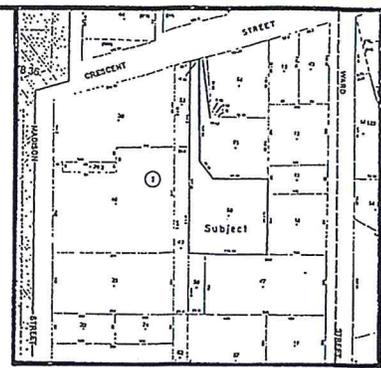
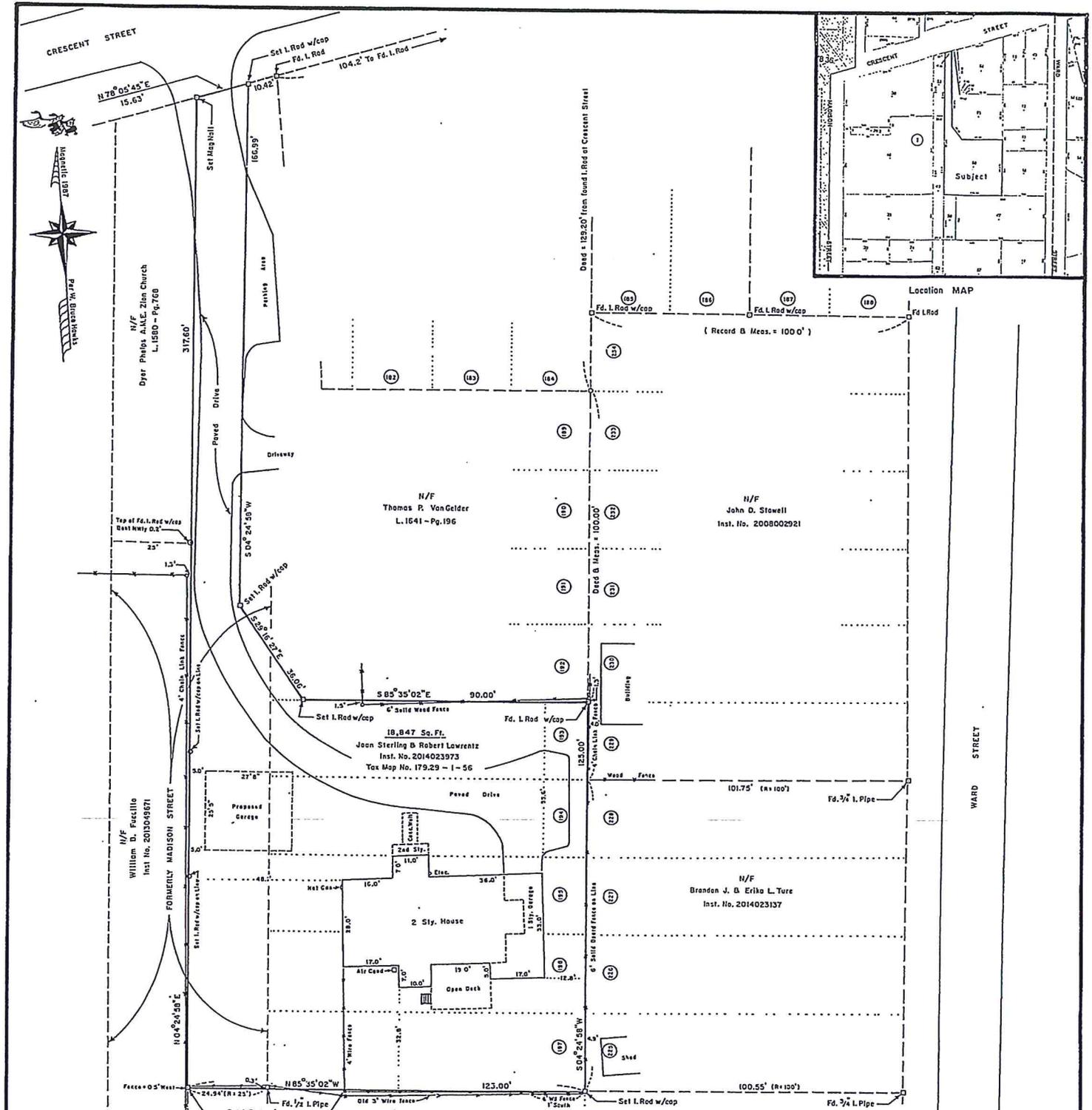
The Owner wishes to use the designated space on the second floor of the garage as a studio for the music he wishes to compose.

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).

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

Ref: SAR-409, Fid. Bk. 40, Pgs. 36-45.

46-381

N/F
Peter M. Gaddy & Marc L. San Antonio Gaddy
L. 1843 - Pg. 265

N/F
Peter M. Gaddy & Marc L. San Antonio Gaddy
L. 1884 - Pg. 677

- 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. (93) = 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. S9-17E4.

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

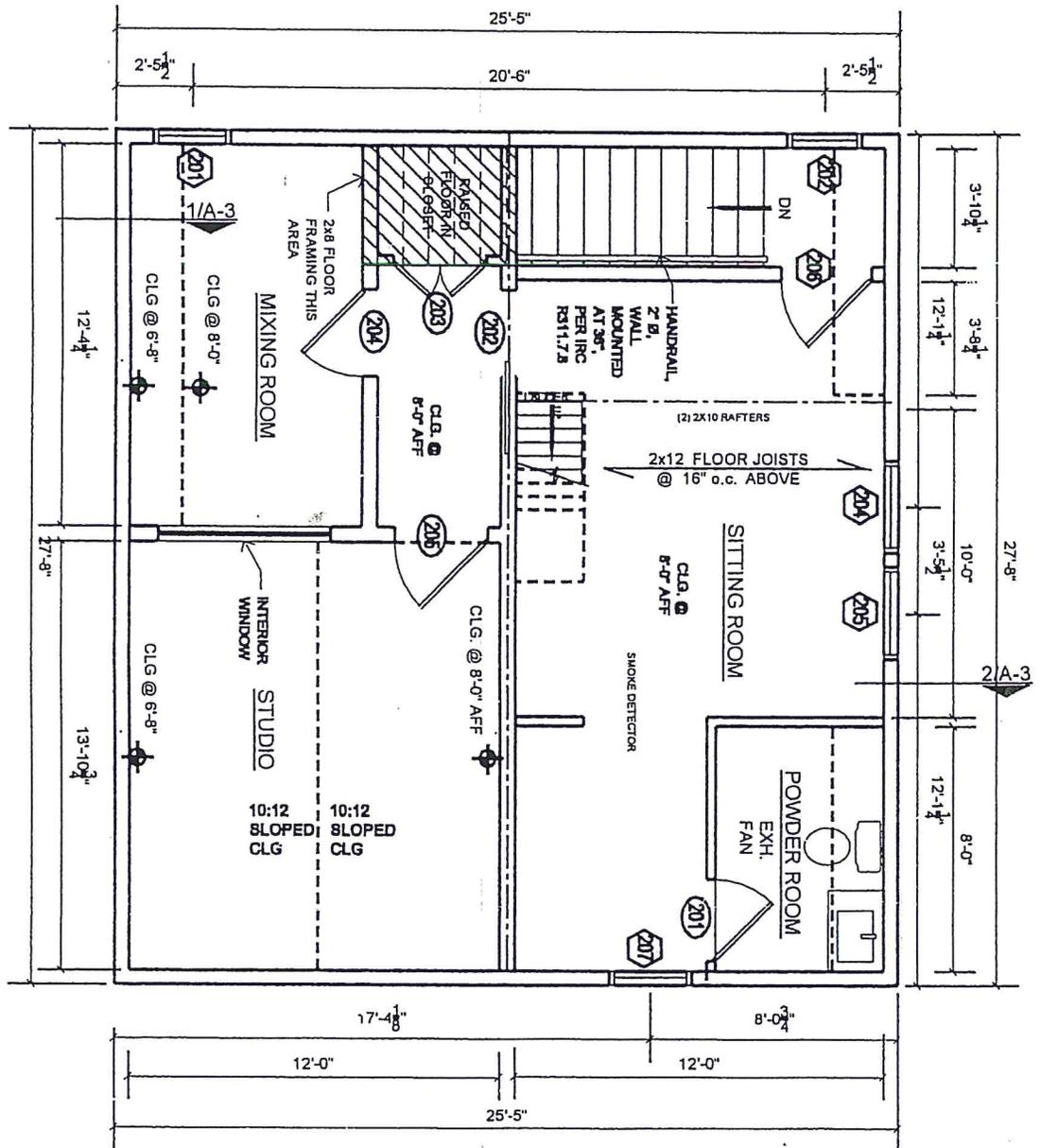
Variance for Finished Space: Music Studio

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."

4/28/16	Thomas Van Gelder	[REDACTED] Crescent St
DATE	NAME	ADDRESS
4/28/16	L Bukausky	[REDACTED] Crescent ST
DATE	NAME	ADDRESS
4/28/16	Sandra Hutton	[REDACTED] Gridley Ave.
DATE	NAME	ADDRESS
4/30/16	Walter [REDACTED]	[REDACTED] Ward St Saratoga Springs
DATE	NAME	ADDRESS
4/30/16	Peter M. Jaddy	[REDACTED] Ward Street Saratoga Springs
DATE	NAME	ADDRESS
4-30	Michael A Jones	[REDACTED] Ward St Saratoga Springs N.Y.
DATE	NAME	ADDRESS
4/30	William K Kattou	[REDACTED] GRIDLEY AVE.
DATE	NAME	ADDRESS
4/30	J. NAPLES	[REDACTED] Ward St. S.S. 12866
DATE	NAME	ADDRESS
4-30	[REDACTED]	[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



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: Lynch'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 <u>LYNCHY'S TAVERN, INC.</u>	_____	<u>ENGINEERING AMERICA CO.</u>
Address <u>70 # 72 PUTNAM ST.</u>	_____	<u>76 WASHINGTON ST.</u>
<u>SARATOGA SPRINGS, NY 12866</u>	_____	<u>SARATOGA SPRINGS, NY 12866</u>
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: 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

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

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
PUNAM 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 BUILDINGS.

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

- 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

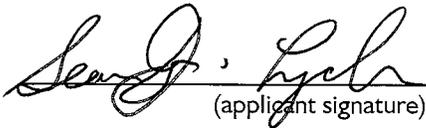
Does any City officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? No Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

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: 5/9/2016

(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			
<i>LYNCHY'S TAVERN, INC.</i>			
Name of Action or Project: <i>INSTALLATION OF PERMANENT TENT STRUCTURE</i>			
Project Location (describe, and attach a location map): <i>70 & 72 PUTNAM ST., SARATOGA SPRINGS, NY</i>			
Brief Description of Proposed Action: <i>REPLACEMENT OF EXISTING, TEMPORARY CANOPY/TENT WITH A PERMANENT TENT.</i>			
Name of Applicant or Sponsor: <i>LYNCHY'S TAVERN, INC.</i>		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: <i>70 & 72 PUTNAM ST.</i>			
City/PO: <i>SARATOGA SPRINGS</i>		State: <i>NY</i>	Zip Code: <i>12866</i>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: <i>-SARATOGA PLANNING BOARD- SITE PLAN APPROVAL</i> <i>-SARATOGA BUILDING DEPT. - BUILDING PERMIT</i>			NO YES <input type="checkbox"/> <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u><i>0.098</i></u> acres	
b. Total acreage to be physically disturbed?		<u><i>0</i></u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u><i>0.098</i></u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <i>INSTITUTIONAL: ADJACENT PUBLIC LIBRARY</i> <input type="checkbox"/> Parkland			

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

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>SEAN BYNCH</u> Signature: <u><i>Sean J Bynch</i></u></p>	<p>Date: <u>05/09/2016</u></p>	

LEGEND:

- FOUND IRON MARKER
- SET IRON ROD WITH CAP
- ⊙ POINT
- POWER LINE
- STONE WALL
- FENCE

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S MARKED 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.



LANDS OF SARATOGA SPRINGS PUBLIC LIBRARY
L 1263 P. 249

LANDS OF BMC PROPERTY
L 2009 P. 7217

LANDS OF LYMAN Q. LLC
L 2007 P. 17065

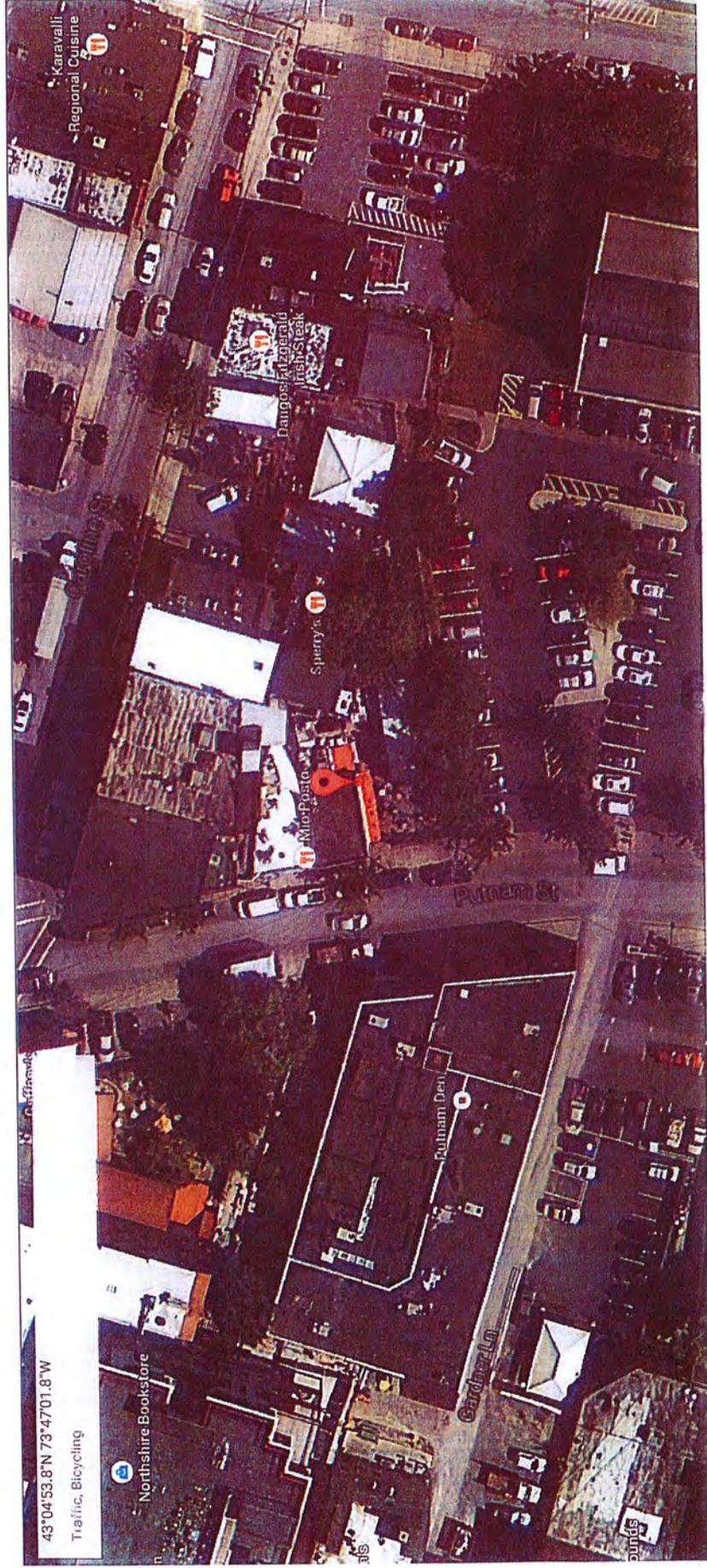
WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

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

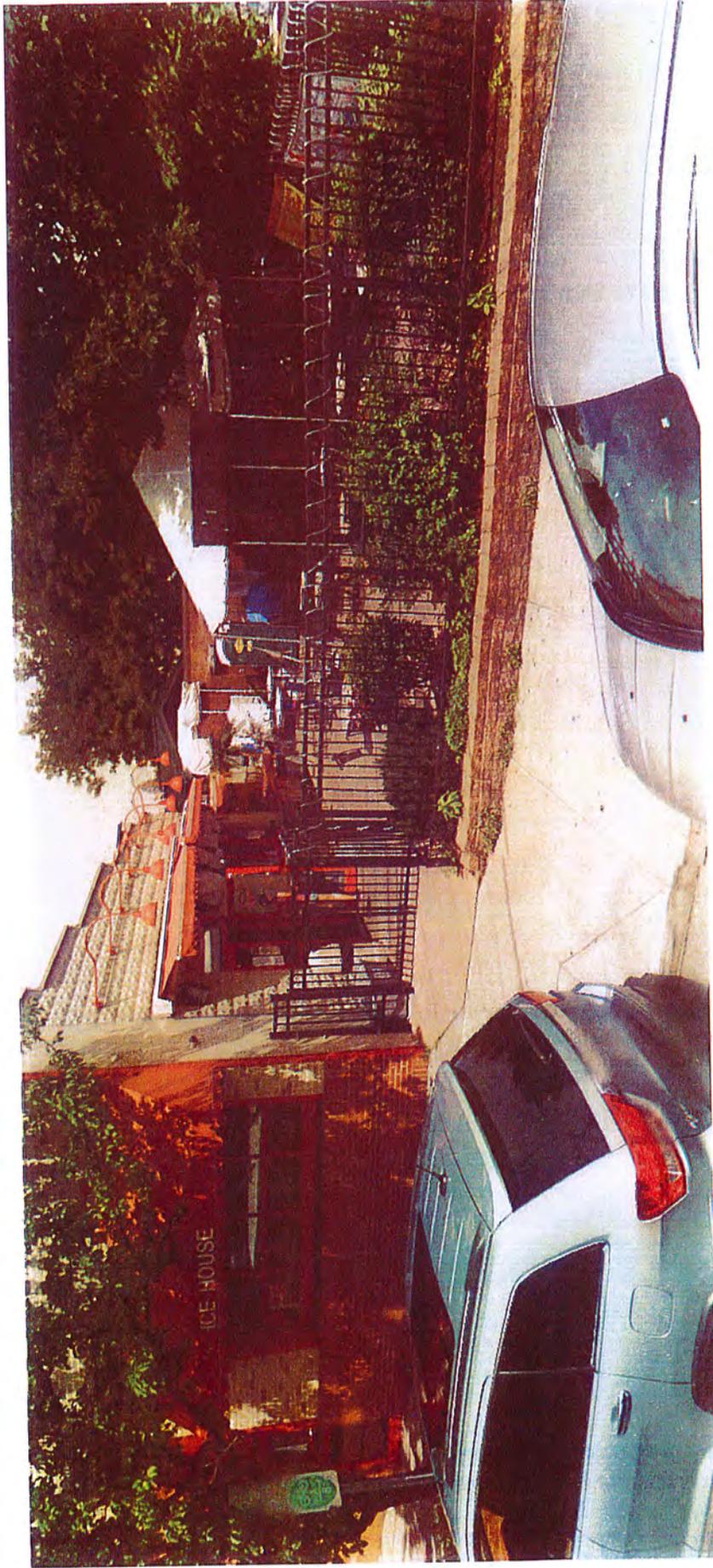
MAP OF SURVEY
OF LANDS OF
LYNCH'S TAVERN

- MAP REFERENCES:**
1. MAP OF PROPERTY OF THOMAS WILSON TO BE CONVERTED TO WATER AND RIVERBAY A. SUTTON, CITY OF SARATOGA SPRINGS, DATED JANUARY 12, 1988, BY THOMPSON & FLEMING L.S., P.L.C.
 2. MAP OF PARKING/RELOCATION PLAN FOR PUTNAM STREET PARKING LOT (PARCEL 3) HADRON SPRINGS AND 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
 3. MAP OF SURVEY OF LANDS OF THOMAS WILSON, CITY OF SARATOGA SPRINGS, DATED APRIL 20, 1992, 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 RD, 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. 1524 P. 615.





imagery ©2015 Google, map data ©2015 Google 30



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

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

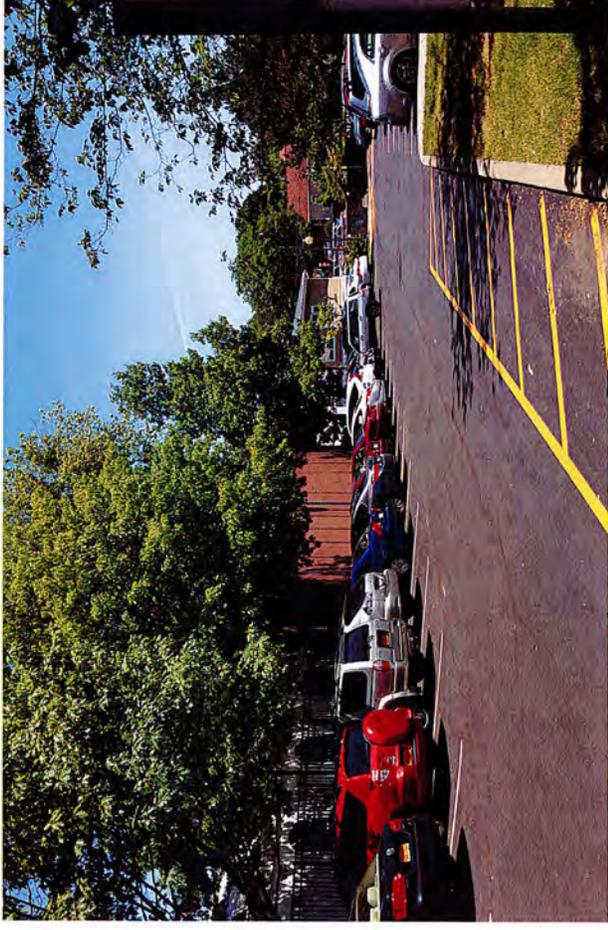


Pre-Existing Patio area as viewed facing East from Putnam St. with pre-existing, temp. tent & prior to kitchen addition

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.

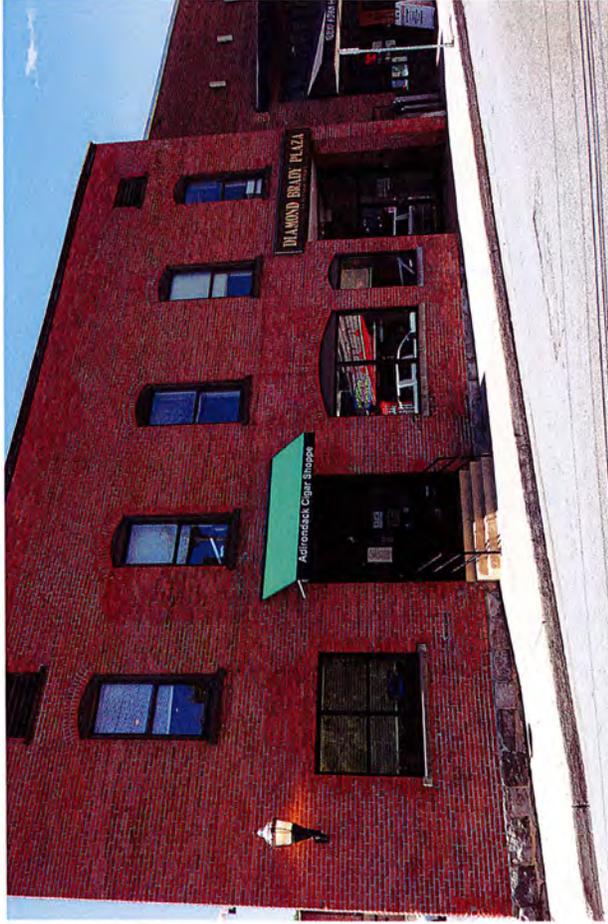


Existing front elevation of Ice House (remains unchanged) as viewed facing South East from Putnam St.



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

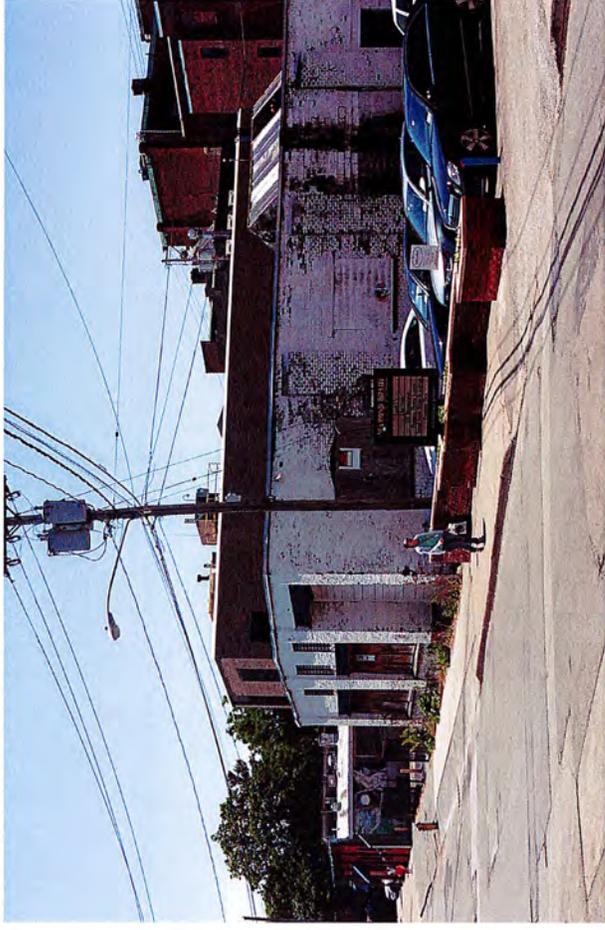
The Ice House: 70-72 Putnam St
Saratoga Springs, NY



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

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: _____



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

<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name <u>Moore Hall, LLC</u>	<u>46 Union Avenue, LLC</u>	<u>Michael J. Toohey, Esq.</u>
Address <u>18 Division Street, Suite 401</u> <u>Saratoga Springs, NY 12866</u>	<u>300 South Division Street</u> <u>Buffalo, NY 14204</u>	<u>P. O. Box 4367</u> <u>Saratoga Springs, NY 12866</u>
Tel./Fax <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
Email <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

* An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.
Applicant's interest in the premises: Owner Lessee Under option to lease or purchase

PROPERTY INFORMATION

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

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”.

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

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

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

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

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

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

5) Annual income generated from property: \$ _____

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

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

Appraisal Assumptions: _____

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

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

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

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

If yes, describe frequency and name of publications: _____

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

If yes, list dates when sign was posted: _____

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

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

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

<hr/>	<hr/>	<hr/>

Other:

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

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

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)

Sworn to before me this date:

Date: 3/18/16

(applicant signature)



Notary Public
KEITH M. FERRARA
Notary Public, State of New York
No. 4664215
Qualified in Saratoga County
Commission Expires 5-31-17

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

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: 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

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Saratoga Springs Planning Board Site Plan Approval	April 2016
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Saratoga Springs Zoning Board Area Variances	March 2016
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Saratoga Springs; Historic Review Approval from Design Review Commission	April 2016
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Saratoga County Planning Board Advisory opinion	March 2016
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

C.3. Zoning

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

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	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): _____

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

- Do existing sewer lines serve the project site? 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 (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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 1/2 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

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

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 handling 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: <u>Lawn</u>	.41	.33	-.08

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):

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: _____

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

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

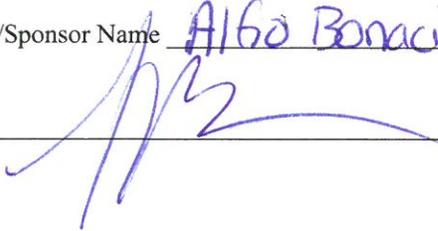
Attach any additional information which may be needed to clarify your project.

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 Algo Bonacio Jr. Date 3/18/16

Signature  Title member



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)

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com

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,

A handwritten signature in black ink that reads "Nick Conrad".

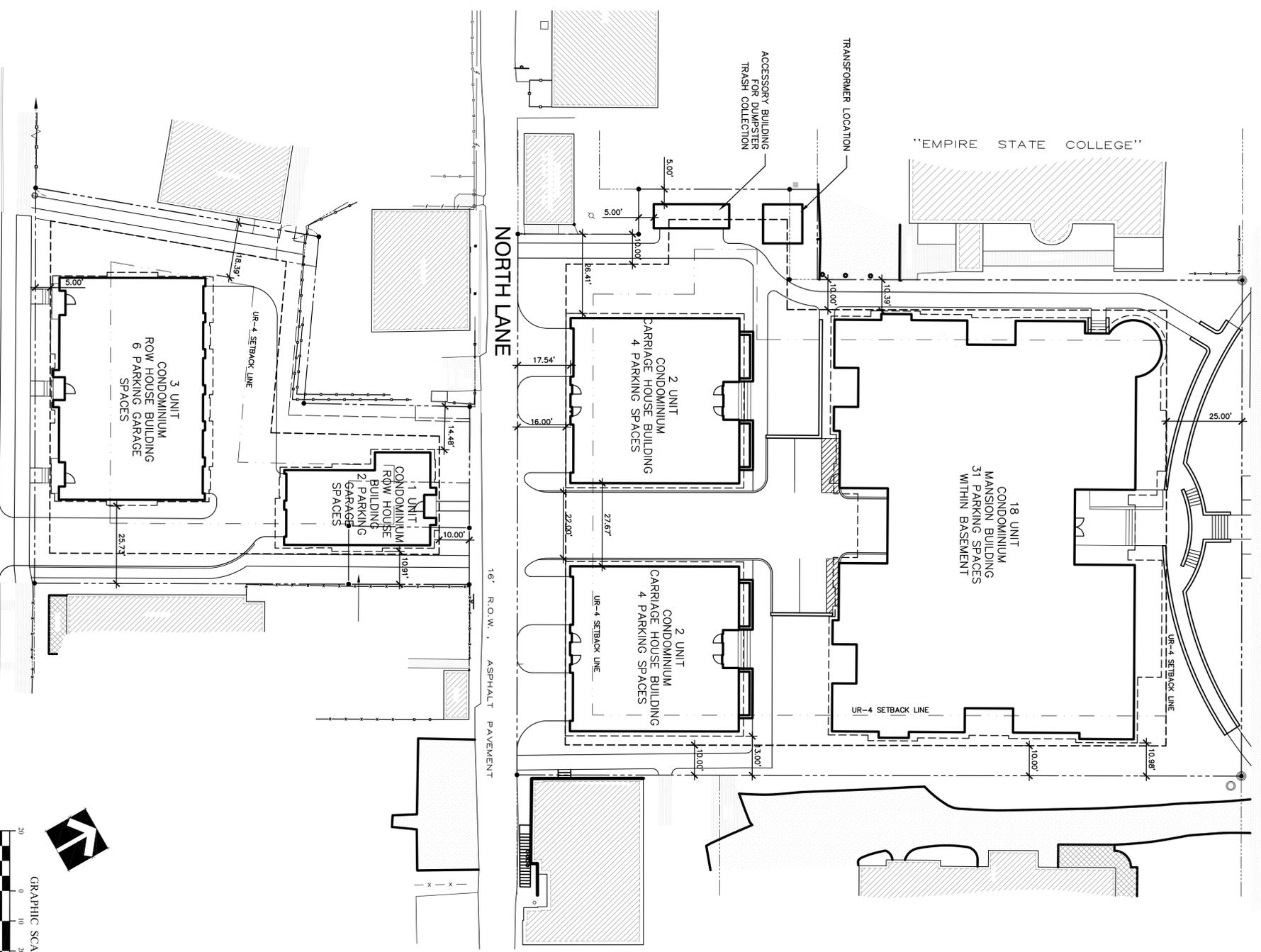
Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

UNION AVENUE

WHITE STREET 50' R.O.W. ASPHALT PAVEMENT

NORTH LANE

16' R.O.W. ASPHALT PAVEMENT



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 REQUIRED - 25%
 PRINCIPAL BUILDING 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 REQUIRED - 25%
 PRINCIPAL BUILDING PROPOSED - 39%
 VARIANCE REQUESTED 14%

The LA GROUP
 Landscape Architecture and Engineering P.C.
 People. Purpose. Place.
 40 Long Alley # 518, 587 8100
 Saratoga Springs # 518, 587 0180
 NY 12866 www.thelagroup.com

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

© The LA Group 2014

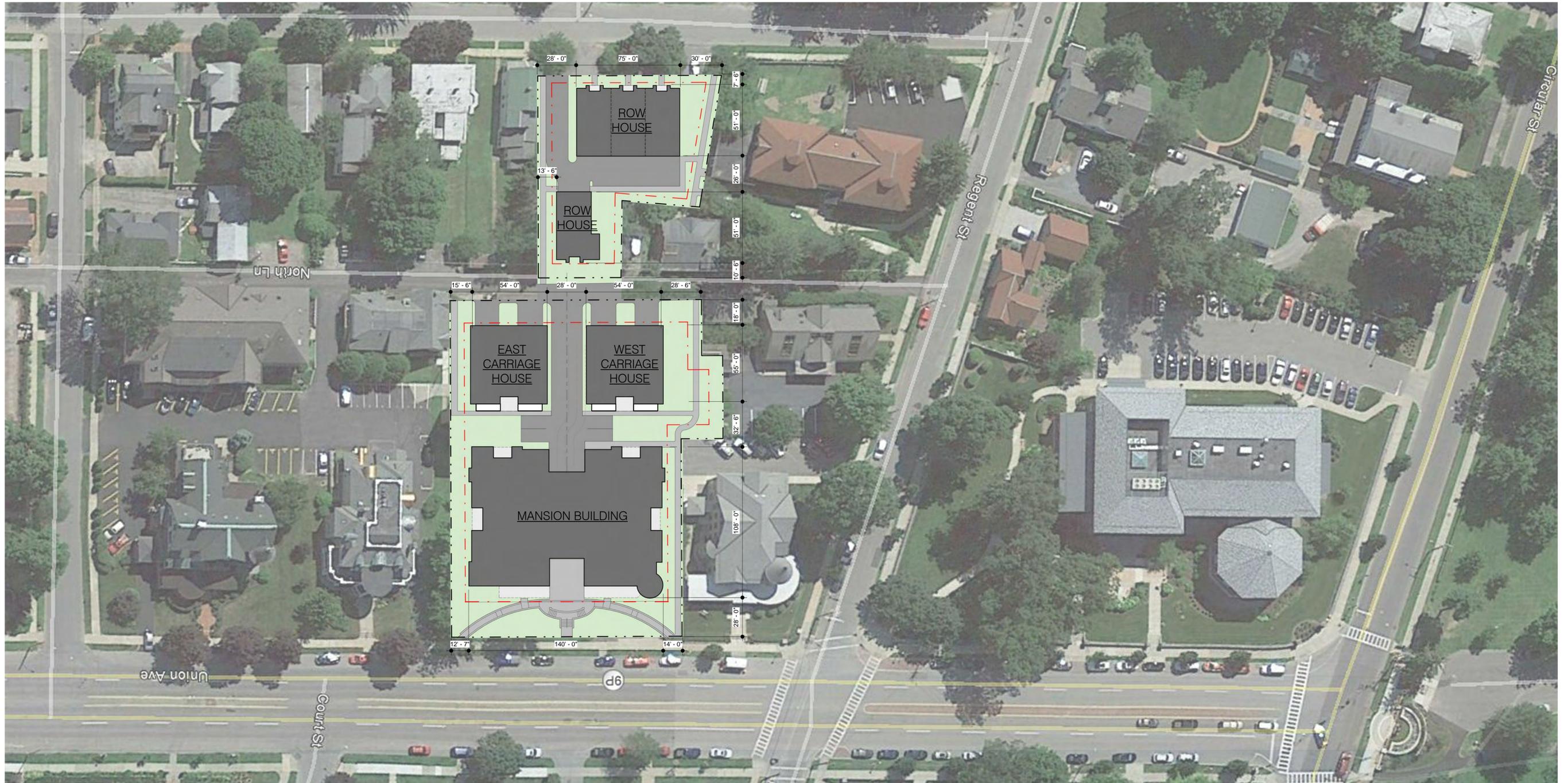
Prepared for:
Moore Hall, LLC
 18 Division Street
 Suite 401
 Saratoga Springs, NY 12866

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

Project No.:	2014096
Design:	CHY
Drawn:	Scale:
Date:	Date:
Rev:	Descriptions:

Drawing No.







NORTH (UNION AVENUE) ELEVATION



EAST ELEVATION
(WEST SIMILAR)



SOUTH (COURTYARD) ELEVATION





CARRIAGE HOUSE EAST ELEVATION (SIMILAR AT WEST ELEVATION)





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 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 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

North Lane Alley
Saratoga Springs
[Redacted]

SUBMITTED
5/23

1/4

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 1 1/2 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 shoos 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

■ North Lane Alley
Saratoga Springs
■

Condominium Market Analysis - Last 24 Months
Park Place Condominiums - 268 Broadway Active/Pending

Status	MIS #	Address	Price	BRS	BAS	Style	Closing Date
ACT	201522331	268 #405 BROADWAY	\$639,900	1	1.1	CND	
ACT	201522169	268 #509 BROADWAY	\$725,000	2	2	CND	
ACT	201521890	268 #306 BROADWAY	\$885,000	2	2.1	CND	
ACT	201522058	268 #308 BROADWAY	\$1,275,021	3	2.1	CND	
ACT	201522167	268 #308 BROADWAY	\$1,323,221	3	2.1	CND	
ACT	201522175	268 #310 BROADWAY	\$1,373,962	3	2.1	CND	
ACT	201522335	268 #410 BROADWAY	\$1,381,964	3	2.1	CND	
ACT	201415659	268 BROADWAY	\$1,399,000	3	3.1	CND	
ACT	201521895	268 #312 BROADWAY	\$1,575,000	3	2.1	CND	
PND	201414552	268 BROADWAY	\$850,374	2	2.1	CND	12/11/2015
PND	201414543	268 BROADWAY	\$1,051,187	2	2.1	CND	9/15/2015

Days On Market

Days On Market	Above Ground SQFT
2190	1425
2190	1670
2190	1980
2190	2625
2190	2775
2190	2785
2190	2785
2190	3025
2190	2830
2190	1855
2190	12340

25,995 = 11 #
 2363 ft²

Park Place Condominiums - 268 Broadway Sold Last 2 Years

Status	MIS #	Address	Price	BRS	BAS	Style	Closing Date
SLD	201400828	268 BROADWAY	\$319,784	2	1.1	CND	10/29/2014
SLD	20144917	268 BROADWAY	\$631,380	2	1.1	CND	11/18/2014
SLD	201416124	268 BROADWAY	\$850,000	2	2.1	CND	10/31/2014
SLD	28101580	268 BROADWAY	\$991,802	2	3.1	CND	4/10/2015
SLD	201404291	268 BROADWAY	\$1,290,416	2	2.1	CND	9/18/2015
SLD	201404528	268 BROADWAY	\$1,300,000	2	2	CND	5/17/2015
SLD	201314590	268 BROADWAY	\$1,341,830	0	2.1	CND	9/29/2015
SLD	201407118	268 BROADWAY	\$1,419,968	3	3.1	CND	10/9/2014
SLD	201417259	268 BROADWAY	\$1,540,000	3	3.1	CND	4/3/2015
SLD	201324303	268 BROADWAY	\$1,825,000	3	3.1	CND	8/11/2014

54 Philla Street Sold

Status	MIS #	Address	Price	BRS	BAS	Style	Closing Date
SLD	201217592	54-301 PHILA ST	\$724,200	2	2	CND	6/10/2014
SLD	201217591	54-401 PHILA ST	\$780,900	2	2	CND	2/13/2014
SLD	201217589	54-302 PHILA ST	\$782,000	1	2	CND	1/24/2014
SLD	201505080	54 PHILA ST	\$812,500	2	2	CND	6/8/2015
SLD	201217590	54-402 PHILA ST	\$840,200	2	2	CND	9/25/2012
SLD	201217593	54-303 PHILA ST	\$1,234,000	3	3	CND	7/11/2014
SLD	201123007	54 Unit 403 PHILA ST	\$1,322,250	3	3	CND	7/11/2012

Days On Market

Days On Market	Above Ground SQFT
1825	1890
1825	1890
1825	1940
2190	1940
1095	1940
1825	2925
1095	2925

38 High Rock Condominiums Active/Pending

Status	MIS #	Address	Price	BRS	BAS	Style	Closing Date
ACT	201524569	38 HIGH ROCK - 4G	\$705,200	2	2	CND	
ACT	201501850	38 HIGH ROCK - 6I	\$735,000	1	1.1	CND	
ACT	201524617	38 HIGH ROCK - 6D	\$762,000	2	2	CND	
ACT	201524632	38 HIGH ROCK - 6F	\$865,000	2	2	CND	
ACT	201524634	38 HIGH ROCK - 6G	\$870,000	2	2	CND	
ACT	201411301	38 HIGH ROCK - 6E	\$930,000	2	2	CND	
ACT	201524572	38 HIGH ROCK - 5N	\$980,000	3	3	CND	
ACT	201524611	38 HIGH ROCK - 6B	\$1,035,000	2	2.1	CND	
ACT	201524570	38 HIGH ROCK - 5F	\$1,050,000	2	2.1	CND	
ACT	201517546	38 HIGH ROCK - 6H	\$1,315,000	2	2.1	CND	
ACT	201524646	38 HIGH ROCK - 6I	\$1,485,000	3	3	CND	
ACT	201421671	38 HIGH ROCK - 5P	\$1,540,000	3	2.1	CND	
ACT	201513897	38 HIGH ROCK - 4F	\$1,190,000	2	2.1	CND	11/30/2015
PND	201504504	38 HIGH ROCK - 5I	\$946,000	2	2	CND	5/29/2015

Days On Market

Days On Market	Above Ground SQFT
2190	1595
2190	1455
2190	1608
2190	1744
2190	1759
2190	1871
2190	2274
2190	2374
2190	2419
2190	3026
2190	3006
2190	3248
2190	2419
2190	2350

31,138
 ÷ 14 = 2,224

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

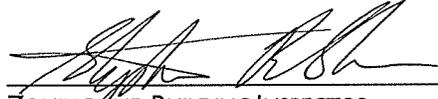
Use Variance to permit the following: _____

Area Variance seeking the following relief:

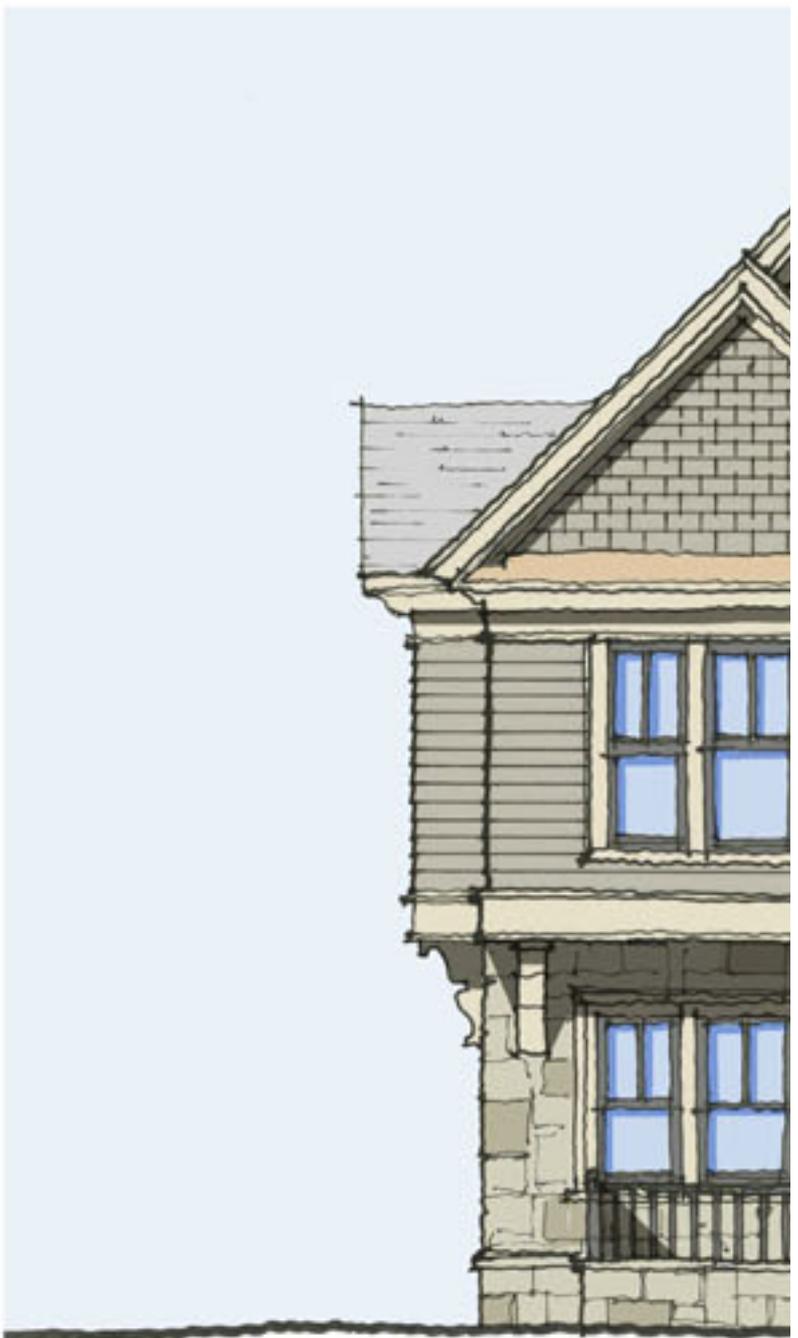
<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>Minimum lot size per dwelling unit:</u>	78,000 sq. ft.	56,192.4 sq. ft
<u>Minimum side yard setback: west 18-unit bldg.</u>	20 feet	10 feet
<u>Minimum side yard setback: east 18-unit bldg.</u>	20 feet	10 feet
<u>Minimum total side yard setback: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

Check out new website!

<http://www.thelagroup.com>

[Twitter](#) | [Facebook](#) | [LinkedIn](#)

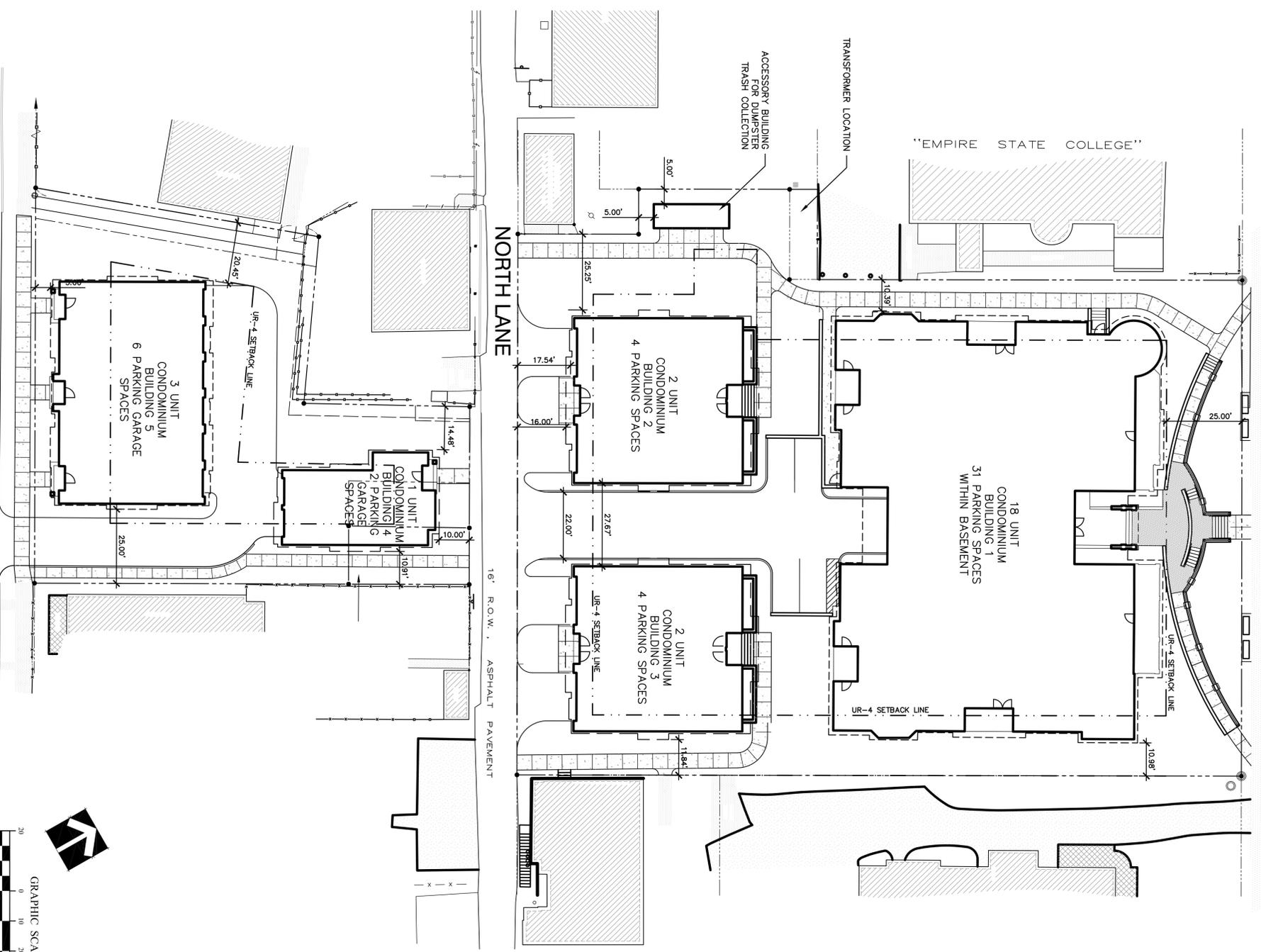
UNION AVENUE

"EMPIRE STATE COLLEGE"

NORTH LANE

WHITE STREET 50' R.O.W. ASPHALT PAVEMENT

16' R.O.W. ASPHALT PAVEMENT



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, PROVIDED - 10' EAST, 10' WEST
VARIANCE REQUESTED	10' (50%) 10' (50%)
25' TOTAL	20' TOTAL
45' TOTAL	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	REQUIRED - 25% PROPOSED - 52.39%
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, PROVIDED - 10' EAST, 14' WEST
VARIANCE REQUESTED	10' (50%), 6' (30%)
24' TOTAL	21' (47%)
45' TOTAL	
REAR YARD SETBACK	REQUIRED - 25' PROVIDED - 10' NORTH LANE
VARIANCE REQUESTED	15' (60%)
MAXIMUM BUILDING COVERAGE	REQUIRED - 25% PROPOSED - 39%
PRINCIPAL BUILDING	REQUIRED - 25% PROPOSED - 39%
VARIANCE REQUESTED	14% (56%)



The LA GROUP
 Landscape Architecture & Engineering P.C.
 People. Purpose. Place.
 40 Long Alley # 518, 587 8100
 Saratoga Springs NY 12866
 www.thelagroup.com

Unauthorized alteration or addition to this document is a violation of section 7209 of the New York State Education Law.
 © The LA Group 2014
 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.:	20140696
Design:	CH'ed
Drawn:	Scale:
Date:	Date:
Rev.:	Description:
1	Revised Plan
	2016-05-10

Drawing No.



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 lose 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

■ North Lane Alley
Saratoga Springs
■

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



CITY OF SARATOGA SPRINGS

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

[FOR OFFICE USE]

(Application #)

(Date received)

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

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Christina / Christopher Barlow		Randy Heritage
Address	[REDACTED]		HERITAGE FAMILY CONSTR.
Phone	[REDACTED]	1	518 588 1 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 Tax Parcel No.: 167 - 1 - 61
Saratoga Springs (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 NA
 500' of a State Park, city boundary, or county/state highway?

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 than to place a 2 car garage where proposed. Needs to be next to current driveway of 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 undesirable 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:

Will not have adverse physical or environmental effects:

①: ~~of~~ 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.

Christine Le Beau
(applicant signature)

Date: 3-25-16

[Signature]
(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: _____



PURPOSED GARAGE & BREEZEWAY
(24' x 24')

EXISTING 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:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>Minimum side yard setback:</u>	<u>30 ft.</u>	<u>10 ft.</u>

Note: _____

Advisory Opinion required from Saratoga County Planning Board



ZONING AND BUILDING INSPECTOR

5/5/16

DATE

Needham/Kilmer Residence

Zoning Board of Appeals

Variance Application — 37 Greenfield Avenue

City of Saratoga Springs, New York

May 9, 2016

**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	_____	_____	_____
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: 37 GREENFIELD AVENUE Tax Parcel No.: 165 . 36 - 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)
 No Lot width - adjacent lot

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) _____

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
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:

- 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.

- 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:

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

Date: _____

(applicant signature)

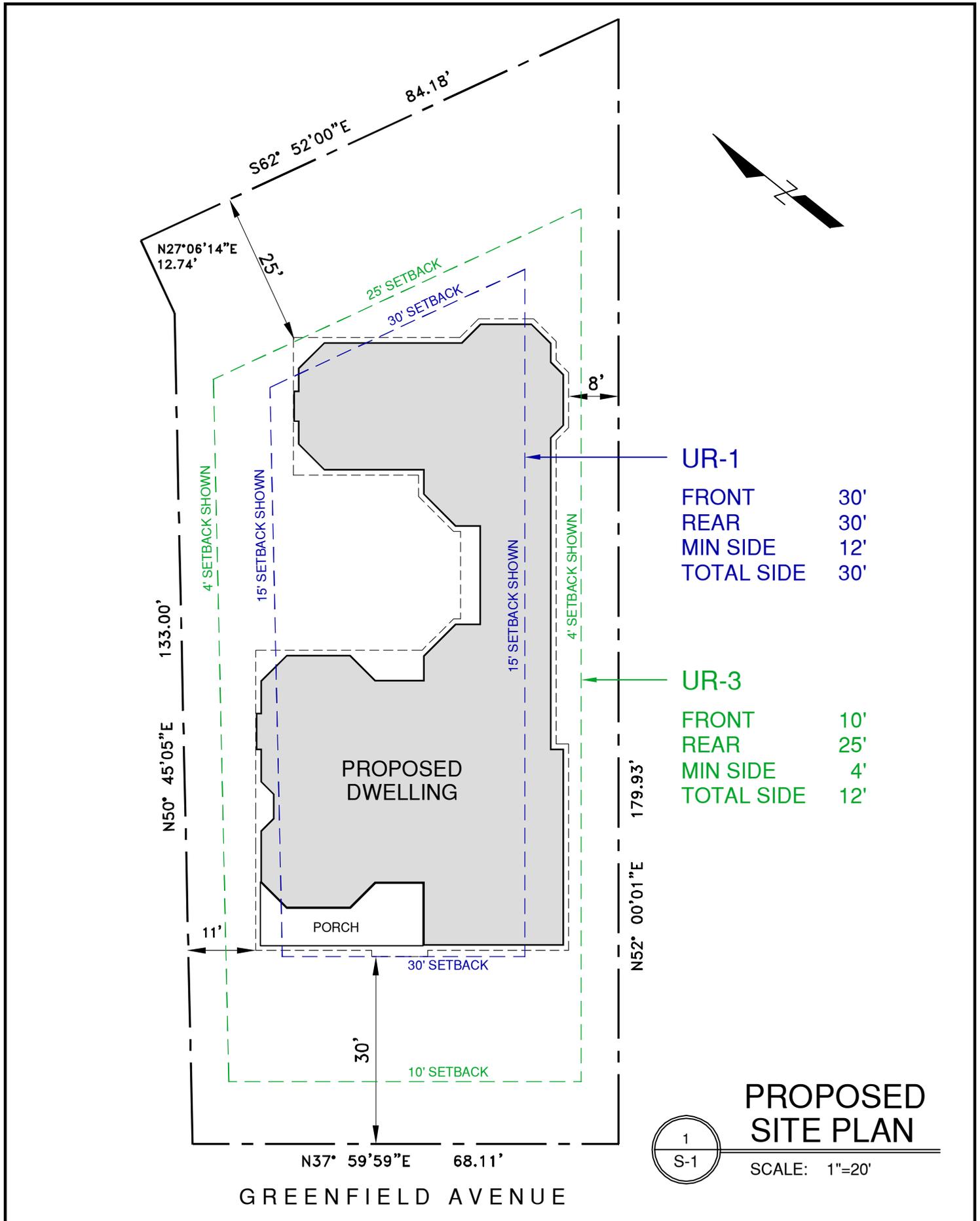
If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____



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%	3,207	SF
UR-3 ALLOWABLE @ 30%	3,436	SF
ALLOWABLE @ 10%	1,145	SF
ALLOWABLE @ 40%	4,581	SF
PRINCIPAL BUILDING	3,120	SF 27.2%
PORCH	240	SF 2.1%
OVERHANGS	402	SF 3.5%
TOTAL COVERAGE	3,762	SF 32.8%
PERMEABLE AREA	6,960	SF 60.8%

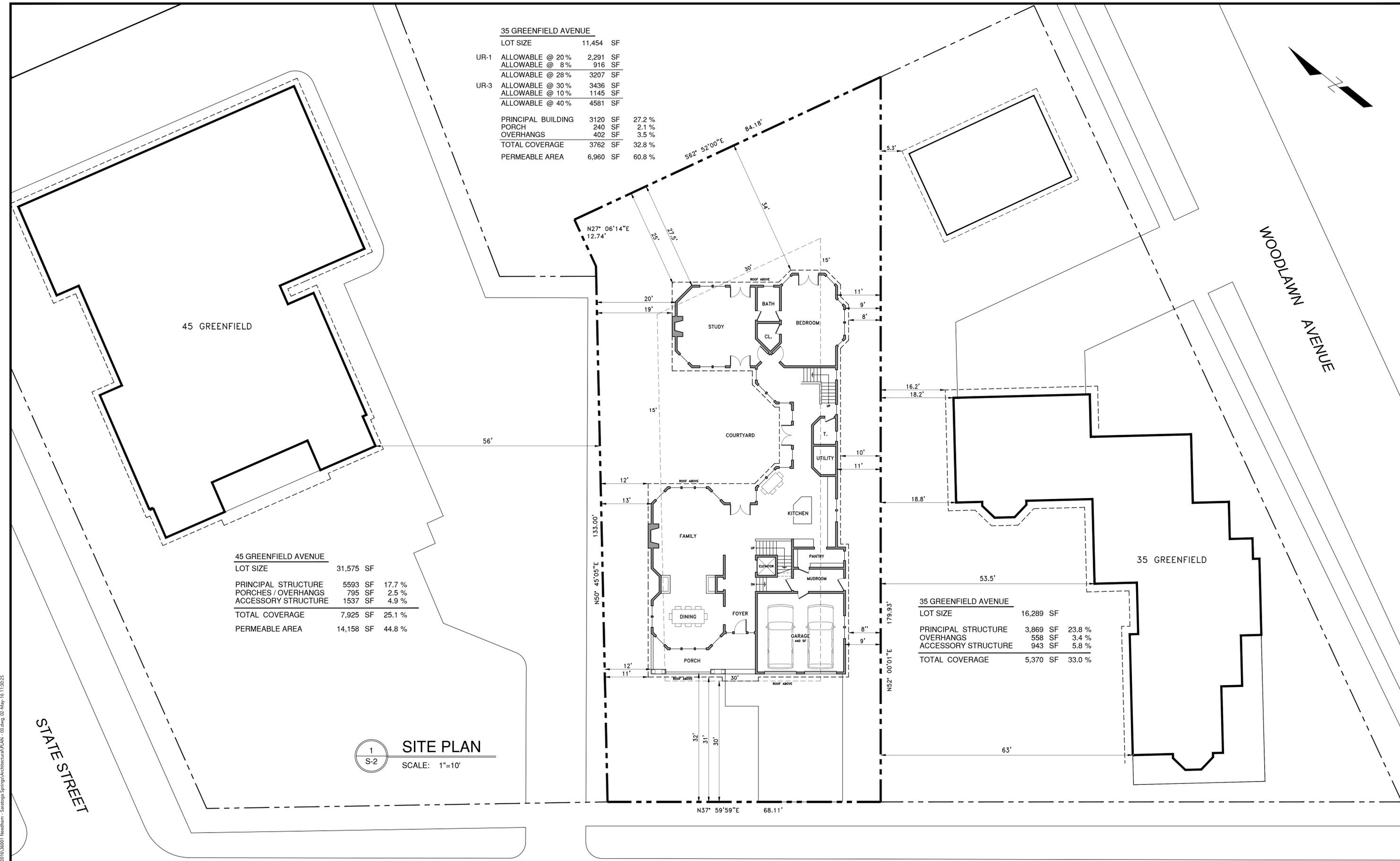
45 GREENFIELD AVENUE

LOT SIZE	31,575	SF
PRINCIPAL STRUCTURE	5,593	SF 17.7%
PORCHES / OVERHANGS	795	SF 2.5%
ACCESSORY STRUCTURE	1,537	SF 4.9%
TOTAL COVERAGE	7,925	SF 25.1%
PERMEABLE AREA	14,158	SF 44.8%

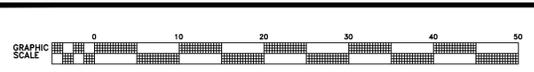
35 GREENFIELD AVENUE

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'



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



Project:
Location:

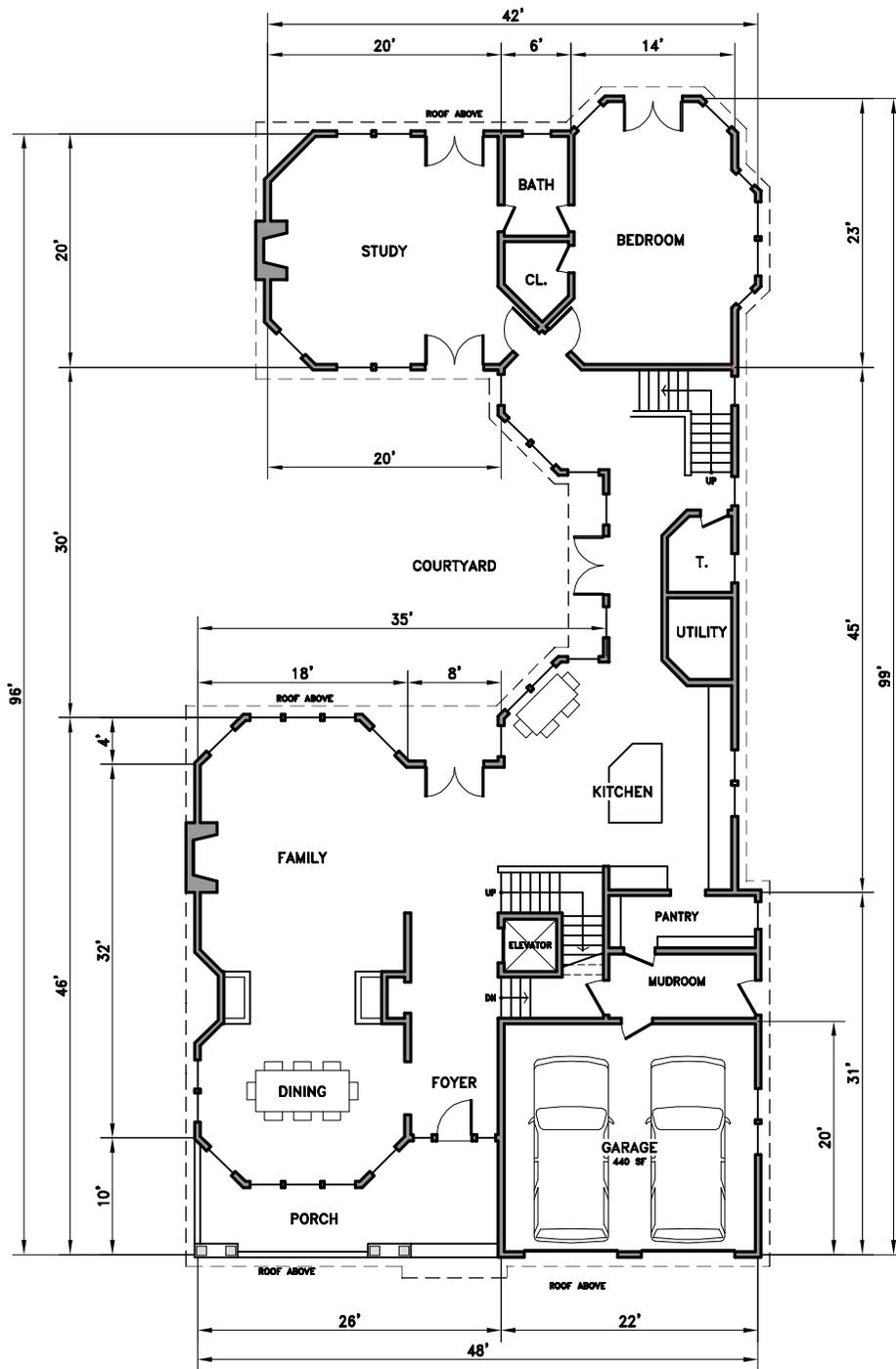
NEEDHAM/ KILMER RESIDENCE
37 GREENFIELD AVENUE, SARATOGA SPRINGS, NY

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

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

SCOTT L. RAND AIA
Architecture Planning Interior Design
WWW.SCOTTRANDARCHITECTS.NET

S-2



1
A-1

FIRST FLOOR PLAN

SCALE: 1"=16'

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



VIEW 1



VIEW 2

SCOTT L. RAND AIA
ARCHITECT



VIEW 3



VIEW 4

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

SCOTT L. RAND AIA
ARCHITECT

Aerial View - Comparing Surrounding Buildings



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

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

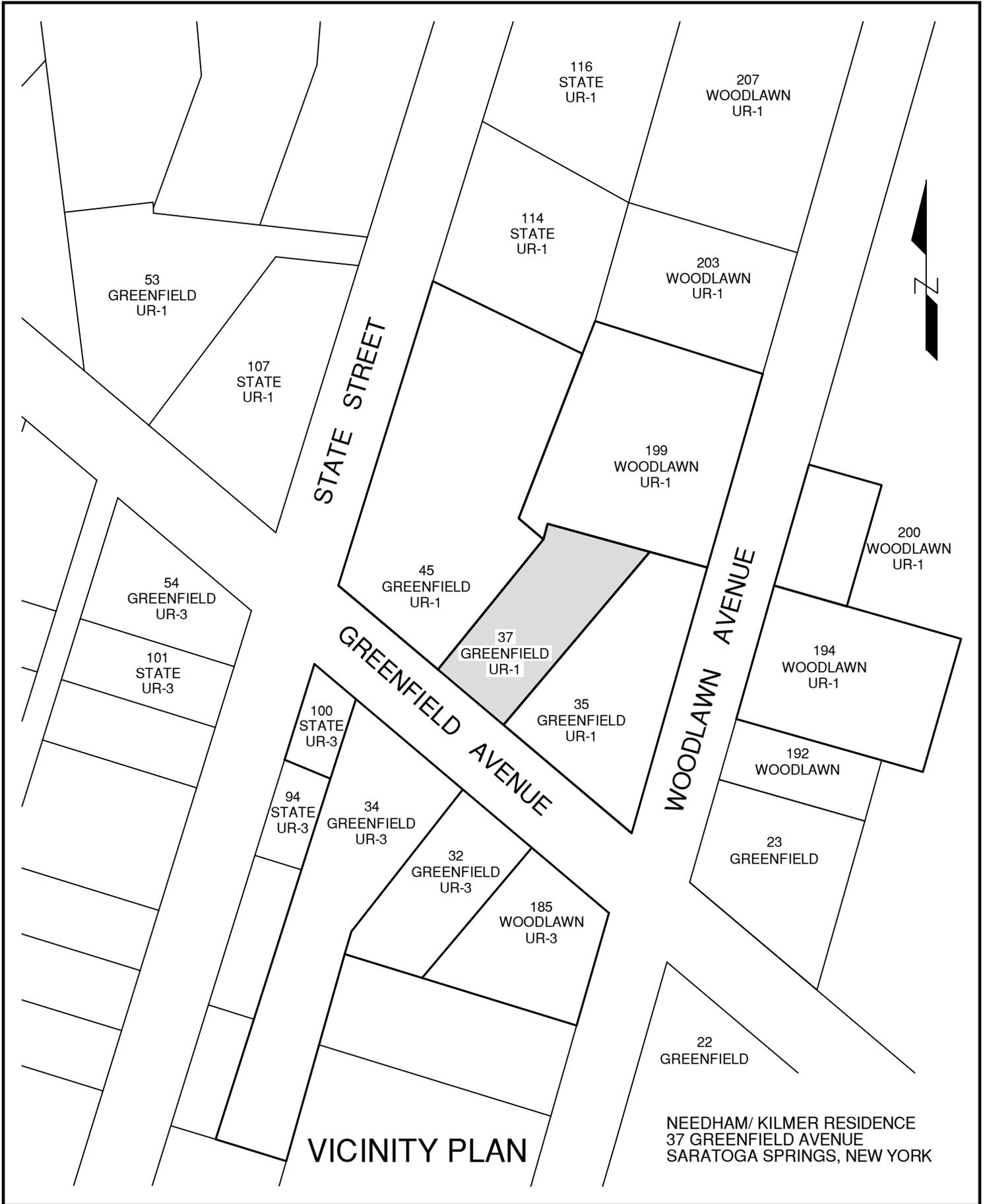
UR-1
37 Greenfield Ave
Lot
69' Wide
11,454 SF

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

UR-3
100 State St.

UR-3
34 Greenfield Ave

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



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



STREET VIEW



CONDO SIDE



FACING REAR



FACING GREENFIELD

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: JUDITH NEEDHAM		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ .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.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>9-Unit Condominium</u>			
<input type="checkbox"/> Parkland			

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Judith Needham</u> Date: <u>02 May 2016</u></p> <p>Signature: <u><i>Judith Needham</i></u></p>		

**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 – I

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

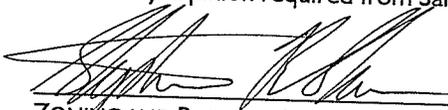
Use Variance to permit the following: _____

Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>Minimum side yard setback: west</u>	<u>12 feet</u>	<u>11 feet</u>
<u>Minimum side yard setback: east</u>	<u>12 feet</u>	<u>8 feet</u>
<u>Minimum total side yard setback:</u>	<u>30 feet</u>	<u>19 feet</u>
<u>Minimum rear yard setback:</u>	<u>30 feet</u>	<u>25 feet</u>
<u>Maximum principal building coverage:</u>	<u>20%</u>	<u>32.8%</u>

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
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.

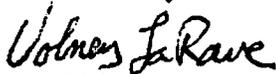
The Needhams, which we are sure are lovely people, knew the size of the lot when they purchased it and should have planned for house that would fit into the size requirements of said lot. Having large homes "shoehorned" onto small lots, especially when subdivided from other properties, has significantly 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		
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: 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 12/22/00 Use Variance (Sign)
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”.

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

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

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

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

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

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

5) Annual income generated from property: \$ _____

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

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

Appraisal Assumptions: _____

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

Table 3: Area and Bulk

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

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
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:

- 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.

- 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



(applicant signature)

4/ 24 /2016

Date: _____

(applicant signature)

Date: _____

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

223 Lake Avenue, LLC



Owner Signature: _____

4/ 24 /2016

Date: _____

Owner Signature: _____

Date: _____

Short Environmental Assessment Form

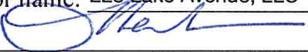
Part 1 - Project Information

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: 223 Lake Avenue, LLC		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address: 162 Woodlawn Avenue			
City/PO: Saratoga Springs		State: NY	Zip Code: 12866
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		9100 acres sq ft	
b. Total acreage to be physically disturbed?		96 acres 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.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Recreational</u>			
<input type="checkbox"/> Parkland			

<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>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: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>223 Lake Avenue, LLC</u></p>	<p>Date: <u>4/26</u> /2016</p>	
<p>Signature: <u></u></p>		

Attachment A

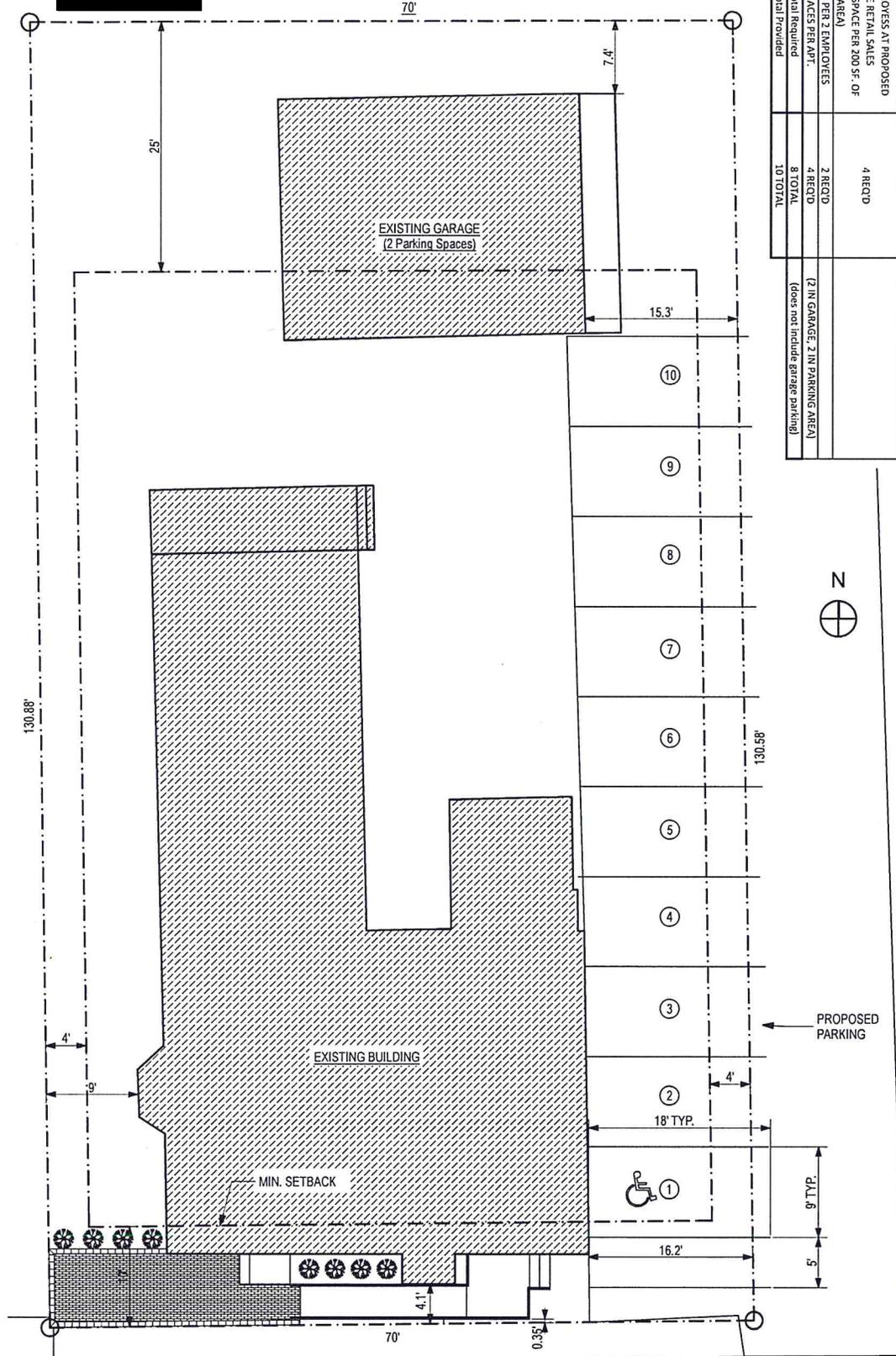
Narrative

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 as 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.



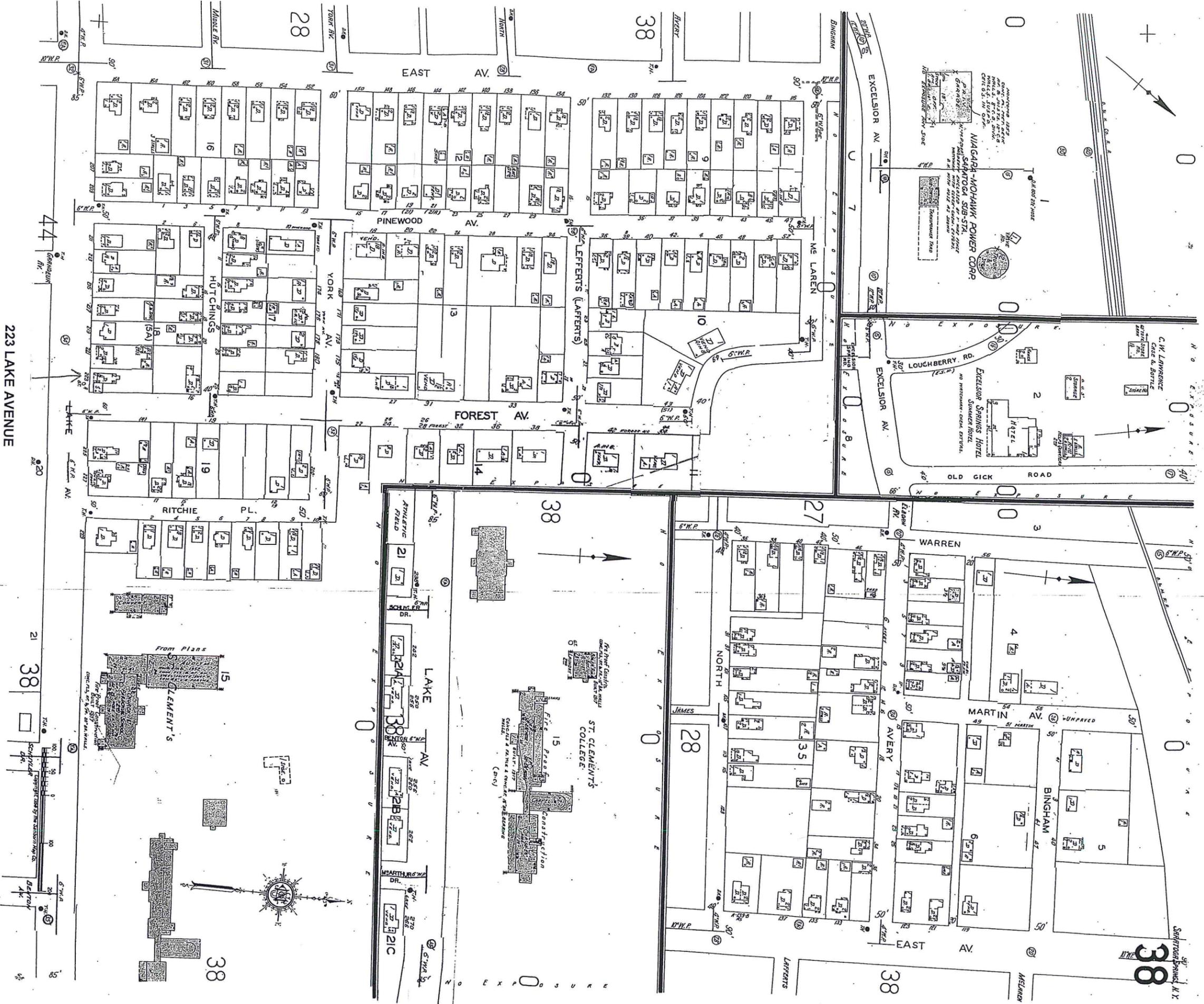
Zoning Requirements for Zoning District UR-3

MIN. LOT SIZE	EXIST. LOT SIZE	MIN. AVG. WIDTH	EXIST. AVG. WIDTH	MAX. BLDG. COVERAGE PERCENTAGE	EXISTING BLDG. COVERAGE PERCENTAGE	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)	PRINCIPAL BLDG. 30% (2,702 SF)	PRINCIPAL BLDG. 27% (2,448 SF)	10'	35'	25'	7.4'	4'	9' & 6.2'	12'	25.7'
MIN. % TO PERMANENT PERMEABLE	% PERMEABLE			ACCESS. BLDG. 10% (901 SF)	ACCESS. BLDG. 8% (719 SF)								
25% (2,522 SF)	39% (3,497 SF)												

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 RECD	
1 SPACE PER 2 EMPLOYEES	2 RECD	
2 SPACES PER APT.	4 RECD	(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'



223 LAKE AVENUE

EXHIBIT B

1954

22

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:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
<u>Minimum front yard setback:</u>	10 feet	.35 feet
<u>Maximum principal building coverage:</u>	30%	32%

Note: _____

Advisory Opinion required from Saratoga County Planning Board



ZONING AND BUILDING INSPECTOR

5/23/16

DATE





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

OF COUNSEL
LOREN N. BROWN*

*RETIRED JUSTICE
NEW YORK STATE
SUPREME COURT

Sharie T. Walerstein
Paralegal

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

ANNE MARIE ZSAMBA

May 13, 2016

Susan Barden, Planner
City of Saratoga Springs
474 Broadway
Saratoga Springs, New York 12866

VIA: Hand Delivered and Email

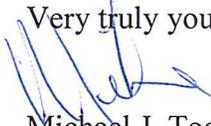
RE: 223 Lake Avenue, City of Saratoga Springs, New York

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

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
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:

- 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.

- 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:

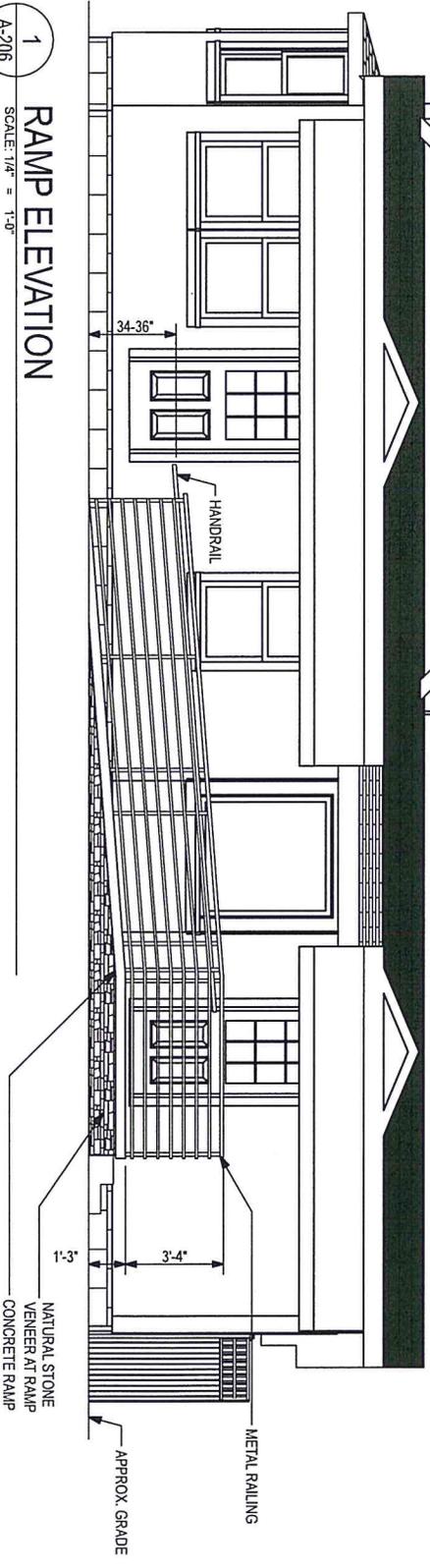
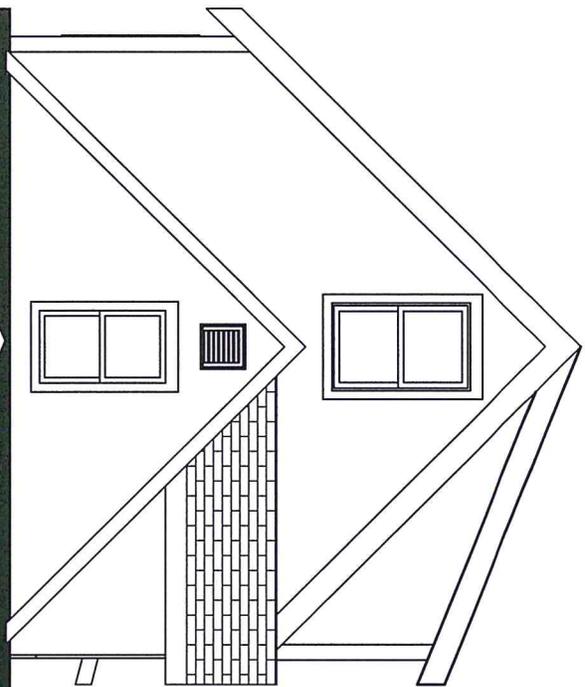
The placement of the structure on the Property in relative close proximity to Lake Avenue pre-exists the Zoning Code. The introduction of the ramp is not only a code requirement, but is also societally beneficial. The ramp, while close to the property line, still leaves the sidewalk and greenstrip between 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

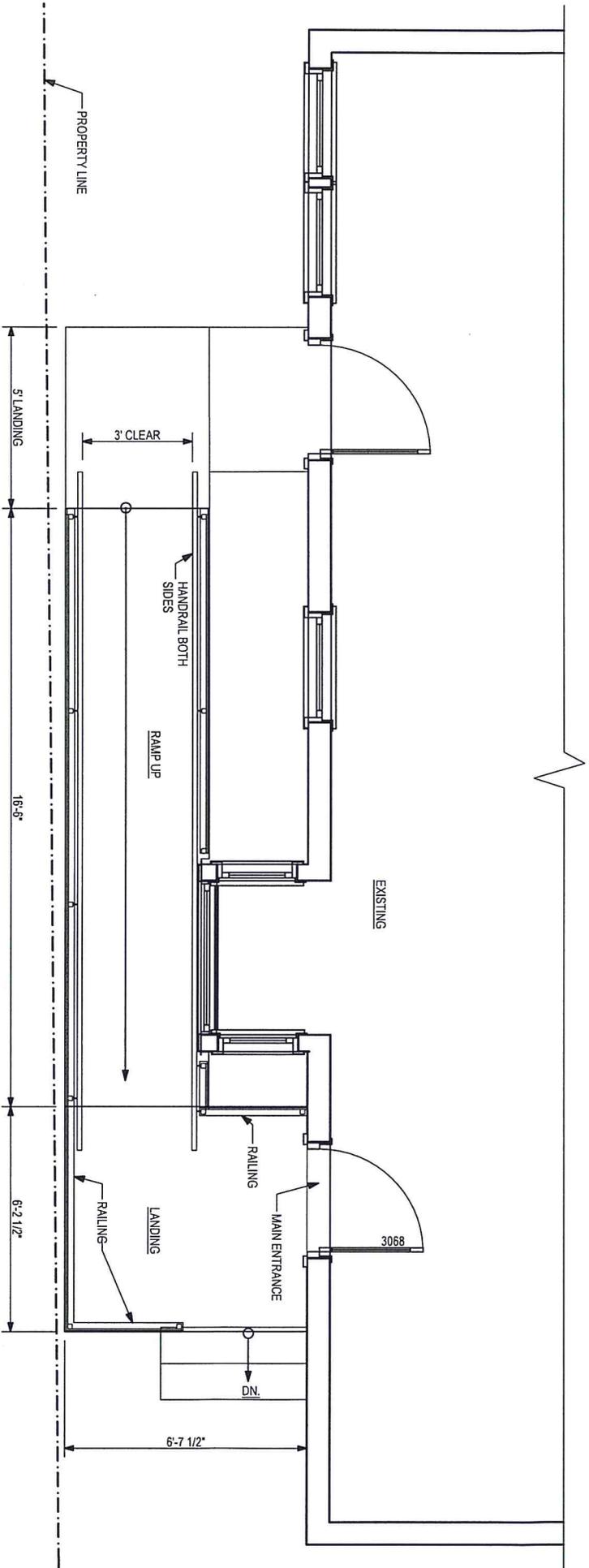
Stewart Remodel
Owner: Rodney Stewart
223 Lake Ave.
Saratoga Springs, NY 12801

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



1
A-105
SCALE: 3/8" = 1'-0"

RAMP PLAN

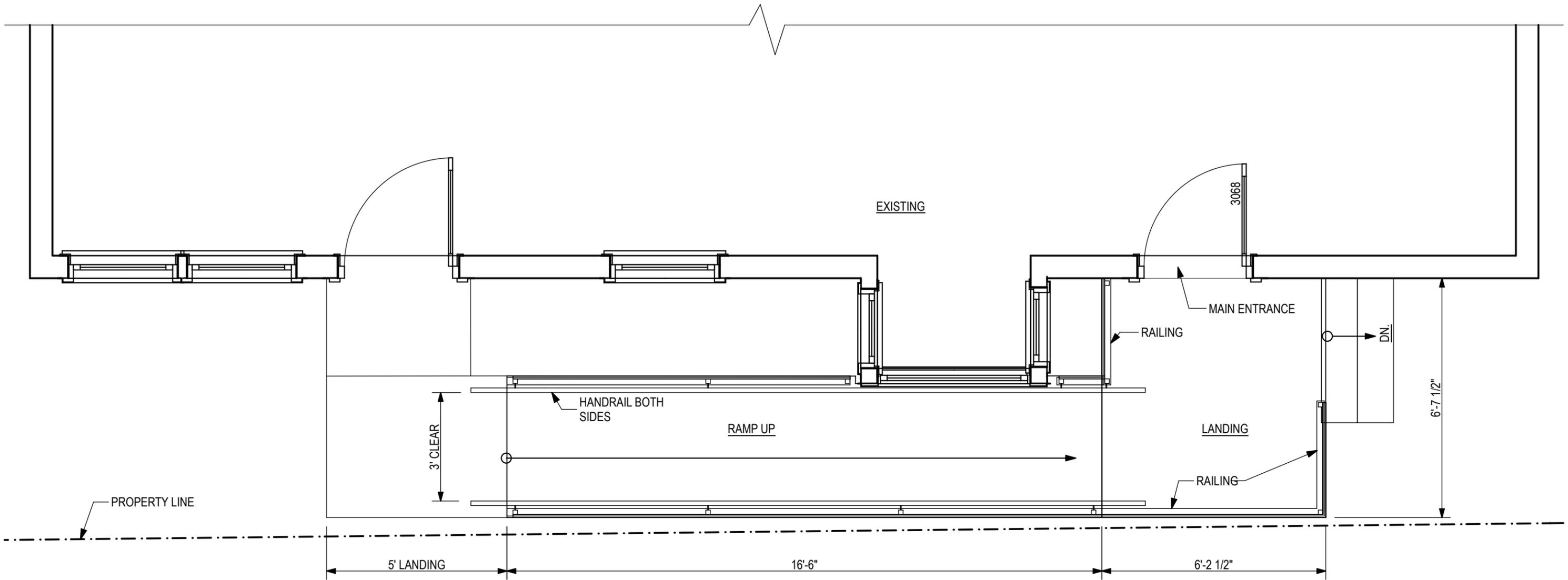
SITEWORKS
ASSOCIATES, LLC
DRAFTING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801

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

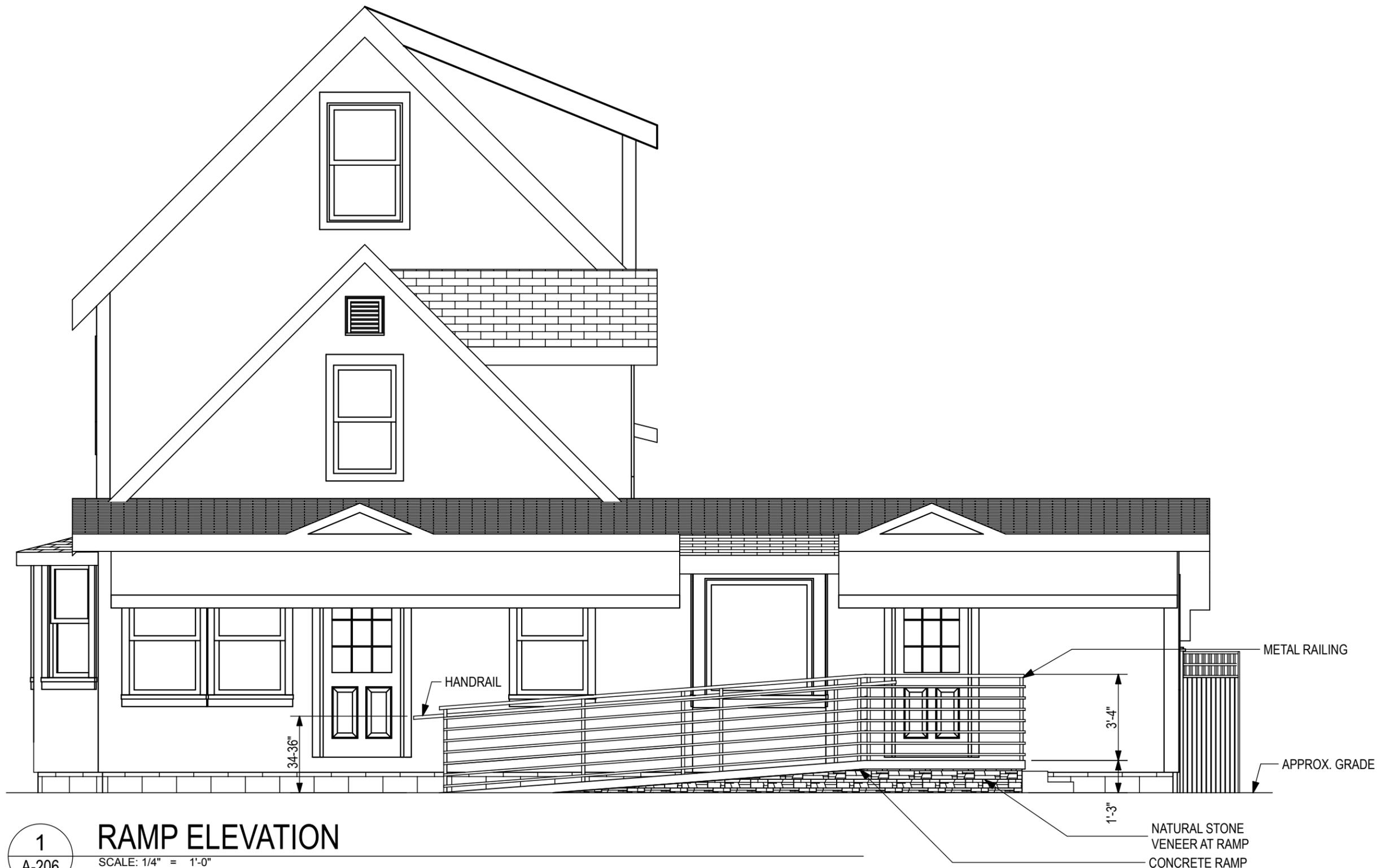


1
A-105

RAMP PLAN

SCALE: 3/8" = 1'-0"

SITeWORKS ASSOCIATES, LLC DRAFTING & DESIGN SERVICES 45 LEXINGTON AVE. GLENS FALLS, NY 12801	Stewart Remodel Owner: Rodney Stewart 223 Lake Ave. Saratoga Springs, NY 12801	DRAWING TITLE: RAMP PLAN		REVISIONS:		DRAWING NO. A-105
		PROJECT NO:				
		DRAWN BY: MS		0	5/12/16	
CHK'D BY: MS		MARK	DATE	DESCRIPTION		



1
A-206

RAMP ELEVATION

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

SITeWORKS
ASSOCIATES, LLC
DRAFTING & DESIGN SERVICES
45 LEXINGTON AVE.
GLENS FALLS, NY 12801

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

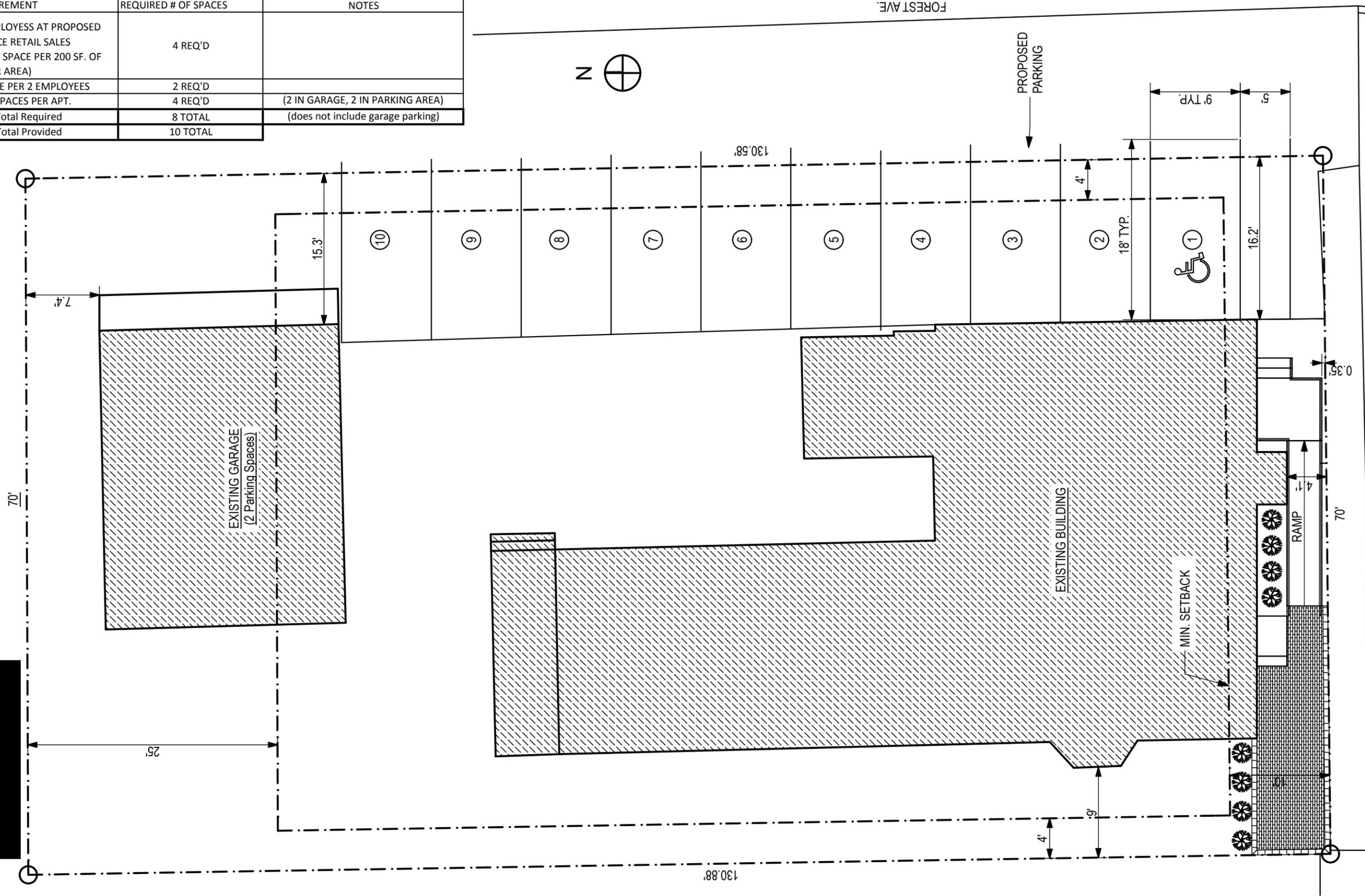
REVISIONS:		
MARK	DATE	DESCRIPTION
0	5/12/16	ISSUED FOR ZBA APPROVAL

DRAWING NO.
A-206

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)	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 EMPLOYEES 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	



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] >, Bill [REDACTED] helickezba
[REDACTED] >, shsteer [REDACTED]

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

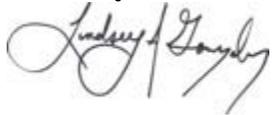
Board Members,

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:

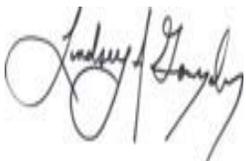
Aimee Miller
121 Madison St
Re: 124 Jefferson St Use Variance Request

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



LAG elec sig.jpg
7 KB



CITY OF SARATOGA SPRINGS

City Hall - 474 Broadway
Saratoga Springs, New York 12866
Teli 518-587-3550 faxi 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

Table with columns: APPLICANT(S)*, OWNER(S) (If not applicant), ATTORNEY/AGENT. Rows: Name, Address, Phone, Email.

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

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

PROPERTY INFORMATION

- 1. Property Address/Location: 124 jefferson st Tax Parcel No.: 178 36 3 21
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?
7. Is property located within (check all that apply)?
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?
10. Has the work, use or occupancy to which this appeal relates already begun?
11. Identify the type of appeal you are requesting (check all that apply):

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”.

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

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:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
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 If "yes", for how long? 7 years No

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 two story 2 and 3 bedroom with full basement and attached garage.

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

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

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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:

DISCLOSURE

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

APPLICANT CERTIFICATION

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

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

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

(applicant signature)

Date: _____

(applicant signature)

Date: _____

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

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

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

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

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

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

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

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

Extension of existing variance Interpretation

Use Variance to permit the following: _____

Area Variance seeking the following relief:

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other: _____

Note: _____

Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

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: cdjt development/charles touhey		Telephone: 518 438 3521	
		E-Mail: [REDACTED]	
Address: pine west plaza bldg 2 washington ave ext			
City/PO: albany		State: ny	Zip Code: 12205
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
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.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>COST Development</u>		Date: <u>3/28/16</u>
Signature: <u>[Signature]</u>		



CITY OF SARATOGA SPRINGS

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

[FOR OFFICE USE]

(Application #)

(Date received)

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

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	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".

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

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:

<u>Date</u>	<u>Improvement</u>	<u>Cost</u>
<u>2010</u>	<u>6 townhomes</u>	<u>\$1,800,000</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 If "yes", for how long? 7 years No

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 to 299,000 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 to 40 will purchase these homes, seniors will not.

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: _____

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

 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



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)

2 Floor Plans
1,400 Square Feet
2 Bedrooms
2.5 Baths
HOA Included

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 few 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