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

MARK TORPEY, Chair
ROBERT F. BRISTOL, Vice-Chair
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CLIFFORD VAN WAGNER
HOWARD PINSLEY
JANET CASEY
JAMIN TOTINO
AMY DURLAND, Alternate
RUTH HORTON, Alternate

Planning Board Meeting
City Council Room – 7:00 PM

Agenda

Planning Board Meeting – Thursday, October 27, 2016

City Council Room – 7:00 PM

Workshop: October 24, 2016 At 5pm In The City Council Room

Salute To Flag

Applications Under Consideration

~~A. 16.034 Inclusionary Housing Proposed Zoning Text Amendment~~
~~Request for Advisory Opinion from the City Council.~~

~~Documents:~~

~~16.034 SPAHOUSINGZONINGAMEND_APP_REDACTED.PDF~~
~~16.034 SPAHOUSINGZONINGAMEND_SUSTAINSARATOGACORR.PDF~~
~~16.034 SPAHOUSINGZONINGAMEND_SUSTAINSARATOGACORR2.PDF~~
~~16.034 SPAHOUSINGZONINGAMEND_SUSTAINSARATOGACORR3.PDF~~
~~16.034 SPAHOUSINGZONINGAMEND_COUNTYRESPONSE.PDF~~
~~16.034 SPAHOUSINGZONINGAMEND_SARATOGABUILDERSCORR.PDF~~

B. 04.029.1 Ice House Site Plan Modification
70 and 72 Putnam Street, site plan modification review in a Transect-6 Urban Core (T-6) District.

Documents:

04.029.1 ICEHOUSEPERMANENTTENT_APP_REDACTED.PDF
04.029.1 ICEHOUSEPERMANENTTENT_EASEMENT.PDF
04.029.1 ICEHOUSEPERMANENTTENT_COUNTYRESPONSE.PDF

C. 12.023.4 Congress Plaza Embassy Suites
46 Congress Street, proposed site plan modification to eliminate vehicular access from South Federal Street in a Transect-5 Neighborhood Center (T-5) District.

Documents:

12.023.4 CONGRESSPLAZASITEPLANEXT_APP_REDACTED.PDF
12.023.4 CONGRESSPLAZASITEPLANMOD_APPPLANS.PDF
12.023.4 CONGRESSPLAZASITEPLANMOD_COMMCONNCTCORR_REDACTED.PDF
12.023.4 CONGRESSPLAZASITEPLANMOD_EMBASSYSTESCORR_REDACTED.PDF
12.023.4 CONGRESSPLAZASITEPLAN_TRAFFICASSESSMENT2-25-13.PDF

D. 16.014.1 21 Park Pl Condos (App 2)
21 Park Pl, 2 lot final residential subdivision within the Urban Residential-4 (UR-4) District.

Documents:

16.014.1 21PARKPLSUBDIVISION_APP_REDACTED.PDF

Approval Of Minutes: October 13, 2016.

Next Meeting: Thursday, November 10, 2016 (W/ Monday, November 7, 2016 Caravan & Workshop)

Sustainable Saratoga
PO Box 454
Saratoga Springs, NY 12866

[redacted]
www.sustainablesaratoga.org

August 5, 2016

Honorable Joanne Yepsen, Mayor
City of Saratoga Springs
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

RE: SPA-HOUSING ORDINANCE

We are pleased to submit to the City Council the attached zoning amendment that would create "The Saratoga Places for All (SPA) Housing Ordinance".

We request that at the August 16, 2016 City Council meeting, you vote to determine that this zoning amendment has "merit for review" and that it be forward to the City and County Planning Boards for the required advisory opinions.

This is new ordinance is based on the draft ordinance developed in 2006 by the City's Inclusionary Zoning Ordinance Development (IZOD) Committee headed by Monte Franke. This Committee held 30 meetings over 14 months to develop this ordinance. Working off of ordinances from similar sized communities, the Committee uniquely tailored that ordinance to Saratoga Springs. However, in 2007, that ordinance did not make it to the Council table for a vote.

We believe now is the time for the City Council to reconsider this ordinance. It will result in a program that will guarantee more diverse housing opportunities for Saratogians – especially for middle income households. In the last 10 years, housing costs have increased and remain out of reach for many Saratogians. For years there has been much talk of the need for affordable housing – and this ordinance can be part of the effort to make Saratoga Springs more livable for all income groups.

> The ordinance would require developers of housing developments of 10 or more units to set aside up to 20% of the units as affordable in sale or rental to households of modest income. Developers are given up to a 20% density bonus, or right to build more units on the same site, to offset the cost of providing these affordable units. This ordinance takes advantage of market forces and development capacity to produce affordable units that are integrated into housing throughout the community. There are no State or Federal subsidies or actions in this program. There are manageable administrative costs to the City.

Sustainable Saratoga is interested in bringing this ordinance back to City Council because we think it is a good housing program for Saratoga Springs. This ordinance would add an important missing element in our community's overall housing effort. It deserves to have community discussion and consideration.

Our website www.sustainablesaratoga.org contains more information about this ordinance and the housing needs of the community. We will be transmitting this information to you under separate cover.

Sincerely,

Harold J. Moran

Harry Moran
Chair

Attachments
cc: Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Anthony Scirocco

CITY OF SARATOGA SPRINGS

OFFICE OF THE MAYOR

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-587-1688
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

PETITION FOR: ZONING AMENDMENT

(Rev: 1/2016)

1. Name of Petitioner: Sustainable Saratoga

2. Type of Amendment (Map or Text):

☐ Map Amendment:

Site Location: _____ Tax Parcel #: _____

Current Zoning: _____ Proposed Zoning: _____

Reason for amendment: _____

_____

_____

■ Text Amendment:

Section to be amended: Article 4.4

Proposed wording of text amendment (attach additional sheets if necessary):

See attached text

_____

Reason for amendment: _____

To achieve more diverse and affordable housing within the city

_____

3. Professional Representing Applicant (if any):

Name: _____ Phone: _____

Address: _____ Email: _____

_____

Identify primary contact person: ☐ Applicant ☐ Owner ☐ Agent

4. Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES [ ] NO [✓]. **IF YES**, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

Please check the following to affirm information is included with submission.

☐ Environmental Assessment Form - All petitions must include a completed SEQR Short or Long Form. SEQR forms can be completed at http://www.dec.ny.gov/permits/6191.html.

☐ Petition Fee: $700.00 plus $100/acre Total $ Request waiver due to Public Benefit

A check for the total amount payable to: "Commissioner of Finance" must accompany this petition.

☒ Submit **10 copies, and one electronic copy (PDF)** of complete petition and all attachments.

☐ Location map (Map Amendment): Submit (4) large scale 24" x 36", and (10) 11"x17" copies.

All completed petitions are to be submitted to **the Office of the Mayor for consideration.**

I, the undersigned owner or purchaser under contract for the property, hereby request zoning amendment approval by the City Council for the above petition. I agree to meet all requirements under Section 240-10.0 of the Zoning Ordinance for the City of Saratoga Springs.

Furthermore, I hereby authorize members of the City Council, Planning Board and designated City staff to enter the property associated with this petition for purposes of conducting any necessary site inspections relating to this petition.

Applicant Signature: Harold J. Moran Date: August 5, 2016
Name: Harry Moran, Chair Phone: [redacted]
Address: PO Box 454 E-mail: [redacted]
Saratoga Springs, NY 12866

If applicant is not currently the owner, the owner must sign.
Owner Signature: _____ Date: _____
Print Name: _____

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:
Saratoga Places for All (SPA) Housing Zoning Amendment

Project Location (describe, and attach a location map):
City of Saratoga Springs - Citywide

Brief Description of Proposed Action:
This is a zoning amendment to be adopted by the Saratoga Springs City Council that requires developers of housing developments of 10 or more units to set aside up to 20% of the units as affordable in sale or rental to households of modest income. Developers are given up to a 20% density bonus, or right to build more units, to offset the cost of providing these affordable units. There are no State or Federal subsidies or actions in this program, but there are administrative costs to the City.

Name of Applicant or Sponsor:	Telephone: [redacted]
Sustainable Saratoga	E-Mail: [redacted]

Address:
PO Box 454

City/PO:	State:	Zip Code:
Saratoga Springs	NY	12866

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

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

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☑
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☐	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES _____		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☐	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Harry Moran, Sustainable Saratoga Chair Date: August 5, 2016

Signature: Harold J. Moran

PRINT FORM

Proposed SPA Housing Zoning Ordinance (August 2016)

This proposed zoning amendment is nearly identical to the Inclusionary Zoning Ordinance amendment proposed in 2006

Proposed Amendments to the Zoning Ordinance of the City of Saratoga Springs

ARTICLE 4.4 – INCLUSIONARY ZONING

240-4.4.1 LEGISLATIVE FINDINGS

A. The City Council of the City of Saratoga Springs finds that:

(1) Over the last decade, rising housing prices and rents have made it increasingly difficult for long-term City residents and workers to afford to live in the City, and may ultimately displace long-term residents who contribute so much to the City. Lack of access to decent affordable housing has a direct negative impact upon the health, safety and welfare of the residents of the City.

(2) Economic diversity is essential to the health of Saratoga Springs. A sound local economy requires a stable workforce at all wage levels. City businesses and employers are finding it more difficult to attract and retain employees, especially lower wage workers that have to live further from the City and endure longer commutes to work. This has the potential to harm the economic vitality of the City.

(3) Developers are in a unique position to produce needed units for working households at a reduced cost, provided the City grants them the ability to provide additional units over and above those currently permitted by zoning. Inclusionary zoning is a market-based response that achieves affordable housing by reducing or eliminating land cost through increased density.

(4) Inclusionary zoning can be enacted without discouraging development or negatively affecting community character. Inclusionary zoning approaches have been used successfully in communities nationwide to provide worker housing. Inclusionary housing policies can ensure an equitable distribution of affordable housing opportunities throughout all neighborhoods and zones of the City without excessive burden to any single site or area.

B. The City has reviewed inclusionary zoning ordinances and inclusionary housing studies from around the country and adapted provisions that are appropriate to the needs and opportunities that exist in this City, has consulted with the development community and other stakeholders, and has designed an approach that is sensitive to the interests and concerns of this community.

240-4.4.2 PURPOSE

Now, therefore, the City Council of the City of Saratoga Springs, in accordance with the powers and authority vested in it by General City Law section 20 (24), 20 (25), and 81-d, hereby enacts this article in the best interests of the people of Saratoga Springs. The purposes of this article are to:

(1) Utilize market forces to produce homebuyer and rental housing units that are affordable to working households in the City through reasonable density bonuses and affordable unit pricing without undue financial burden.

(2) Encourage the development of housing affordable to a broad range of households with varying income levels, and mitigate the market forces excluding housing that meets the needs of all economic groups within the City.

(3) Promote the City's goal of increasing the workforce housing stock in a uniform and predictable manner and in proportion to the overall increase in new housing units.

(4) Ensure the availability of workforce housing throughout the community and equitably share the responsibility for workforce housing across all neighborhoods.

(5) Mitigate environmental and other impacts that accompany new residential development by reducing traffic, transit and related air quality impacts, promoting a housing balance and reducing the demands placed on transportation infrastructure in the region.

(6) Prevent overcrowding and deterioration of the limited supply of workforce housing and, thereby, promote public health, safety and general welfare.

(7) Provide for efficient administration in the approval, implementation and monitoring of projects.

240-4.4.3 DEFINITIONS

As used in this article, the following terms shall have the following meanings:

AFFORDABLE RENT: Monthly rent that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

AFFORDABLE OWNERSHIP COST**:** A sales price that results in a monthly housing cost (including mortgage, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

CITY MEDIAN INCOME: The median household income as established by HUD for the Albany-Schenectady-Troy Metropolitan Statistical Area, adjusted by the City Office of Planning and Economic Development for the percentage difference between the City Median Income and the MSA Median Income based on the decennial Census, or other method established by the Office of Planning and Economic Development for determining the Median Income of the City on an annual basis.

CITY**:** The City of Saratoga Springs.

COVERED PROJECT: Any project or projects that meet(s) the criteria of article 240-IIA.4A "Covered Projects."

DEVELOPER**:** Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities with an identity of at least 10% proprietary interest, which seeks City approvals for all or part of a Covered Project or Projects.

HIGH COST PROJECT**:** A residential development in which the addition of the Inclusionary Units will result in higher incremental construction costs directly allocable to the Inclusionary Units. These additional costs may include, but are not limited to, addition of stories, extension of elevators, additional structural support, additional garaged parking spaces, upgraded exterior materials including masonry and stone veneer, required handicapped accessibility modifications, the substantial rehabilitation of unique historic structures or features, or unusual changes or additional requirements imposed by regulatory authorities.

HOUSEHOLD**:** One person living alone or two or more persons sharing residency whose income is considered for housing payments.

HUD: The U.S. Department of Housing and Urban Development.

INCLUSIONARY HOUSING PLAN: A plan submitted by a Developer to provide compliance with this article.

INCLUSIONARY HOUSING AGREEMENT**:** A written agreement between a Developer and the City, as provided herein, to be recorded and that would run with the land.

INCLUSIONARY UNIT: A dwelling unit that must be offered at Affordable Rent or available at an Affordable Ownership Cost to Income Eligible Households, and is regulated with regard to selling price or rent level, marketing and initial occupancy, and continued requirements pertaining to resale or rents and occupancy for the minimum compliance period, as provided herein.

INCOME ELIGIBLE HOUSEHOLD: For an Inclusionary Unit for rent, a Household earning less than fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income), as provided in article 240-IIA.6. For an Inclusionary Unit for sale, a Household earning less than eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income), as provided in article 240-IIA.6.

MARKET UNIT: A dwelling unit in a Covered Project that is not an Inclusionary Unit.
SEQR: New York State Environmental Quality Review.

SUBSTANTIAL REHABILITATION: A cost of rehabilitation that exceeds 50% of the market value of the building based on the quotient of the structure's current assessed value as indicated in the City's Assessment Records divided by the city's Equalization Rate.

240-4.4.4 COVERED PROJECTS AND EXEMPT PROJECTS

A. Covered Projects

Except as otherwise provided herein, this article shall apply to all building permit requests pertaining to the following projects:

(1) Any project of ten (10) or more new additional residential dwelling units that are produced through construction, substantial rehabilitation of existing structures, or adaptive reuse or conversion of a nonresidential use to a residential use.

(2) Multiple developments or projects by a Developer occurring on contiguous parcels or in substantial proximity to one another shall be considered in toto and shall be Covered Projects.

(3) Any project of less than 10 new residential units that, at the sole discretion of the Planning Board, may be permitted for voluntary inclusion as a Covered Project under this Article of the Zoning Ordinance. If approved, all requirements for Covered Projects shall apply.

B. Exempt Projects

This article shall not apply to all building permit requests pertaining to the following projects:

(1) Mobile homes.

(2) Any project that is developed by an educational institution for the exclusive residential use and occupancy by that institution's students.

(3) Any project that produces affordable units equal to, or in excess of, the requirements contained in this article.

(4) Any project for which building permit applications were properly filed before the date of enactment of this Article.

(5) Any project for which a final Planning Board decision of approval (final PUD site plan, final site plan, or final subdivision approval) was issued before the date of enactment of this Article.

C. Temporary Suspension of Inclusionary Requirements for Covered Projects

In the event that the City's Office of Planning and Economic Development determines that the Waiting List is inadequate to support the development of additional Inclusionary Units, the Planning Board may suspend the Inclusionary Unit requirements for a specific Covered Project. In that event, no Density Bonus under 240-4.4.5 is provided.

240-4.4.5 DENSITY BONUS

To assist developers in meeting the requirements of this article, all Covered Projects shall be entitled to a density increase of no more than 20% of the number of units that the Covered Project is allowed under existing zoning or a lesser base number of units as originally proposed by the developer, as permitted subsequent to SEQR analysis or as may be established by the Planning Board. When determination of the number of units for a density bonus results in a fractional unit, any fraction of .5 or over shall be one additional unit, and any fraction below .5 will be rounded down. Notwithstanding the above, no provisions herein shall be construed as limiting the discretion of the Planning Board to conduct reviews of Covered Projects and to issue any decisions within the scope of its statutory authority.

240-4.4.6 REQUIREMENTS OF INCLUSIONARY UNITS

All Covered Projects shall meet the requirements for Inclusionary Units as specified in this section. The percentage of Inclusionary Units shall be calculated with a base number, or as may be established by the Planning Board, that does not include the bonus units added to the Covered Project.

A. Inclusionary Units – Rental

For Covered Projects where units are offered for rent, the number of Inclusionary Units shall be designated as follows. When determining the number of Inclusionary Units, any fraction of .5 or over shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit rent is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Low Income Households (up to 50% of area median)	10%
Moderate Income Households (50% - 80% of area median)	20%

(1) Affordable Rents. Maximum Affordable Rents for Inclusionary Units will be calculated as follows: one-twelfth of thirty-five percent (35%) of the maximum annual income for a household at the applicable income limit – either fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

(2) In calculating the Affordable Rent of Inclusionary Units, the applicable income shall be based on the following relationship between unit size and Household size:

Unit Size	Household (HH) Size for Applicable Income
Efficiency units	1 person HH
One-bedroom units	1.5 person HH
Two-bedroom units	3 person HH
Three-bedroom units	4.5 person HH
Four-bedroom units	6 person HH

(3) The calculations of the initial rents for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any public source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the rents and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

B. Inclusionary Units – For Sale

For Covered Projects where units are offered for sale via the conveyance of a deed or share for individual units, Inclusionary Units shall be designated in accordance with the following table. When determining the number of Inclusionary Units, any fraction of .5 or above shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit sale is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Moderate Income Households (up to 80% of area median)	15%
Middle Income Households (80% - 100% of area median)	20%

(1) Sales Price. Sales prices will be based on calculation of the Affordable Ownership Cost, which means a sales price that results in a monthly housing cost (including mortgage principal and interest, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for the applicable income limit – eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

(2) With respect to Inclusionary Units offered for sale, the Affordable Ownership Cost will be calculated on the basis of:

(a) A down payment of no more than five percent (5%) of the purchase price; and

(b) An available fixed-rate thirty-year mortgage, using Fannie Mae's current interest rate, for the balance of the purchase price. (If the Developer can guarantee the availability of a fixed-rate thirty-year mortgage at a lower rate from the State of New York Mortgage Agency or other public agency for all of the Inclusionary Units in the Covered Project, a lower interest rate as provided by that agency may be used in calculating Affordable Ownership Cost.)

(3) The calculations of the initial sales prices for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices prior to initial occupancy in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the sales prices and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

(5) In the event that an individual buyer is able to provide a higher down payment or obtain a higher mortgage loan based on fixed-rate financing at a lower rate than provided in paragraph (2)(b) above, the additional Buyer Funds may be used by the buyer to purchase additional improvements to the Inclusionary Unit. Upon approval of the Office of Planning and Economic Development, said additional improvements can be added to the base price for purposes of determining resale under Article 240-4.4.9B.

C. General Requirements for Covered Projects – Rental and For Sale Units

(1) Distribution
In order to assure an adequate distribution of Inclusionary Units by household size, the bedroom mix of Inclusionary Units in any Covered Project shall reflect the same ratio as the bedroom mix of the Market Units of the Project, unless waived by the Planning Board for good cause or requested by the Office of Planning and Economic Development based on the waiting list.

(2) Phasing
Inclusionary Units shall be made available for occupancy on approximately the same schedule as, or sooner than, a Covered Project's market units, except that certificates of occupancy for the last ten percent (10%) of the Market Units shall be withheld until certificates of occupancy have been issued for all of the Inclusionary Units. A schedule setting forth the phasing of the total number of units in a Covered Project, along with a schedule setting forth the phasing of the required Inclusionary Units, shall be established prior to the issuance of a building permit for any Covered Project.

(3) Comparability
Inclusionary Units may differ from the Market-Rate Units in a Covered Project with regard to interior amenities and gross floor area provided that:

(a) These differences, excluding differences related to unit size differentials, are not apparent in the general exterior appearance of the project's units and there is compliance with all exterior site requirements of the City.

(b) These differences do not include the reduction of insulation, windows, heating systems, and other improvements related to the energy efficiency of the Inclusionary Units.

(c) The gross floor area of the Inclusionary Units is not less than the following minimum requirements, unless waived by the Planning Board for good cause: one bedroom – 700 square feet, plus 150 square feet for each additional bedroom.

D. Inclusionary Housing Agreement

All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, final site plan or final subdivision approval by the Planning Board.

E. Restrictive Covenants

All Inclusionary Units produced shall have restrictive covenants, recorded and filed to run with the land, to ensure compliance with the occupancy, sale, rent and other requirements of this article, and provide for legal remedies for the City to enforce this article. These restrictive covenants shall be contained in the Inclusionary Housing Agreement approved by the City Planning Board.

240-4.4.7 RELIEF

The section identifies methods of relief from existing regulation to accommodate the requirements of this Article.

A. In order to accommodate the additional residential units required by this Article, the Planning Board may grant relief from the requirements set forth in the table below to the extent necessary so that the additional units are appropriately incorporated into the overall site plan. In doing so, the Planning Board must find that the resulting development is consistent with the general area and does not negatively impact the character of the surrounding neighborhoods. The intent is to provide a sufficient degree of specificity in site design and layout without unduly restricting creative and diverse solutions.

Zoning District	Requirements that may be relieved
T-6 Urban Core	Height: standard maximum height may be exceeded up to one story. The additional story shall contain no more than the number of additional units granted by the density bonus and these units shall be set back at least 10 feet from the facades of the story below
T-4 Urban Neighborhood T-5 Neighborhood Center	Height: as defined for the T-6 Urban Core district Build-to line, side and rear setbacks Parking requirements
Single-family Residential Districts (RR, SR-1, SR-2, UR-1, UR-2)	Minimum lot size, mean width, maximum lot coverage Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences: to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units

Single- and two-family Residential Districts (UR-3, UR-4, UR-4A, UR-7, NCD-1,2,3)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for a 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences – to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Multi-family Residential Districts (UR-5)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area – units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom

B. Reduction in Inclusionary Units
In the event the Planning Board cannot approve a full density bonus, as prescribed in Section 240-4.4.5 “Density Bonus”, the number of required Inclusionary Units shall be reduced in proportion to the ratio of proposed Inclusionary Units to the proposed density bonus (i.e., if the developer has proposed that all density bonus units be Inclusionary Units, then 100% (20%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 15% Inclusionary Unit option, then 75% (15%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 10% Inclusionary Unit option, then 50% of the reduction in units shall be Inclusionary Units.)

C. High Cost Project
In the event a Developer can establish by clear and convincing financial data to the Planning Board that the Covered Project constitutes a High Cost Project, the Planning Board, in consultation with the City Office of Planning and Economic Development, may permit the Developer to offer the required Inclusionary Units to households at up to 20% above the applicable income limits and prices in 240-4.4.6.

D. Relief from this Ordinance
If the developer requests full relief from this Article to eliminate the provision of all Inclusionary Units, relief shall be sought from the Zoning Board of Appeals through a variance.

240-4.4.8 SALE/LEASING OF INCLUSIONARY UNITS

Any Developer of a Covered Project shall adhere to the following provisions and to the provisions of the Inclusionary Housing Agreement with respect to the initial offering of Inclusionary Units for sale or rent.

A. Ineligible Households. No Inclusionary Units may be rented or sold to any person who will not reside in that unit year-round, or to any person who is

claimed as a dependent on another person's federal or state tax return.

B. Occupant Qualification. Occupancy of Inclusionary Units shall be by households qualified by the City.

C. Notice of Availability. The Developer shall notify the City Office of Planning and Economic Development of the prospective availability of any Inclusionary Units at least 180 days before such Units shall be available for lease or sale in a Covered Project.

D. Waiting List. Upon such notice, the Office of Planning and Economic Development shall provide to the Developer a list of qualified Income Eligible Households based upon the City's waiting list for Inclusionary Unit housing. Referrals will be made by the City based on priority to Income Eligible Households who are, at the time that the units are offered for sale or lease, residing or working, first, in the City and, second, in the County of Saratoga. The Developer will consider applicants in the order specified in the list, to rent or sell the Inclusionary Units, and may take into account any standard and lawful screening of applicants uniformly applied to all applicants for Inclusionary and market units. The developer shall comply with all fair housing laws. Referrals from the list will respect any conditions of occupancy, including elderly and/or handicapped occupancy, legally imposed by public financing.

E. Release from Inclusionary Unit Restrictions. If, after the initial 180 days following the Notice of Availability, a developer is still unable to secure a qualified, Income Eligible Household for an Inclusionary Unit from the City's Waiting List, the City Office of Planning and Economic Development shall approve the release of the Inclusionary Unit restrictions and that unit may be sold or leased as a Market Unit. The excess proceeds of this sale, over and above the approved Inclusionary Unit sale price plus legitimate and reasonable carrying and sales costs of the developer, shall be repaid to the City and used to support the purposes of this Inclusionary Zoning Article.

F. Reasonable Accommodations and Modifications. The City will operate the program and maintain the waiting lists in compliance with the Americans With Disabilities Act to ensure access to persons with disabilities.

(1) For homebuyer units, the City will notify the developer of referral of a household that includes a person with disabilities. The developer shall make reasonable accommodations in working with that household, and install reasonable modifications as required by the household to occupy the unit. Said reasonable modifications shall be at the expense of the household, and the sales price of the Inclusionary Unit may be adjusted to reflect the reasonable modifications.

(2) For rental units, when the City determines that the likely applicants for Inclusionary Units will include households with disabilities, the City will designate handicapped accessible units in the development to be reserved as Inclusionary Units as part of the Inclusionary Housing

Agreement. The developer will make reasonable accommodations to provide housing to the household containing persons with disabilities.

240-4.4.9 CONTINUED AFFORDABILITY REQUIREMENTS

A. Rental Projects

All rental Covered Projects shall comply with the following provisions, which shall be contained in an Inclusionary Housing Agreement to ensure continued affordability of Inclusionary Units.

(1) Minimum Affordability Period. All Inclusionary Units shall remain affordable for a period of no less than thirty (30) years commencing from the date of initial occupancy of the units.

(2) Rent Increases. Increases in the annual rent for Inclusionary Units during the minimum affordability period shall be limited to the percentage increase in the Consumer Price Index for the Albany-Schenectady-Troy Metropolitan Statistical Area. Increases above this percentage require the approval in advance and in writing from the City Office of Planning and Economic Development, which shall approve increases based on documented hardship or other exceptional conditions.

(3) Rental Report. Owners of rental Inclusionary Units shall provide such information annually to the City, as determined by the City Office of Planning and Economic Development and the Inclusionary Housing Agreement, to ensure compliance with continuing occupancy and rent restrictions.

(4) Maintenance of Units. Owners shall comply with all local codes and standards with respect to Inclusionary Units, and provide maintenance services to the Inclusionary Units in the same manner provided all units in the Project.

(5) Lease and Sublet Restrictions. During the affordability period, the owner or occupant may not sublet an Inclusionary Unit to a Household other than an Income Eligible Household, or at a rent in excess of the Affordable Rent.

(6) Sale of Project. If the Covered Project is sold during the Minimum Affordability Period, the use restrictions shall run with the land, and the new buyer will meet all restrictions of the Inclusionary Housing Agreement for the remainder of the period. The City shall charge the seller a fee to cover the costs of approving and recording the transfer.

B. Homebuyer Projects

All homebuyer Inclusionary Units shall comply with resale restrictions, which shall be contained in an Inclusionary Housing Agreement with the Developer and legally recorded with each sale. Transfer to an original co-owner does not

constitute a resale for this purpose, but the transfer is subject to all restrictions of the original covenants, and any subsequent resale is subject to these provisions.

(1) Shared Interest in Proceeds of Sale. At the time of the initial sale of the Inclusionary Unit, the City will determine the Buyer's Interest and the City's Interest based upon current Market Value determined by appraisal as if the property was unrestricted. The Buyer's Interest will be the percentage that the Buyer's Funds, including down payment and mortgage(s), constitute of the current full market value at time of initial sale. Buyer's Funds can include additional improvements as defined in Article 240-4.4.6B(5), but do not include any mortgages, subsidies or buy downs provided by the City or other public sources.

The City's Interest will be the remainder interest; that is, the Subsidy Amount (Market Value minus Buyer's Funds) divided by the Market Value at time of initial sale.

(2) Resale Price. The resale price shall be the Buyer's Interest multiplied by the current Market Value as an unrestricted unit at time of resale. The Office of Planning and Economic Development shall determine the market value of the unit by appraisal, the cost of which is to be borne by the seller.

(3) Notice of Intent to Sell. At any time the original Buyer wishes to offer an Inclusionary Unit for resale, the Buyer (now the Seller) must notify the City Office of Planning and Economic Development. The City (or its designee) shall provide one or more eligible buyers from the list of eligible buyers within thirty (30) days from notification. If the City declines or fails to provide an eligible buyer after 120 days from the notice to sell, the City Office of Planning and Economic Development may release the Inclusionary Unit restrictions on this unit, and the unit may be sold as an unrestricted unit, with the City recapturing its portion of the gross proceeds based on the City's Interest in Article 240-4.49B(1) above.

(4) Transaction Fee. The City shall charge a fee to cover the costs of resale charged to the seller out of net proceeds.

240-4.4.10 ADMINISTRATION

A. Inclusionary Housing Plan
The developer will submit a proposed Inclusionary Housing Plan to the City Office of Planning and Economic Development in advance of Planning Board review. The Office will review the proposed plan for consistency with this Article, and provide comments to the developer and to the Planning Board.

B. Inclusionary Housing Agreement
All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, site plan or subdivision approval by

the Planning Board. The City Office of Planning and Economic Development will prepare the Inclusionary Housing Agreement. Notwithstanding any other provision of this article, no special use permit, site plan, change of use, subdivision approval, building permit or occupancy permit shall be granted for any dwelling unit in a Covered Project unless an Inclusionary Housing Agreement has been approved by the Planning Board.

C. Expedited Processing and Waiver of Fees

(1) Expedited Approvals and Permit Review. Structures that provide the required Inclusionary Units shall receive priority for building permit review and development approvals, and multiple IZ units with identical plans will receive single plan review.

(2) Waiver of Fees. All municipal fees associated with the development and construction of new residential units shall be waived only as they apply to the required Inclusionary Units.

D. Oversight and Enforcement

The City Office of Planning and Economic Development will monitor Covered Projects during implementation, review occupancy reports submitted by developers, and approve the transfer or re-occupancy of Inclusionary Units.

(1) Post-Approval Administrative Actions. In the event of unforeseen and unavoidable changes in costs, the Office of Planning and Economic Development shall have the authority to adjust pricing and eligible income levels, but changes in the number of Inclusionary Units in the Inclusionary Housing Agreement will require Planning Board approval.

(2) Certificate of Occupancy. No final certificate of occupancy shall be issued for a Covered Project unless all Inclusionary Units within the Covered Project are eligible for a certificate of occupancy, except that, with respect to Covered Projects to be constructed in phases, certificates of occupancy may be issued on a phased basis consistent with the provisions of this Article.

(3) Enforcement. Violations of this article shall be punishable as provided by Article 240-9.2. In addition, any certificates of occupancy for Market Units in a Covered Project found to be in violation of this article may be revoked upon a finding of substantial non-compliance hereunder.

E. Annual Report and Evaluation

The City Office of Planning and Economic Development shall monitor activity under this article and shall provide an annual report on activities and costs to the City Council. In addition, the Council shall cause this Article to be evaluated every three years, or in conjunction with the Comprehensive Plan review. In accordance with the City Charter, the Mayor shall have the authority to appoint a committee that includes representation of the inclusionary zoning program administrative staff, the Planning Board, the development industry and affordable

housing experts to monitor the initial implementation of the ordinance and make recommendations.

EXEMPTION OF FEES FOR INCLUSIONARY UNITS:

In the annual resolution of the City Council, there shall be no application fees for the inclusionary units in a site plan or subdivision application, There shall be no cash-in-lieu of recreation land fee for the inclusionary units.

August 2016

Sustainable Saratoga

A proposal for Saratoga Springs

The Saratoga Places for All (SPA) Housing Ordinance

A Program to Obtain More Diverse Middle-Income Housing

Sustainable Saratoga believes it is time for the City of Saratoga Springs to enact legislation that will guarantee more diverse housing opportunities – especially for middle income households. The increasing cost of land and housing has been squeezing lower and middle income residents out of the city. A diversity of housing types is needed to accommodate a diverse population and thereby secure a key element in the long-term sustainability of the community.

More than 20 local agencies are providing housing opportunities for low income households and special needs populations. But not as much is being done for the middle income groups – the workforce of the community. Over the years the City has promoted zoning incentives to encourage builders to voluntarily create a more diverse housing stock. But because developers have chosen not to participate, the effort has been largely unsuccessful. Meanwhile, home purchase prices and rental costs are higher than ever. According to the US Census 2009-2013 American Community Survey report, the median cost to buy a home in the city was $297,900, while the median gross rent (including utilities) was $953.

The US Department of Housing and Urban Development (HUD) defines "affordable housing" as "housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs, including utilities." According to the US Census's 2009-2013 American Community Survey, in Saratoga Springs 3,738 households, comprising 33.04 percent of the total, spent more than 30 percent of their income on housing costs. The total included 24.19 percent of all homeowners, or 1,556 households, and 44.71 percent of all renters, or 2,182 households.

Sustainable Saratoga proposes that the City Council adopt an inclusionary zoning ordinance as an effective means of addressing the need to provide housing that is affordable, especially for middle-income residents. We are recommending essentially the same ordinance that was prepared in 2006 after a year-long study. The ordinance has been tailored specifically to the city's needs, reflecting our housing and development history.

The SPA Housing Ordinance – Saratoga's Inclusionary Zoning Ordinance

Inclusionary zoning (IZ) is a type of municipal ordinance that requires new housing projects to include a prescribed proportion of units that are affordable by people with lower to middle incomes. The developer is usually rewarded with a density bonus to compensate for providing the affordable housing. The objective of IZ is to promote income-integrated communities by ensuring that new housing projects, whether involving new construction or renovation, will contain housing for individuals and families having a mix of income levels. This type of

ordinance is called inclusionary zoning because it is the opposite of exclusionary zoning—the practice of excluding low-cost housing from a municipality through the zoning code.

Communities with Similar Ordinances

There are over 400 communities in 17 states that have some kind of inclusionary zoning housing ordinance. They range in population from 15,000 to 8,000,000. IZ ordinances work best in affluent resort communities and those with growing populations. Each community's ordinance is different. There is substantial variation in density bonuses, required percentage of affordable units, eligibility of occupants, and how long affordable units must remain affordable.

The 2006 Draft IZ Ordinance for Saratoga Springs

In 2005 the Saratoga Springs City Council formed an Inclusionary Zoning Ordinance Development (IZOD) committee to develop a draft ordinance to require workforce housing in new development projects throughout the community. The committee worked for more than a year, held 30 meetings and sought input from citizens and interest groups. After numerous public hearings and revisions, a final draft ordinance was presented to the City Council in April 2006. However, the ordinance was never brought to the Council table for a vote. Those who opposed the ordinance were concerned that:

- The estimated annual cost of $46,500 to administer and monitor the program would be too low.
- The small geographic areas of the city where the ordinance would apply would put city developers at a disadvantage in marketing their units. It was argued that the IZ should be county-wide.
- The transect zoning districts (T-4, T-5, T-6) did not have a definable base density that was dependable and predictable.
- Developers could achieve the same affordable housing goals voluntarily.

Recent Housing Trends

Unlike many other parts of the country, the 2008 economic downturn caused only a brief pause in residential construction in Saratoga Springs. Housing prices dipped only slightly, then continued their steady climb. Since the downturn, several large multi-family residential projects have been built, adding more than 850 residential units within the city limits. Had the proposed IZ ordinance been adopted in 2006, between 75 and 150 affordable units would have been built in the succeeding 9 years.

Other Housing Diversity Programs Don't Work as Well as an IZ Ordinance

Over the past few years, Sustainable Saratoga has evaluated existing affordable housing programs as well as other approaches to housing affordability in Saratoga Springs.

- The various programs operated by the Saratoga Springs Housing Authority, the City of Saratoga Springs and some non-profit entities have been successful in meeting some of the needs of low income households.

- The voluntary affordable housing incentives offered in Articles 4.1 (Density Bonus for Affordable Senior Housing), and 4.3 (Density Bonus for Public Recreation or Affordable Housing) of the City's zoning ordinance have not resulted in the addition of affordable housing units.
- The Saratoga Workforce Housing Trust Fund was established by the City Council in 2004, with the goal of acquiring public and private funding for affordable housing projects. However, funding has been limited.
- A community housing land trust is a nonprofit, community-based organization whose mission is to provide affordable housing in perpetuity by owning land and leasing it to those who live in houses built on that land. While these organizations have been successful in many parts of the country, the capital required to create and operate one in the high-priced real estate market of Saratoga Springs is very difficult to obtain.
- Employer-funded housing programs would be hard to initiate and operate in a small community such as ours.
- Density bonuses for on-site employee housing are likely to be controversial.
- In 2014 Sustainable Saratoga developed and presented to the City an incentive program for voluntary carriage house conversions, with the goal of providing more workforce housing. Such a program could supplement the proposed IZ ordinance. However, as a volunteer program, it is likely to add relatively few affordable housing units.

Advantages and Disadvantages of an IZ Ordinance

Advantages:

- Because it is mandatory, it is more effective in creating affordable housing than programs involving incentives for voluntary action by developers.
- It is a housing program with minimal costs to City government. The City does not pay to construct and manage housing, but only has administrative costs to manage and monitor the program.
- The program is designed so that the developer's costs, including the lower sale or rental prices for IZ units, are largely offset by the density bonuses.
- It has the potential to provide the most new middle-income housing at the lowest cost to taxpayers.
- It promotes a desirable mix of housing types, including middle-income housing, in new residential developments throughout the city, and avoids segregating housing by income level.
- It provides for housing diversity within the parameters of existing zoning regulations.

Disadvantages:

- It increases the involvement of city government in the housing market.
- It allows for an increase in density over what is permitted by the zoning ordinance.
- It might make it more difficult for developers to rent or sell market-rate units to households concerned about the proximity of middle-income housing.

Sustainable Saratoga believes the advantages of the IZ ordinance far outweigh the disadvantages.

How Would the SPA Housing Ordinance Work?

Sustainable Saratoga is recommending that essentially the same IZ ordinance drafted in 2006 be re-introduced, with a new name. The extensive research done in 2006 is still valid, and the need for such an ordinance is greater than ever. It is estimated that the adoption of the ordinance would result in the construction of 20 to 30 new units of affordable housing each year, depending on the number and size of residential development projects approved.

The proposed ordinance should not be viewed as a complete solution to the city's affordable housing needs. It is a long-term program that would be effective in adding more affordable housing units as the city grows over time, without requiring substantial government funding.

Key Provisions of the SPA Housing Ordinance

- Required number of affordable units:
  - Developments with 10 or more units would either dedicate 20 percent of the units for moderate income households or 10 percent of the units for low income households. This provision would apply to units both for rent and for sale, with some variations.
  - Rental units would remain affordable for 30 years. Units offered for sale would remain affordable in perpetuity.
  - Candidates for occupancy of the affordable units would be screened and monitored by the City and selected by lottery.
- Density Bonus:
  - In exchange for providing the required proportion of affordable units, the developer could increase the density of a development project by up to 20 percent. The Planning Board could relax certain development standards during the approval process.
- Developers would commit to the affordability requirements by entering into an "inclusionary housing agreement" with the City.
- A developer would be exempted from the requirements of the IZ ordinance for unusual conditions.
- The City would create a special committee to monitor the program and make any recommendations for changing the ordinance.

For more information contact: Sustainable Saratoga
Email: info@sustainablesaratoga.org
Or visit our website: www.sustainablesaratoga.org

Sustainable Saratoga is a not-for-profit organization that promotes sustainable practices and advocates for smart growth land use principles and procedures. Find out about our principles for smart land use in Saratoga here: http://www.sustainablesaratoga.org/work/hup/

Proposed SPA Housing Zoning Ordinance (August 2016)

(The following is "track change" record of how the current proposed ordinance amendment differs from the proposed 2006 draft ordinance)

Proposed Amendments to the Zoning Ordinance of the City of Saratoga Springs

ARTICLE 4.4~~II-A~~ – INCLUSIONARY ZONING

240-4.4~~II-A~~.1 LEGISLATIVE FINDINGS

A. The City Council of the City of Saratoga Springs finds that:

(1) Over the last decade, rising housing prices and rents have made it increasingly difficult for long-term City residents and workers to afford to live in the City, and may ultimately displace long-term residents who contribute so much to the City. Lack of access to decent affordable housing has a direct negative impact upon the health, safety and welfare of the residents of the City.

(2) Economic diversity is essential to the health of Saratoga Springs. A sound local economy requires a stable workforce at all wage levels. City businesses and employers are finding it more difficult to attract and retain employees, especially lower wage workers that have to live further from the City and endure longer commutes to work. This has the potential to harm the economic vitality of the City.

(3) Developers are in a unique position to produce needed units for working households at a reduced cost, provided the City grants them the ability to provide additional units over and above those currently permitted by zoning. Inclusionary zoning is a market-based response that achieves affordable housing by reducing or eliminating land cost through increased density.

(4) Inclusionary zoning can be enacted without discouraging development or negatively affecting community character. Inclusionary zoning approaches have been used successfully in communities nationwide to provide worker housing. Inclusionary housing policies can ensure an equitable distribution of affordable housing opportunities throughout all neighborhoods and zones of the City without excessive burden to any single site or area.

B. The City has reviewed inclusionary zoning ordinances and inclusionary housing studies from around the country and adapted provisions that are appropriate to the needs and opportunities that exist in this City, has consulted with the development community and other stakeholders, and has designed an approach

that is sensitive to the interests and concerns of this community.

240-4.4~~II~~A.2 PURPOSE

Now, therefore, the City Council of the City of Saratoga Springs, in accordance with the powers and authority vested in it by General City Law section 20 (24), 20 (25), and 81-d, hereby enacts this article in the best interests of the people of Saratoga Springs. The purposes of this article are to:

(1) Utilize market forces to produce homebuyer and rental housing units that are affordable to working households in the City through reasonable density bonuses and affordable unit pricing without undue financial burden.

(2) Encourage the development of housing affordable to a broad range of households with varying income levels, and mitigate the market forces excluding housing that meets the needs of all economic groups within the City.

(3) Promote the City's goal of increasing the workforce housing stock in a uniform and predictable manner and in proportion to the overall increase in new housing units.

(4) Ensure the availability of workforce housing throughout the community and equitably share the responsibility for workforce housing across all neighborhoods.

(5) Mitigate environmental and other impacts that accompany new residential development by reducing traffic, transit and related air quality impacts, promoting a housing balance and reducing the demands placed on transportation infrastructure in the region.

(6) Prevent overcrowding and deterioration of the limited supply of workforce housing and, thereby, promote public health, safety and general welfare.

(7) Provide for efficient administration in the approval, implementation and monitoring of projects.

240-4.4~~II~~A.3 DEFINITIONS

As used in this article, the following terms shall have the following meanings:

AFFORDABLE RENT: Monthly rent that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

AFFORDABLE OWNERSHIP COST**:** A sales price that results in a monthly housing cost (including mortgage, insurance, property taxes and home association costs, if any) that

does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for a household earning eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

CITY MEDIAN INCOME: The median household income as established by HUD for the Albany-Schenectady-Troy Metropolitan Statistical Area, adjusted by the City Office of Planning and Economic Development for the percentage difference between the City Median Income and the MSA Median Income based on the decennial Census, or other method established by the Office of Planning and Economic Development for determining the Median Income of the City on an annual basis.

CITY**:** The City of Saratoga Springs.

COVERED PROJECT: Any project or projects that meet(s) the criteria of article 240-IIA.4A "Covered Projects."

DEVELOPER**:** Any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities with an identity of at least 10% proprietary interest, which seeks City approvals for all or part of a Covered Project or Projects.

HIGH COST PROJECT**:** A residential development in which the addition of the Inclusionary Units will result in higher incremental construction costs directly allocable to the Inclusionary Units. These additional costs may include, but are not limited to, addition of stories, extension of elevators, additional structural support, additional garaged parking spaces, upgraded exterior materials including masonry and stone veneer, required handicapped accessibility modifications, the substantial rehabilitation of unique historic structures or features, or unusual changes or additional requirements imposed by regulatory authorities.

HOUSEHOLD**:** One person living alone or two or more persons sharing residency whose income is considered for housing payments.

HUD: The U.S. Department of Housing and Urban Development.

INCLUSIONARY HOUSING PLAN: A plan submitted by a Developer to provide compliance with this article.

INCLUSIONARY HOUSING AGREEMENT**:** A written agreement between a Developer and the City, as provided herein, to be recorded and that would run with the land.

INCLUSIONARY UNIT: A dwelling unit that must be offered at Affordable Rent or available at an Affordable Ownership Cost to Income Eligible Households, and is regulated with regard to selling price or rent level, marketing and initial occupancy, and continued requirements pertaining to resale or rents and occupancy for the minimum compliance period, as provided herein.

INCOME ELIGIBLE HOUSEHOLD: For an Inclusionary Unit for rent, a Household earning less than fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income), as provided in article 240-IIA.6. For

an Inclusionary Unit for sale, a Household earning less than eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income), as provided in article 240-IIA.6.

MARKET UNIT: A dwelling unit in a Covered Project that is not an Inclusionary Unit.
SEQR: New York State Environmental Quality Review.

SUBSTANTIAL REHABILITATION: A cost of rehabilitation that exceeds 50% of the market value of the building based on the quotient of the structure's current assessed value as indicated in the City's Assessment Records divided by the city's Equalization Rate.

240-4.4~~II~~A.4 COVERED PROJECTS AND EXEMPT PROJECTS

A. Covered Projects

Except as otherwise provided herein, this article shall apply to all building permit requests pertaining to the following projects:

(1) Any project of ten (10) or more new additional residential dwelling units that are produced through construction, substantial rehabilitation of existing structures, or adaptive reuse or conversion of a nonresidential use to a residential use.

(2) Multiple developments or projects by a Developer occurring on contiguous parcels or in substantial proximity to one another shall be considered in toto and shall be Covered Projects.

(3) Any project of less than 10 new residential units that, at the sole discretion of the Planning Board, may be permitted for voluntary inclusion as a Covered Project under this Article of the Zoning Ordinance. If approved, all requirements for Covered Projects shall apply.

B. Exempt Projects

This article shall not apply to all building permit requests pertaining to the following projects:

(1) Mobile homes.

(2) Any project that is developed by an educational institution for the exclusive residential use and occupancy by that institution's students.

(3) Any project that produces affordable units equal to, or in excess of, the requirements contained in this article.

(4) Any project for which building permit applications were properly filed before the date of enactment of this Article.

(5) Any project for which a final Planning Board decision of approval (final PUD site plan, final site plan, or final subdivision approval) was issued

before the date of enactment of this Article.

C. Temporary Suspension of Inclusionary Requirements for Covered Projects

In the event that the City's Office of Planning and Economic Development determines that the Waiting List is inadequate to support the development of additional Inclusionary Units, the Planning Board may suspend the Inclusionary Unit requirements for a specific Covered Project. In that event, no Density Bonus under 240-4.4~~II~~A.5 is provided.

240-4.4~~II~~A.5 DENSITY BONUS

To assist developers in meeting the requirements of this article, all Covered Projects shall be entitled to a density increase of no more than 20% of the number of units that the Covered Project is allowed under existing zoning or a lesser base number of units as originally proposed by the developer, as permitted subsequent to SEQR analysis or as may be established by the Planning Board. When determination of the number of units for a density bonus results in a fractional unit, any fraction of .5 or over shall be one additional unit, and any fraction below .5 will be rounded down. Notwithstanding the above, no provisions herein shall be construed as limiting the discretion of the Planning Board to conduct reviews of Covered Projects and to issue any decisions within the scope of its statutory authority.

240-4.4~~II~~A.6 REQUIREMENTS OF INCLUSIONARY UNITS

All Covered Projects shall meet the requirements for Inclusionary Units as specified in this section. The percentage of Inclusionary Units shall be calculated with a base number, or as may be established by the Planning Board, that does not include the bonus units added to the Covered Project.

A. Inclusionary Units – Rental

For Covered Projects where units are offered for rent, the number of Inclusionary Units shall be designated as follows. When determining the number of Inclusionary Units, any fraction of .5 or over shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit rent is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Low Income Households (up to 50% of area median)	10%
Moderate Income Households (50% - 80% of area median)	20%

(1) Affordable Rents. Maximum Affordable Rents for Inclusionary Units will be calculated as follows: one-twelfth of thirty-five percent (35%) of the maximum annual income for a household at the applicable income limit – either fifty percent (50%) of City Median Income (Low Income) or eighty percent (80%) of City Median Income (Moderate Income).

(2) In calculating the Affordable Rent of Inclusionary Units, the applicable income shall be based on the following relationship between unit size and Household size:

Unit Size	Household (HH) Size for Applicable Income
Efficiency units	1 person HH
One-bedroom units	1.5 person HH
Two-bedroom units	3 person HH
Three-bedroom units	4.5 person HH
Four-bedroom units	6 person HH

(3) The calculations of the initial rents for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any public source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the rents and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

B. Inclusionary Units – For Sale

For Covered Projects where units are offered for sale via the conveyance of a

deed or share for individual units, Inclusionary Units shall be designated in accordance with the following table. When determining the number of Inclusionary Units, any fraction of .5 or above shall be one additional unit, while any fraction below .5 will be rounded down.

If Inclusionary Unit sale is affordable to:	Required number of Inclusionary Units as a percentage of the Market Units
Moderate Income Households (up to 80% of area median)	15%
Middle Income Households (80% - 100% of area median)	20%

(1) Sales Price. Sales prices will be based on calculation of the Affordable Ownership Cost, which means a sales price that results in a monthly housing cost (including mortgage principal and interest, insurance, property taxes and home association costs, if any) that does not exceed one-twelfth of thirty-five percent (35%) of the maximum annual income for the applicable income limit – eighty percent (80%) of City Median Income (Moderate Income) or one hundred percent (100%) of City Median Income (Middle Income).

(2) With respect to Inclusionary Units offered for sale, the Affordable Ownership Cost will be calculated on the basis of:

(a) A down payment of no more than five percent (5%) of the purchase price; and

(b) An available fixed-rate thirty-year mortgage, using Fannie Mae's current interest rate, for the balance of the purchase price. (If the Developer can guarantee the availability of a fixed-rate thirty-year mortgage at a lower rate from the State of New York Mortgage Agency or other public agency for all of the Inclusionary Units in the Covered Project, a lower interest rate as provided by that agency may be used in calculating Affordable Ownership Cost.)

(3) The calculations of the initial sales prices for the Inclusionary Units shall be made by the City Office of Planning and Economic Development and shall be contained within the Inclusionary Housing Agreement for the Covered Project. The Office of Planning and Economic Development may revise these prices prior to initial occupancy in the event of documented exceptional circumstances.

(4) In the event that a Covered Project receives additional subsidies from any source to assist the Inclusionary Units, the value of such subsidies shall be used to reduce the sales prices and/or income limits for the Income Eligible Households to be served by the Units, as determined by the City Office of Planning and Economic Development.

(5) In the event that an individual buyer is able to provide a higher down payment or obtain a higher mortgage loan based on fixed-rate financing at a lower rate than provided in paragraph (2)(b) above, the additional Buyer Funds may be used by the buyer to purchase additional improvements to the Inclusionary Unit. Upon approval of the Office of Planning and Economic Development, said additional improvements can be added to the base price for purposes of determining resale under Article 240-4.4~~IIA~~.9B.

C. General Requirements for Covered Projects – Rental and For Sale Units

(1) Distribution
In order to assure an adequate distribution of Inclusionary Units by household size, the bedroom mix of Inclusionary Units in any Covered Project shall reflect the same ratio as the bedroom mix of the Market Units of the Project, unless waived by the Planning Board for good cause or requested by the Office of Planning and Economic Development based on the waiting list.

(2) Phasing
Inclusionary Units shall be made available for occupancy on approximately the same schedule as, or sooner than, a Covered Project's market units, except that certificates of occupancy for the last ten percent (10%) of the Market Units shall be withheld until certificates of occupancy have been issued for all of the Inclusionary Units. A schedule setting forth the phasing of the total number of units in a Covered Project, along with a schedule setting forth the phasing of the required Inclusionary Units, shall be established prior to the issuance of a building permit for any Covered Project.

(3) Comparability
Inclusionary Units may differ from the Market-Rate Units in a Covered Project with regard to interior amenities and gross floor area provided that:

(a) These differences, excluding differences related to unit size differentials, are not apparent in the general exterior appearance of the project's units and there is compliance with all exterior site requirements of the City.

(b) These differences do not include the reduction of insulation, windows, heating systems, and other improvements related to the energy efficiency of the Inclusionary Units.

(c) The gross floor area of the Inclusionary Units is not less than the following minimum requirements, unless waived by the Planning Board for good cause: one bedroom – 700 square feet, plus 150 square feet for each additional bedroom.

D. Inclusionary Housing Agreement

All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, final site plan or final subdivision approval by the Planning Board.

E. Restrictive Covenants

All Inclusionary Units produced shall have restrictive covenants, recorded and filed to run with the land, to ensure compliance with the occupancy, sale, rent and other requirements of this article, and provide for legal remedies for the City to enforce this article. These restrictive covenants shall be contained in the Inclusionary Housing Agreement approved by the City Planning Board.

240-4.4~~II~~A.7 RELIEF

The section identifies methods of relief from existing regulation to accommodate the requirements of this Article.

A. In order to accommodate the additional residential units required by this Article, the Planning Board may grant relief from the requirements set forth in the table below to the extent necessary so that the additional units are appropriately incorporated into the overall site plan. In doing so, the Planning Board must find that the resulting development is consistent with the general area and does not negatively impact the character of the surrounding neighborhoods. The intent is to provide a sufficient degree of specificity in site design and layout without unduly restricting creative and diverse solutions.

Zoning District	Requirements that may be relieved
T-6 Urban Core	Height: standard maximum height may be exceeded up to one story. The additional story shall contain no more than the number of additional units granted by the density bonus and these units shall be set back at least 10 feet from the facades of the story below
T-4 Urban Neighborhood T-5 Neighborhood Center	Height: as defined for the T-6 Urban Core district Build-to line, side and rear setbacks Parking requirements
Single-family Residential Districts (RR-~~1~~, SR-1, SR-2, UR-1,	Minimum lot size, mean width, maximum lot coverage Minimum yard dimensions Minimum floor area: units shall be a minimum of 700

UR-2)	square feet for 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences: to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Single- and two-family Residential Districts (UR-3, UR-4, UR-4A, UR-7, NCD-1,2,3)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area: units shall be a minimum of 700 square feet for a 1 bedroom plus 150 square feet for each additional bedroom Number of principal buildings & residences – to permit carriage house/accessory apartments and duplexes, and only to the extent to accommodate the additional units
Multi-family Residential Districts (UR-5)	Minimum lot size, mean width, maximum lot coverage, minimum permeability Minimum yard dimensions Minimum floor area – units shall be a minimum of 700 square feet for 1 bedroom plus 150 square feet for each additional bedroom

B. Reduction in Inclusionary Units
In the event the Planning Board cannot approve a full density bonus, as prescribed in Section 240-4.4~~II~~A.5 “Density Bonus”, the number of required Inclusionary Units shall be reduced in proportion to the ratio of proposed Inclusionary Units to the proposed density bonus (i.e., if the developer has proposed that all density bonus units be Inclusionary Units, then 100% (20%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 15% Inclusionary Unit option, then 75% (15%/20%) of the reduction shall be Inclusionary Units; if the developer has proposed the 10% Inclusionary Unit option, then 50% of the reduction in units shall be Inclusionary Units.)

C. High Cost Project
In the event a Developer can establish by clear and convincing financial data to the Planning Board that the Covered Project constitutes a High Cost Project, the Planning Board, in consultation with the City Office of Planning and Economic Development, may permit the Developer to offer the required Inclusionary Units to households at up to 20% above the applicable income limits and prices in 240-4.4~~II~~A.6.

D. Relief from this Ordinance
If the developer requests full relief from this Article to eliminate the provision of all Inclusionary Units, relief shall be sought from the Zoning Board of Appeals through a ~~use~~ variance.

240-4.4~~II~~A.8 SALE/LEASING OF INCLUSIONARY UNITS

Any Developer of a Covered Project shall adhere to the following provisions and to the

provisions of the Inclusionary Housing Agreement with respect to the initial offering of Inclusionary Units for sale or rent.

A. Ineligible Households. No Inclusionary Units may be rented or sold to any person who will not reside in that unit year-round, or to any person who is claimed as a dependent on another person's federal or state tax return.

B. Occupant Qualification. Occupancy of Inclusionary Units shall be by households qualified by the City.

C. Notice of Availability. The Developer shall notify the City Office of Planning and Economic Development of the prospective availability of any Inclusionary Units at least 180 days before such Units shall be available for lease or sale in a Covered Project.

D. Waiting List. Upon such notice, the Office of Planning and Economic Development shall provide to the Developer a list of qualified Income Eligible Households based upon the City's waiting list for Inclusionary Unit housing. Referrals will be made by the City based on priority to Income Eligible Households who are, at the time that the units are offered for sale or lease, residing or working, first, in the City and, second, in the County of Saratoga. The Developer will consider applicants in the order specified in the list, to rent or sell the Inclusionary Units, and may take into account any standard and lawful screening of applicants uniformly applied to all applicants for Inclusionary and market units. The developer shall comply with all fair housing laws. Referrals from the list will respect any conditions of occupancy, including elderly and/or handicapped occupancy, legally imposed by public financing.

E. Release from Inclusionary Unit Restrictions. If, after the initial 180 days following the Notice of Availability, a developer is still unable to secure a qualified, Income Eligible Household for an Inclusionary Unit from the City's Waiting List, the City Office of Planning and Economic Development shall approve the release of the Inclusionary Unit restrictions and that unit may be sold or leased as a Market Unit. The excess proceeds of this sale, over and above the approved Inclusionary Unit sale price plus legitimate and reasonable carrying and sales costs of the developer, shall be repaid to the City and used to support the purposes of this Inclusionary Zoning Article.

F. Reasonable Accommodations and Modifications. The City will operate the program and maintain the waiting lists in compliance with the Americans With Disabilities Act to ensure access to persons with disabilities.

(1) For homebuyer units, the City will notify the developer of referral of a household that includes a person with disabilities. The developer shall make reasonable accommodations in working with that household, and install reasonable modifications as required by the household to occupy the unit. Said reasonable modifications shall be at the expense of the household, and the sales price of the Inclusionary Unit may be adjusted to reflect the reasonable modifications.

(2) For rental units, when the City determines that the likely applicants for Inclusionary Units will include households with disabilities, the City will designate handicapped accessible units in the development to be reserved as Inclusionary Units as part of the Inclusionary Housing Agreement. The developer will make reasonable accommodations to provide housing to the household containing persons with disabilities.

240-4.4~~II~~A.9 CONTINUED AFFORDABILITY REQUIREMENTS

A. Rental Projects

All rental Covered Projects shall comply with the following provisions, which shall be contained in an Inclusionary Housing Agreement to ensure continued affordability of Inclusionary Units.

(1) Minimum Affordability Period. All Inclusionary Units shall remain affordable for a period of no less than thirty (30) years commencing from the date of initial occupancy of the units.

(2) Rent Increases. Increases in the annual rent for Inclusionary Units during the minimum affordability period shall be limited to the percentage increase in the Consumer Price Index for the Albany-Schenectady-Troy Metropolitan Statistical Area. Increases above this percentage require the approval in advance and in writing from the City Office of Planning and Economic Development, which shall approve increases based on documented hardship or other exceptional conditions.

(3) Rental Report. Owners of rental Inclusionary Units shall provide such information annually to the City, as determined by the City Office of Planning and Economic Development and the Inclusionary Housing Agreement, to ensure compliance with continuing occupancy and rent restrictions.

(4) Maintenance of Units. Owners shall comply with all local codes and standards with respect to Inclusionary Units, and provide maintenance services to the Inclusionary Units in the same manner provided all units in the Project.

(5) Lease and Sublet Restrictions. During the affordability period, the owner or occupant may not sublet an Inclusionary Unit to a Household other than an Income Eligible Household, or at a rent in excess of the Affordable Rent.

(6) Sale of Project. If the Covered Project is sold during the Minimum Affordability Period, the use restrictions shall run with the land, and the new buyer will meet all restrictions of the Inclusionary Housing Agreement for the remainder of the period. The City shall charge the seller a fee to cover the costs of approving and recording the transfer.

B. Homebuyer Projects

All homebuyer Inclusionary Units shall comply with resale restrictions, which shall be contained in an Inclusionary Housing Agreement with the Developer and legally recorded with each sale. Transfer to an original co-owner does not constitute a resale for this purpose, but the transfer is subject to all restrictions of the original covenants, and any subsequent resale is subject to these provisions.

(1) Shared Interest in Proceeds of Sale. At the time of the initial sale of the Inclusionary Unit, the City will determine the Buyer's Interest and the City's Interest based upon current Market Value determined by appraisal as if the property was unrestricted. The Buyer's Interest will be the percentage that the Buyer's Funds, including down payment and mortgage(s), constitute of the current full market value at time of initial sale. Buyer's Funds can include additional improvements as defined in Article 240-4.4~~II~~A.6B(5), but do not include any mortgages, subsidies or buy downs provided by the City or other public sources.

The City's Interest will be the remainder interest; that is, the Subsidy Amount (Market Value minus Buyer's Funds) divided by the Market Value at time of initial sale.

(2) Resale Price. The resale price shall be the Buyer's Interest multiplied by the current Market Value as an unrestricted unit at time of resale. The Office of Planning and Economic Development shall determine the market value of the unit by appraisal, the cost of which is to be borne by the seller.

(3) Notice of Intent to Sell. At any time the original Buyer wishes to offer an Inclusionary Unit for resale, the Buyer (now the Seller) must notify the City Office of Planning and Economic Development. The City (or its designee) shall provide one or more eligible buyers from the list of eligible buyers within thirty (30) days from notification. If the City declines or fails to provide an eligible buyer after 120 days from the notice to sell, the City Office of Planning and Economic Development may release the Inclusionary Unit restrictions on this unit, and the unit may be sold as an unrestricted unit, with the City recapturing its portion of the gross proceeds based on the City's Interest in Article 240-4.4~~II~~A.9B(1) above.

(4) Transaction Fee. The City shall charge a fee to cover the costs of resale charged to the seller out of net proceeds.

240-4.4~~II~~A.10 ADMINISTRATION

A. Inclusionary Housing Plan

The developer will submit a proposed Inclusionary Housing Plan to the City Office of Planning and Economic Development in advance of Planning Board review. The Office will review the proposed plan for consistency with this Article,

and provide comments to the developer and to the Planning Board.

B. Inclusionary Housing Agreement
All Covered Projects are required to have an Inclusionary Housing Agreement approved as part of the final PUD site plan, site plan or subdivision approval by the Planning Board. The City Office of Planning and Economic Development will prepare the Inclusionary Housing Agreement. Notwithstanding any other provision of this article, no special use permit, site plan, change of use, subdivision approval, building permit or occupancy permit shall be granted for any dwelling unit in a Covered Project unless an Inclusionary Housing Agreement has been approved by the Planning Board.

C. Expedited Processing and Waiver of Fees

(1) Expedited Approvals and Permit Review. Structures that provide the required Inclusionary Units shall receive priority for building permit review and development approvals, and multiple IZ units with identical plans will receive single plan review.

(2) Waiver of Fees. All municipal fees associated with the development and construction of new residential units shall be waived only as they apply to the required Inclusionary Units.

D. Oversight and Enforcement
The City Office of Planning and Economic Development will monitor Covered Projects during implementation, review occupancy reports submitted by developers, and approve the transfer or re-occupancy of Inclusionary Units.

(1) Post-Approval Administrative Actions. In the event of unforeseen and unavoidable changes in costs, the Office of Planning and Economic Development shall have the authority to adjust pricing and eligible income levels, but changes in the number of Inclusionary Units in the Inclusionary Housing Agreement will require Planning Board approval.

(2) Certificate of Occupancy. No final certificate of occupancy shall be issued for a Covered Project unless all Inclusionary Units within the Covered Project are eligible for a certificate of occupancy, except that, with respect to Covered Projects to be constructed in phases, certificates of occupancy may be issued on a phased basis consistent with the provisions of this Article.

(3) Enforcement. Violations of this article shall be punishable as provided by Article 240-9.2~~13~~. In addition, any certificates of occupancy for Market Units in a Covered Project found to be in violation of this article may be revoked upon a finding of substantial non-compliance hereunder.

E. Annual Report and Evaluation
The City Office of Planning and Economic Development shall monitor activity under this article and shall provide an annual report on activities and costs to the

City Council. In addition, the Council shall cause this Article to be evaluated every three years, or in conjunction with the Comprehensive Plan review. In accordance with the City Charter, the Mayor shall have the authority to appoint a committee that includes representation of the inclusionary zoning program administrative staff, the Planning Board, the development industry and affordable housing experts to monitor the initial implementation of the ordinance and make recommendations.

EXEMPTION OF FEES FOR INCLUSIONARY UNITS:

In the annual resolution of the City Council, there shall be no application fees for the inclusionary units in a site plan or subdivision application, There shall be no cash-in-lieu of recreation land fee for the inclusionary units.

~~*3.1. Proposed Amendment Creating Article 240-13.6G Exemption for Inclusionary Units*~~

~~To add a new subsection "G" to read as follows:~~

~~"Article 240-13.6G Exemption for Inclusionary Units~~
~~The above mentioned fees shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

~~*3.2. Proposed Amendment to Subdivision Regulations, Appendix A*~~

~~To add the following to Appendix A:~~

~~"Fees established in this appendix shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

~~*3.3. Proposed Amendment to City Code Chapter 231, Section 231-48, "Application for Service; Connection Fees"*~~

~~To add a new subsection "D" to read as follows:~~

~~"D. Fees established in this section shall not apply to any inclusionary zoning units or units which shall have received all required approvals under Article IIA of the Zoning Ordinance entitled, "Inclusionary Zoning"."~~

Questions & Answers:
Proposed "Saratoga Places for All" (SPA) Housing Ordinance (August 2016)

(The following "Questions & Answers" are from the City's 2006 Inclusionary Zoning Ordinance, updated by Sustainable Saratoga to reflect data relevant to the current SPA-Housing Ordinance proposal.)

Why is Sustainable Saratoga supporting this proposal?

- Sustainable Saratoga advocates for sustainable smart growth policies. One such policy is that the City should have adequate, diverse housing.

What is the SPA-Housing ordinance?

- SPA-Housing is an inclusionary zoning (IZ) ordinance that requires developers of larger housing (sale or rental) developments to include some affordable units to households of modest income. Developers are given a modest density bonus, or the right to build more units, to offset the costs of producing these units. The proposed ordinance for Saratoga Springs requires developments of 10 or more new units to dedicate 10 to 20 percent (depending on target income level) of the new units to be affordable in exchange for a 20 percent density bonus. Over 500 other communities in the country have enacted similar ordinances.

What does the SPA-Housing Ordinance require?

- Developments with 10 or more new RENTAL units must set aside either:
  - 20% of units for households earning under $65,000 (less than 80% of Area Median Income – AMI, based on a 4-person household) or
  - 10% of units for households earning under $41,000 (less than 50% of AMI, based on a 4-person household)
- Developments with 10 or more new FOR SALE units must set aside either:
  - 20% of units for households earning under $82,000 (less than 100% of AMI, 4 persons) or
  - 15% of units for households earning under $65,000 (less than 80% of AMI, 4 persons)
- Density bonus - In exchange for providing the Inclusionary Units, the developer may increase the total number of units in the project by up to 20%.
- As necessary and appropriate to accommodate the Inclusionary Units, the Planning Board can relax certain regulations, depending on the zoning district.
- Developers will enter into an "Inclusionary Housing Agreement" with the City to assure that the conditions of inclusionary zoning are met.

Are there any exceptions?

- The Ordinance would apply citywide to new construction, substantial rehab or conversions, except for:
  - Exclusively non-residential development
  - Developments with fewer than 10 new units (unless developer requests & City approves)
- The Planning Board can waive part or all of the Inclusionary Zoning (IZ) requirements if it determines the additional units cannot be accommodated on site without detrimental impact.
- Developers may request "relief" from IZ through the Zoning Board of Appeals.

How will the Inclusionary Units be priced?

- Maximum rents and sales prices will be determined annually based on income levels. The Ordinance provides formulas for determining what the rents or sale prices for the affordable units will be.
- For certain "high cost" construction, the developer may seek Planning Board approval to set the price to target a slightly higher income level (up to 20% higher).

How will the Inclusionary Units differ from the market-rate units?

- In order to make the units affordable, inclusionary units may be smaller in size and contain less expensive interior finishes and amenities than the market rate units.
- Exterior finishes must be comparable to the market-rate units.

How long will the Inclusionary Units remain affordable?

- Rental units must remain affordable for at least 30 years.
- For sale units will remain affordable in perpetuity, with unit owners receiving net proceeds of the sale in proportion to their original investment.
- Affordability requirements are maintained through restrictive covenants & deed restrictions.

Who will be eligible for an Inclusionary Unit?

- The City Office of Planning and Economic Development will create and maintain a waiting list of eligible candidates based on income limits (adjusted annually).
- Priority is given first to households that reside or work in the City, second priority to households that reside or work in Saratoga County.
- Developers of Inclusionary Units will use this list to rent or sell the units.
- Seasonal or part-time residents will not be eligible.
- Subletting an inclusionary unit to a non-income-eligible party is prohibited; on turnover, new occupants will be selected from the City waiting list.

How will the program be monitored to make certain it works in Saratoga Springs?

- The Mayor is authorized to appoint a committee of experts to monitor the initial implementation of the Ordinance and to make recommendations for changes.
- The Planning Board can waive the requirements for individual projects where it is determined the IZ units cannot be provided without detrimental impact.
- If the City's waiting list is exhausted, the Planning Board can suspend the requirements for projects, or release individual units to market sale (with the excess proceeds being used to support this Ordinance).
- An annual report will be provided to the Council. An evaluation is scheduled every 3 years, which is the minimum time necessary to allow initial projects to be completed and units occupied.
- The City Council has the authority to amend this or any other portion of the City's Zoning Ordinance as needed.

How many affordable units will this produce?

- Based on recent years, 15 to 30 units could be produced each year, although this could be higher or lower depending on the market and the types of projects approved. Under current market conditions, these units are likely to be mostly rental units, although over time the Ordinance may also result in the creation of owner-occupied units.

Where will these units be produced?

- Consistent with the IZ principle of "fair share", IZ units will be produced throughout the City, in proportion to the zoning density that applies to that particular neighborhood or site. The SPA Housing program is consistent with the relative housing densities proposed in the City's Comprehensive Plan.
- The number of IZ units that any one area receives will be determined by the amount of new housing development in that area.

Who will these units be for?

- It is envisioned that these units will serve local residents – elderly residents who can no longer keep up with the tax and maintenance burden of single family ownership, young people who grew up here and are returning to raise their families in Saratoga, and people who have jobs in the City or County and want to live closer to work. The Ordinance gives priority to households of modest income that live or work in Saratoga Springs. Based on current incomes, IZ units would serve a two-person household earning $32,800 - $52,500 for rental housing, and up to about $65,600 for homeownership. For a four-person household, IZ units would serve households in the $41,000 - $65,000 range for rental units, and up to $82,000 for homebuyer units. These income ranges are adjusted annually.

How will IZ be administered and what are the costs?

- The ordinance is designed to minimize the administrative impact on our small city government. The Office of Planning and Economic Development (OPED) will administer the ordinance. While some staff time is required, these are functions are already performed by OPED in other city housing programs, so the added workload is incremental, not new.. Based on recent development activity, OPED and the 2006 Committee concluded that the administrative functions constitute about ½ person, or about $55,000 in the first year and about $45,600 in subsequent years (in 2006 dollars). The City is currently reviewing these estimates.

Why do we need to do this? Is there an affordable housing crisis in Saratoga Springs?

- The US Department of Housing and Urban Development (HUD) says that housing is not affordable if the occupants of the unit are paying more than 30% of their income for housing costs (rent, mortgage, utilities, insurance, etc.).
- 25% of all homeowners in Saratoga Springs spend more than 30% of their income on housing costs. This represents 1,596 households.
- 44% of all renters in Saratoga Springs spend more than 30% of their income on housing costs. This represents 2,154 households.
- 33% of all households in Saratoga Springs spend more than 30% of their income on housing costs. This represents 3,750 households.

Why is housing so expensive in Saratoga Springs?

- The reasons are many, but essentially there is very strong demand and a limited supply. The many positive qualities of Saratoga Springs have made it a very desirable place to live for people moving to and working in the Capital District. Saratoga's appeal as a tourist and resort area is causing more and more of its housing stock to be claimed for vacation homes and second homes. Real estate investors are drawn to Saratoga Springs as an attractive

community to invest in high-end projects. As a result of this rising demand, land costs and building costs have increased to widen the gap between housing prices and area incomes.

Isn't this a short-term problem? Won't the housing market settle down and become more affordable in the future?

- Housing markets are cyclical and do not remain static. No one can predict the future of our local housing market, or whether prices will go up or down. This ordinance is designed as a long-term strategy to gradually add units in proportion to how the community grows. If the market slows and becomes more affordable, fewer market and IZ units will be produced.

If I'm already a homeowner in Saratoga Springs, why is affordable housing my problem?

- Although you may be secure in your home, we believe that the affordable housing may still impact you as a consumer, as an employer and as a family. If working middle class people cannot find housing that is affordable, the community as a whole suffers. Workers vital to the stability and health of the community—both professional and blue-collar workers—will not be available to provide the services needed by our citizens. Businesses will not locate or expand here if they are unable to recruit a local workforce, and this can threaten our local economy. On a more personal level, you may find that it will be harder to keep your family living close by – your children may have to move away to raise families, or your parents may not be able to afford to live close by as they age and need your support.

Isn't it reasonable to expect some people to commute from less expensive outlying areas?

- Employers indicate that this housing market affects recruitment, turnover and absenteeism. Workers who can't live close to their workplace are more likely to change their workplace location in order to shorten their commutes. Also, workers with long commutes are more likely to miss work, reducing the ability of local businesses to provide quality services. With uncertainty in fuel prices, workers have even more incentive to find employment close to their homes. And ultimately, housing choices should exist for working families and the elderly.

What are the impacts of the SPA-Housing Ordinance?

- There are over 500 IZ ordinances in effect nationwide, with different provisions and different levels of success. This proposed ordinance for Saratoga Springs drew on that range of experiences to develop a modest approach that is appropriate to Saratoga Springs and that will not negatively affect the special character of our community. Some of the key concerns about potential negative impacts of the IZ ordinances are discussed below.

Will the SPA-Housing Ordinance discourage development in Saratoga?

- It should not. In some IZ communities where the IZ requirement has become a severe burden to the developer, this has been the case. However, this ordinance has been carefully designed based on financial analyses so that these additional IZ units can be provided by the developer at a price that covers the developer's costs of construction and overhead. IZ requirements apply only when units can be added to the overall development plan, so there will not be a reduction in what the developer could produce without IZ. Therefore, while developers take on some additional near-term burden in building the IZ units, there is no long-term burden or financial cost to the developer. As long as there is market demand for the production of additional housing units in Saratoga, developers should be able to continue to produce units.

Will IZ units alter the character and appearance of the entire development or the neighborhood?

- It should not. The IZ units must be the same type as the market units -- for-sale units within for-sale projects or rental units within rental projects. The IZ units will be required to blend in with the market rate units in terms of exterior design, finishes and aesthetics. Only certain development requirements listed in the ordinance, such as setbacks, are waived, and only to the extent needed to incorporate the affordable units. Where the units cannot be constructed without detrimental impact on the development and the community, the requirements can be reduced or waived by the Planning Board.

Will IZ units have an impact on traffic and other environmental issues of concern?

- All developments covered by this ordinance are put through an environmental analysis following the State Environmental Quality Review (SEQR) process. The IZ units will be part of that, and changes to the design and other mitigation will be considered as part of that process prior to Planning Board approval. In addition, the proposed ordinance itself must receive SEQR review prior to enactment.

Will the SPA-Housing Ordinance threaten Saratoga Springs' greenbelt or rural areas?

- IZ applies within the City's existing zoning to all areas of the City. Therefore, inclusionary zoning will apply in the less densely zoned areas of the city, but in concentrations which reflect the lower density of those rural zones.

Will IZ units be produced disproportionately in certain neighborhoods?

- The ordinance is developed on the core principle of fair share. IZ requirements apply to all neighborhoods and areas of the City, in direct proportion to the existing zoning requirements in that area. It is likely that the city's core area and perhaps certain neighborhoods might see more development in the future than others, so these areas might see more IZ units than other areas. However, IZ units can be produced only on the development site and not shifted to other neighborhoods.

Does this change the local review process and the roles of the Planning Board, Design Review, or Zoning Board of Appeals?

- No. All existing review processes remain in place, and all authorities of the various review boards are preserved. The boards will be required to consider the IZ requirements as one of the overall requirements of the City, but not to the exclusion of other community concerns and requirements. The Planning Board will take the lead in incorporating the IZ requirements into the overall development approval. The Planning Board is authorized to grant relief from IZ requirements, and the developer still retains the right to appeal for full relief to the Zoning Board of Appeals.

Will Saratoga's taxpayers carry the burden of producing and subsidizing these units?

- There are no direct City subsidies contemplated or required for these units. However, there are administrative costs that have been estimated in 2006 at $46,500 per year. The City is currently reviewing these estimates. The owners of IZ units will pay property taxes comparable to other modest housing in the community.

Will SPA Housing Ordinance end up drawing households to Saratoga that will become a burden to the community?

- The first priority is for households who live or work in Saratoga Springs. The second priority is for households who live and work in Saratoga County. Households who occupy these units must be self-sufficient because there are no subsidies provided. The ordinance has a "circuit breaker" so that the Planning Board can suspend the requirements if the City has no qualified applicants on its waiting list when developments are approved, and the income restrictions can be waived for units when there are no qualified buyers.

Is the draft ordinance applying a model from Montgomery County, Maryland, or other communities that are larger, more urban, or fundamentally different than Saratoga?

- No. The 2006 Committee was advised by the Innovative Housing Institute, nationwide experts on IZ, and the key IHI consultant formerly worked in Montgomery County and shared the Montgomery County experience. However, this ordinance was not based on Montgomery County or any other community. It was drafted from scratch, drawing on the experience of a range of communities, and modified based on substantial community input. The end result is a totally unique ordinance that is unlike any other community's ordinance and tailored to the market and conditions in Saratoga Springs.

Why was a threshold of 10 units chosen?

- A 20% bonus only begins to make sense at 10 or more units. Because of the rounding required to get full units, a 20% bonus in smaller projects could have a dramatic and visible impact on density. The 2006 Committee looked at permits drawn in recent years, and has concluded that there would not be a significant increase in inclusionary unit production if the threshold were lowered to five units. The ordinance includes a voluntary provision where smaller projects could propose inclusionary units if it made sense from design and financial standpoints.

Can developers propose to build the IZ units off site?

- No. In cases where it is determined by the Planning Board that units cannot be accommodated on site, the requirement will be waived rather than shifted off site.

Does the City have the option to purchase the affordable units or change their use?

- No. This is not allowed, due to concerns that the intent and use of the units could be changed.

Will these families be able to afford the housing costs, including maintenance, taxes and homeowner association fees?

- The 2006 Committee analyzed the affordability, and created a pricing model that includes all costs, including taxes, insurance and homeowner association fees (if applicable). Taxes are based on assessments reflecting the lower price and value of the IZ units. In certain developments with high homeowner association fees, the pricing may need to be adjusted or subsidies provided to make it affordable. Maintenance and improvement of IZ units will be encouraged and taken into account for resale pricing.

Will the IZ unit buyers be able to enjoy appreciation in their unit value when they sell?

- Yes. Homeowners will be able to sell at a price that enables them to share in market appreciation in direct proportion to their initial investment when they sell. For example, if they were able to buy the unit at 60% of its original fair market value, they will be able to receive 60% of the appreciation at time of resale. The new buyer will continue to be a priority household in the eligible income range.

Why don't we just make inclusionary zoning a voluntary program?

- It is widely accepted that voluntary inclusionary zoning programs have been largely ineffective nationwide. Saratoga Springs has incorporated voluntary incentive-based affordable housing into its zoning standards for a number of years, but this has not resulted in the construction of any affordable units.. Also, if voluntary, it is likely that IZ units would not be produced throughout the City and this would result in higher concentrations of IZ units in some neighborhoods rather than others.

Wouldn't it be easier if the City just paid developers to build affordable units?

- It is the removal of land costs from the additional units, achieved through the density bonus, which permits IZ units to be offered at a more affordable price. To achieve similar pricing levels, the City would need to either build on City property, thereby concentrating these units, or provide substantial subsidies to offset the rising cost of available privately held land.

Shouldn't this be a County-wide program?

- The market pressures exist throughout the Saratoga region, but have become most focused in Saratoga Springs. While a County-wide strategy would produce more needed units, Saratoga Springs needs to address this problem whether or not other communities join in. We hope that our leadership on this issue will encourage other communities in the County to consider the benefits of creating their own inclusionary zoning programs.

Will inclusionary zoning solve all of our community's affordable housing needs?

- Inclusionary zoning is not a panacea, but it is an important tool in establishing a range of options to address affordable housing needs in Saratoga Springs. Providing these units through a private market solution allows Saratoga Springs to meet some of the need without large government subsidies and regulation by the state or Federal governments. It is a modest but truly local solution.

What if it doesn't work?

- Several features have been included in the Ordinance to enable it to be modified or suspended if it doesn't work or if there isn't sufficient demand.
  - (1) The Ordinance provides for a committee to monitor the initial implementation and to make recommendations for changes.
  - (2) There is a "circuit breaker" for the Planning Board to suspend the requirements for new developments if there is insufficient demand for the units.
  - (3) There is a provision to allow individual units to be sold at market value if eligible buyers cannot be found.
  - (4) The Ordinance requires an annual report to the Council on the IZ units produced.
  - (5) The Ordinance requires an evaluation of the Ordinance and its impact within three

years.

(6) And, of course, the City Council could choose to re-evaluate and change the ordinance at any point if it proves to be unsuccessful, has unintended loopholes or negatively affects the community.

Who drafted the 2006 ordinance?

- In early 2005, Mayor Michael Lenz created the Inclusionary Zoning Ordinance Development (IZOD) Committee to study the City housing issues and develop a new ordinance. The worked for over a year and in April 2006 delivered a new ordinance to the City Council. That committee consisted of Monte Franke (Chair), Sonny Bonacio, Amy Durland, Matt Gabryshak and Vilma Heramia. Eric Schreck and Nancy Ohlin also served in the earlier months on the committee.

Why didn't the City Council adopted the draft ordinance in 2006?

- We can only speculate why the City Council did not adopt the draft ordinance as recommended by the IZOD Committee. There is official record of any public discussion of the Ordinance by the City Council.
- Sustainable Saratoga believes there probably were a number of factors that contributed to the lack of action. These might have included:
  - Desire to see if the ordinance could be adopted on a regional or county-wide level;
  - Suggestions by some developers that more time could allow affordable housing to be built on a voluntary basis;
  - Concern with forecasts of an uncertain housing market;
  - A tight City budget that were projecting employee layoffs.

HOUSING DATA
SARATOGA SPRINGS, NY

Compiled by Sustainable Saratoga (August 2016)

AFFORDABLE HOUSING:

The US Department of Housing and Urban Development (HUD) defines "Affordable Housing as "housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs, including utilities".

The US Census's 2010-2014 American Community Survey reports:

SARATOGA SPRINGS:

- 24.81% of all homeowners spend more than 30% of their income on housing costs.
  - This represents 1,596 households
- 44.14% of all renters spend more than 30% of their income on housing costs.
  - This represents 2,154 households
- 33.15% of all households spend more than 30% of their income on housing costs.
  - This represents 3,750 households

COUNTY OF SARATOGA:

- 23.60% of all homeowners spend more than 30% of their income on housing costs.
- 42.62% of all renters spend more than 30% of their income on housing costs.

DEMOGRAPHIC:

The US Census 2000:

SARATOGA SPRINGS:

- Total populations: 26,586 (26,186 in 2000)
- Number of persons per household: 2.13 (2.21 in 2000)
- Number of occupied housing units: 11,312 (10,784 in 2000)
  - Number of owner-occupied housing units: 6,431
  - Number of renter-occupied housing units: 4,881

COST OF HOUSING:

The US Census's 2010-2014 American Community Survey reports:

SARATOGA SPRINGS:

- Mean value for owner-occupied units: $310,200
- Mean monthly gross rent for renter-occupied units: $988

COUNTY OF SARATOGA:

- Mean value for owner-occupied units:.$230,900
- Mean monthly gross rent for renter-occupied units: $978

City Data.com reports:

SARATOGA SPRINGS:

- Median gross rent in 2013: $1,011.
- Mean prices in 2013:
  - *All housing units: $*337,814;
  - Detached houses: $327,096
  - In 5-or-more-unit structures: $938,279
- Median house of condo value:
  - In 2013: $297,771
  - In 2000: $128,600

INCOMES:

The US Census's 2010-2013 American Community Survey reports:

SARATOGA SPRINGS:

- Per capita income: $39.,355
- Median household income: $67,303

COUNTY OF SARATOGA:

- Per capita income: $35,860
- Median household income: $70,581

City Data.com reports:

SARATOGA SPRINGS: (zip code area)

- Estimated median household income in 2013: $67,522

The US Department of Housing and Urban Development:

COUNTY OF SARATOGA: (no separate data available for City of Saratoga Springs)

- 2016 Median Income: $82,000
- 2016 Median household income by household size: (see table below)

HOUSEHOLD SIZE: (persons)	HOUSEHOLD INCOME (30% of Area Median)	HOUSEHOLD INCOME (50% of Area Median)	HOUSEHOLD INCOME (80% of Area Median)	**HOUSEHOLD INCOME (100% of Area Median)**	HOUSEHOLD INCOME (110% of Area Median)	HOUSEHOLD INCOME (120% of Area Median)
1	$17,250	$ 28,700	$ 45,950	**$57,400**	$63,150	$68,900
2	$19,700	$32,800	$52,500	**$65,600**	$72,150	$78,700
3	$22,150	$36,900	$59,050	**$73,800**	$81,200	$88,550
4	$24,600	$41,000	$65,000	**$82,000**	$90,200	$98,400
5	$28,450	$44,300	$70,850	**$88,600**	$97,450	$106,300
6	$32,600	$47,600	$76,100	**$95,200**	$104,700	$114,250
7	$36,750	$50,850	$81,350	**$101,700**	$11,850	$122,050
8	$40,900	$54,150	$86,600	**$108,300**	$119,150	$123,000

(All numbers rounded to nearest $50)

Sustainable Saratoga
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Saratoga Springs, NY 12866

[redacted]
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August 5, 2016

Honorable Joanne Yepsen, Mayor
City of Saratoga Springs
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

RE: SPA-HOUSING ORDINANCE

We have submitted to the City Council zoning amendment that would create "The Saratoga Places for All (SPA) Housing Ordinance". This is a zoning text amendment that is intended to create more diverse housing opportunities citywide –especially for the middle income households.

Due to the public benefit nature of this zoning text amendment we are requesting a waiver of the application fee. We also indicated this request on the application form.

Sincerely,

Harold J. Moran

Harry Moran
Chair

Attachments
cc: Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Anthony Scirocco

Sustainable Saratoga
Advocate. Educate. Act.

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September 6, 2016

Mr. Mark Torpey, Chair
Saratoga Springs Planning Board
City Hall
474 Broadway
Saratoga Springs, NY 12866

Dear Mr. Torpey:

RE: SPA HOUSING ORDINANCE – ADVISORY OPINION TO THE CITY COUNCIL

We would like to offer some supportive information as the Planning Board undertakes its advisory opinion to the City Council on Sustainable Saratoga's application to amend the Zoning Ordinance to include language that requires that development projects of 10 or more units include units deemed affordable under current HUD income guidelines.

We understand that, at a minimum, your task is to determine 1) whether the proposed revision is consistent with the Comprehensive Plan; and 2) whether the proposed revision is not contrary to the general purpose and intent of the Zoning Ordinance.

We offer the following comments on these two tasks.

CONSISTENT WITH COMPREHENSIVE PLAN:

We believe the propose SPA Housing Ordinance is completely consistent with the 2015 Comprehensive Plan.

Specifically, we believe the proposed zoning amendment is consistent with the following recommended housing actions presented within the Comprehensive Plan.

> 3.4-50 Encourage a range of residential opportunities that will be available to all residents to promote the social and economic diversity vital to a balanced community.
>
> 3.4-51 Actively promote affordable housing of all types and tenure throughout the City, and avoid overconcentration in any one area to reduce the potential for isolation of income groups.
>
> a. Promote diversity of housing types in close proximity to employment centers such as Downtown, the hospital, Skidmore College, the racetracks, etc.
> b. Encourage the development of higher density residential alternatives within the urban core including the conversion to residential use of upper floors in commercial districts.
> c. Make greater use of City-owned properties for affordable housing and consider acquiring additional properties for this purpose.
>
> 3.4-54 Rehabilitate and develop affordable housing via a "whole-site approach" with attention to site location and layout, façade design, pedestrian movement and accessibility, adequate infrastructure provision, and sensitivity to historic preservation and neighborhood context. This will also assist to revitalize and/or preserve existing neighborhoods.

3.4-56 Promote more effective development incentives.

a. Consider incentives, such as density bonuses, temporary property tax relief from building setback, and parking requirements, to encourage affordability.
b. Consider providing infrastructure incentives for developments with affordable units.

3.4-57 Address procedural items related to housing Citywide.

a. Review zoning, subdivision, building codes, and develop policies to actively encourage affordable housing construction or redevelopment.
b. Investigate appropriate opportunities for the conversion, building, and permanent residential use of building code compliant accessory buildings such as carriage houses and garages.
c. Promote more aggressive enforcement of housing codes and zoning regulations.

We don't believe the proposed zoning amendment is inconsistent with any of the housing policies of the 2015 Comprehensive Plan.

We also note that the proposed density bonus in the proposed zoning amendment is totally consistent with the following policy statement on page 62 of the Comprehensive Plan:

Incentive Zoning Supporting Public Purpose:

Section 81-D of the NYS General City Law sets forth the conditions under which cities can enact incentive zoning. Saratoga Springs already has density bonuses for affordable housing and publicly accessible open space in several zoning districts. This legislation requires the density incentives to be consistent with the municipality's Comprehensive Plan. Therefore, public purpose density bonuses permitted by Section 81-D would be able to exceed the residential density caps in each of the land use categories.

CONSISTENT WITH GENERAL PURPOSE AND INTENT OF ZONING ORDINANCE:

The purpose and intent of the Zoning Ordinance is set forth in Article 1.3 of the ordinance and presented below. We believe the SPA Housing Ordinance zoning amendment is consistent with, and not contrary to, the intent and purposes described below.

1.3 INTENT AND PURPOSES

A. The intent of this Chapter is to encourage appropriate and orderly physical development; promote public health, safety, and general welfare; classify, designate and regulate the location and use of buildings, structures and land for agricultural, residential, commercial, industrial or other uses in appropriate places; and to divide the City of Saratoga Springs into districts of such number, shape and areas as may be deemed best suited to carry out these regulations and provide for their enforcement.

B. The regulations and district boundaries identified in this Chapter and upon the Zoning Map are made with the following additional purposes:
1. Facilitation of efficient, economical, and adequate provision of public utilities and services;
2 .Assurance of adequate sites for residential, agricultural, industrial, commercial and other appropriate uses;
3. Provision of privacy for families and the maximum protection of residential areas;
4. Prevention and reduction of traffic congestion so as to promote efficient and safe circulation of vehicles and pedestrians;

5. Gradual elimination of nonconforming uses;
6. Conservation of the taxable value of land and buildings while enhancing the appearance of the City of Saratoga Springs as a whole;
7. Encouragement of flexibility in the design and development of land;
8. Protection of the general environment in compliance with the objectives of applicable Federal and State statutory and regulatory programs;
9. Protection of the natural resources of the community including but not limited to the protection of the water resources of the City;
10. Safeguarding the heritage of the City of Saratoga Springs by preserving districts and landmarks in the City which reflect elements of its cultural, social, economic, political, artistic and architectural history;
11. Promoting the use of historic districts and landmarks for the education, pleasure and welfare of the citizens of the City.

In addition, we note that the structure of our proposed amendment is identical in substance to the draft created in 2006 by the Inclusionary Zoning Ordinance Development (IZOD) Committee. Due to the zoning ordinance reorganization that was undertaken in 2012, we have made some numbering changes to the amendment. In 2006 the inclusionary zoning amendment was proposed as Article 240-11A. With the new ordinance organization we propose this amendment as Article 240-4.4.

We appreciate the opportunity to provide these comments on this important zoning amendment.

Respectfully,

Harry Moran, Chair

cc: Mayor Joanne Yepsen
Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Skip Scirocco

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Saratoga Springs, NY 12866

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October 6, 2016

Mr. Mark Torpey, Chair
Saratoga Springs Planning Board
City Hall
Saratoga Springs, New York 12866

Dear Mr. Torpey and Planning Board Members:

RE: SPA HOUSING ORDINANCE QUESTIONS AND ANSWERS

We understand that as a result of the discussion on the advisory opinion for the SPA Housing Ordinance at the September 8, 2016 meeting, the Planning Board has the following questions that are listed below. Our responses are presented after each question.

1. ***Is there a financial model available to show that developers will not lose money under this inclusionary zoning ordinance***?

    - In 2006, local developer, and original IZOD committee member, Sonny Bonacio ran a financial model using his private construction cost information. He allowed it to be reviewed by some local independent housing experts and the City's housing consultants. Based on this data, Mr. Bonacio and the IZOD committee concluded that developers would not lose money under the ordinance and that even the IZ units would be modestly profitable.
    - Sustainable Saratoga has not attempted an update on the financial model since we do not have the updated private construction costs. We have met with developers and have encouraged them to re-run the model if they suspected that the conclusion would be materially different than in 2006. We are prepared to find a housing expert to privately review for the City any new financial model that was run.
    - We have no reason to believe today that developers would lose money on the IZ units if this ordinance was adopted. The basic reason that this ordinance will work is due to the density bonus, which essentially guarantees that there are no land costs for the IZ units. Therefore, those units can be offered at a lower rent or sale price than the market-priced units in a development.

2. What are some similar size communities that have IZ ordinances?

- We haven't done a comprehensive analysis of all the reported 500 communities that have some kind of IZ ordinance.
- We have seen reports that indicate the following "small communities" have some type of IZ ordinance.
    - Davidson, NC (12,000)
    - Salem, NH (28,000)
    - Princeton, NJ (28,000)
    - West Hollywood, CA (35,000)
    - Montclair, NJ (40,000)
    - Burlington, VT (42,000)
- Each IZ ordinance is different. There is a lot of variation with respect to the level of density bonuses, percentage of required to be affordable units, eligibility of occupants, duration for the subsidies, etc. So it is nearly impossible, and somewhat meaningless, to compare IZ ordinances with one another.
- The SPA Housing Ordinance was carefully developed in 2006 in response to Saratoga Springs' development process and housing market. The ordinance is unique to Saratoga Springs.

3. Are there some communities that have been successful in creating IZ units?

- Yes, there are studies that report successful IZ programs in other communities. There are also studies that point to failures and problems with IZ projects in other communities.
- The internet is full of information on inclusionary zoning. We see little value in studies or discussing theses other ordinances, because the SPA Housing ordinance is uniquely designed for Saratoga Springs. One cannot effectively compare our ordinance with those different ordinances in other communities.
- But if the Planning Board would find a list of accomplishments from IZ ordinance in other communities helpful, here are a few:
    - In the first 10 years of Denver CO the IZ ordinance created 1,155 affordable units.
    - Since 1974 Montgomery County, Maryland created over 10,000 IZ units.
    - Between 1992 and 2003, over 1,200 IZ units were built in San Diego, CA.
    - Sacramento, CA has added 465 IZ units since 2000.
    - Burlington VT has created 284 IZ units since 1990.

4. What is the basic theory behind IZ ordinances? How do they vary from community to community?

- Inclusionary housing policies require developers of new market-rate real estate to provide affordable housing. It works well in communities where markets are driving up housing costs and displacing lower-income residents.
    - "For cities struggling to maintain economic integration, inclusionary housing is one of the most promising strategies to ensure that the benefits of development are shared widely." (Lincoln Institute of Land Policy, 2015)
- A well-designed IZ ordinance is intended to generate significant affordable housing without overburdening developers or negatively impacting the pace of development.
- IZ ordinances vary considerably. But some of the general characteristics are as follows:
    - Some are mandatory, but some are not.
    - Most require developers to sell or rent 10 to 20 percent of their new residential units to middle- to-lower-income households. The target income groups vary but commonly are households making between 50% and 110% of local median income.
    - Communities give a variety of off-sets for this requirement. Most give the developer a right to build at a higher density, some waive development requirements such as parking and setbacks, others give tax abatements.
    - Most require the IZ units to be located on site in a mixed-use project. But some allow in-lieu fees or provisions for the IZ units to be moved off site.
- Most studies show that successful IZ ordinances are ones that are designed to reflect the local culture, economic conditions and housing market.

5. ***Briefly describe how the approval process would work on an inclusionary zoning project that comes before the Planning Board***.

- By adopting the SPA Housing Ordinance, the City Council establishes the general rules and regulations for this inclusionary zoning program in Saratoga Springs. There are provisions for the City Council to annually monitor progress and to periodically make any needed adjustments or refinements in the ordinance. But the City Council has <u>no</u> involvement in any of the development projects that are covered by this ordinance.
- It is the City Planning Board that has full responsibility to implement the ordinance. The following is a brief "over-simplification" of how the process works.
    - During site plan review or the subdivision review process, the PB and the developer negotiate an "Inclusionary Housing Agreement" for any project that is to have 10 or more residential units.
        - The covered projects could be single family homes, apartments, condominiums, mixed-uses or any combination of any type of residential uses.

    - The developer first proposes a conceptual plan what he/she would like to build that is in conformance the zoning. The PB must then "accept" this conceptual plan.
        - In all zoning districts except the transect districts, the maximum number of units per site is set by the zoning density caps and by the site analysis of the property.
        - In the transect districts the maximum number of units is set by the allowable building envelop and the site analysis.
    - The developer then proposes to the PB the target income category for the IZ units and that helps determine the number of IZ units that will be set aside as affordable. That figure can be up to 20% of the total units in the zoning correct conceptual plan. The number of units set aside as IZ units then determines the number of density bonus units that the developer will receive.
    - The PB and the developer then negotiate or design a site development plan that best accommodates the density bonus units on the property and what relief (setbacks, heights, parking, etc.) the developer will be granted.
    - The PB and developer then agree on a final wording of Inclusionary Housing Agreement that is a legal document between the City and the developer.
    - Final site plan or subdivision approval can then be granted by the PB.
- The City staff is responsible for finding and screening households that will occupy the IZ units.
    - Priority can be given to existing city residents or people who currently work in the city.
    - A lottery may be used to select eligible households to occupy the IZ units.
    - The selected households then negotiate a rental or sale price for the IZ units, utilizing the required guidelines of the ordinance.
    - The City is required to do annual monitoring of all IZ units and project to be sure the conditions of the Inclusionary Housing Agreement are being met.

6. Why shouldn't this IZ ordinance be postponed and be included in the new UDO rezoning effort?

- In March of 2016, we submitted comments to the UDO consultants and City staff indicating that we were working on resubmitting the 2006 inclusionary zoning ordinance to the City Council. We recommended that this IZ ordinance be handled separately from the UDO process because of timing and complexity.
- We were very surprised that the September 6, 2016 UDO Diagnostic Report included the possibility that an inclusionary zoning provision be restudied and included in the UDO.

    - We suspect there is an inadequate budget and resources for the UDO process to restudy inclusionary zoning and we don't think that task is necessary or a good use of public funds.
- We do not recommend that the SPA Housing ordinance be postponed and folded into the UDO process.
    - There are no formal announced target dates yet for completing the UDO process. We suspect the UDO will not be completed until late 2017.
- The Saratoga Springs real estate market is very strong now. It would be a shame to keep postponing an excellent opportunity to create guaranteed affordable/workforce housing in this community. For the last 10 years, we feel that the City has "wasted" an opportunity but action now will still make a difference.

7. Why aren't all the questions answered in the SEQRA short form that was submitted with the application?

- On August 5, 2016 Sustainable Saratoga submitted to the City a SEQRA Short Environmental Assessment Form with Part I – Project Information completed.
    - The Planning Board has noted that questions #3 though # 21 had no "yes" or "no" boxes checked and they want know why we did not provide those answers. All those questions relate to site specific issues. Since our zoning amendment is a text amendment only and is not specific to any one site in the City, we felt that these questions were all "not applicable". Therefore, we did not answer them.
    - The City required us to provide a digital copy of this form that is downloaded from the NYS DEC website. The form does not allow one to enter "not applicable".
- We note that the City needs to complete Part II and maybe Part III of the SEQRA Long Form for this zoning amendment.
    - In 2006, the City staff drafted a detailed Part II and Part III of the SEQRA Long Form. This data may need to be updated and place in the new version of the SEQRA Forms.
    - The Saratoga County Planning Board has implied that the City may have to undertake a generic environmental impact statement (EIS) because this amendment involves a density bonus for a public purpose. We believe a generic EIS is not necessary unless the City Council determines the zoning amendment will have significant adverse impacts.

8. ***What are the true costs to the City of administering this ordinance?***

- In 2006, the IZOD committee, working with the City staff, developed a projection of administrative costs. They created a detailed spread sheet with tasks and assigned person-hours to each task. They then totaled all the hours and assigned an annual cost to those hours. They included costs for employee benefits and City overhead.

- The 2006 estimates were: $55,000 for the first year (for startup) and $46,500 for sequent years.

- In 2006, developer Sonny Bonacio suggested that the project cost estimate might be too low and that he was concerned that the program wouldn't succeed and that developers would lose valuable time and money if the program was not adequately staffed.
  - The IZOD Committee chair Monte Franke (a national housing consultant) did review the numbers for a second time and did not recommend any further revisions in the Committee's original estimates.
- On May 5, 2016, Sustainable Saratoga met with Mayor Yepsen and recommended that the Mayor's department take another look at the 2006 estimate to determine if they were still valid or needed to be revised. The Mayor told us that her staff would take care of this.
  - We are unsure of the current status of this review.
  - Sustainable Saratoga can NOT produce these cost estimates. The estimates have to come from the City.
- Some communities assign their own staff to administer the program. Some contract out the administrative tasks to other entities.
- Some communities with IZ programs fund the administrative costs with: general budget expenditures; federal housing block grant funds; new local inclusionary housing fee revenues collected from developers or IZ unit tenants/homebuyers; or, from a percentage of unit resale fees

9. ***What is the maximum rental or sale price in today's dollars for an IZ unit?***

- In 2006 the IZOD Committee and City staff worked with a formula to project these costs. They were as follows:

  Based on current (2006) income levels, the maximum sale prices are approximately:
  - $140,500-$180,00 for 1 bedroom units
  - $180,000-$299,500 for 3 bedroom units

  Based on current (2006) income levels, the maximum rents are approximately (per month):
  - $800-$1,280 for 1 bedroom units
  - $1,000-$1,600 for 3-bedroom unit
- Sustainable Saratoga does not have access to the formula or the data that goes into the formula. So, we can't update these figures, but we believe that the City Planning staff should be able to accomplish this task with the resources they have at their disposal.

10. Is the SPA Housing Ordinance compatible with the 2015 Comprehensive Plan and the general purpose and intent of the Zoning Ordinance?

- On September 2, 2016 Sustainable Saratoga submitted a separate letter that specifically addressed the two tasks that the Planning Board must address in their advisory opinion to the City Council.

- At a minimum, the Planning Board must determine 1) whether the proposed revision is consistent with the Comprehensive Plan; and 2) whether the proposed revision is not contrary to the general purpose and intent of the Zoning Ordinance.
- Consistent with 2015 Comprehensive Plan:
    - Our letter reference 5 specific policies in the Comp Plan that we believe are consistent with the SPA Housing Ordinance.
    - Our letter also references a specific policy of the Comp Plan that supports development density increases for a public purpose. In this case the public purpose is affordable housing.
- Not contrary to general purpose and intent of the Zoning Ordinance:
    - Our letter presents the two major purpose and intent of the Zoning Ordinance and we conclude our SPA Housing Ordinance is not contrary to of either of those.

We look forward to discussing this issue further with the Planning Board at the October 13, 2016 meeting during the advisory opinion review of the SPA Housing Ordinance.

Respectfully,

Harry Moran
Chair

cc: Mayor Joanne Yepsen
Commissioner John Franck
Commissioner Michele Madigan
Commissioner Chris Mathiesen
Commissioner Skip Scirocco

Sustainable Saratoga | Advocate. Educate. Act.

October 11, 2016

SUPPLEMENTAL MATERIAL FOR PLANNING BOARD:
SPA HOUSING ORDINANCE

The following is a more detailed response to question #5 in Sustainable Saratoga's October 6, 2016 letter to the Saratoga Springs Planning Board. The added text is presented in red**.**

5. Briefly describe how the approval process would work on an inclusionary zoning project that comes before the Planning Board.

- By adopting the SPA Housing Ordinance, the City Council establishes the general rules and regulations for this inclusionary zoning program in Saratoga Springs. There are provisions for the City Council to annually monitor progress and to periodically make any needed adjustments or refinements in the ordinance. But the City Council would have no involvement in any of the development projects that are covered by this ordinance.
- It is the City Planning Board that has full control and responsibility in the implementation of the ordinance. The following is a brief "over-simplification" of how the process works.
    - During site plan review or the subdivision review process, the PB and the developer negotiate an "Inclusionary Housing Agreement" for any project that is to have 10 or more residential units.
        - The covered projects could be single family homes, apartments, condominiums, mixed-uses or any combination of any type of residential uses.
    - The developer first proposes a conceptual plan of what he/she would like to build that is in conformance with the zoning. The PB would then "accept" this conceptual plan.
        - In all zoning districts except the transect districts, the maximum number of units per site is set by the zoning density caps and by the site analysis of the property.
            - In the RR and SR-1districts a conservation subdivision is required. So once the conservation analysis is completed and reviewed by the PB, the base density of 1 unit per 2 acres of developable land is determined. That base density is the starting point for the density bonus under the IZ ordinance.

        - In all other single–family, two-family and multi-family residential zoning districts, the ordinance specifies the minimum lot size for each residential unit.
    - In the transect district the maximum number of units is set by the allowable building envelop and the site analysis.
        - Density in the T-4, T-5 and T-6 district is set by the allowable building envelope. Mixed types of land uses are encouraged in all transect zones and non-residential uses are required on the first floor in the T-6 district.
        - The developer first proposes what mix of residential or non-residential uses can fit into the allowable building envelope determined by the site analysis. For example, the developer and the PB may agree that a site can have a maximum development capacity of 30,000 sq ft of non-residential use and 20 residential units. Those 20 units become the base residential density or starting point for the density bonus under the IZ ordinance.
- The developer then proposes to the PB the target income category for the IZ units and that helps determine the number of IZ units that will be set aside as affordable. That figure can be up to 20% of the total units in the zoning correct conceptual plan. The number of units set aside as IZ units then determine the number of density bonus units that the developer will receive.
    - RENTAL UNITS: The IZ ordinance states that if the developer wants to target their IZ units to “low income household” (up to 50% of AMI), they only have to designate10% of the total units as affordable. If the developer wants to target “moderate income households” (50%-80% of AMI), the developer has to provide 20% of the total units as affordable.
    - FOR SALE UNITS: The IZ ordinance says that if the developer wants to target their IZ units to “moderate income households” (up to 80% of AMI), they only have to provide 15% of the total units as affordable. If the developer wants to target “middle income households” (80%-100% of AMI), they have to provide 20% of the total units as affordable.
    - The number of units the developer decides to provide as IZ units determines the number of density bonus units. So on each development project the percentage of IZ units and the percentage of bonus units will be somewhere between 10% and 20%.
- The PB and the developer then negotiate or design a site development plan that best accommodates the density bonus units on the property and what relief (setbacks, heights, parking, etc.) the developer will be granted.

- Article 240-4.4.7A sets forth the type of zoning development relief that the Planning Board can grant the developer in order to best accommodate the bonus units. For example:
    - In the T-6, T-5 and T-4 districts, an additional floor can be added to the top of the proposed building provided the façade of the added floor is set back 10 feet from façade of the floor below.
    - In the T-5 and T-4 districts the build-to lines, side and rear setbacks can be waived. Also parking requirements can be waived.
    - In the other zoning districts, similar types of waivers can be granted by the Planning Board.
- If "unusual" circumstances are revealed during these negotiations, there are still a number of "adjustments" or "outs" available to the developer or the Planning Board.
    - Article 240-4.4.7B allows the Planning Board to reduce the number of required IZ units if the density bonus units cannot all fit on the property in a well designed project.
    - Article 240-4.4.7C allows the Planning Board to exceed the eligible household income categories for IZ units if the applicant can provide clear evidence that unique situations indicate the development is of higher than normal cost.
    - Article 240-4.4.7D allows the developer to appeal to the Zoning Board of Appeals to seek full or partial relief from the requirement of this ordinance.
    - Article 240-4.4.4C allows the Planning Board to suspend any IZ units set aside if the City does not have any list of eligible households (no waiting list).

o The PB and developer then agree on a final wording of Inclusionary Housing Agreement that is a legal document between the City and the developer.

- The Inclusionary Housing Agreement (IHA) is essentially a boiler plate document. Specific numbers for each specific development project are just plugged into the "blank spaces" on the form.
- The IHA includes the final acceptable range of sale prices or rental prices for each IZ unit. No eligible household annually pays more than 35% of their income for housing costs. The ordinance provides guidance that allows the City staff to complete these calculations.
- The IHA includes information of the proposed distribution, size, number of bedroom, phasing, interior amenities, etc. The ordinance provides guidance on these items.
- The IHA includes conditions for rent increases (or adjustments), unit maintenance, sublease prohibitions, unit resale price, etc.

        - The IHA includes all the enforcement requirements (restricted covenants, legal remedies, etc.) to implement the ordinance.
    - Final site plan or subdivision approval can then be granted by the PB.
- The City staff is responsible for finding and screening households that will occupy the IZ units.
    - Priority can be given to existing city residents or people who currently work in the city.
    - A lottery may be use to select eligible households to occupy the IZ units.
    - The selected households then negotiate a rental or sale price for the IZ units, utilizing the required guidelines of the ordinance.
    - The City is required to do annual monitoring of all IZ units and project to be sure the conditions of the Inclusionary Housing Agreement are being met.

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

September 22, 2016

John P. Franck, Commissioner of Accounts
City of Saratoga Springs
City Hall 474 Broadway
Saratoga Springs, NY 12866

RE: SCPB Referral Review#16-162-Text Zoning Amendment-Inclusionary Zoning

A zoning amendment to require that in residential developments of 10 or more units 20% of the units (for sale or rent) be dedicated as affordable to households of moderate or low income with the provision of a density bonus of 20% to the developer.

Received from the City of Saratoga Springs City Council on August 26, 2016.

Reviewed by the Saratoga County Planning Board on September 15, 2016.

Decision: Incomplete Application

Comments:

APPLICATION/NEED

On August 5, 2016 a letter from Mr. Harry Moran, Director of Sustainable Saratoga (SS), was submitted to Mayor Yepsen requesting City Council acceptance for further review the application by SS for a zoning amendment titled "The Saratoga Places for All (SPA) Housing Ordinance." On August 16th the City Council did vote to refer the proposed zoning amendment to both the city and county planning boards for their respective reviews and recommendations. The referral was received by the Saratoga County Planning Board (SCPB) on Aug. 26 and reviewed at its monthly meeting of September 15th. We note that at the present time the proposed legislation has not yet been heard as part of a public hearing held by the City Council, nor has review and a lead agency determination been made under SEQRA. The SCPB agrees that as noted in Sustainable Saratoga's August 6 letter, the efforts made in both 2006 and 2016 to provide "a good housing program for Saratoga Springs" are laudable and desirable, deserving of a detailed community discussion and consideration. We find, however, and cite below, that material to assist in a complete review of the proposed legislation was not part of the referral submitted and ask that such material be provided (or counsel's determination that it is not required) for the SCPB to take final action at its October 20th meeting. Perhaps once the city council holds its public hearing there will

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

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

be a clearer understanding of the material submitted to date and a further submission of supplemental (if necessary) material.

Just because a standard zoning ordinance exists there is no guarantee or surety provided (or implied) that there will be actual development of any property, much less in the manner prescribed or hoped for. If a municipality determines that it needs or desires to have a specific type of development, it can only zone to allow that use (or uses) and then allow market conditions to work – the question then becomes whether a developer will find it economically feasible to develop a certain property in the way that the zoning ordinance defines. That is why the city has again pursued a means by which a developer may be permitted to exceed standard zoning restrictions in exchange for meeting a community need, the provision of some type of affordable housing within a plan of development. Incentive zoning can be used to encourage developers to provide community amenities that cannot be required. It is notable that court decisions have recognized that affordable housing can only be built by providing incentives to private enterprise and that some municipalities have been mandated in some court decisions to use incentives and the elimination of costly regulatory requirements as means of setting aside an established percentage of all new housing units as affordable.

We recognize the need for the city council to look beyond standard zoning - to Incentive Zoning, as proposed then (2006) and now – for a means of implementing the development of some type of affordable housing within Saratoga Springs. In different sections of the draft ordinance and correspondence this has been noted as workforce housing, moderate-income, and low-income housing. Legislative action, therefore, has been spearheaded by an advocacy group, Sustainable Saratoga – Advocate. Educate. Act. Legislation has been proposed to guarantee more diverse housing opportunities. SS has reintroduced a 2006 study and the then-proposed ordinance which provide for a density bonus along with a mandate to include an amount of affordable housing. Anecdotally, commentary has referenced the city's high cost of land for development, the resulting high cost of housing, and the need for housing that meets the needs of lower to middle-income households.

The amendment for inclusionary zoning proposes consideration of developments (for sale or rentals) of 10 or more dwelling units within which 20% of the units are dedicated for moderate-income households (or 10 % of rental units are dedicated toward low-income households). A developer "could" increase the density of a development project by "up to" 20% through this set aside provision. Without such legislated economic incentive and agreements a municipality is not able to require a builder/developer to provide public amenities as a condition of gaining his/her development approval. Zoning restrictions could not be exceeded. But, through such an amendment a developer can be offered a bonus in greater density above what the zoning otherwise permits and the community will benefit by obtaining an amenity it sees as necessary and desirable for its citizens.

In order for this legislation to be considered a completed draft for review we note that:

- It should be determined (documented in study and review) that the amenity to be received (affordable housing) is needed and useful.
    - Is there an analysis of the number of existing housing units that are classified as occupied by low-income and moderate-income (and workforce housing?) households?
    - Is there a definitive number of such units that need to be built over the next 10 or 20 years to fill the gap between existing affordable housing units and what is needed? Has it been

determined in numbers what that latter need (the number of affordable housing units) is?
        - Has there been a citywide build-out analysis (presently or as an update of 2006 data) of lands in districts where residential development is permitted in order to determine the possible number of dwelling units that could be built, and
        - Under the provisions of the proposed ordinance, has that analysis determined the number of affordable housing units (by bonuses) that could then be built?
- The amenity must be effective in addressing an issue, meeting a need or solving a problem. Is the approval of/construction of affordable housing units through the use of density bonuses the only option being considered to address the issue?
- As determined by a financial analysis, the incentive must be sufficient to make it worthwhile for private enterprise to provide the housing type sought by the municipality. Has there been such an analysis by the city with all stakeholders?
- Therefore, we believe that the study that precedes this legislation must provide a cost-benefit analysis
        - Financial modeling data and development costs as input from architects, residential developers and builders (as noted by the chairman of the city's Inclusionary Zoning Ordinance Committee in 2005: "We just need to plug in the numbers," and "those numbers we can't pull out of the air. They have to be based on the hard science…").
- Concurrence needs to be obtained from stakeholders (municipal and private businesses) that the proposed legislation is favorable enough to serve as an inducement.
        - Developer can and will provide the community's desired but uneconomic amenity,
        - Developer will receive a definitive density bonus (not a subjective "up to" percent or a statement that density "could be increased" to…
        - No economic windfall received through the bonus
        - City land use board will provide for a full 20% density bonus
- The bonus in density must be carefully designed (and reviewed under SEQR and in accord with City Law section 81) to ensure that the municipality will not overload public services or adversely impact adjacent municipal services such as:
        - Water - supply
        - Sewer – capacity issues,
        - Street system – maintain flow of through traffic, no increase in need for signalization, signage, or on-street parking, and no intersection degradation in LOS ratings
        - Parking – potential for increased parking need, particularly in Transect Zones
            - Need for paid parking or garages?
        - Schools – Districts may be impacted, but have no land use decision-making ability
        - Fire and police protection – need for new or expanded locations? Limits to areas of service? Time for response?
        - Emergency services – same as above

The applicant has stated that the SEQR review conducted for the 2006 legislation is sufficient for consideration of the legislation proposed in 2016. For our record and

final review of the legislation we would like a determination from the city council (assuming lead agency status will be with the council) that it is satisfied with what is on record from 2006 and that there is no need to undertake a new review.

Additionally, we note that the referral submitted to SCPB is for the proposed amendment to the zoning ordinance. Does the city council believe that there should or should not have also been submitted for consideration (as part of that referral) an amendment to the 2015 Comprehensive Plan, or is only the zoning amendment being considered?

The "Purpose" section of the legislation makes repeated reference to workforce housing rather than the affordable housing (low-income, moderate-income) referenced in the materials supplementing the application/referral. It appears that the legislation carries over the terminology from 2006 committees and proposed legislation. Which housing type is it that the present amendment is addressing, if they are different in any manner?

In reference to the quantification questions raised above, for our clarification we ask that the applicant please identify what is being/should be quantified as the housing needs for the respective income levels. It is cited that the city has a goal of increasing the workforce housing stock – what is the present number of "workforce" housing units in the city and, then, what are the number of units available, occupied, needed? Also stated is that there is a "limited supply of workforce housing" but we ask where is this quantified?

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.

SARATOGA BUILDERS
ASSOCIATION, INC.

August 1, 2016

Honorable Mayor Joanne Yepsen
City Hall – 474 Broadway
Saratoga Springs, NY 12866

RE: Affordable Housing Task Force

Dear Mayor Yepsen:

The Saratoga Builders Association, Inc. (SBA) is a non-profit, specialized professional trade association representing the entire building industry. Our members include home builders, developers, remodelers, suppliers, sub- contractors, financial institutions, architects, engineers, realtors, attorneys and other industry professionals. The SBA is committed to the continued growth, prosperity and quality of life in Saratoga County, including the City of Saratoga Springs.

As an organization, we offer our members opportunities to work together, learn and share information. We are also committed to supporting a diverse, quality housing stock for our region. Our members are currently involved with two Habitat for Humanity projects in Saratoga Springs. Additionally, proceeds from our *Showcase of Homes* benefit Rebuilding Together Saratoga County and Northern Saratoga Habitat for Humanity.

The SBA recognizes the issue of affordable housing is complex and will require a creative approach. We encourage you and the City Council to engage partners, such as the SBA, as you work to address it. The establishment of the Affordable Housing Task Force (Task Force) has once again started the affordable housing discussion in the City. The SBA would welcome an open dialogue with the City Council and the Task Force to discuss challenges and realistic, implementable approaches for addressing this very important issue.

Specifically, the SBA is interested in understanding if the Task Force has identified areas within the City to focus more affordable and diverse housing (through zoning, incentives, or other mechanisms). We would request that information be provided to the SBA and other partners. That important information could be shared with our members to assist in facilitating the City's goals of a more affordable and diverse housing stock.

SARATOGA BUILDERS
ASSOCIATION, INC.

Our members are the very professionals that construct or support the construction of quality housing that contributes to the high quality of life in Saratoga County. As such, we have the understanding and knowledge to approach this issue in a practical and realistic manner. Again, we encourage the City Council and the Task Force to engage industry partners to assist in tackling this issue in the City of Saratoga Springs. Further, we would also welcome the opportunity for a representative from the SBA to join the Task Force to ensure ongoing communication and coordination.

Should you have any information to share on the Task Force's efforts to date or wish to include the SBA in discussions about affordable housing solutions, please do not hesitate to contact me. We look forward to hearing from you.

Sincerely,

Barry Potoker
Executive Director

CC: Commissioner Franck, Commissioner Madigan, Commissioner Mathiesen, Commissioner Scirocco, Bradley Birge, SBA Board Members

SARATOGA BUILDERS
ASSOCIATION, INC.

August 29, 2016

Honorable Mayor Joanne Yepsen
City Hall – 474 Broadway
Saratoga Springs, NY 12866

Dear Mayor Yepsen:

You indicated in your comments at the August 16th City Council meeting that the Saratoga Builders Association (SBA) was "in favor of moving forward with this type of ordinance," referring to the proposed SPA Zoning Amendment presented by Sustainable Saratoga to be sent to City and County Planning Boards for advisory opinions.

To be clear, this is not the case, and is in no way what our letter indicated. In fact, the central point of our letter was a request that the SBA be invited to the table to help draft an effective ordinance. The fact that an entire ordinance amendment has been drafted and presented with little or no input from the builder/developer/finance community was exactly the situation our letter was seeking to avoid.

The process of creating affordable housing through incentive mechanisms is challenging and complex. Expecting an arbitrary collection of requirements, density bonus, and fee alterations will work because they appear to have "worked in another community" or because work done 10 years ago is "still valid" is preposterous and unrealistic.

As has too often been the case, broad politically charged ideas are playing a poor substitute for the real work that would be required to bring about meaningful change.

We have the tools to conduct a factual analysis - to look at the revenue impact of various requirement levels of affordable housing and competently show what the required offset would need to be to maintain a viable, financeable project. We have the expertise to produce feasibility studies and schematic pro-formas that can be discussed with and vetted by our local financial institutions. We have the experience to engage in an honest discussion about the vehement NIMBY attitudes we encounter in the neighborhoods in which we develop and how the City will act to mitigate the delays and expenses associated with countering them.

SARATOGA BUILDERS
ASSOCIATION, INC.

To be forced, by uninformed regulation, to build a product that is not financeable, does not result in more housing options, it results in no housing options.

We look forward to working with the other members of the task force to explore how the City and our members can work together to create a broader housing mix in our city.

Sincerely,

Barry Potoker
Executive Director

CC: Commissioner Franck, Commissioner Madigan, Commissioner Mathiesen, Commissioner Scirocco, Bradley Birge, SBA Board Members

[FOR OFFICE USE]

(Application #)

(Date received)

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

APPLICATION FOR:
SITE PLAN REVIEW
(INCLUDING PUD)

(Rev: 12/2015)

*****Application Check List - All submissions must include completed application check list and all required items.**

Project Name: The Ice House - Permanent Tent

Property Address/Location: 70 & 72 Putnam St., Saratoga Springs, NY 12866

Tax Parcel #: 160.60-1-51 & 52 *(for example: 165.52-4-37)* Zoning District: T-6

Proposed Use: Installation of permanent tent structure to replace existing temporary tent

Date special use permit granted (if any): _____ Date zoning variance granted (if any): August 2, 2016

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

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Lynchy's Tavern, Inc.	(Same)	Agent: Engineering America Co.
Address	70 & 72 Putnam St.		76 Washington St.
	Saratoga Springs, NY 12866		Saratoga Springs, NY 12866
Phone			[redacted]
Email			

Identify primary contact person: ☐ Applicant ☐ Owner ☑ Agent

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

Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

☐	Sketch Plan -	$250	$ _____
☐	Final Site Plan Approval Residential -	$250 plus $150/unit	$ _____
	Non-Residential -	$500 plus $100/1,000 SQ. FT.	$ _____
☑	Modification Residential -	$250	$ _____
	Non-Residential -	$500	$ 500 -
			Total $ 500 -

Submission Deadline – Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

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

I, the undersigned owner, leasee or purchaser under contract for the property, hereby request Site Plan Review by the Planning Board for the identified property above. I agree to meet all requirements under Section 240-7.2 of the Zoning Ordinance of the City of Saratoga Springs.

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

Applicant Signature: Sean J Lyle Date: 5/19/16

If applicant is not current owner, owner must also sign.

Owner Signature: (SAME AS ABOVE) 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

The Ice House by Lynchy's Tavern, Inc.

Name of Action or Project:

The Ice House - Permanent Tent

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

#70 & 72 Putnam St., Saratoga Springs, NY

Brief Description of Proposed Action:

Installation of permanent tent structure to replace previous temporary tent.
DRC review & approval granted July 13, 2015.
ZBA variance for height and location approved July 11, 2016 & Signed / Filed 8/2/16.

Name of Applicant or Sponsor:	Telephone: [redacted]
Lynchy's Tavern, Inc.	E-Mail:

Address:

70 & 72 Putnam St.

City/PO:	State:	Zip Code:
Saratoga Springs	NY	12866

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit by City of Saratoga Springs Building Dept.	☐	☑

3.a. Total acreage of the site of the proposed action? 0.098 acres
b. Total acreage to be physically disturbed? 24 sq.ft. (+/-) acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.098 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: The Tent structure will not be conditioned / heated and will therefore have no requirements for insulation.	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ The Ice House establishment has an existing public water connection. There are no new water connections associated with the installation of the permanent tent structure.	☑	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ The Ice House establishment has an existing public sewer connection. No new connections are proposed with this project	☑	☐

	NO	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐

	NO	YES
16. Is the project site located in the 100 year flood plain?	☑	☐

	NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☑ NO ☐ YES	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☑ YES The proposed permanent tent structure is the same size as what currently exists. The tent structure is erected over an existing impermeable patio surface. Currently stormwater is managed via a previously approved on-site drywell		

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Sean Lynch Date: 8/17/16

Signature: _____

PRINT FORM

ENGINEERING AMERICA CO.

76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866

[redacted]

TRANSMITTAL SHEET

TO: Tim Wales, City Engineer	FROM: Tonya Yasenchak
COMPANY: City of Saratoga Springs	DATE: August 18, 2016
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 1 Site Plan Application + $500 App. Fee
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Lynchy's Tavern: The Ice House #70 & 72 Putnam St., Saratoga Springs	YOUR REFERENCE NUMBER:

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

Tim Wales,

Engineering America Co. has been retained to represent the Ice House owner as he proposes a permanent tent installation at 70-72 Putnam St. in Saratoga Springs, NY. The Building Dept. and Planning Dept. has requested that a modified site plan be reviewed by the City Planning Board. The following items address required items for the Site Plan:

Stormwater Management:

- No site construction or excavation is being proposed beyond the installation of the tent supports. There are 12 supports, resulting in a maximum disturbance of 24 sq.ft.
- The tent is proposed to be installed in a location which is currently paved and impermeable. The impermeable surface of the site will not be changed in anyway due to the proposed tent.
- The tent currently has a temporary permit. The new proposed location will not change the existing drainage patterns on the site.
- A previously approved catch basin exists on site. The stormwater conditions, volume, drainage and management will not be effected by the proposed tent.

Project Cost Estimate:

- The tent currently exists and will be relocated on a permanent basis in a slightly different location to allow for 5' separation between the tent & the property lines. No costs exist with the tent itself.
- Twelve (12) new permanent supports will be installed for the tent structure. The installation cost per support is approx. $150 per = $1800 cost.
- The on-site brick patio will be repaired with existing bricks to be removed for the new supports.
- There is no work proposed within the City Right of Way for sidewalks or landscaping as these elements already exist & are in good repair.

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 Complete Streets Checklist

Saratoga Springs Complete Street Policy Vision (May 2012)

The City of Saratoga Springs Complete Streets Policy will encourage the development of a complete streets network throughout the City to create a more balanced transportation system. The Policy shall be consistent with and assist in achieving the goals and recommendations set forth in the City's Comprehensive Plan and other policy documents. The Policy shall ensure new and updated public and private projects are planned, designed, maintained and operated to enable safer, comfortable and convenient travel to the greatest extent possible for users of all abilities including pedestrians, bicyclists, motorists and transit riders.

This checklist is intended to assist the City in achieving its vision for complete streets.

Project Name: The Ice House - Permanent Tent **Date:** 8/17/2016

Project Location / Limits: 70 & 72 Putnam St., Saratoga Springs, NY

Project Description: Installation of permanent tent structure to replace temporary tent structure

Instructions: For each box checked, please provide a brief description for how the item is addressed, not addressed, or not applicable and include supporting documentation.

Street Classification (identify street or streets within the project area)

Principal arterial ☐ Minor arterial ☐ Mixed use collector ☐ Mixed use local ☐
Residential collector ☐ Residential local ☐ Special use street ■

EXISTING CONDITIONS				
Item to Be Addressed/ Checklist Consideration	**YES**	**NO**	**N/A**	**Required Description**
Existing Bicycle & Pedestrian Operations				
Do bicycle and pedestrian accommodations exist? (see page 2 for examples)	☑	☐	☑	Sidewalks exist
Existing Transit Operations				
Do transit facilities exist within the study area, including bus and train stops/stations?	☑	☐	☐	CDTA services located on Broadway
Is the project area on a transit route? (CDTA Service Routes)	☐	☑	☐	
Are there bicycle racks, shelters, or parking for transit riders available?	☑	☐	☐	Located at adjacent public library
Existing Access and Mobility				
Do connective opportunities exist with schools, hospitals, senior care or community centers or persons with disabilities within project area?	☑	☐	☐	
Are there gaps inhibiting continuous access between schools, hospitals, senior care, or community centers or persons with disabilities within project area?"	☐	☑	☐	
Project Area Context				
Are there prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations that offer opportunities to connect this site?	☑	☐	☐	
Please list and/or describe planning or policy documents addressing bicyclist, pedestrian, transit, or truck/ freight use for the project area. Examples can include: City of Saratoga Springs Comprehensive Plan, City of Saratoga Springs Open Space Plan, Capital District Transportation Committee Bicycle/ Pedestrian Priority Network, City Standard Details, etc.				

PROPOSED DESIGN

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
Complete Streets Design				
Bicyclist accommodations?	☐	☑	☐	no bicycle accomodations proposed
Pedestrian accommodations?	☑	☐	☐	Sidewalks existing - no new proosed
Access and Mobility accommodations?	☑	☐	☐	Existing sidewalks allow for access & mobility
Transit accommodations?	☐	☑	☐	not applicable to project
Truck/ freight accommodations?	☐	☑	☐	existing designated delivery parking on Putnam St
Streetscape elements?	☐	☑	☐	existing trees and landscaping - no new proposed

Bike Facilities:	
Off-roadway bike accommodations	☐ Yes ☐ No ☑ NA
Dedicated bike lane	☐ Yes ☐ No ☑ NA
Shared-use lane	☐ Yes ☐ No ☑ NA
Shoulder	☐ Yes ☐ No ☑ NA
Acceptable actuated traffic signal bike detection, including turn lanes	☐ Yes ☐ No ☑ NA
Do signals allow adequate minimum green time for bicyclist to safely cross intersection?	☐ Yes ☐ No ☑ NA
Signage and pavement markings specific to proposed bike facilities	☐ Yes ☐ No ☑ NA
Bicycle safe inlet grates	☐ Yes ☐ No ☑ NA
Bicycle parking, eg. bike racks, bike lockers	☐ Yes ☑ No ☐ NA
Transit Facilities:	
Transit shelters	☐ Yes ☐ No ☑ NA
Bus turnouts	☐ Yes ☐ No ☑ NA
Standing pads	☐ Yes ☐ No ☑ NA
Has CDTA been contacted?	☐ Yes ☐ No ☑ NA
Access and Mobility Facilities:	
Adequate sidewalk or paved path	☑ Yes ☐ No ☐ NA
Acceptable consideration/provision for accessible pedestrian traffic signal features	☐ Yes ☐ No ☑ NA
Curb ramps, including detectable warning surface	☐ Yes ☐ No ☑ NA
Acceptable slope and cross-slope for driveway ramps, sidewalks, crossings)	☐ Yes ☐ No ☑ NA
Have conflicts been reduced among pedestrian, bicyclists, and motor vehicles (access management)?	☐ Yes ☐ No ☑ NA

Pedestrian Facilities:	
Sidewalks on both sides of the street	☑ Yes ☐ No ☐ NA
Striped crosswalks	☐ Yes ☐ No ☑ NA
Geometric modifications to reduce crossing distances such as curb extensions (e.g. bulb-outs)	☐ Yes ☐ No ☑ NA
Acceptable provision for pedestrian traffic signal features (e.g. ped. buttons)	☐ Yes ☐ No ☑ NA
Pedestrian signage for crossing & wayfinding	☐ Yes ☐ No ☑ NA
Safety islands/medians on roadways with two or more traffic lanes in each direction	☐ Yes ☐ No ☑ NA
Enhanced supplemental pedestrian treatments at uncontrolled marked crossings	☐ Yes ☐ No ☑ NA
Connectivity:	
Are there proposed connections to other bike paths, pedestrian facilities, or transit facilities?	☑ Yes ☐ No ☐ NA
Are there proposed connections to any key destinations listed on page 1?	☑ Yes ☐ No ☐ NA
Are there proposed connections to neighborhoods?	☐ Yes ☐ No ☑ NA
Streetscape Elements:	
Are streetscape elements proposed such as landscaping, street trees, planters, buffer strips, etc?	☐ Yes ☑ No ☐ NA
Pedestrian-level lighting	☐ Yes ☑ No ☐ NA
Public seating or benches	☐ Yes ☑ No ☐ NA

Design Standards and Guidelines				
Design meets guidelines such as described below for bicycle/pedestrian/bus/transit facilities?	☑ Yes	☐ No	☐ NA	Describe

*__American Association of State Highway and Transportation Officials (AASHTO)__ - *A Policy on Geometric Design of Highway and Streets, Guide for the Development of Bicycle Facilities and AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities;* Public Right-of-Way Accessibility Guide(PROWAG); *Manual on Uniform Traffic Control Devices* (MUTCD); *Americans with Disabilities Act Accessibility Guidelines* (ADAAG); **National Association of City Transportation Officials (NACTO)** - *Urban Bikeway Design Guide*. **New York State Department of Transportation** – *Highway Design Manual*

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

Rev.12/2015

SITE PLAN REVIEW SUBMITTAL CHECKLIST

Project Name: THE ICE HOUSE - PERMANENT TENT

Listed below are the minimum submittal requirements for site plan review as set forth in The City of Saratoga Springs' Zoning Ordinance Appendix B. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Board also reserves the right to reject the application if these minimum requirements are not met. Please complete the checklist below and provide with your submission.

REQUIRED ITEMS: *3 hard copies and 1 digital copy of ALL materials are required.

CHECK EACH ITEM	
☑	1. Completed Site Plan Application (3 hard copies - *1 w/original signature - and 1 digital) and Fee
☑	2. SEQR Environmental Assessment Form- short or long form as required by action.
☑	3. Set of plans including: (3) large scale plans (sheets must be 24" x 36", drawn to a scale of not more than 1"=50 feet). One digital version of all submittal items (pdf) shall be provided.
☑	4. Basic or Full Storm Water Pollution Prevention Plan as required per City Code Chapter 242. ENGINEERING LETTER
☐ N/A	5. Copy of signed DPW water connection agreement for all projects involving new water connections to the City system (NOT APPLICABLE) - EXISTING & UNCHANGED
☐ N/A	6. Engineering Report for Water and Sanitary NOT-APPLICABLE - EXISTING & UNCHANGED
☑	7. Complete Streets Checklist
☐ N/A	8. Project Cost Estimate-Quantities of work items and estimate of costs - ALL COSTS ARE ASSOCIATED WITH TENT INSTALLATION & NOT SITE.

REQUIRED ITEMS ON SITE PLAN, AS APPLICABLE:

☑	1. Property line survey prepared by a licensed land surveyor. Site plan must reference such survey with all corners set and marked on plan. A copy of the original property survey must also be included.
☑	2. North arrow and map scale
☑	3. Parcel tax map number
☐	4. Site location map
☐	5. Site vicinity map (all features within 300 feet of property)
☑	6. Identification of zoning district with corresponding area requirements

☐	7. Building setback lines, either listed or shown on plans.
☑	8. Title block with project name; name and address of applicant; and name and address of property owner (if different)
☐ NA	9. Topography data tied to NGVD 1929 datum
☑	10. Name of all adjacent property owners
☑	11. Parcel street address (existing and any proposed postal addresses)
Yes ☑ No ☐ N/A ☐	12. Identification of all existing or proposed easements, covenants or legal rights-of-way on this property
☑ ☐ ☐	13. References to all prior variances or special use permits
☐ ☐ ☑	14. Existing and proposed contours and spot grades (at 2 foot intervals)
☐ ☐ ☑	15. Identification of all spoil or borrow areas
☐ ☐ ☑	16. Identification of all watercourses, designated State wetlands, buffers, Federal wetlands, floodplains, rock outcroppings, etc.
☑ ☐ ☐	17. Location of proposed storage
☑ ☐ ☐	18. Identification of all existing or proposed sidewalks or pedestrian paths (show type, size and condition of existing sidewalks)
☐ ☐ ☑	19. Location, design specifications and construction material for all proposed site improvements (drains, culverts, retaining walls, berms, fences, etc.)
☐ ☐ ☑	20. Location and distance to fire hydrant
☐ ☐ ☐	21. Location, size, and material of all existing and proposed utility services
☐ ☐ ☑	22. Parking lot layout plan and identification of all loading areas (number all spaces)
☐ ☐ ☑	23. Parking demand calculations
☐ ☐ ☑	24. Identification of parking spaces and access points for physically impaired persons
☑ ☐ ☐	25. Location and screening plan for dumpster or recycling bins
☑ ☐ ☐	26. Location, design, type of construction and materials, proposed use and exterior dimensions of all buildings (existing and proposed) on site
☐ ☐ ☑	27. Identification of storage of any potentially hazardous materials
☐ ☐ ☐	28. Planting plan identifying quantity, species and size of all proposed new plant materials. Label existing plant material to be retained or removed.
☐ ☐ ☐	29. Lighting plan showing type, location and intensity of all existing and proposed exterior lighting fixtures
☐ ☐ ☑	30. Erosion and sediment control plan – including designated concrete truck washout area

Checklist prepared by: _____ Date: 8/18/16

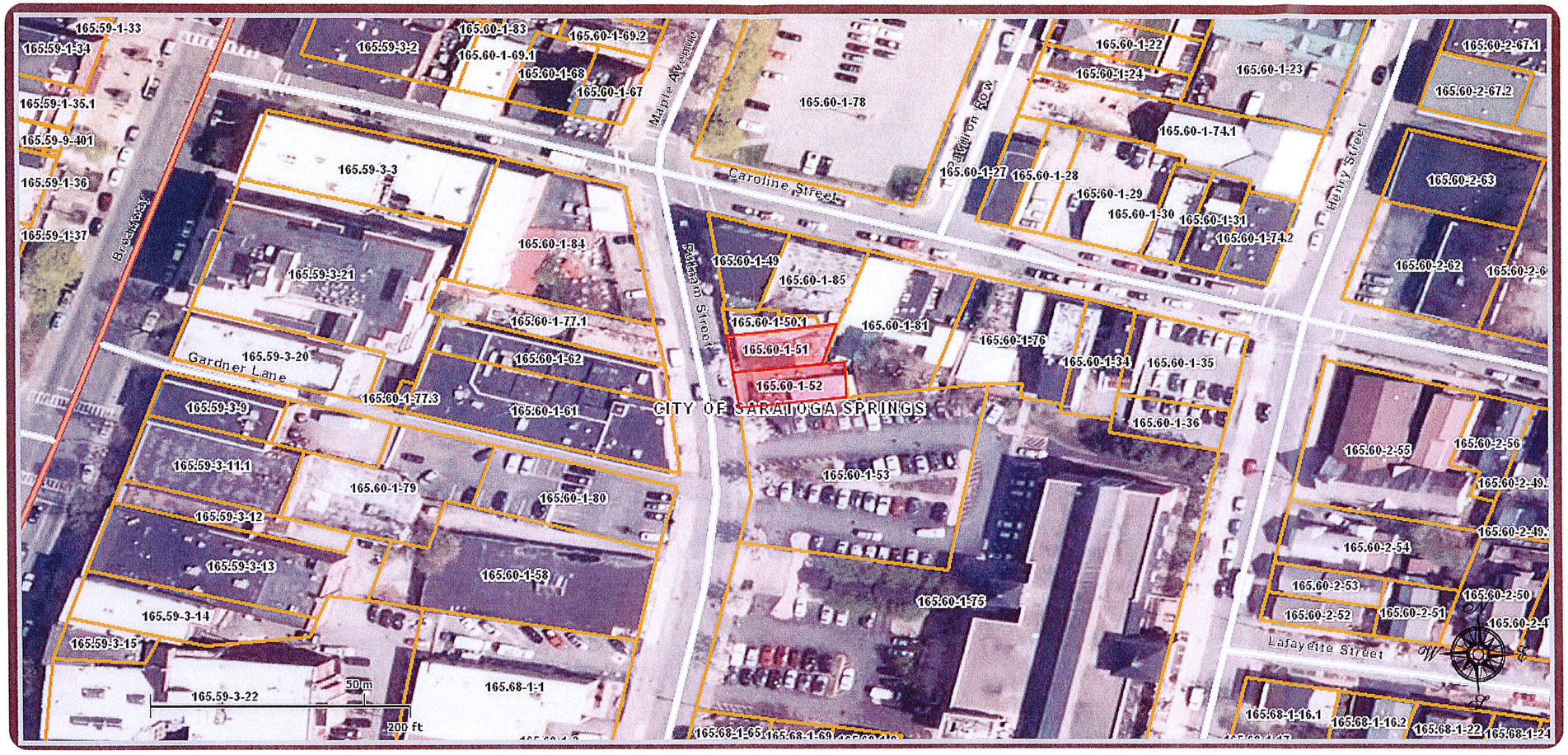
The Ice House: 70-72 Putnam

Legend

- County
- Municipal Boundaries
- Parcels

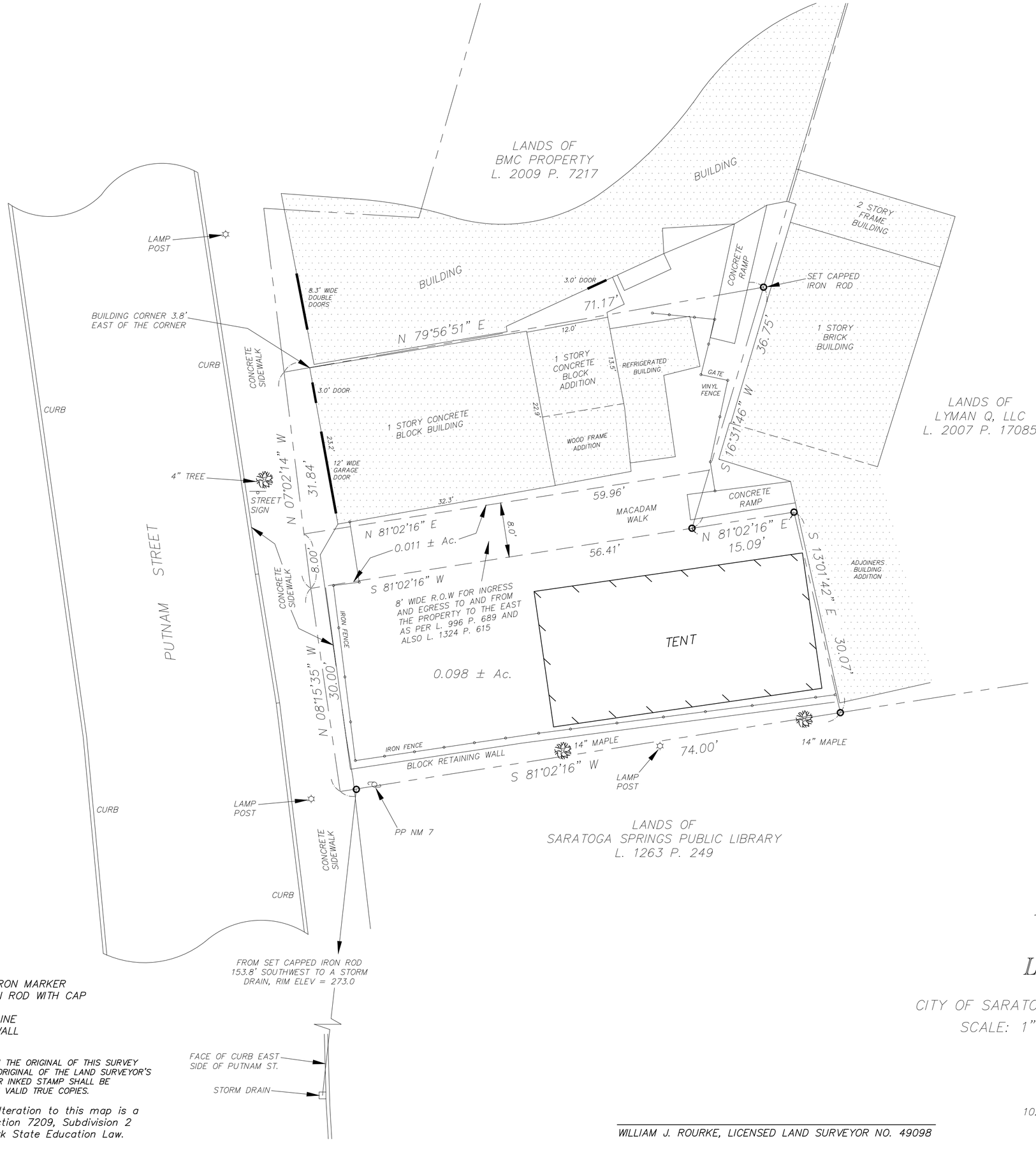
Local Roads

- Local
- State and County
- US and Interstate



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthoimagery) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

August 18, 2016



AS PER MAP REF. NO. 1

MAP REFERENCES:

1. MAP OF PROPERTY OF THOMAS WILLSON TO BE CONVEYED TO MARK AND KIMBERLY A. SUTTON, CITY OF SARATOGA SPRINGS, DATED JANUARY 12, 1998, BY THOMPSON & FLEMING L.S., P.C.
2. MAP OF PARKING/RELOCATION PLAN FOR PUTNAM STREET PARKING LOT (PARCEL 3) HATHORN SPRING NO. 1, BEING LANDS OF THE CITY OF SARATOGA SPRINGS, DATED MARCH 15, 1999, BY PAUL K. MALE P.E., P.L.S. CITY ENGINEER.
3. MAP OF SURVEY OF LANDS OF THOMAS WILLSON, CITY OF SARATOGA SPRINGS, DATED APRIL 20, 1999, BY W.J. ROURKE ASSOCIATES L.L.S., FILED AS JOB NO. 99-55B.
4. SARATOGA COUNTY, CITY OF SARATOGA SPRINGS, TAX MAP NO. 165.60, BLOCK 1, PARCEL NO. 51 AND 52, L. 996 P. 689, AND L. 1101 P. 523.

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

LEGEND:

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

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

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

MAP OF SURVEY

OF LANDS OF

LYNCHY'S TAVERN

CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK

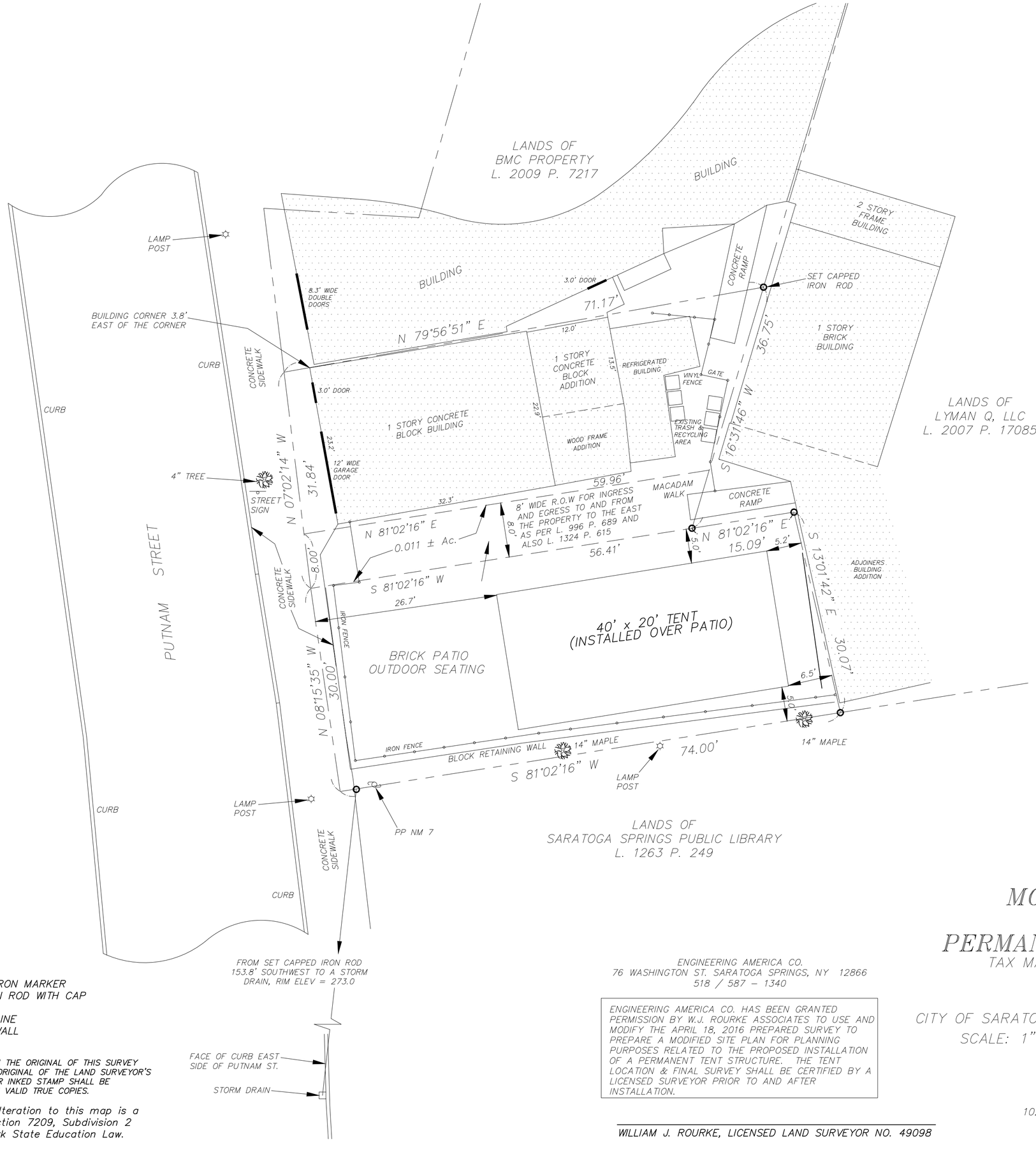
SCALE: 1" = 10' DATE: APRIL 18, 2016

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

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

16-12
JOB NO.

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



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

GENERAL INFORMATION:

1. OWNER & APPLICANT: LYNCHY'S TAVERN, INC.
   70 & 72 PUTNAM ST., SARATOGA SPRINGS, NY
2. SITE: 0.098 ACRES
3. ZONING DISTRICT: T-6
4. ZONING VARIANCES GRANTED FOR 1 STORY STRUCTURE AND MINIMUM BUILD OUT ON JULY 11, 2016.
5. DRC REVIEW & APPROVAL GRANTED JULY 13, 2016

LEGEND:

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

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

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

MODIFIED SITE PLAN
THE ICE HOUSE
PERMANENT TENT STRUCTURE

TAX MAP: 160.60-1-51 & 160.60-1-52

#70 & 72 PUTNAM ST.
CITY OF SARATOGA SPRINGS, SARATOGA COUNTY, NEW YORK
SCALE: 1" = 10' DATE: APRIL 18, 2016

ENGINEERING AMERICA CO.
76 WASHINGTON ST. SARATOGA SPRINGS, NY 12866
518 / 587 - 1340

ENGINEERING AMERICA CO. HAS BEEN GRANTED PERMISSION BY W.J. ROURKE ASSOCIATES TO USE AND MODIFY THE APRIL 18, 2016 PREPARED SURVEY TO PREPARE A MODIFIED SITE PLAN FOR PLANNING PURPOSES RELATED TO THE PROPOSED INSTALLATION OF A PERMANENT TENT STRUCTURE. THE TENT LOCATION & FINAL SURVEY SHALL BE CERTIFIED BY A LICENSED SURVEYOR PRIOR TO AND AFTER INSTALLATION.

WILLIAM J. ROURKE, LICENSED LAND SURVEYOR NO. 49098

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

JOB NO.

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

70 Putnam

2008211483367

2008023159 $214.00
7/1/2008 02:15:37 PM
4 Pages
DEED

Kathleen A Marchione Saratoga Co Clerk RECORDED

WARRANTY DEED WITH FULL COVENANTS

THIS INDENTURE, made the 24th day of June, Two Thousand Eight
between

PABO REALTY, LLC, a New York State Limited Liability Company with principal offices at 1468 Sedgefield Drive, Murrels Inlet, South Carolina

party of the first part and

LYNCHY'S TAVERN, INC., a New York State Corporation with principal offices at 68 Middle Road, Saratoga Springs, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar, lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

SEE ATTACHED SCHEDULE A

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

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

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

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

AND the party of the first part covenants as follows:

FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the party of the second part shall quietly enjoy the said premises;

THIRD. That the said premises are free from encumbrances, except as aforesaid;

FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said party of the first part will forever warrant the title to said premises.

The word "parties" shall be construed as if it read "party" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

PABO REALTY, LLC

By: _____
Robert Paseka

STATE OF SOUTH CAROLINA)
) ss.:
COUNTY OF) Horry

On the 24 day of June in the year 2008 before me, the undersigned, personally appeared Robert Paseka personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument and that such individual made such appearance before the undersigned in Murrells Inlet, SC (insert the city or other political subdivision and the state or country or other place the acknowledgment was taken).

Kathy D. Hare
Notary Public
My Commission Expires August 8, 2015

Record and Return to:

Lynchys Tavern Inc.
68 Middle Rd.
Saratoga Springs NY 12866

ALL THAT CERTAIN PARCEL OF LAND, situate in the City of Saratoga Springs, Saratoga County, New York, lying on the easterly side of Putnam Street, being bounded and described as follows:

BEGINNING at a point in the east line of Putnam Street, situate S. 08° 46' 20" W. a distance of 105.55 feet along said easterly line from its intersection with the southerly line of Caroline Street, said point also being 33.98 feet southerly of the northwest corner of lands described in Book 335 of Deeds at Page 587; thence running from said point of beginning S. 84° 14' 35" E. along lands now owned by party of the first part 71.17 feet to a point; thence running S. 32° 20' 20" W. 36.75 feet to a point; thence running N. 83° 09' 10" W. 56.41 feet to a point on the easterly line of Putnam Street, thence running N. 08° 46' 20" E. 31.83 feet to the point of beginning.

The bulk of said premises are a portion of the property described in the first parcel of a deed conveyed by Catherine Jean Sperry executrix of the estate of Charles B. Sperry to Catherine Jean Sperry by deed recorded in the Saratoga County Clerk's Office on October 27, 1966 in Book 799 at Page 21. The small northwest portion of said premises are the same as those described in a deed from Thomas W. Willson to Catherine J. Sperry recorded in the Saratoga County Clerk's Office March 20, 1979 in Book 992 page 984.

RESERVING to Catherine Jean Sperry a/k/a Catherine J. Sperry, her distributes and assigns an easement and the right of way for ingress and egress to and from property now owned by Catherine Jean Sperry a/k/a Catherine J. Sperry adjoining the easterly boundary of the premises conveyed herein. Said right of way and easement shall run easterly from the east line of Putnam Street, adjacent to the south wall of the building now located on the premises conveyed herein and extend through the rear of the premises conveyed herein to the West boundary of property now owned by Catherine Jean Sperry a/k/a Catherine J. Sperry to allow motor vehicles and trucks to make deliveries of merchandise and other items to the rear of the tavern property owned by Catherine Jean Sperry a/k/a Catherine J. Sperry which fronts on Caroline Street, including sufficient room for said delivery vehicles to turn around and exit through the right of way in a forward motion.

This conveyance is made subject to all restrictions, easements, covenants and conditions of record, if any, affecting said premises.

M & L Lynch Tavern
68 Middle Rd
Saratoga S.P. NY 12866

SARATOGA COUNTY PLANNING BOARD

TOM L. LEWIS
CHAIRMAN

JASON KEMPER
DIRECTOR

September 7, 2016

Kate Maynard, Principal Planner
City of Saratoga Springs
City Hall, 474 Broadway
Saratoga Springs, NY 12866

SCPB Referral Review#16-100-Site Plan Review-Lynchys Tavern/The Ice House
Site plan modification for erection of permanent tent structure to replace the temporary structure now in place.
Putnam Street (east side), south of Caroline Street (off Broadway)

Received from the City of Saratoga Springs Planning Board on September 7, 2016.

Reviewed by the Saratoga County Planning Board and staff on September 7, 2016.

Decision: No Significant County Wide or Inter Community Impact

Comment: In accordance with the Memorandum of Understanding (MOU) between the City of Saratoga Springs Planning Board and the Saratoga County Planning Board, the above-noted Site Plan has been reviewed by staff and with necessary concurrence has been deemed to present no significant countywide impacts.

Michael Valentine, Senior Planner
Authorized Agent for Saratoga County

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

50 WEST HIGH STREET
BALLSTON SPA, NY 12020

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

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

[FOR OFFICE USE]

(Application #)

(Date received)

(Rev: 05/2016)

APPLICATION FOR: APPROVAL EXTENSIONS – SPECIAL USE PERMIT, SITE PLAN, LAND DISTURBANCE ACTIVITY, SUBDIVISION

Project Name: Congress Plaza Redevelopment

Property Address/Location: 46 West Congress Street

Date of original Planning Board approval: April 24, 2013

Current expiration date: Construction was commenced within 18 months of approval.

- ☐ Special Use Permit approval – 18 month extension
- ■ Site Plan approval – 18 month extension
- ☐ Land Disturbance Activity approval – 18 month extension
- ☐ Subdivision approval – 90 day extension

Reason for Extension: Additional time is needed to complete site improvements and to submit as-built plans.

Since the project was originally approved, are there any significant changes to the site or neighborhood or within the circumstances and findings of fact upon which the original approval was granted? ☐ No ☐ Yes If Yes, please describe: The applicant is seeking a minor change to the site plan approval which is addressed in the letter accompanying this form.

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	Donald MacElroy/Don Greene Enterprises, Inc.		LA Group
Address	800 Rt. 146 Ste 240 Clifton Park, New York 12065		40 Long Alley Saratoga Springs, New York 12866
Phone	[redacted]		[redacted]
Email			

Identify primary contact person: ■ Applicant ■ Owner ☐ Agent

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

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, nature and extent of this interest must be filed with this application.

Please check the following to affirm information is included with submission:

■ **3 hard copies (1 with original signature) and one electronic copy (PDF)** of complete application and ALL attachments.
☐ Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

Special Use Permit approval extension
☐ $250
Site Plan approval extension
☐ Residential - $250
■ Non-Residential - $500
Land Disturbance Activity approval extension
☐ $250
Subdivision approval extension
☐ Residential - $100
☐ Non-Residential - $250

Submission Deadline - Applications must be submitted **prior to approval expiration.** Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

I, the undersigned owner, leasee or purchaser under contract for the property, hereby request approval by the Planning Board for the aforementioned extension of the Site Plan approval.

Applicant Signature: _____ Date: 8/23/16

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

Owner Signature: _____ Date: _____

development co.
800 Route 146, Suite 240
Clifton Park, NY 12065
[redacted]

August 23, 2016

City of Saratoga Planning Board
City of Saratoga Engineer's Office
City of Saratoga Attorney's Office
City of Saratoga Springs Offices
474 Broadway
Saratoga Springs, New York 12866

Re: Congress Plaza Site Plan—Request for a Site Plan Amendment and Extension of the Cash Escrow Account/Letter of Credit

Dear Chair and members of the City of Saratoga Planning Board, City Engineer and City Attorney:

The redevelopment of Congress Plaza is substantially complete and DCG Development Company has worked hard with the assistance of its site engineers and contractors and the oversight of City representatives to carefully adhere to the approved site plan and to strive to improve the project at every opportunity. DCG has just been made aware through conversations with its close neighbors the City Senior Center, of some additional improvements that could be achieved in the event the Planning Board is willing to consider a minor site plan amendment. The currently approved site plan for Congress Plaza envisions site access to South Federal Street through the project. This site access which would be a travel way for vehicles in and out of the Plaza is a concern to the City Senior Center. The City Senior Center residents currently walk to the Plaza through what will become the vehicle travel way.

DCG has carefully examined this situation and requested its traffic engineers, Creighton Manning also to look at the site plan in light of the City Senior Center concerns. Both DCG and CME agree that modifying the site plan so that the access is limited to pedestrian and bicycle traffic only would be an improvement over the existing site plan. Please see the attached drawing prepared to show this change. In addition to the limitation to pedestrian and bicycle traffic only and also at the request of the City Senior Center a number of additional parking spaces devoted exclusively to their use could be added along with the proposed additional amenities such as a new handicapped ramp and crosswalk, additional landscaping, attractive fencing and an outdoor dining area. DCG has shared the proposed improvements with the City Senior Center and they prefer the proposed plan and appreciate the dedicated parking.

DCG believes that the access point is unnecessary for traffic flow into and out of Congress Plaza and is willing to forgo the access point as a vehicular one and would prefer to accommodate the suggestions of the City Senior Center. It is worth noting that the plaza was operated from many years with a grocery store, a use which typically generates more traffic, without the additional access point.

Attached for your consideration is the completed City form requesting a site plan amendment accompanied by a check for $500.00; the completed City form requesting an extension of the escrow account/letter of credit accompanied by a check for $400.00 (in response to the City Attorney's letter of July 26, 2016); the drawing showing the requested site plan amendment; and a letter from Creighton Manning Associates.

DCG is close to completing the redevelopment of Congress Plaza and would respectfully request an opportunity to appear before the City Planning Board to discuss the feasibility of this proposed site plan amendment.

Very truly yours,

Ronald C. McElroy

DCG Development Co.

cc: Kate Maynard, Principal Planner of the City
Tim Wales, City Engineering
Vincent J. DeLeonardis, Esq., City Attorney

ENGINEERS
PLANNERS
SURVEYORS

Creighton Manning

August 16, 2016

Mr. Donald MacElroy
DCG Development Co.
240 Clifton Corporate Parkway
Clifton Park, NY 12065

RE: Access Review, Congress Plaza, City of Saratoga Springs, Saratoga County, New York; CM Project 112-229

Dear Mr. MacElroy:

As you are aware, Creighton Manning Engineering, LLP completed a traffic assessment for the proposed redevelopment of Congress Plaza in the City of Saratoga Springs in 2013. The proposal at that time included primary access to the site via three driveways on Congress Street and neighborhood connections to the plaza via South Franklin Street at Ash Street and via South Federal Street. To date, the redevelopment has been constructed including the addition of the Embassy Suites Hotel and all but the connection to South Federal Street are constructed and operational.

Although a site access to South Federal Street was envisioned as part of the original plans, we acknowledge your experience with cut-through traffic during construction and misuse of your lot by the public, and your subsequent efforts to eliminate this access. Our numerous site visits completed in 2015 and 2016 note that the current site driveways appear to operate acceptably and a secondary access to the southern neighborhoods is being served by the existing South Franklin Street access. It is also our understanding that prior to 2013, the initial site development plans included a supermarket, which is a higher generating retail use that would have served the surrounding neighborhoods. The largest anchor tenant at the current site includes the Embassy Suites Hotel, a hospitality use that has little interaction with the neighborhoods.

It is our understanding that in your recent conversations with Senior Center representatives, located on Williams Street adjacent to the potential South Federal Street connector, some concerns were expressed regarding the additional vehicular/pedestrian conflict area that would be created if a vehicular connection is made from South Federal Street into the site. It is also our understanding that you would be able to provide the Senior Center with some needed off-street parking on your site (in the area of the connection) if the site vehicular connection is not completed. This parking could be considered a public benefit as it would help the City Senior Center, a public service facility.

Based on Creighton Manning's experience with retail/mixed use developments and site visits, the site as currently operating with four full access driveways is adequate to serve the site traffic and the additional vehicular connection to the site is not needed from a capacity standpoint. Should the subject area be converted to parking, there would be a benefit for pedestrians and bicyclists traveling between the adjacent neighborhoods and the site or Senior Center by reducing the pedestrian/bicyclist conflicts with vehicles. The current proposal includes the addition of landscaping and an extension of the sidewalk on

2 Winners Circle
Albany, NY 12205
518.446.0396 (p)
518.446.0397 (f)
www.cmelp.com

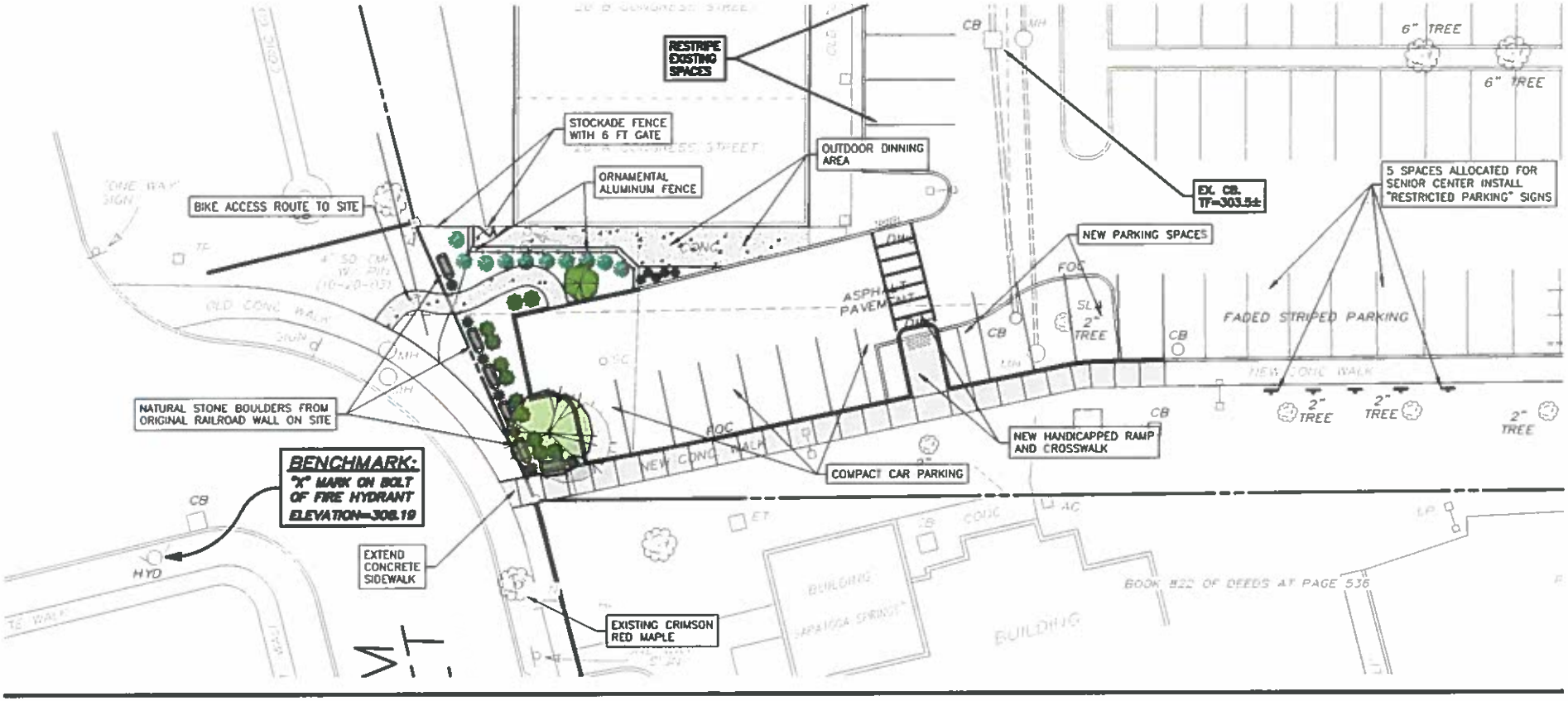
the east side of the site connecting to the existing sidewalk on South Federal Street and a bike access route to the west connecting between South Federal Street and the site.

Please feel free to call our office if you have any questions or comments regarding the above analysis.

Respectfully submitted,
Creighton Manning Engineering, LLP

Wendy C. Holsberger, P.E., PTOE
Associate

F:\Projects\2012\112-229 Congress Plaza\112229_Access Review_20160816.doc



CONGRESS STREETSCAPE IMPROVEMENTS

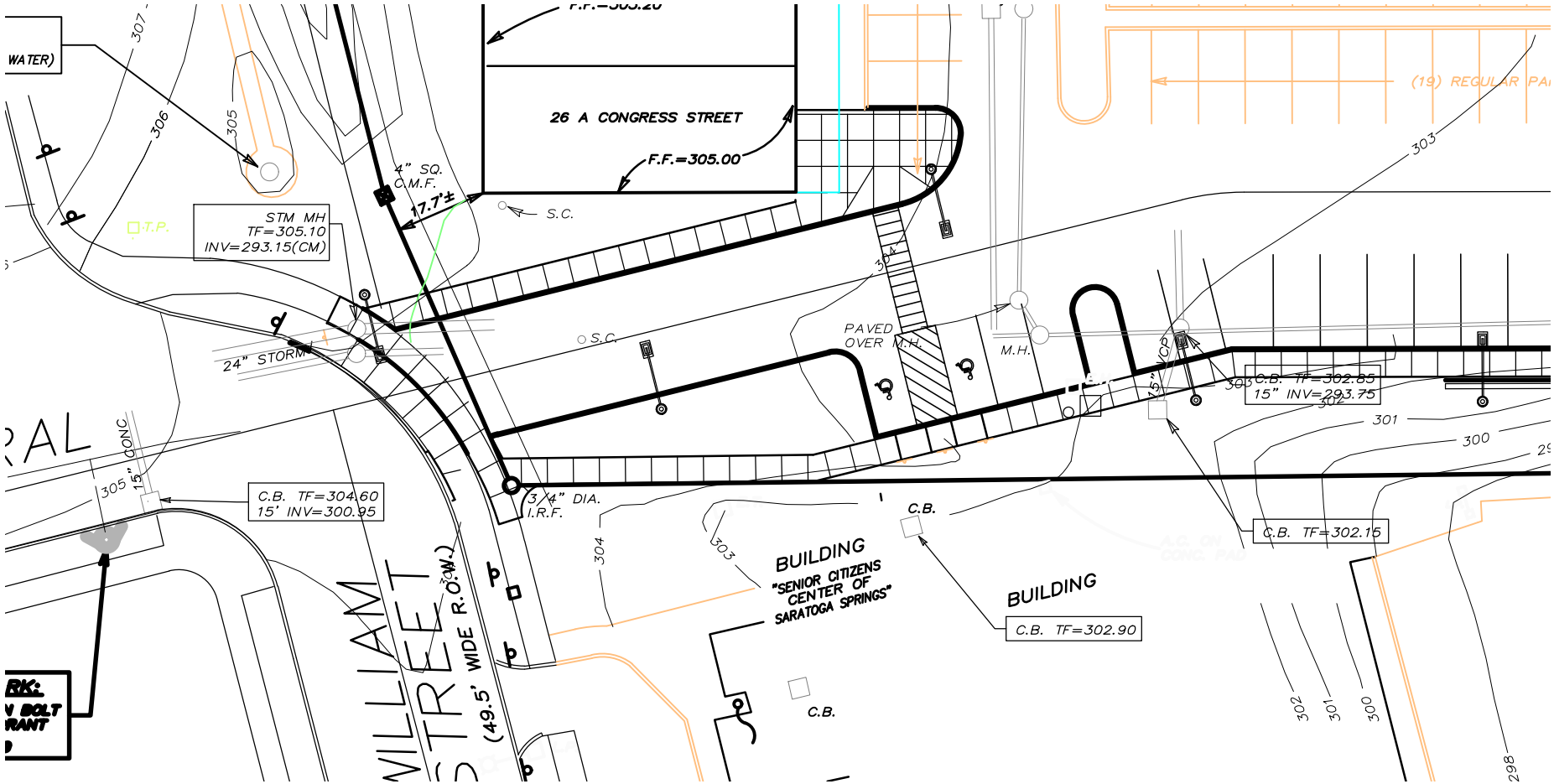
SCALE: 1"=20'

(JUNE 1, 2016)

GRAPHIC SCALE

20 15 10 5 0 20 40 80

(IN FEET)
1 INCH = 20 FT


26 A CONGRESS STREET
F.F.=305.00
4" SQ. C.M.F.
17.7'±
S.C.
STM MH
TF=305.10
INV=293.15(CM)
T.P.
24" STORM
PAVED OVER M.H.
M.H.
C.B. TF=304.60
15" INV=300.95
3/4" DIA. I.R.F.
C.B. TF=302.85
15" INV=293.75
C.B. TF=302.15
C.B.
BUILDING
"SENIOR CITIZENS CENTER OF SARATOGA SPRINGS"
BUILDING
C.B. TF=302.90
C.B.
WILLIAM STREET
(49.5' WIDE R.O.W.)
(19) REGULAR PA
WATER)
307
306
305
304
303
302
301
300
298

COMMUNITY CONNECTIONS
ADULT & SENIOR CENTER OF SARATOGA

Mr. Mark Torpey,
Saratoga Springs Planning Board

September 13, 2016

Re: DCG Development Co. Congress Plaza

Dear Mr Torpey,

The Saratoga Senior Center located at 5 William St adjacent to the Congress St parking lot was approached by DCG Development about the curb cut into their lot. We have been in conversations with DCG and our Board of Directors, staff and some seniors have expressed concern about the safety of pedestrians and seniors using the sidewalk in the area should the curb cut be put in. We have many members from the Stonequest housing site as well as the surrounding area who frequent the Center and walk by the Center on their way to the plaza or elsewhere. The fear is that a cut through would significantly increase traffic flow through here and put our seniors at risk. We have continuously discussed our need for parking spaces for the growing senior population who use the senior center. DCG has agreed to donate/designate 5 parking spaces to the Center if the curb cut is eliminated. Thus we are in support of their proposal of additional parking donated to the Senior Center without a curb cut into the parking lot.

Thank you for considering our position on this matter.
Respectfully,

Lois Celeste
Executive Director
Senior Citizens Center of Saratoga Springs
5 William St
Saratoga Springs, NY 12866
[redacted]
[redacted]

Cc: DCG Development Co.

EMBASSY SUITES®

Saratoga Springs

August 1st, 2016

Embassy Suites by Hilton Saratoga Springs
86 Congress St.
Saratoga Springs, NY 12866

Concerning the opening of Congress Plaza to the corner of William St. and S. Federal St.

The Embassy Suites holds the position that opening the south east corner of Congress Plaza's parking lot will invite potentially dangerous traffic into the shopping plaza, will take away much needed parking for the Plaza tenants, and doesn't present a need for a new traffic path in this area.

Our concern exists currently with having a proper amount of parking to affectively handle the needs for the Plaza. Being newly renovated and almost at 100% occupancy, the plaza has come back to life and the number of shoppers has increased considerably in the last two years. With the current number of parking slips and an additional 60+ slips behind the hotel, the need for the plaza to retain the parking it has is imperative.

The Embassy Suites believes that the beautified street presence of the Congress Plaza has helped to increase commerce and removing the much needed parking that supports these businesses to be a tremendous mistake. Secondly, inviting 30 to 40mph traffic into a peaceful shopping area will be a deterrent to these businesses and their prosperity.

The Embassy Suites respectfully requests the opening remain closed for the safety and prosperity of the shoppers and the businesses of the Plaza.

Daniel Fortier
General Manager
Embassy Suites by Hilton Saratoga Springs
[redacted]

ENGINEERS
PLANNERS
SURVEYORS

Creighton Manning

February 25, 2013

Mr. Donald MacElroy
DCG Development Co.
240 Clifton Corporate Parkway
Clifton Park, NY 12065

RE: Traffic Assessment, Congress Plaza Redevelopment, City of Saratoga Springs, Saratoga County, New York; CM Project 112-229

Dear Mr. MacElroy:

Creighton Manning Engineering, LLP has completed a traffic assessment for the proposed redevelopment of Congress Plaza in the City of Saratoga Springs. This evaluation is based on a site plan prepared by the LA Group Landscape Architecture and Engineering, PC dated February 27, 2013. Below is a summary of the traffic assessment.

1.0 Existing Conditions and Project Description

Congress Plaza is located on the south side of Congress Street across from Federal Street and currently consists of approximately 86,000 square foot (SF) of mixed commercial space including small scale retail, office, recreational, pharmacy, and financial service land uses. Access to the site is currently provided via three driveways along the Congress Street project frontage with the center and eastern most driveways providing the primary access to Congress Plaza. The western most site driveway generally provides employee parking and access to some loading areas. A fourth point of access is provided to office space in the back of Congress Plaza and to an apartment building on a separate property via Congress Place, located just west of the western most site driveway.

The proposed project consists of the demolition of approximately 35,000 SF of existing building area and construction of a six-story 145 room hotel with a restaurant and may also include some support retail intended for use by the hotel guests. Access to the site will be modified to include an access connecting to South Federal Street at the southeast corner of the plaza. The western most site driveway and Congress Place will be consolidated into a single access driveway, essentially eliminating one curb cut along Congress Street.

2.0 Site Circulation

The following Google aerial image illustrates existing access to the plaza. The image identifies the existing access to Congress Plaza via Congress Street and to the apartments and office space via Congress Place.

2 Winners Circle
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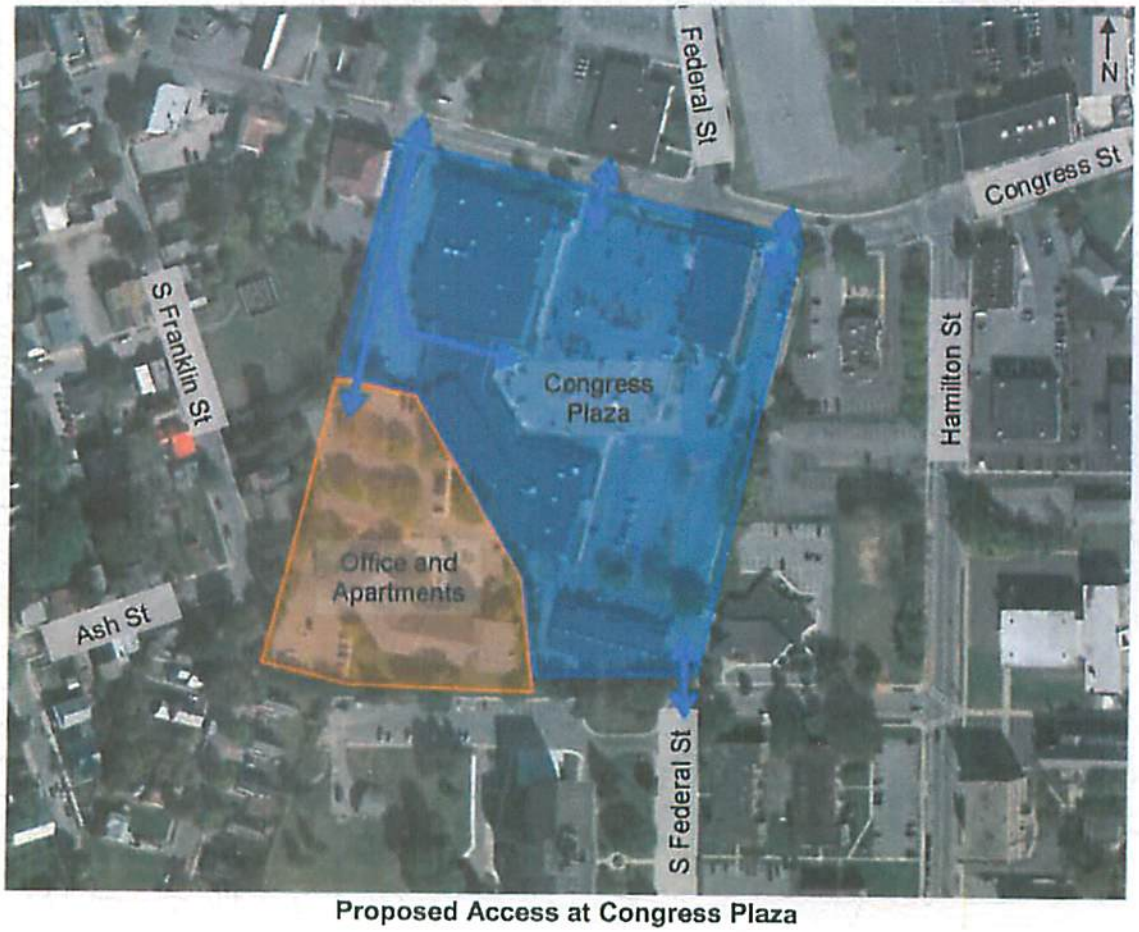
518.446.0396 (p)
518.446.0397 (f)
www.cmellp.com

Existing Access at Congress Plaza

The second Google aerial image illustrates the proposed access to the site with the additional access to South Federal Street and the consolidation of Congress Place and the western most site driveway.



Proposed Access at Congress Plaza

The availability of a direct access to South Federal Street will distribute some of the site-related trips to and from Congress Plaza, specifically those individuals accessing the site from the southwest. This redistribution of traffic will reduce the number of trips accessing the site via Hamilton Street to Congress Street. Note that although the new driveway creates a north/south connection through the site, it is not expected to be used as a cut-through route due to slow speeds, adjacent parking, and numerous turns required to execute the connection.

The consolidation of the west Congress Plaza driveway and Congress Place will reduce vehicle conflicts at these curb cuts which are currently located adjacent to one another. As shown in the site plan, individuals accessing the offices and apartments will travel through a newly constructed parking area to reach their destination. The applicant should explore the potential to provide a driveway to South Franklin Street across from Ash Street, west of the apartments, allowing for a more direct connection to these uses.

3.0 Trip Generation

Trip generation determines the quantity of traffic expected to travel to/from the project site. A trip generation estimate was prepared to identify the anticipated change in trips to Congress Plaza as a result of the re-development. The Institute of Transportation Engineers (ITE) *Trip Generation, 9th edition,* provides trip generation data for various land uses based on studies of similar existing developments located across the county. The trip generation for Congress Plaza was estimated using land use code (LUC) 310 for

Hotel. Based on a review of the trip generation criteria in the ITE publication, the land use code for hotels includes the trips associated with amenities such as restaurants, meeting space, banquet facilities, fitness rooms, small scale retail, etc. Therefore, the trips associated with the restaurant and the potential support retail are not considered separately as they are included in the trip estimate for the hotel. Table 1 summarizes the change in trips associated with the re-development of Congress Plaza (and demolition of 35,0000 SF of existing commercial space) for the weekday PM and Saturday mid-day peak hours.

Table 1 – Trip Generation Summary

Land Use	PM Peak Hour			Saturday Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Hotel 145 rooms	44	43	87	58	46	104
Commercial Trip Reduction 35,000 SF	-46	-59	-105	-64	-60	-124
Net change in trips	**-2**	**-16**	**-18**	**-6**	**-14**	**-20**

Table 1 shows that replacing 35,000 SF of commercial use with a 145 room hotel results in a decrease of 18 trips during the weekday PM peak hour and 20 trips during the Saturday midday peak hour. This equates to approximately one fewer vehicle trip every three minutes during the peak hours.

Congress Plaza is located within the urban core of the City of Saratoga Springs; therefore, trips to and from the site may be further reduced due to other modes of travel like walking, bicycling, or using transit. While visitors to the hotel will generally arrive via passenger vehicle, individuals may park at the site upon arrival and choose to walk or use alternative travel modes to all destinations throughout the length of their stay.

4.0 Pedestrians and Transit

The site has good access to sidewalks and crosswalks with the nearest transit stop located about 900-feet away at the Congress Street/Broadway intersection. Transit in the area is provided by the Capital District Transportation Authority (CDTA). The stop at Congress Street & Broadway is served by CDTA routes 50-Route 50, 540-NX Express, and 875-Seasonal Saratoga Trolley.

There are existing sidewalks along the Congress Street frontage and along the eastern site boundary which will be maintained as part of the re-development. As part of the project, a sidewalk will be constructed on the west side of site exterior to the parking garage and sidewalks will be constructed along both sides of the new South Federal Street driveway. Interior to the site, a sidewalk will be constructed between the proposed hotel and the existing CVS with new crosswalks and sidewalk extensions south of the CVS pharmacy.

5.0 Conclusions

The proposed re-development of the existing Congress Plaza with approximately 86,000 SF of mixed commercial uses will result in the demolition of approximately 35,000 SF of

existing building area and construction of a six-story 145 room hotel with a restaurant and may also include some support retail. The following is noted regarding the re-development:

- Re-development of Congress Plaza will result in 18 fewer vehicle trips accessing the site during the weekday PM peak hour and 20 fewer vehicle trips accessing the site during the Saturday midday peak hour.
- Access to the site will be modified to include a driveway connecting to South Federal Street at the southeast corner of the plaza. The west site driveway and Congress Place access will be consolidated into one curb cut as part of the proposed plan.
- The addition of the new driveway on South Federal Street will distribute some of the site traffic away from Congress Street and provide better connectivity to patrons traveling to and from the plaza from the south.
- The consolidation of the western Congress Plaza driveway and Congress Place will reduce vehicle conflicts at these two adjacent curb cuts.
- Since the new layout will require vehicles accessing the apartment or office land uses in the back of the plaza to travel though a new parking area, it is recommended that the applicant investigate the feasibility of providing direct access onto South Franklin Street across from Ash Street.

Please feel free to call our office if you have any questions or comments regarding the above analysis.

Respectfully submitted,
Creighton Manning Engineering, LLP

Wendy C. Holsberger, P.E., PTOE
Associate

Alanna M. Moran, I.E.
Project Engineer

Attachment

F:\Projects\2012\112-229 Congress Plaza\documents\112229_Traffic Assessment_20130225.doc

[FOR OFFICE USE]

(Application #)

(Date received)

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

APPLICATION FOR:
SUBDIVISION APPROVAL

(Rev: 07/2016)

*****Application Check List - All submissions must include completed application check list and all required items.**

Project Name: 21 Park Place Subdivision

Property Address/Location: 21 Park Place; Corner of Park Pl. & Regent St.

Tax Parcel #: 165.84-1-1 (for example: 165.52-4-37) Zoning District: UR-4

Total Acres: 0.726 acres Land to be Subdivided Into: 2 Lots

	APPLICANT(S)*	OWNER(S) *(If not applicant)*	ATTORNEY/AGENT
Name	David Guarino / Linda Haner	(same)	Agent: Engineering America Co.
Address	[redacted]		76 Washington St. Saratoga Springs, NY 12866
Phone	[redacted]		[redacted]
Email			

Identify primary contact person: ☐ Applicant ☐ Owner ■ Agent

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

Application Fee: A check for the total amount below payable to: "Commissioner of Finance" MUST accompany this application.

☐ Sketch Plan – $400

☐ Preliminary Subdivision Plat Approval
1-20 Lots $400
21-50 Lots $600
51+ Lots $1,000
Fee submitted $ _____

☑ Final Subdivision Plat Approval
Residential - $1,000 plus $100/lot $ 1200.00

Non-Residential - $1,500/lot $ _____

☐ Final Approval Modification
Residential- $250 $ _____

Non-Residential- $500 $ _____

Submission Deadline – Check City's website (www.saratoga-springs.org) for application deadlines and meeting dates.

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

I, the undersigned owner or purchaser under contract for the property, hereby request Subdivision consideration by the Planning Board for the identified property above. I agree to meet all requirements under the Subdivision Regulations for the City of Saratoga Springs.

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

Applicant Signature: David Dunn Date: 9-23-16

If applicant is not current owner, owner must also sign.

Owner Signature: _____ Date: _____

CITY OF SARATOGA SPRINGS

PLANNING BOARD

City Hall - 474 Broadway
Saratoga Springs, New York 12866-2296
Tel: 518-587-3550 fax: 518-580-9480
http://www.saratoga-springs.org

[FOR OFFICE USE]

_____
(Application #)

_____
(Date received)

Rev.05/2016

PRELIMINARY/ FINAL SUBDIVISION APPROVAL REQUIRED SUBMITTAL CHECKLIST

1. Project Name: 21 Park Place Subdivision

2. Checklist Prepared By: Tonya Yasenchak / Engineering America Co Date: September 22, 2016

Listed below are the minimum submittal requirements as set forth in The City of Saratoga Springs' Subdivision Regulations. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Board also reserves the right to reject the application if these minimum requirements are not met. Please complete the checklist below and provide with your submission.

REQUIRED ITEMS: ***3 hard copies and 1 digital copy of ALL materials are required.**

CHECK EACH ITEM	
☑	1. Completed Subdivision Application (3 hard copies - *1 w/original signature - and 1 digital) and Fee
☑	2. SEQR Environmental Assessment Form- short or long form as required by action.
☑	3. Set of plans including: (3) large scale plans (sheets must be 24" x 36", drawn to a scale of not more than 1"=50 feet). One digital version of **all** submittal items (pdf) shall be provided.
☑	4. Basic or Full Storm Water Pollution Prevention Plan as required per City Code Chapter 242.
☑	5. Copy of signed DPW water connection agreement for all projects involving new water connections to the City system
☑	6. Engineering Report for Water and Sanitary
☑	7. Complete Streets Checklist
☑	8. Project Cost Estimate-Quantities of work items and estimate of costs

REQUIRED ITEMS ON SUBDIVISION PLAT, AS APPLICABLE:

☑	1. Name of Subdivision
☑	3. Property line survey prepared by a licensed land surveyor. Subdivision plat must reference such survey with all corners set and marked on plan. Reference NGVD 1929 datum. A copy of the original property survey must also be included.
☑	4. North arrow and map scale

☑	5. Parcel tax map number
☑	6. Site location map
☑	7. Site vicinity map (all features within 300 feet of property)
☑	8. Identification of current zoning with corresponding area requirements
☑	9. Building setback lines, either listed or shown on plans
☑	10. Title block with subdivision name; name and address of applicant; and name and address of property owner (if different)
☑	11. Name, address and phone number of subdivision surveyor and/or engineer
☑	12. Names of all adjacent property owners within 300 feet (include both sides of street)
☑	13. Identification of size, elevations, material, and slopes of all existing and proposed utilities within 400 ft of site.
☑	14. Parcel street address (existing and any proposed postal addresses)
Yes ☑ No ☐ N/A ☐	15. Identification of existing or proposed easements, covenants or legal rights-of-way on this property
☑ ☐ ☐	16. References to all prior variances or special use permits
☑ ☐ ☐	17. Existing and proposed contours and spot grades (at 2 foot intervals)
☐ ☐ ☑	18. Identification of all watercourses, designated State wetlands, buffers, Federal wetlands, floodplains, rock outcroppings, etc.
☑ ☐ ☐	19. Identification of all existing or proposed sidewalks or pedestrian paths (show type, size and condition of existing sidewalks)
☑ ☐ ☐	20. Location, design specifications and construction material for all proposed site improvements (drains, culverts, retaining walls, berms, fences, etc.)
☑ ☐ ☐	21. Location and distance to fire hydrant
☑ ☐ ☐	22. Erosion and sediment control plan – including designated concrete truck washout area
☐ ☐ ☑	23. Approximate location, dimensions and areas for proposed lots and proposed public recreational land
☑ ☐ ☐	24. Proposal for utility systems and lateral connections
☐ ☐ ☑	25. Location and width of proposed streets

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 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 21 Park Place Sub-Division		
Project Location (describe, and attach a general location map): Northeast corner of Park Place and Regent Streets, Saratoga Springs, NY		
Brief Description of Proposed Action (include purpose or need): To sub-divide .72 acre lot into two parcels. The lot with an existing 3-family house will be 19,153 sq ft, and the smaller corner lot without improvements will be 12,483 sq ft. The purpose is to create a second build able lot from the original 3/4 acre downtown lot.		
Name of Applicant/Sponsor: David Guarino and Linda Haner	Telephone: [redacted] E-Mail: [redacted]	
Address: [redacted]		
City/PO: [redacted]	State: [redacted]	Zip Code: [redacted]
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	City of Saratoga Springs Planning Board	6/23/2016
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Saratoga County Planning Board	8/15/16
f. Regional agencies ☐Yes☑No		
g. State agencies ☐Yes☑No		
h. Federal agencies ☐Yes☑No		
i. Coastal Resources. *i.* Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No *ii.* Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No *iii.* Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No		

C. Planning and Zoning

C.1. Planning and zoning actions.
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No • **If Yes,** complete sections C, F and G. • **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1
C.2. Adopted land use plans.
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No If Yes, identify the plan(s): NYS Heritage Areas:Mohawk Valley Heritage Corridor, Saratoga
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?
Urban Residential 4 (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 Enlarged School District

b. What police or other public protection forces serve the project site?
City of Saratoga Springs Police Dept

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

d. What parks serve the project site?
Congress Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? .72 acres
b. Total acreage to be physically disturbed? .084 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? .72 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential
ii. Is a cluster/conservation layout proposed? ☐ Yes ☑ No
iii. Number of lots proposed? 2
iv. Minimum and maximum proposed lot sizes? Minimum 12,112 Maximum 19,524

e. Will proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 10 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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase		1		
At completion of all phases		1		

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? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): ~ 1000 cubic yards
- Over what duration of time? 1-2 months

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Soil remainder to be trucked to private property on Daniels Road, Town on Greenfield, NY.
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? .191 acres
vi. What is the maximum area to be worked at any one time? .084 acres
vii. What would be the maximum depth of excavation or dredging? 9 feet
viii. Will the excavation require blasting? ☐ Yes ☑ No
ix. Summarize site reclamation goals and plan:
Reuse topsoil for lawns and gardens. Plant ornamental street trees.

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

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

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance:

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

i. Total anticipated water usage/demand per day: 660 gallons/day

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

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

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

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

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

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

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

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

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

i. Total anticipated liquid waste generation per day: 660 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
sanitary/wastewater ~25%, graywater ~75%

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 Wastewater Treatment Plant
- Name of district: Saratoga County Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes☐No
- Is the project site in the existing district? ☑Yes☐No
- Is expansion of the district needed? ☐Yes☑No

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

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

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

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes ☑No

If Yes:

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

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

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

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

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

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☑No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

_____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 8am - 6pm
- Saturday: 9am - 5pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

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:

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:

Front and side door, and external garage door lights. House lights at 8 feet open direction, garage lights at 10 feet open direction. All lighting at least 50 from nearest residence.

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 any 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: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

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

- Construction:
- Operation:

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

- Construction:
- Operation:

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☑ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Urban 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	.196	.280	.084
• 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: _____			

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:

Waldorf Elementary School, Beagle Children's Day School, SUNY Empire College, Presbyterian Church

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? > 6 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: Windsor loamy sand 100 %

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

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

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

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number: _____

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

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

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

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: Circular Street Historic District

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

historic homes

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 fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Saratoga Springs Open Space Resources 2002

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): City roadway entry corriders, State Park, farms

iii. Distance between project and resource: .5 - 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 _____ Date 9-22-16

Signature _____ Title _____

PRINT FORM

City of Saratoga Springs Complete Streets Checklist

Saratoga Springs Complete Street Policy Vision (May 2012)

The City of Saratoga Springs Complete Streets Policy will encourage the development of a complete streets network throughout the City to create a more balanced transportation system. The Policy shall be consistent with and assist in achieving the goals and recommendations set forth in the City's Comprehensive Plan and other policy documents. The Policy shall ensure new and updated public and private projects are planned, designed, maintained and operated to enable safer, comfortable and convenient travel to the greatest extent possible for users of all abilities including pedestrians, bicyclists, motorists and transit riders.

This checklist is intended to assist the City in achieving its vision for complete streets.

Project Name: 21 Park Place Subdivision **Date:** September 22, 2016

Project Location / Limits: 21 Park Place; Corner of Park Pl. and Regent St.

Project Description: Subdivide existing 0.72 acre lot into 2 parcels

Instructions: For each box checked, please provide a brief description for how the item is addressed, not addressed, or not applicable and include supporting documentation.

Street Classification (identify street or streets within the project area)
Principal arterial ☐ Minor arterial ☐ Mixed use collector ☐ Mixed use local ☐ Residential collector ■ Residential local ■ Special use street ☐

EXISTING CONDITIONS				
Item to Be Addressed/ Checklist Consideration	**YES**	**NO**	**N/A**	**Required Description**
Existing Bicycle & Pedestrian Operations				
Do bicycle and pedestrian accommodations exist? (see page 2 for examples)	☑	☐	☐	Existing & New Sidewalks
Existing Transit Operations				
Do transit facilities exist within the study area, including bus and train stops/stations?	☐	☐	☑	CDTA bus
Is the project area on a transit route? (CDTA Service Routes)	☐	☐	☐	
Are there bicycle racks, shelters, or parking for transit riders available?	☐	☑	☑	
Existing Access and Mobility				
Do connective opportunities exist with schools, hospitals, senior care or community centers or persons with disabilities within project area?	☐	☑	☐	CDTA bus
Are there gaps inhibiting continuous access between schools, hospitals, senior care, or community centers or persons with disabilities within project area?"	☐	☑	☐	
Project Area Context				
Are there prominent landmarks, recreation, shopping, employment center, cultural centers or other key destinations that offer opportunities to connect this site?	☐	☑	☐	
Please list and/or describe planning or policy documents addressing bicyclist, pedestrian, transit, or truck/ freight use for the project area. Examples can include: City of Saratoga Springs Comprehensive Plan, City of Saratoga Springs Open Space Plan, Capital District Transportation Committee Bicycle/ Pedestrian Priority Network, City Standard Details, etc.				

PROPOSED DESIGN

Item to Be Addressed/ Checklist Consideration	YES	NO	N/A	Required Description
Complete Streets Design				
Bicyclist accommodations?	☐	☐	☐	
Pedestrian accommodations?	☑	☑	☐	accessible aprons for sidewalks
Access and Mobility accommodations?	☐	☐	☐	
Transit accommodations?	☑	☑	☐	
Truck/ freight accommodations?	☐	☑	☐	
Streetscape elements?	☑	☐	☐	2 street lights & 6 ornamental trees

Bike Facilities:	
Off-roadway bike accommodations	☐ Yes ☑ No ☐ NA
Dedicated bike lane	☐ Yes ☑ No ☐ NA
Shared-use lane	☐ Yes ☑ No ☐ NA
Shoulder	☐ Yes ☑ No ☐ NA
Acceptable actuated traffic signal bike detection, including turn lanes	☐ Yes ☑ No ☐ NA
Do signals allow adequate minimum green time for bicyclist to safely cross intersection?	☐ Yes ☐ No ☑ NA
Signage and pavement markings specific to proposed bike facilities	☐ Yes ☑ No ☐ NA
Bicycle safe inlet grates	☐ Yes ☐ No ☑ NA
Bicycle parking, eg. bike racks, bike lockers	☐ Yes ☑ No ☐ NA
Transit Facilities:	
Transit shelters	☐ Yes ☑ No ☐ NA
Bus turnouts	☐ Yes ☑ No ☐ NA
Standing pads	☐ Yes ☑ No ☐ NA
Has CDTA been contacted?	☐ Yes ☑ No ☐ NA
Access and Mobility Facilities:	
Adequate sidewalk or paved path	☑ Yes ☐ No ☐ NA
Acceptable consideration/provision for accessible pedestrian traffic signal features	☐ Yes ☑ No ☐ NA
Curb ramps, including detectable warning surface	☑ Yes ☐ No ☐ NA
Acceptable slope and cross-slope for driveway ramps, sidewalks, crossings)	☑ Yes ☐ No ☐ NA
Have conflicts been reduced among pedestrian, bicyclists, and motor vehicles (access management)?	☐ Yes ☑ No ☐ NA

Pedestrian Facilities:	
Sidewalks on both sides of the street	☑ Yes ☐ No ☐ NA
Striped crosswalks	☐ Yes ☑ No ☐ NA
Geometric modifications to reduce crossing distances such as curb extensions (e.g. bulb-outs)	☐ Yes ☑ No ☐ NA
Acceptable provision for pedestrian traffic signal features (e.g. ped. buttons)	☐ Yes ☑ No ☐ NA
Pedestrian signage for crossing & wayfinding	☐ Yes ☑ No ☐ NA
Safety islands/medians on roadways with two or more traffic lanes in each direction	☐ Yes ☑ No ☐ NA
Enhanced supplemental pedestrian treatments at uncontrolled marked crossings	☐ Yes ☑ No ☐ NA
Connectivity:	
Are there proposed connections to other bike paths, pedestrian facilities, or transit facilities?	☐ Yes ☑ No ☐ NA
Are there proposed connections to any key destinations listed on page 1?	☐ Yes ☑ No ☐ NA
Are there proposed connections to neighborhoods?	☑ Yes ☐ No ☐ NA
Streetscape Elements:	
Are streetscape elements proposed such as landscaping, street trees, planters, buffer strips, etc?	☑ Yes ☐ No ☐ NA
Pedestrian-level lighting	☑ Yes ☐ No ☐ NA
Public seating or benches	☐ Yes ☐ No ☐ NA

Design Standards and Guidelines				
Design meets guidelines such as described below for bicycle/pedestrian/bus/transit facilities?	☑ Yes	☐ No	☐ NA	Describe

***American Association of State Highway and Transportation Officials (AASHTO**) - *A Policy on Geometric Design of Highway and Streets, Guide for the Development of Bicycle Facilities and AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities; Public Right-of-Way Accessibility Guide*(PROWAG); *Manual on Uniform Traffic Control Devices* (MUTCD); *Americans with Disabilities Act Accessibility Guidelines* (ADAAG); **National Association of City Transportation Officials (NACTO)** - *Urban Bikeway Design Guide*. **New York State Department of Transportation** – *Highway Design Manual*

City of Saratoga Springs
OFFICE OF PUBLIC WORKS
5 Lake Avenue
Saratoga Springs, New York 12866

Phone 518-587-3550 ** Fax 518-587-2417
www.saratoga-springs.org

ANTHONY J. SCIROCCO
COMMISSIONER

TIMOTHY J. COGAN
DEPUTY COMMISSIONER

received 6/21/16

NEW WATER SERVICE CONNECTION
AGREEMENT & APPLICATION FORM

Property Owner's Name: David Guarino Project Name (if applicable): _____

Property Address: 21 Park Place Tax Map#: _____

Size of Tap (check one below):

☐ ¾" ☒ 1"

☐ **Greater than 1"**
A unit of water shall be defined as fourteen thousand (14,000) cubic feet of water per year.

Contact the Water Dept at ext. 2502 for assistance with water use estimation and meter specifications before signing below.

Number of Dwellings: 2 Units - one lot - Subject to change Estimated Cubic Feet of Water per Year: _____

To be completed in full without any contingencies or protest, on or before the Building Inspector approval of the rough plumbing, including the installation of the water meter, or at the time of the issuance of a tapping permit.

The undersigned represents to the City that they have full and complete authority to execute this document and find and commit the developer to abide by the City Water Ordinance. This agreement shall be binding on all of the undersigned transferees.

The undersigned acknowledges that a copy of this document will be delivered to all appropriate and necessary governmental entities.

Authorized Signature: David Guarino Company Name: _____

Company Address: _____

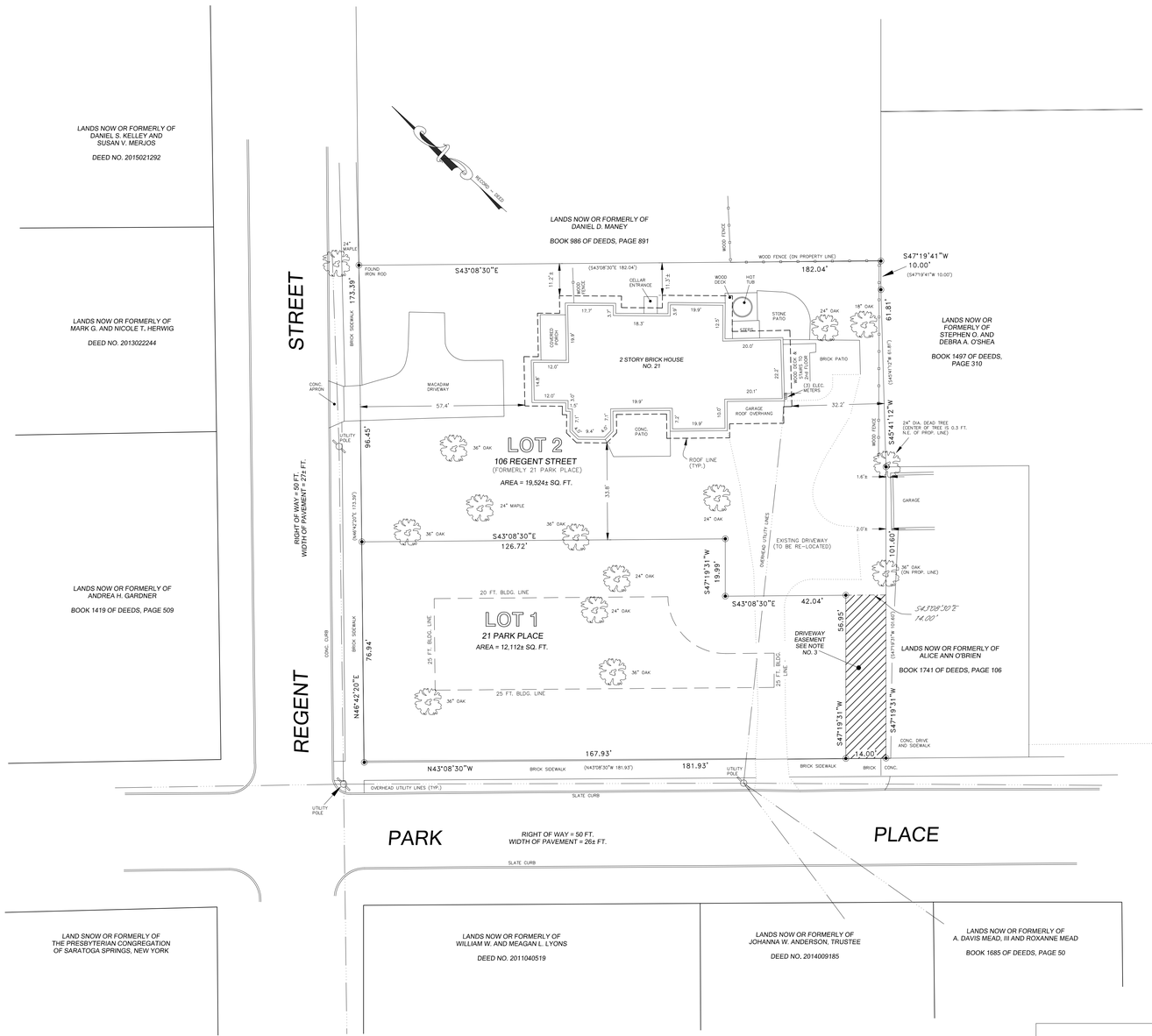
Phone Number: [redacted] Fax Number: — Date: 6-21-16

Department of Public Works Approval: [signature] Date: 6/24/16

Sitework Cost Estimate / Financial Guarantee Amount

Project No.: RE-748-B **City Project Number:** PB# XX.XXX
Project: 21 Park Place Subdivision **Date:** 9/6/2016
Location: 21 Park Place **Rev:** 0
Estimater: Frank T. Owens, Rexford Engineering PLLC

No.	*Item*		*Quantity*	*Unit*	*Unit Cost*	*Sub Total*	*ROW/Site*
A	**Demolition and Site Clearing**						
	Tree Removal		2	EA	$975.8	$1,952	Site
	Remove Asphalt Driveway		319	SY	$1.0	$319	Site
	Remove Aprons		8	SY	$1.0	$8	ROW
	Remove Sidewalk		250	SF	$2.2	$538	ROW
	Remove Curb Park Place		160	LF	$7.4	$1,190	ROW
B	**Excavation and Grading**						
	Strip Top Soil and Stockpile		136	CY	$4.0	$545	Site
	Stabilized Construction Entrances		127	SY	$11.0	$1,393	Site
	Install Silt Fencing		482	LF	$3.6	$1,721	Site
	Install Tree Protection Fencing		281	LF	$1.0	$281	Site
	Excavate for Driveway		206	CY	$3.7	$769	Site
	Spread Topsoil		50	CY	$15.8	$788	Site
C	**Utilites**						
	Saw Cut Pavement		31	SY	$3.6	$111	ROW
	Sanitary Line Install (6" SDR-35)		25	LF	$20.0	$500	Site
	Sanitary Line Install (6" SDR-35)		20	LF	$23.8	$476	ROW
	Water Line Install (1" Copper Service)		25	LF	$22.0	$550	Site
	Water Line Install (1" Copper Service)		20	LF	$26.2	$524	ROW
	Sanitary Cleanout		1	EA	$650.0	$650	Site
D	**Improvements**						
	Repaire 50' of 5' Brick Sidewalk		250	SF	$9.5	$2,380	ROW
	New Concrete Curbing		160	LF	$19.0	$3,046	ROW
	Sternberg LED D650		2	EA	$2,500.0	$5,000	ROW
	Pedestrian Ramps		45	SF	$6.0	$268	ROW
	Asphalt Aprons		7	SY	$27.4	$182	ROW
	Asphalt Driveways		309	SY	$27.4	$8,454	Site
E	**Landscaping**						
	Fine Grade & Seed		160	SY	$1.4	$228	Site
G	**As Built Drawing**		1	EA	$2,200.0	$2,200	ROW
	Total On Site	$ 18,150.85	25%			**$4,537.7**	
	Total Off Site (ROW)	$ 15,923.54	100%			**$15,923.5**	
	Proposed Letter of Credit (LOC) Amount					**$20,461.25**	



ZONING INFORMATION:

ZONING DISTRICT: UR–4
- MINIMUM LOT SIZE: 3,000 SF/D.U.
- MINIMUM MEAN LOT WIDTH: 100 FT.
- MAXIMUM PERCENT OF LOT TO BE OCCUPIED BY:
  - PRINCIPAL BUILDING: 25 %
  - ACCESSORY BUILDING: 15%
- MINIMUM YARD DIMENSIONS:
  - FRONT: 25 FT.
  - REAR: 25 FT.
  - ONE SIDE: 20 FT.
  - TOTAL SIDE: 45 FT.
- PRINCIPAL BUILDING:
  - MINIMUM FIRST FLOOR AREA:
    - 1 STORY: 1,800 SQ. FT.
    - 2 STORY: 1,200 SQ. FT.
  - MAXIMUM BUILDING HEIGHT: 70 FT.
  - MINIMUM DISTANCE FROM ACCESSORY BUILDING TO:
    - PRINCIPAL BUILDING: 10 FT.
    - FRONT LOT LINE: 25 FT.
    - SIDE LOT LINE: 5 FT.
    - REAR LOT LINE: 5 FT.
- MINIMUM PERCENT OF LOT TO BE PERMEABLE: 15%

TAX MAP NO.

CURRENT PROJECT TAX MAP PARCEL NO.: 165.84–1–1

AREA

TOTAL AREA OF SUBDIVISION IS 31,636± SQ. FT.

NOTES:

1.) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE OR A TITLE REPORT.

2.) BEARINGS AND DISTANCES IN PARENTHESIS ARE PER BOOK 1504 OF DEEDS AT PAGE 69.

3.) THE CROSS–HATCHED AREA REPRESENTS AN EASEMENT FOR A SHARED DRIVEWAY .

DEED REFERENCE:

1.) DEED DATED NOVEMBER 9, 1998 FROM THOMAS PERSONS, AS QUALIFIED INTERMEDIARY FOR JOHN TORANI, TO DAVID P. GUARINO AND LINDA E. HANER AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1504 OF DEEDS AT PAGE 69.

CITY OF SARATOGA SPRINGS - STANDARD NOTES:

1.) ALL WORK MUST CONFORM TO ALL FEDERAL, STATE AND CITY CODES, SPECIFICATIONS, ORDINANCES, RULES AND REGULATIONS.

2.) ELEVATIONS ESTABLISHED FROM INFORMATION SUPPLIED BY THE CITY OF SARATOGA SPRINGS ENGINEER'S OFFICE.

3.) ALL REFUSE, DEBRIS AND MISCELLANEOUS ITEMS TO BE REMOVED SHALL BE LEGALLY DISPOSED OF OFF–SITE BY THE CONTRACTOR TO A LOCATION APPROVED BY THE CITY ENGINEER.

4.) THE CONTRACTOR MUST SET UP A PRE–CONSTRUCTION MEETING WITH THE CITY ENGINEER PRIOR TO ANY CONSTRUCTION. CONSTRUCTION INSPECTIONS BY A DESIGNATED REPRESENTATIVE OF THE APPLICANT/DEVELOPER ARE REQUIRED. THE COST OF THE CONSTRUCTION INSPECTION IS THE RESPONSIBILITY OF THE APPLICANT/DEVELOPER. AN ESCROW ACCOUNT TO COVER THE COST OF THE INSPECTIONS MUST BE ESTABLISHED PRIOR TO ANY CONSTRUCTION.

5.) THE CONTRACTOR MUST OBTAIN A BLASTING PERMIT FROM THE BUILDING INSPECTOR IF ANY BLASTING IS REQUIRED FOR THE PROJECT.

6.) THE CONTRACTOR MUST OBTAIN A STREET OPENING PERMIT ISSUED BY THE DEPARTMENT OF PUBLIC WORKS FOR ANY WORK IN THE STREET OR RIGHT OF WAY OF ANY CITY STREET, ROAD OR ALLEY.

7.) ALL POINTS OF CONSTRUCTION INGRESS AND EGRESS SHALL BE MAINTAINED TO PREVENT TRACKING OR FLOWING OF SEDIMENT OR DEBRIS ONTO A PUBLIC ROAD.

8.) NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND AN AS–BUILT DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEER.

CERTIFICATION:

THIS SURVEY WAS MADE IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

DANIEL C. WHEELER P.L.S. LIC. NO. 50,137

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

_____CHAIRPERSON

DATE SIGNED_____

SURVEY ASSOCIATES, LLC
PROFESSIONAL LAND SURVEYING
DANIEL C. WHEELER, LS
432 BROADWAY, SUITE 5, SARATOGA SPRINGS, NY 12866
PH. (518) 583–7302 FAX (518) 583–7303

DANIEL C. WHEELER
P.L.S. LIC. NO. 50,137

UNAUTHORIZED ALTERATION OR ADDITION TO THIS MAP IS A VIOLATION OF ARTICLE 145, SECTION 7209, SUB–PARAGRAPH (2) OF THE NEW YORK STATE EDUCATION LAW.

PROJECT OWNER/DEVELOPER
DAVID P. GUARINO AND LINDA E. HAYNER
21 PARK PLACE
SARATOGA SPRINGS, NEW YORK 12866
PHONE: 518–477–3485

PLANNING BOARD PROJECT NO. 16.XXX

TITLE:

SUBDIVISION PLAN

21 PARK PLACE SUBDIVISION

LOCATION:
CITY OF SARATOGA SPRINGS
(INSIDE DISTRICT)
SARATOGA COUNTY, NEW YORK

DATE:
AUGUST 10, 2016

SCALE:
1 INCH = 20 FEET

MAP NO. 2016–07–04

WATER, SANITARY & SEDIMENT CONTROL

ENGINEERING REPORT

21 PARK PLACE SUB-DIVISION

File No. 2016-1

21 PARK PLACE

SARATOGA SPRINGS, NEW YORK 12866

Applicant: David P. Guarino & Linda E. Haner

Prepared by:

REXFORD ENGINEERING PLLC
ENGINEERING CONSULTANTS
23 FAIRWAY LANE •
REXFORD, NY 12148 •
PHONE: (518) 399-0153 •
FAX: (253) 484-9242 •
EMAIL: RE4OJK@GMAIL.COM •

September 21, 2016

Introduction:
Rexford Engineering PLLC has been retained by the applicants David P. Guarino and Linda E. Haner of 21 Park Place, Saratoga Springs, New York to provide land planning and site/civil engineering services in connection with the subdivision application for 21 Park Place, Saratoga Springs, New York 12866, tax map number 166.84-1.1. Subdivision approval will be required from the Planning Board which includes all requirements listed on the City of Saratoga's Preliminary/Final Subdivision Approval Required Submittal Checklist. This report fulfils Item 6 under the Required Items part of that checklist and accompanies Rexford Engineering PLLC drawings V1, S1, S2 and S3. V1 is the vicinity plan, S1 is the subdivision plat, S2 is the sediment and erosion control plan and S3 contains site plan details.

Description of Intended Site Development & Use:
21 Park Place is located on the corner of Park Place and Regent Street in Saratoga Springs New York. The 31,363 square foot (0.72 acre) lot has an existing building approximately 5390 square foot in living area containing three dwelling units. There is one 3 bedroom dwelling on the first floor and two 2 bedroom dwellings on the second floor. The building is accessed by two separate driveways, one from Park Place and one from Regent Street. The lot area is nearly level with a maximum elevation difference of 2-3'. The grounds are grassy with ten to eleven fully mature 24 to 36" oak trees.

The proposed subdivision of this parcel would result in dividing the single lot into two lots. The existing lot address would change from 21 Park Place to 106 Regent Street. This lot would retain the two driveways currently used for the property (one on Regent and one on Park Place). The Park Place driveway will be a shared driveway by way of an easement. The existing Park Place driveway for the proposed 106 Regent Street lot will be slightly modified to widen it to 10 feet and move the driveway closer to the eastern property line. This will maximize the new lots boundary and parking for the existing lot. The resulting 106 Regent Street lot would be 19,524 square feet (0.448 acres) in total and 54% impermeable post construction.

A second lot on the existing parcel would be created and marketed for sale. This lot is assumed to accommodate a single two family home (2 dwelling units) and a detached 2 car garage. The new lot would have an address of 21 Park Place and be 12,112 square feet (0.278 acres) in area. The 21 Park Place address would be accessible via shared driveway from Park Place. The new lot will be 34% impermeable.

Compliance with the requirements of Table 3 of the City of Saratoga Springs Zoning Ordinance is as shown on the subdivision plat, S1.

Municipal water and sewer exists along both Regent Street as well as Park Place. The new lot, being within the boundary of the current property lines of 21 Park Place would also be served by these municipal services. Natural gas and electric utilities are also available along both streets.

Water Report:
Municipal water service is currently provided by the City of Saratoga Springs. A 4" diameter water main runs along both Regent Street and Park Place. The existing residence is connected to the water main from the Regent Street side. The new lot will require a 1" diameter water service line which will tap into the 4" water main on Park Place approximately as shown on S1.

On July 14, 2015 at 10:30 a.m. North East Fire Protection Systems Incorporated performed a hydrant flow test per NFPA 291. The hydrant flow test indicated static pressures in the area of Park Place and Regent Street of 71 pounds per square inch (psi). During the flow test, the hydrant flow, running at approximately 435 gallons per minute (GPM), caused the residual pressure at the test hydrant to drop to 46 psi giving a theoretical available flow of approximately 639 GPM at 20 psi. Refer to Attachment A for the Hydrant Flow Test Report provided by Northeast Fire Protection Systems, Inc. This flow is adequate for Class B and C hydrants.

Currently, there are 7 bedrooms within the 3 dwelling units on the property. Using a standard use rate of 110 gallons per capita day[Note1] (gpcd) the existing property can be estimated to have a total use of 770 gpd. This equates to an annual water consumption usage of 281,000 gallons.

The new lot will accommodate a two family home with conceivably 3 bedrooms per dwelling unit. In this assumption an additional 660 gpd can be expected. The total annual water consumption would increase by 241,000 gallons to 522,000 gallons (1,430 gallons per day).

The average daily demand for water to both lots is approximately 1 gpm over a 24 hour period. The maximum daily demand is 2 gpm based on twice the average. The peak hourly flow is approximately 4.2 gpm based on 4.2 times the average. Instantaneous peak demand is estimated at 40 gpm[Note4].

Connections and appurtenances, including mechanical joints, tees, isolation valves, thrust blocks, trenching, bedding, service connections, as well as testing and disinfection will all be specified in accordance with City of Saratoga Springs standards.

Sanitary Report:
Municipal sewer is provided along both Park Place and Regent Street. There is an 8" sanitary sewer main located on Regent Street and a 10" main located on Park Place. An existing service line connects the existing building to the sanitary sewer main on the Regent Street side. The new lot would support a two family dwelling. A two dwelling unit building would be expected to use a 4" to 6" diameter PVC service line connecting to the 10" Park Place sanitary main.

There are 7 bedrooms within the 3 dwelling units currently on the property. Using a standard sanitary sewer of 110 gallons per capita day (gpcd)[Note1] the existing property can be estimated to have an annual sanitary flow of 281,000 gallons.

The new lot will accommodate a two family home with conceivably 3 bedrooms per dwelling unit. In this assumption an additional 660 gpd can be expected. The total wastewater flow rate would increase by 241,000 gallons to 522,000 gallons (1,430 gallons per day).

The average daily flow for wastewater to the Park Place and Regent sanitary mains for both both lots is approximately 1 gpm over a 24 hour period. The estimated peak hourly flow is approximately 4.2 gpm based on 4.2 times the average.

Pipe, trenching, bedding, service connections, and testing will all be specified in accordance with City of Saratoga Springs minimum standards.

Soil Conditions:
The site soil type is Windsor loamy sand (WnA), nearly level, hydrologic soil group A. The depth to any restrictive feature is greater than 80 inches. The soil is classified as excessively drained with percolation tests resulting in infiltration rates in excess of 5 in/hr, confirmed by Falling Head testing conducted by Daniel G. Loucks P.E. Geotechnical Engineering in December of 2014.

Storm sewer catch basins exist at the intersection of Park Place and Regent Street and connect into a 12" storm sewer main. Due to the small scale of residential construction and highly draining soil the project is not expected to create significant additional stormwater flows. The addition of landscaping and small rain garden type features near downspouts will be very effective.

Sediment & Erosion Control:
A sediment and erosion control plan has been developed in order to specify minimum controls and measures to reduce sediment runoff during construction. A construction entrance has been specified to accommodate the construction of both the new lot and the expanded driveway construction of the existing lot if they happen simultaneously. A potential topsoil storage area for foundation backfill and topsoil has been identified on S2 and will be surrounded by silt fencing. In general, excavated soil for foundations that will not be retained for backfill and topsoil grading will be shipped off site daily. Concrete trucks are not allowed to wash on the premises. Sediment fencing has been specified on three sides of the project area to reduce off site erosion migration. A total of 0.12 acre will be temporarily disturbed during this residential construction.

Frank T. Owens P.E.
Rexford Engineering PLLC

Notes

1. *From Table 1, Appendix 75-A Wastewater Treatment Standards - Residential Onsite Systems (110 gallons per day per bedroom)*
2. *From Figure 1, GLUMRB Recommended Standards for Wastewater Facilities $Q = (18 + P^{1/2}) \div (4 + P^{1/2})$ where P = population in thousands*
3. *From Tables XIV Community Water Systems Source Book, Ameen (4.3 gpm/residence)*
4. *From Tables XIV Community Water Systems Source Book, Ameen (8.0 gpm/residence)*

ATTACHMENT 1

North East Fire Protection Systems Inc.

P.O. BOX 508 BURNT HILLS, N.Y. 12027 (518) 885-1115 FAX (518) 885-0526

EMAIL: JIMFC NEFPSI.COM

HYDRANT FLOW TEST REPORT

LOCATION: SOUTH EAST ST @ PARK PLACE

TEST HYDRANT COTTAGE @ PARK PLACE

TEST BY: JIM FANTAUZZI / CARY STEW.

DATE: 7-14-15 **TIME:** 10:30 AM

TARGET HYD. LOCATION (B) CORNER OF SOUTH EAST @ PARK PLACE

TEST RESULTS : **STATIC PRESSURE (B)** _____ **PSI**

RESIDUAL PRESSURE (B) (13q) 24 **PSI WITH** _____ **(A) GPM FLOWING**

RESIDUAL PRESSURE (B) (2 1/2) 8 **PSI WITH** _____ **(A) GPM FLOWING**

FLOW HYD. LOCATION (A) SOUTH EAST @ PARK PLACE

448) .97 **1) PORT FLOWED (A)** 1 3/4 **DIAMETER** _____

527 x .90 **2) PORT FLOWED (A)** 2 1/2 **DIAMETER** _____

3) PORT FLOWED (A) _____ **DIAMETER** _____

1) PITOT or FLOW METER READING (A) 71 **PSI AT** 0 **GPM**

2) PITOT or FLOW METER READING (A) 46 **PSI AT** 435 **GPM**

3) PITOT or FLOW METER READING (A) 35 **PSI AT** 474 **GPM**

OUTLET COEFFICIENT USED .97 / .90

(smooth 0.90) (square & sharp 0.88) (projecting into barrel 0.77)

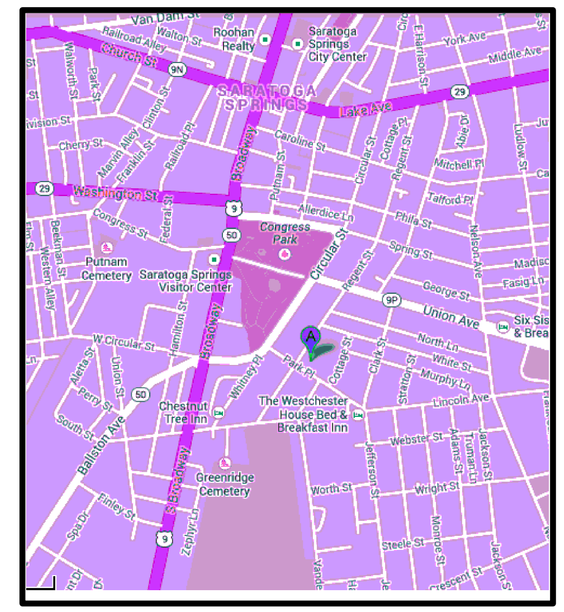
$$Q_{20} = Q\left(\frac{P_S - P_{20}}{P_S - P}\right) = 435\left(\frac{71-20}{71-46}\right)^{.54} = 639$$

ESTIMATED FLOW AT 20 PSI 639 **GPM**

LOCATION SKETCH ATTACHED ? YES X **NO** _____

YARD SETBACK (MIN)
NG NAT GAS LINE
ST STORM SEWER
E UNDERGROUND ELECTRIC
W WATER LINE
SS SANITARY SEWER
6' WOOD FENCE – SHADOW
STORM SEWER MANHOLE
SANITARY SEWER MANHOLE
UTILITY POLE
FIRE HYDRANT
WV WATER VALVE
STORM SEWER CATCH BASIN
EXISTING STREET LIGHT
RESIDENTIAL LIGHTING
NEW STERNBERG STREET LIGHT
REPAIRED BRICK SIDEWALK
NEW ASPHALT DRIVEWAY
NEW BRICK WALKWAY
LANDSCAPING – HEDGES
TREE REMOVAL
NEW TREE
2 PARKING SPACE

SITE IMPROVEMENTS:
6 EASTERN REDBUDS OR EQUIVALENT
APPROXIMATELY 50 FT OF REPAIRED BRICK SIDEWALK
2 STERNBERG LAMPOSTS
160' CONCRETE CURB ALONG PARK PLACE



SITE LOCATION MAP
(NO SCALE)

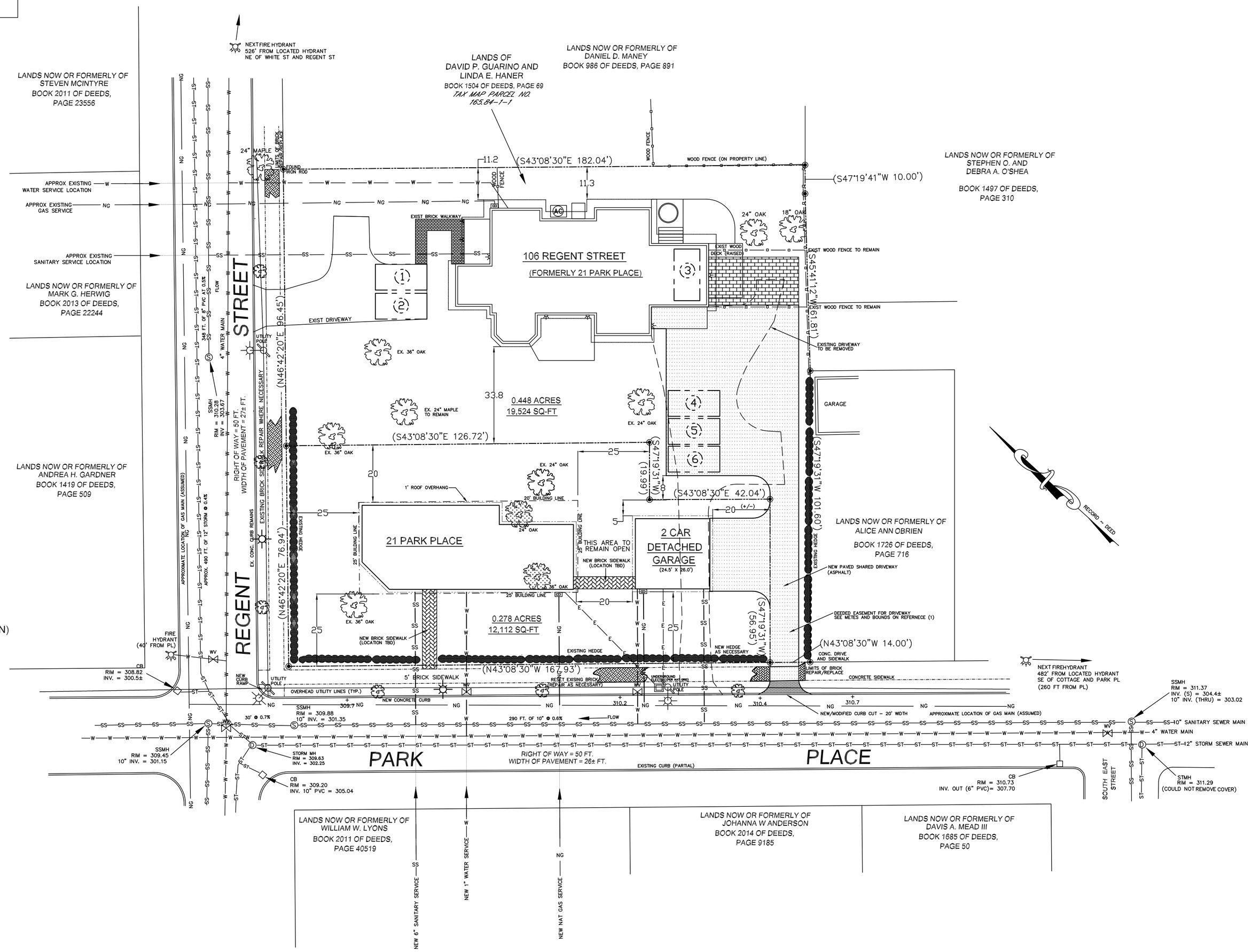
PROJECT DATA:
PROJECT TITLE: 21 PARK PLACE (PP) SUBDIVISION
PROJECT LOCATION: 21 PARK PLACE, SARATOGA SPRINGS, NEW YORK
PROJECT OWNER: LINDA E. HANER & DAVID P. GUARINO
21 PARK PLACE, SARATOGA SPRINGS, NE W YORK 12866
TAX MAP NO. 165.84-1.1

EXISTING 21 PARK PLACE:
1. ZONING DISTRICT: UR-4
2. ZONING LOT SIZE: 31,636 SF (0.726 ac)
3. NUMBER OF DWELLING UNITS: 3
4. LOT SIZE/DWELLING UNIT: 10,545.33 SF (3,000 SF MIN)
5. MINIMUM AVERAGE LOT WIDTH: 182 FT (100 FT MIN)
6. 21 PP 1ST FL AREA: 2,475 SF (1,200 SF MIN)
7. 21 PP 2ND FL AREA: 2,915 SF
8. 21 PP FOOTPRINT: 3,775 SF (0.087 ac)
9. PRINCIPAL BUILDING COVERING %: 12% (25% MAX)
10. ACCESS BUILDING COVERING %: 0% (15% MAX)
11. FRONT YARD SETBACK: 106 FT (25 FT MIN)
12. REAR YARD SETBACK: 11 FT (25 FT MIN)*
13. EACH SIDE YARD SETBACK: 34 FT (20 FT MIN)
14. TOTAL SIDE YARD SETBACK: 93 FT (45 FT MIN)
15. 21 PP HEIGHT: 35 FT (70 FT MAX)
16. DIST TO ACCESS BUILDING - PRINCIPAL BUILDING: N/A (10 FT MIN)
17. DIST TO ACCESS BUILDING - FRONT LOT LINE: N/A (25 FT MIN)
18. DIST TO ACCESS BUILDING - SIDE LOT LINE: N/A (5 FT MIN)
19. DIST TO ACCESS BUILDING - REAR LOT LINE: N/A (5 FT MIN)
20. TOTAL PERMEABLE AREA: 70% (15% MIN)
21. TOTAL IMPERVIOUS COVER: 9,439 SF (0.217 ac)
22. TOTAL IMPERVIOUS COVER PERCENTAGE: 30 % (85% MAX)

PROPOSED 106 REGENT:
1. ZONING DISTRICT: UR-4
2. LOT SIZE: 19,524 SF (0.448 ac)
3. # OF DWELLING UNITS: 3 (EXISTING & PRE-APPROVED - 3/3/1987)
4. LOT SIZE/DWELLING UNIT: 6,508 SF (3,000 SF MIN)
5. MIN AVERAGE LOT WIDTH: 120 FT (100 FT MIN)
6. EXISTING 106 REGENT 1ST FL AREA: 2,475 SF (1200 SF MIN)
7. EXISTING 106 REGENT 2ND FL AREA: 2,915 SF
8. EXISTING 106 REGENT FOOTPRINT: 3,775 SF (0.087 ac)
9. PRINCIPAL BUILDING COVERING %: 19% (25% MAX)
10. ACCESSORY BUILDING COVERING %: N/A (15% MAX)
11. FRONT YARD SETBACK: 59 FT (25 FT MIN)
12. REAR YARD SETBACK: 33.5 FT (25 FT MIN)
13. EACH SIDE YARD SETBACK: 11.3 FT EAST / 33.8 FT WEST (20 FT MIN)
14. TOTAL SIDE YARD SETBACK: 45 FT (45 FT MIN)
15. HEIGHT: 35 FT (70 FT MAX)
16. PRINCIPAL TO ACCESSORY BUILDING DISTANCE: N/A (10 FT MIN)
17. FRONT LOT LINE TO ACCESSORY BUILDING DISTANCE: N/A (25 FT MIN)
18. SIDE LOT LINE TO ACCESSORY BUILDING DISTANCE: N/A (5 FT MIN)
19. REAR LOT LINE TO ACCESSORY BUILDING DISTANCE: N/A (5 FT MIN)
20. TOTAL PERMEABLE AREA: 46% (15% MIN)
21. TOTAL IMPERVIOUS COVER: 54% (85% MAX)

PROPOSED 21 PARK PLACE:
1. ZONING DISTRICT: UR-4
2. LOT SIZE: 12,112 SF (0.278 ac)
3. DWELLING UNITS: TBD (1-2 FAMILY ALLOWABLE)
4. LOT SIZE PER DWELLING UNIT: 6,056 SF (3,000 SF MIN)
5. MIN AVERAGE LOT WIDTH: 153.8 SF (100 SF MIN)
6. FIRST FLOOR AREA: 1,938 SF (0.045 ac) (1,200 SF MIN)
7. SECOND FLOOR AREA: 1,938 SF (0.045 ac)
8. ACCESSORY (GARAGE) FOOTPRINT: 741 SF (0.017 ac)
9. ACCESSORY (GARAGE) FLOOR AREA: 637 SF (0.015 ac)
10. BUILDING FOOTPRINT: 2,155 SF (0.049 ac)
11. PRINCIPAL BUILDING COVERAGE: 18 % (25% MAX)
12. ACCESSORY BUILDING COVERAGE: 5% (15% MAX)
13. FRONT YARD SETBACK REGENT & PARK PLACE: 25 FT (25 FT MIN)
14. REAR YARD SETBACK: 25 FT (25 FT MIN)
15. SIDE YARD SETBACK: 20 FT (20 FT MIN)
16. EACH SIDE YARD SETBACK: 20 FT NORTH / 25 FT EAST (20 FT MIN)
17. TOTAL SIDE YARD SETBACK: 45 FT (45 FT MIN)
18. BUILDING HEIGHT: TBD (70 FT MAX)
19. PRINCIPAL TO ACCESSORY BUILDING DISTANCE: 20 FT (10 FT MIN)
20. FRONT LOT LINE TO ACCESSORY BUILDING DISTANCE: 25 FT (25 FT MIN)
21. SIDE LOT LINE TO ACCESSORY BUILDING DISTANCE: 5 FT (5 FT MIN)
22. REAR LOT LINE TO ACCESSORY BUILDING DISTANCE: N/A (5 FT MIN)
23. TOTAL PERMEABLE AREA: 66% (15% MIN)
24. TOTAL IMPERVIOUS COVER: 34% (85% MIN)

TOTAL PROJECT DISTURBANCE: 5,239 SF (0.12 ac)



MAP REFERENCES:
1. "SUBDIVISION PLAN, 21 PARK PLACE SUBDIVISION", MAP NO. 2016-07-04, REVISION –, 08/10/2016, BY SURVEY ASSOCIATES, LLC. DANIEL C. WHEELER L.S.

2. SITE PLAN FOR TORANI RESIDENCE, 21 PARK PLACE, SARATOGA SPRINGS, NEW YORK ZONING: R-4. EXISTING CONDITIONS AND PROPOSED OFF-STREET PARKING. DATED JAN 20 1987. WAYNE G. PETERSON, ARCHITECT. APPROVED 3/3/1987.

PB# XX.XXX

REV.	DATE	BY	CHK.	DESCRIPTION
0	9/21/2016	FTO	JK	ORIGINAL SUBMITTAL

BOUNDARY INFORMATION
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EMAIL: REJOJK@GMAIL.COM -
JOHN ELDDING, P.E. LICENSE NO. NY 057080

DRAWN BY: FTO | CITY OF: SARATOGA SPRINGS | SCALE: 1" = 20'
CHECKED BY: JK | COUNTY OF: SARATOGA | DATE: 9/21/16
TAX MAP NO. 165.84-1-1 | STATE OF: NEW YORK | REVISION: 0

21 PARK PLACE SUBDIVISION
OWNER: DAVID P. GUARINO & LINDA E. HANER

PROPOSED SUBDIVISION PLAT

S1
SHEET 1

STABILIZED CONSTRUCTION ENTRANCE

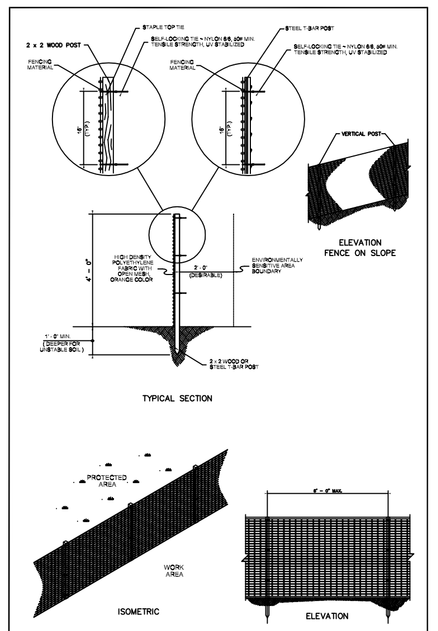
TREE REMOVAL

TEMPORARY TOPSOIL STOCKPILE AREA

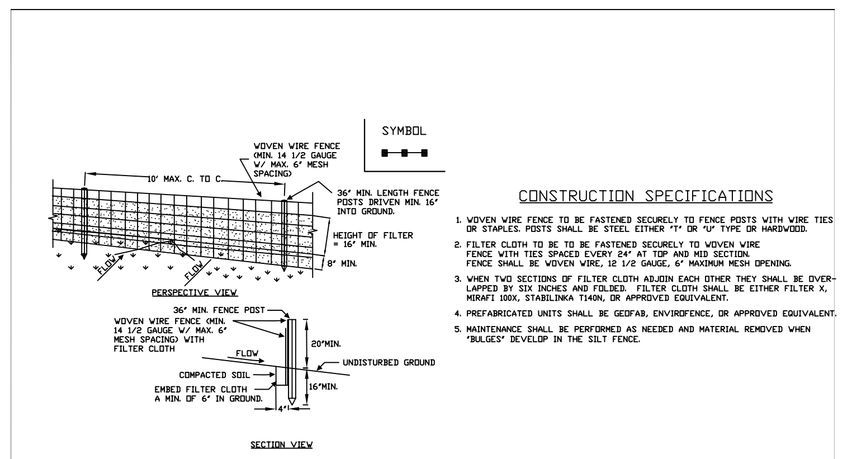
LIMITS OF NEW DISTURBANCE

SF — SILT FENCE

HVC — HIGH VISIBILITY FENCE



HIGH VISIBILITY CONSTRUCTION FENCE



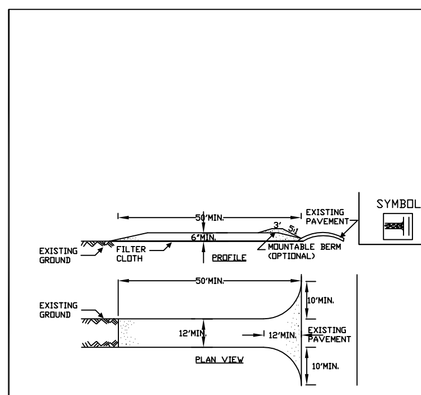
CONSTRUCTION SPECIFICATIONS

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER T'Y' OR 'U' TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE N.T.S.

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
		STANDARD DETAIL Silt Fence	ST-13



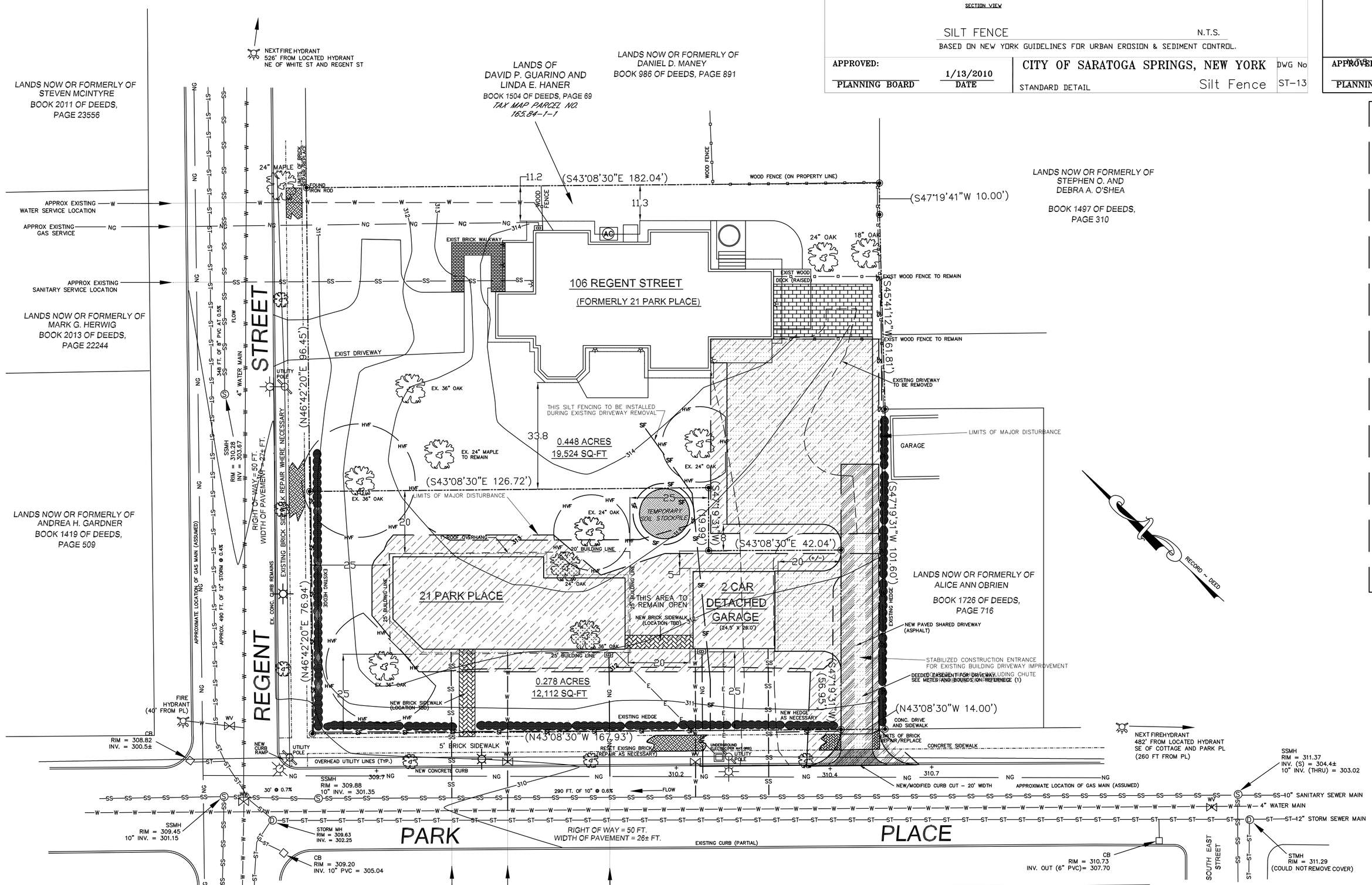
CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. ALL SEDIMENT SPILLED, DROPPED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE NTS

BASED ON NEW YORK GUIDELINES FOR URBAN EROSION & SEDIMENT CONTROL.

APPROVED: PLANNING BOARD	1/13/2010 DATE	CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
		STANDARD DETAIL Stabilized Construction Entrance	ST-11



TREE PROTECTION NOTES

1. TREES WILL BE PROFESSIONALLY PRUNED PRIOR TO CONSTRUCTION, FOLLOWING ALL CERTIFIED ARBORIST INSTRUCTIONS, AND BRANCHES THAT COULD BE DAMAGED WILL BE REMOVED.

2. HIGH VISIBILITY ORANGE PROTECTIVE FENCING ON FLANGED POSTS WILL BE INSTALLED PER DETAIL ABOVE TO FORM A TREE PROTECTION ZONE. FENCE SHALL BE MAINTAINED IN GOOD CONDITION THROUGHTOUT THE ENTIRITY OF THE PROJECT.

3. FENCING SHALL BE PLACED USING THE GENERALLY ACCEPTED "TRUNK DIAMETER METHOD" (FITE & SMILEY, 2008 "MANAGING TREES FOR CONSTRUCTION"). [MEASURE THE DIAMETER OF THE TREE 6' ABOVE THE GROUND AND MULTIPLY BY 6 TO DETERMINE THE RADIUS OF THE PROTECTIVE FENCING].

4. PLACE FENCING PER MINIMUM DIAMETER FOUND IN 3 ABOVE WHERE POSSIBLE AROUND TREES TO BE PROTECTED. WHERE CONSTRUCTION AREAS OR STRUCTURES COINCIDE WITH MINIMUM DIAMETER LOCATE FENCING AS CLOSE AS PRACTICAL TO MINIMUM DIAMETER.

5. NO VEHICLES WILL BE ALLOWED TO DRIVE IN THE TREE PROTECTION ZONE.

6. NO CHEMICALS OR MATERIALS WILL BE DUMPED IN THE TREE PROTECTION ZONE.

7. NO MATERIALS WILL BE STORED IN THE TREE PROTECTION ZONE.

8. TREATMENT OF EXPOSED ROOTS: ROOTS GREATER THAN 1-1/2" IN DIAMETER WILL BE CLEARLY CUT AND WRAPPED IN WET BURLAP. SOAKER HOSES MAY BE NEEDED TO KEEP THE BURLAP WET. BURLAP WILL BE REMOVED PRIOR TO BACKFILLING.

9. WORK WITHIN THE TREE PROTECTION ZONE WILL BE DONE MANUALLY.

10. FENCE MAY BE REMOVED OR ADJUSTED FOR DRIVEWAY, WALKWAY AND LANDSCAPING CONSTRUCTION ACTIVITIES.

PROJECT TITLE:
21 PARK PLACE SUBDIVISION

PROJECT LOCATION:
21 PARK PLACE
SARATOGA SPRINGS, NEW YORK

PROJECT OWNER:
LINDA E HANER & DAVID P GUARINO
21 PARK PLACE
SARATOGA SPRINGS, NEW YORK 12866

SEDIMENT & EROSION CONTROL:

PROPOSED:
LIMITS OF TEMP CONSTRUCTION DISTURBANCE APPROXIMATELY 10,750 SQ-FT
SILT FENCES: APPROXIMATELY 600 FT
HIGH VISIBILITY FENCE: APPROXIMATELY 250 FT
STABILIZED CONSTRUCTION ENTRANCES: APPROXIMATELY 75 FT

NOTES:
1. TOPSOIL AND FILL THAT IS TO REMAIN STOCKPILED ON SITE FOR PERIODS EXCEEDING 30 DAYS SHALL BE STABILIZED BY SEEDING. PRIOR TO THE SEEDING OPERATION, THE STOCKPILED MATERIAL SHALL BE GRADED AS NEEDED AND FEASIBLE TO PERMIT THE USE OF CONVENTIONAL EQUIPMENT FOR SEEDED PREPARATION, FERTILIZATION, SEEDING, MULCH APPLICATION AND ANCHORING.

2. ENSURE CALL BEFORE YOU DIG IS CONTACTED 72 HOURS PRIOR TO EXCAVATION. ENSURE THE AREA IS MARKED PRIOR TO ANY EXCAVATION. DIG SAFELY NEW YORK CAN BE REACHED AT 811, 1-800-962-7962 OR WWW.DIGSAFELYNY.COM.

3. WASHING CONCRETE FROM CONSTRUCTION VEHICLES, INCLUDING CONCRETE TRUCK CHUTES, ON SITE PREMESIS IS PROHIBITED.

4. HIGH VISIBILITY FENCES TO BE ERECTED AROUND PROTECTED TREES AT OR BEYOND THE DRIP WHERE POSSIBLE. FENCE TO REMAIN DURING MAJOR EXCAVATION OF BUILDING FOUNDATIONS. FENCE MAY BE REMOVED FOR DRIVEWAY, WALKWAY OR LANDSCAPING CONSTRUCTION. SEE DETAIL.

MAP REFERENCES:
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REV.	DATE	BY	CHK.	DESCRIPTION
0	9/8/2016	FTO	JK	ORIGINAL SUBMITTAL

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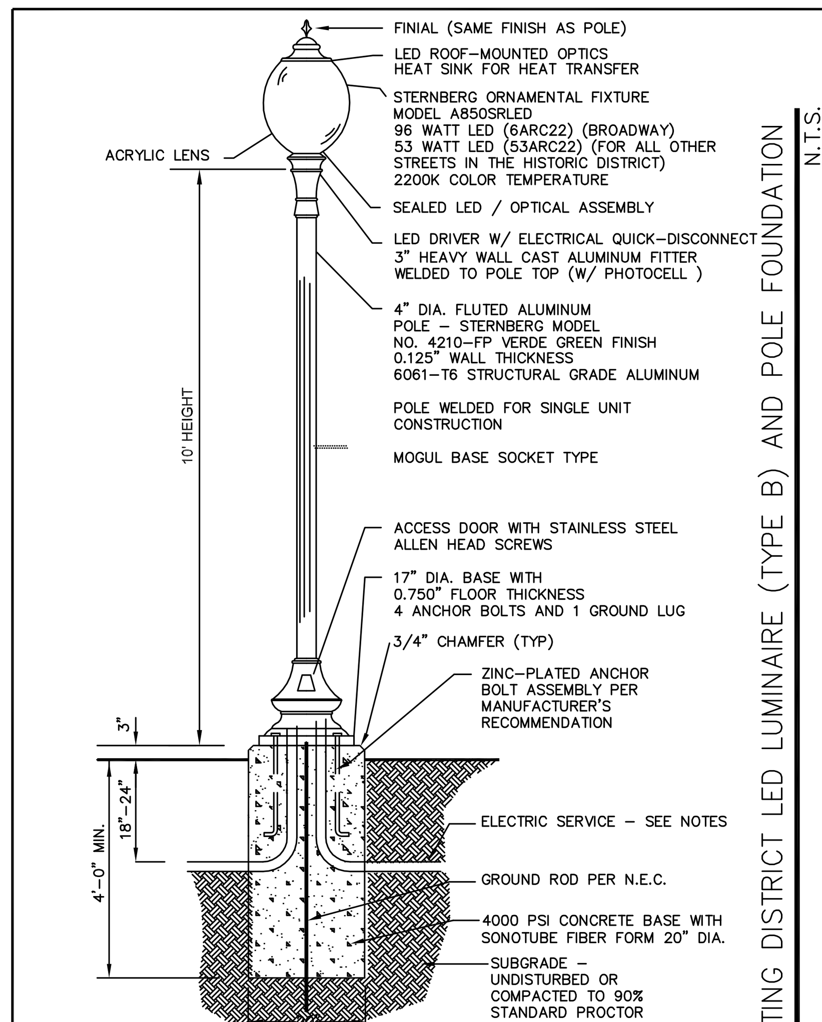
EMAIL: READJR@GMAIL.COM -
JOHN READING, P.E. LICENSE NO. NY 087080

DRAWN BY: FTO	CITY OF: SARATOGA SPRINGS	SCALE: 1" = 20'	
CHECKED BY: JK	COUNTY OF: SARATOGA	DATE: 9/8/16	
TAX MAP NO. 165.84-1-1	STATE OF: NEW YORK	REVISION: 0	

21 PARK PLACE SUBDIVISION
OWNER: DAVID P. GUARINO & LINDA E. HANER

PROPOSED SEDIMENT & EROSION CONTROL PLAN

S2
SHEET 1



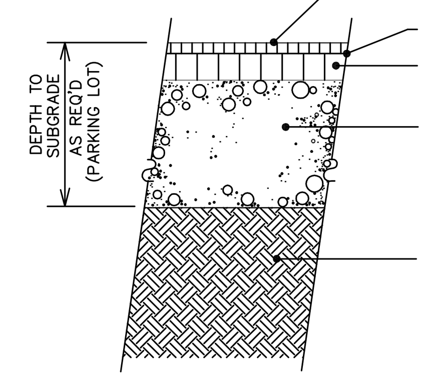
NOTES:

1. INSTALLATION OF DECORATIVE LIGHTS SHALL BE COORDINATED WITH THE CITY ELECTRICIAN AND DEPARTMENT OF PUBLIC WORKS.
2. THE OWNER/DEVELOPER IS RESPONSIBLE FOR ELECTRIFYING THE SYSTEM AND PAYING THE ELECTRIC BILLS UNTIL ACCEPTED AND TAKEN OVER BY THE CITY OF SARATOGA SPRINGS.
3. ELECTRIC SERVICE: SWEEPS AT CONCRETE BASES AND BETWEEN BASES USE 2" SCH. 80 PVC NON-METALLIC CONDUIT. FOR WIRE: URD 3-CONDUCTOR NO. 2, 120 VOLT, 100 AMP CABLE. IF CONNECTING TO NATIONAL GRID FROM A POLE, PROVIDE A SEPARATE HANDHOLE TO BE OWNED BY THE CITY FOR THE DISCONNECT AT BASE OF ELECTRIC POLE AT THE BEGINNING OF ELECTRIC SERVICE. WIRE AND CONDUIT FROM HANDHOLE TO POLE PER NATIONAL GRID STANDARDS. USE POLARIS CONNECTORS, CATALOG NUMBER IT-1/0, FOR CONNECTIONS IN HANDHOLE AND IN BASE OF LIGHTS. EACH LIGHT TO BE FUSED IN BASE OF LAMP POLE WITH 10 AMP FUSE WITH BUSSMANN HEB-AA IN-LINE FUSE HOLDER. IF CONNECTING MORE THAN THREE LIGHTS FROM SAME SOURCE OF POWER, PROVIDE 30 AMP IN-LINE FUSE WITH WATERTIGHT FUSE HOLDER OF PROPER SIZE FOR WIRE. SEPARATE HANDHOLE IS NOT REQUIRED IF CONNECTING TO A NATIONAL GRID HANDHOLE.

HISTORIC LIGHTING DISTRICT LED LUMINAIRE (TYPE B) AND POLE FOUNDATION

N.T.S.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	4/10/13 DATE	STANDARD DETAIL Historic Street Light – LED	LT-3



PAVEMENT TYPE	TOP COURSE	BINDER COURSE	GRAVEL COURSE	ESAL LEVEL
PARKING LOT	1–1/2"	2"	8–10"	<0.3 MILLION
STANDARD ROADWAY	1–1/2"	3"	12"	<30 MILLION
HEAVILY TRAVELED/ TRUCK LOADING	2"	* 4"	12"	<30 MILLION

* SEE NOTE 2

NOTES:

1. PAVEMENT SECTIONS SPECIFIED ARE TYPICAL FOR STREET, DRIVEWAY AND PARKING LOT CONSTRUCTION WHERE TRAFFIC VOLUMES AND LOADINGS ARE NOT EXCESSIVE. BASED ON ANTICIPATED VOLUMES AND LOADS, THE CITY ENGINEER MAY REQUIRE STRUCTURAL PAVEMENT SECTION TO BE INCREASED TO CARRY DESIGN LOADING.
2. BINDER TO BE PLACED IN 2 - 2" LIFTS W/ TACK COAT BETWEEN.
3. THE CITY ENGINEER MAY REQUIRE COMPACTION TESTING AND/OR CORE SAMPLES TO VERIFY PAVEMENT THICKNESSES. ALL TESTING SHALL BE AS ORDERED BY THE CITY ENGINEER AND SHALL BE PAID FOR BY THE CONTRACTOR.
4. NOTIFY THE CITY ENGINEER 48 HOURS MINIMUM PRIOR TO COMMENCING PAVING OPERATIONS..

ASPHALT PAVEMENT

N.T.S.

CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
STANDARD DETAIL Asphalt Pavement	SS-5

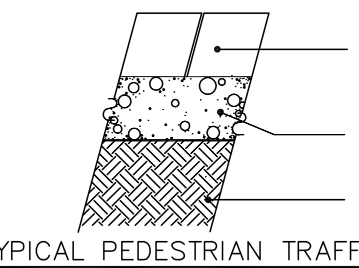
NOTES:

CROSS SLOPE – 1/8" TO 1/4" PER FOOT (MAX.SLOPE 1:50 TYP.) TOWARDS STREET OR A.O.B.E.

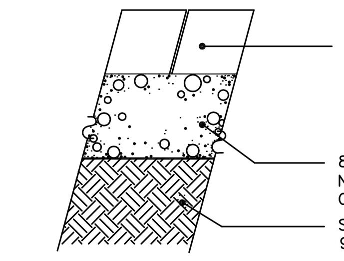
MAX. SLOPE ALONG THE LENGTH OF THE WALK SHOULD NOT EXCEED 1:12

SIDEWALK WIDTH TO BE 5' MIN. OR AS ORDERED BY CITY ENGINEER (4' WIDE PROPOSED)

EXISTING SIDEWALK BRICKS TO BE REUSED



TYPE 1 – TYPICAL PEDESTRIAN TRAFFIC LOADING

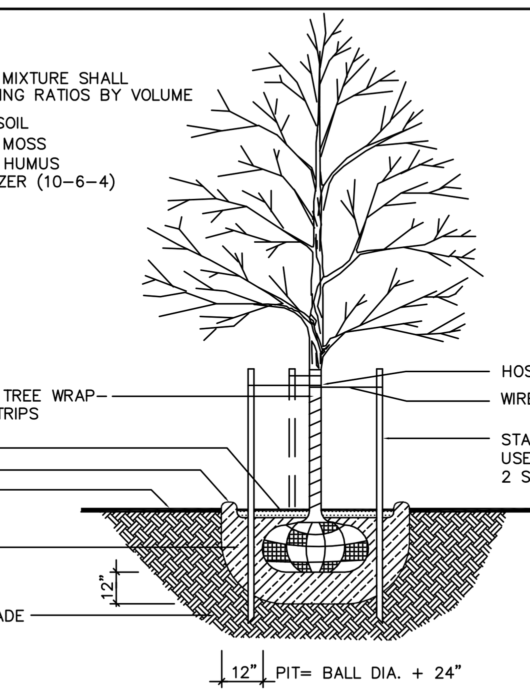


TYPE 2 – VEHICLE TRAFFIC LOADING (ACROSS DRIVEWAYS)

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA SPRINGS RIGHT OF WAYS:
1.) SIDEWALKS MUST BE PLACED IN THE PUBLIC RIGHT OF WAY AT THE PROPERTY LINE.
2.) SIDEWALKS MUST NOT DROP DOWN WHEN CROSSING A DRIVEWAY.
3.) SIDEWALKS MUST NOT EXTEND ACROSS PUBLIC STREETS OR ALLEYS.

GENERAL DESIGN CRITERIA FOR CONSTRUCTING SIDEWALKS WITHIN SARATOGA COUNTY RIGHT OF WAYS WITHIN SARATOGA SPRINGS:
1.) ALL SIDEWALK INSTALLATIONS MUST BE DESIGNED BY A PROFESSIONAL ENGINEER. PLANS MUST BE APPROVED BY THE COUNTY COMM. OF PUBLIC WORKS.
2.) SIDEWALKS MUST BE PLACED ON THE BACK SIDE OF DITCHES OR 8'(MIN.) FROM THE EDGE OF SHOULDER.
3.) SIDEWALKS MUST BE CONSTRUCTED SO AS NOT TO INTERFERE WITH DRAINAGE.

CITY OF SARATOGA SPRINGS, NEW YORK	
MODIFIED DETAIL Brick Walk	SS-8A



* AMENDED TOPSOIL MIXTURE SHALL BE IN THE FOLLOWING RATIOS BY VOLUME
20 PARTS TOPSOIL
4 PARTS PEAT MOSS
2 PARTS PEAT HUMUS
1 PART FERTILIZER (10-6-4)

NOTES:

MAJOR TREES (STREET AND SHADE) SHALL BE 3" MIN. D.B.H. (DIAMETER AT BREAST HEIGHT)

MINOR TREES (SMALL ORNAMENTALS) SHALL BE 2" MIN. D.B.H.

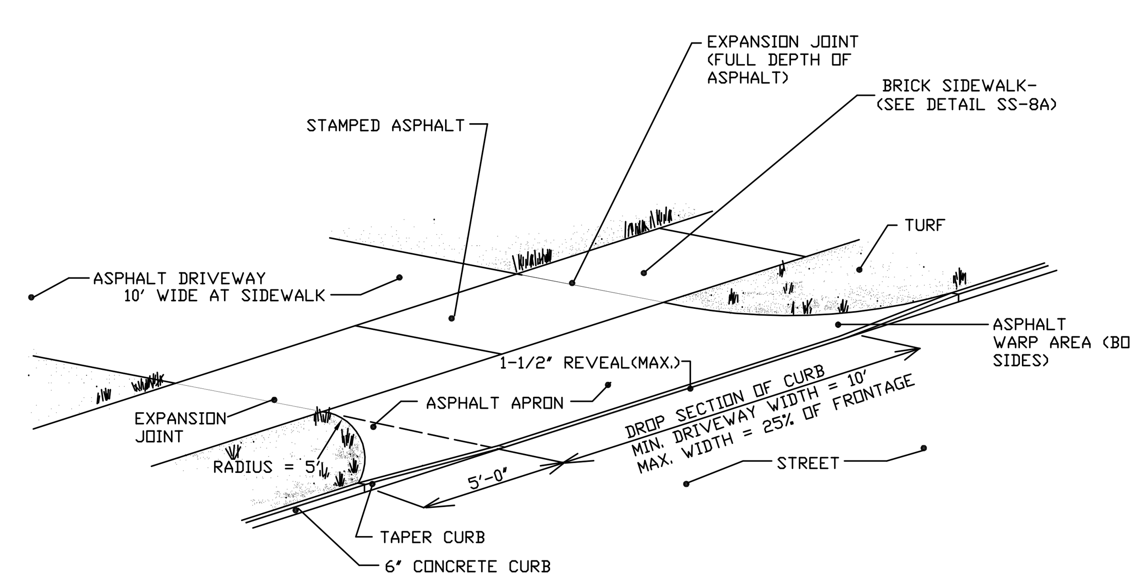
SEE SUBDIVISION CONSTRUCTION REGULATIONS FOR RECOMMENDED STREET TREE SPECIES.

ALL PLANT LIST SPECIFICATIONS SHALL INCLUDE THE FOLLOWING INFORMATION, TO BE APPROVED BY THE CITY OF SARATOGA SPRINGS:
BOTANICAL NAME — HEIGHT OR TRUNK DIA.
COMMON NAME — SPACING
TOTAL QUANTITY

TREE PLANTING DETAIL

N.T.S.

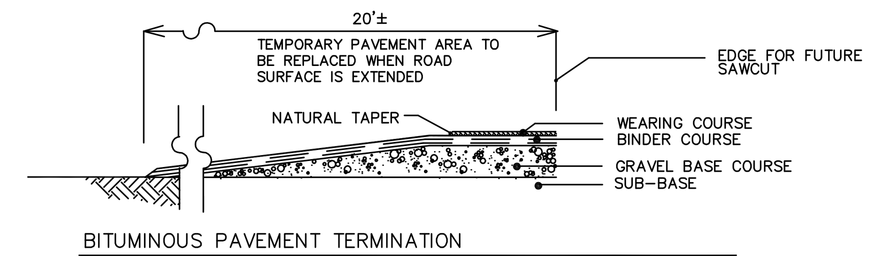
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Tree Planting	L-1



DROP CURB AT RESIDENTIAL DRIVEWAY

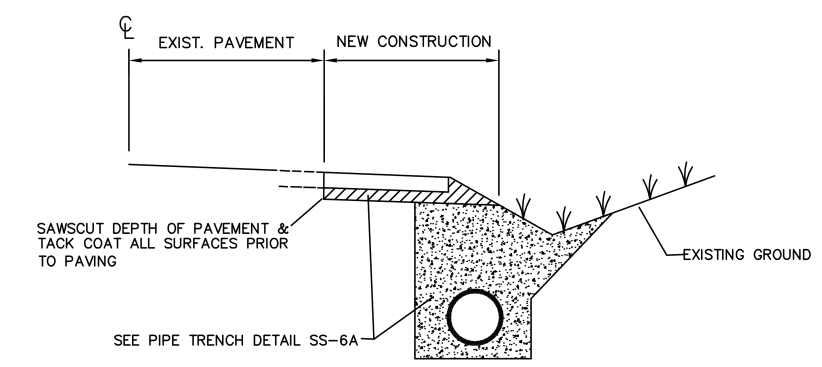
N.T.S.

CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
MODIFIED DETAIL Type 1 Driveway (Residential)	SS-12



BITUMINOUS PAVEMENT TERMINATION

N.T.S.

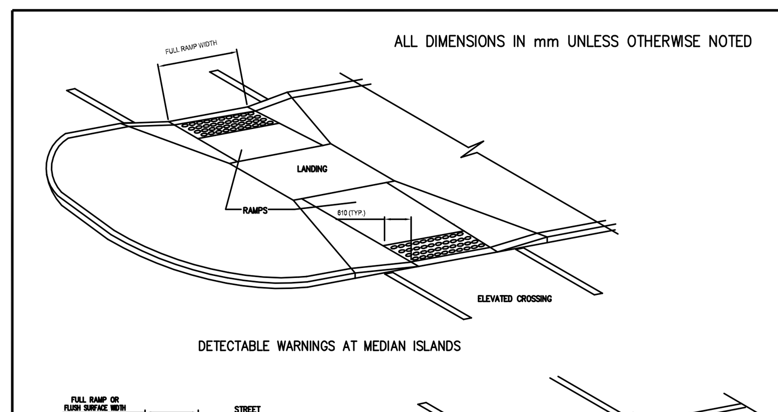


PAVEMENT SAWCUT

N.T.S.

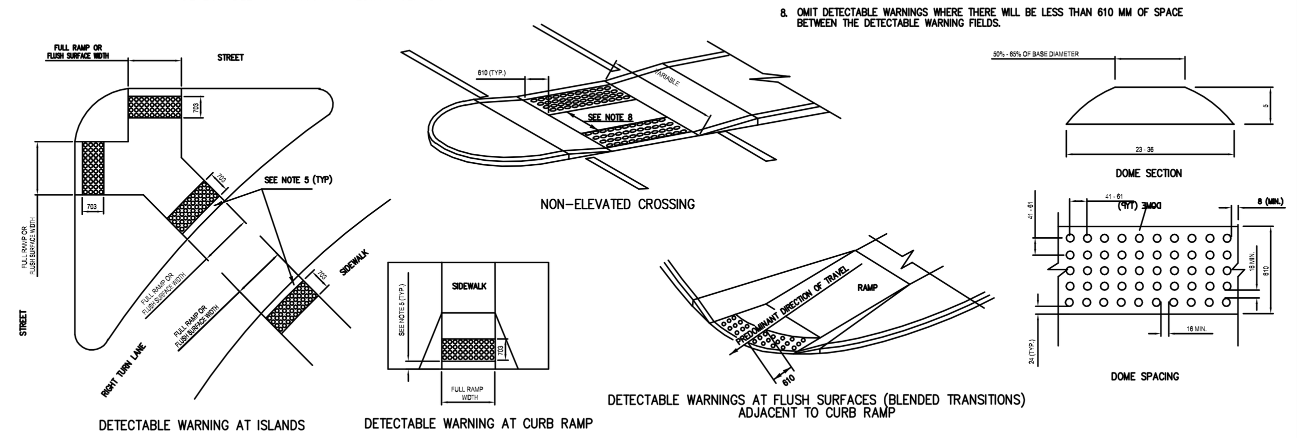
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Pavement Termination and Sawcut	SS-6

ALL DIMENSIONS IN mm UNLESS OTHERWISE NOTED



GENERAL NOTES

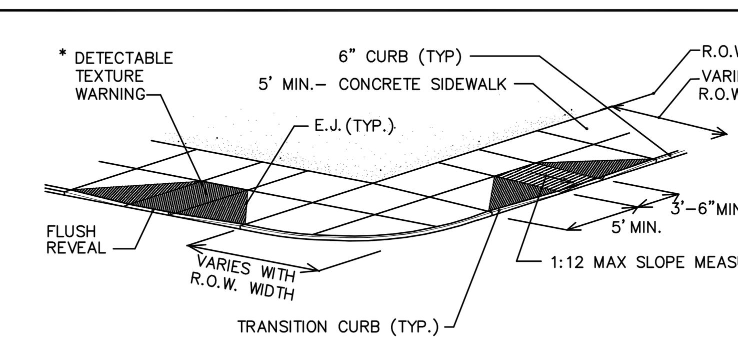
1. NEW CONSTRUCTION: EMBEDDED PREFORMED TEXTURE WARNING DEVICES SHALL BE EMBEDDED IN THE CONCRETE PER NYSDOT ITEM 608.02. PREFORMED/PRECAST UNITS SHALL BE DETECTO-TILE AS MANUFACTURED BY MEXCON INC. OF WORCESTER, NY OR SIMILAR PRODUCT APPROVED BY NYSDOT.
2. WHERE TEXTURE WARNING DEVICES MUST BE RETROFIT, PREFORMED DEVICES SHALL BE INSTALLED PER NYSDOT ITEM 608.01.
3. THE DETAILS PROVIDED ARE NOT DRAWN TO SCALE. THE QUANTITY OF DOMES DEPICTED ON THE DETECTABLE WARNING FIELD (THE DOMES AND THE ENTIRE 610 mm LEVEL SURFACE) IS FOR ILLUSTRATION ONLY.
4. THE SIZE OF THE DETECTABLE WARNING FIELD SHALL BE 610 mm IN THE DIRECTION OF TRAVEL AND SHALL EXTEND THE FULL WIDTH OF THE CURB RAMP OR FLUSH SURFACE, EXCLUSIVE OF SIDE FLARES.
5. LOCATION OF DETECTABLE WARNINGS. DETECTABLE WARNINGS SHALL BE LOCATED SO THAT THE EDGE OF THE WARNING FIELD NEAREST TO THE ROADWAY OR STREET SURFACE IS 150 mm TO 225 mm (305 WHERE TRAVERSABLE CURB IS USED) FROM THE EDGE OF THE ROADWAY/STREET, OR FROM THE FRONT OF THE DROPPED CURB, WHERE A DROPPED CURB CONTINUES ACROSS THE BOTTOM OF THE SIDEWALK CURB RAMP.
6. DOME ALIGNMENT. DOMES SHALL BE ALIGNED ON A SQUARE GRID IN THE PREDOMINANT DIRECTION OF TRAVEL.
7. COLOR REQUIREMENTS. THE DETECTABLE WARNING FIELD SHALL VISUALLY CONTRAST WITH THE ADJOINING CURB RAMP, OR OTHER ADJACENT WALKWAY SURFACES WHERE THERE IS NO CURB RAMP, EITHER LIGHT-ON DARK, OR DARK-ON-LIGHT AS DEFINED IN THE AMERICANS WITH DISABILITIES ACCESSIBILITY GUIDELINES (A.D.A.A.G. SECT. 1100).
8. OMIT DETECTABLE WARNINGS WHERE THERE WILL BE LESS THAN 610 MM OF SPACE BETWEEN THE DETECTABLE WARNING FIELDS.



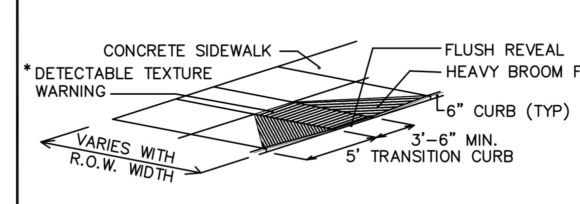
DETECTABLE TEXTURE WARNING DETAILS

N.T.S.

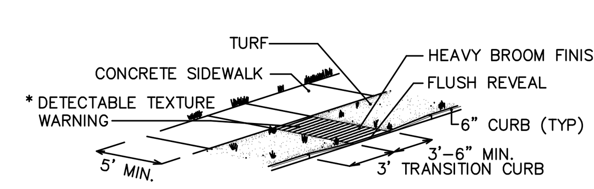
APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL DETECTABLE TEXTURE WARNING DETAILS (BASED ON NYSDOT STANDARD SHEET M608-5R2)	SS-11



PEDESTRIAN CURB RAMP – TYPE 1
AT STREET CORNER N.T.S.



PEDESTRIAN CURB RAMP – TYPE 2
AT SIDEWALK N.T.S.



PEDESTRIAN CURB RAMP – TYPE 3
AT GRASS STRIP N.T.S.

* DETECTABLE TEXTURE WARNING TO BE IN THE FORM OF DOMES AS SPECIFIED ON NYSDOT STANDARD SHEET M608-5R2 SHOWN ON DETAIL SS-11. VERIFY LOCATION(S) & TYPE OF DETECTION WITH CITY ENGINEER.

APPROVED:		CITY OF SARATOGA SPRINGS, NEW YORK	DWG No
PLANNING BOARD	1/13/2010 DATE	STANDARD DETAIL Pedestrian Curb Ramps	SS-10

REV.	DATE	BY	CHK.	DESCRIPTION
0	9/08/2016	FTO	JK	ORIGINAL SUBMITTAL

BOUNDARY INFORMATION
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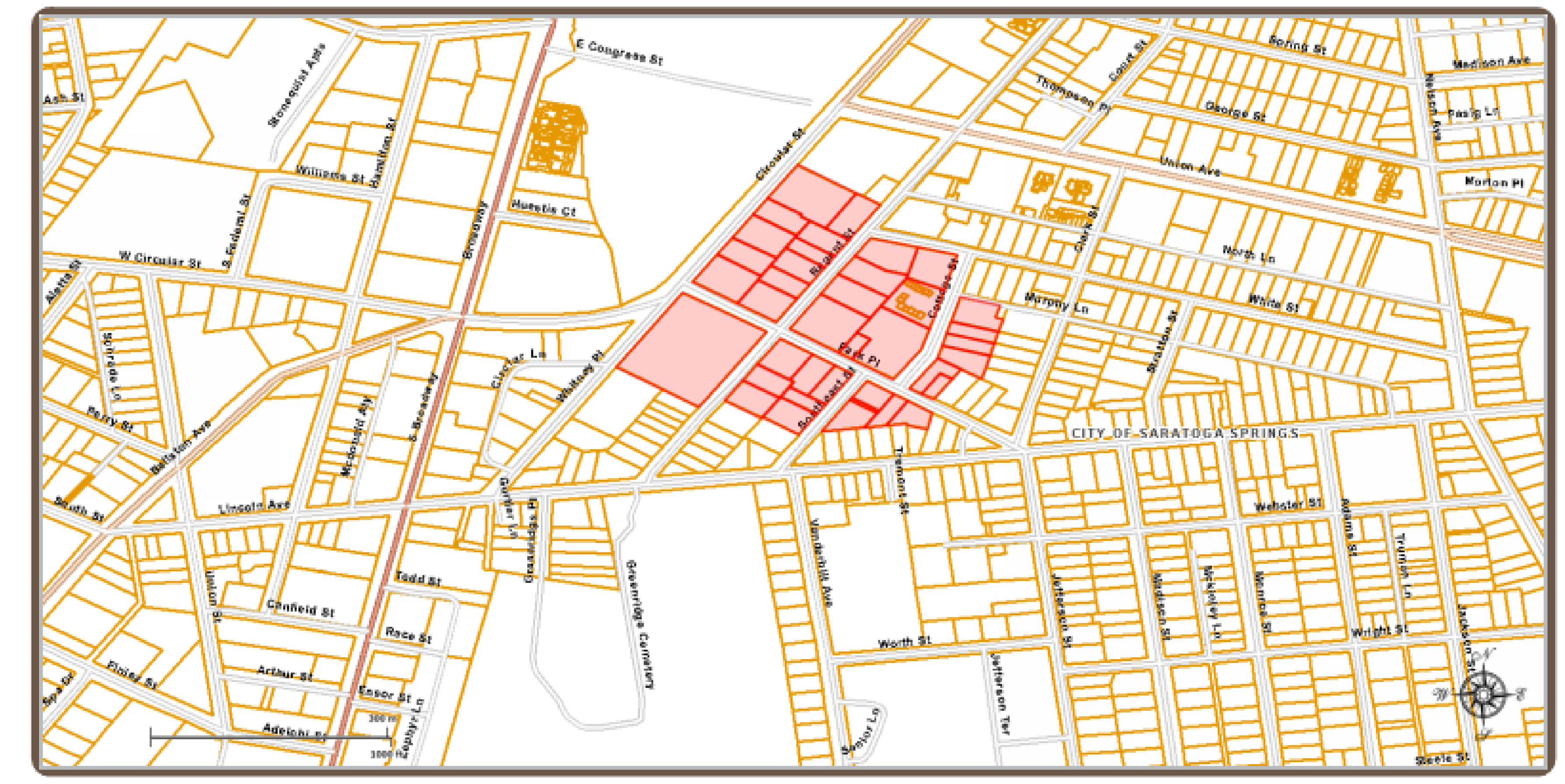
JOHN KLEKOVIC, P.E. LICENSE NO. NY 057060

DRAWN BY: FTO	CITY OF: SARATOGA SPRINGS	SCALE: AS SHOWN
CHECKED BY: JK	COUNTY OF: SARATOGA	DATE: 9/08/16
TAX MAP NO. 165.84-1-1	STATE OF: NEW YORK	REVISION: 0

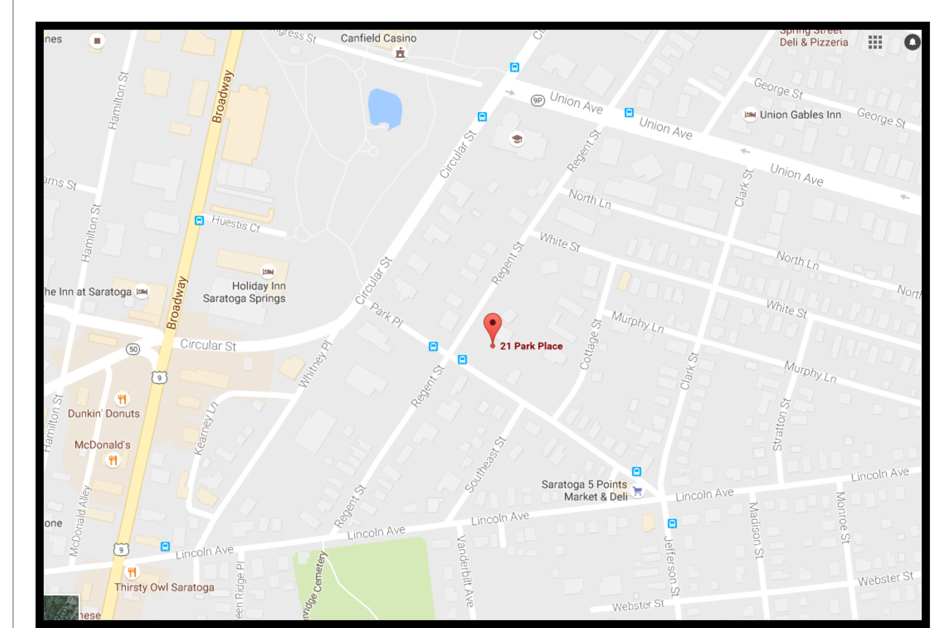
21 PARK PLACE SUBDIVISION
OWNER: DAVID P. GUARINO & LINDA E. HANER

PROPOSED SITE PLAN
DETAILS

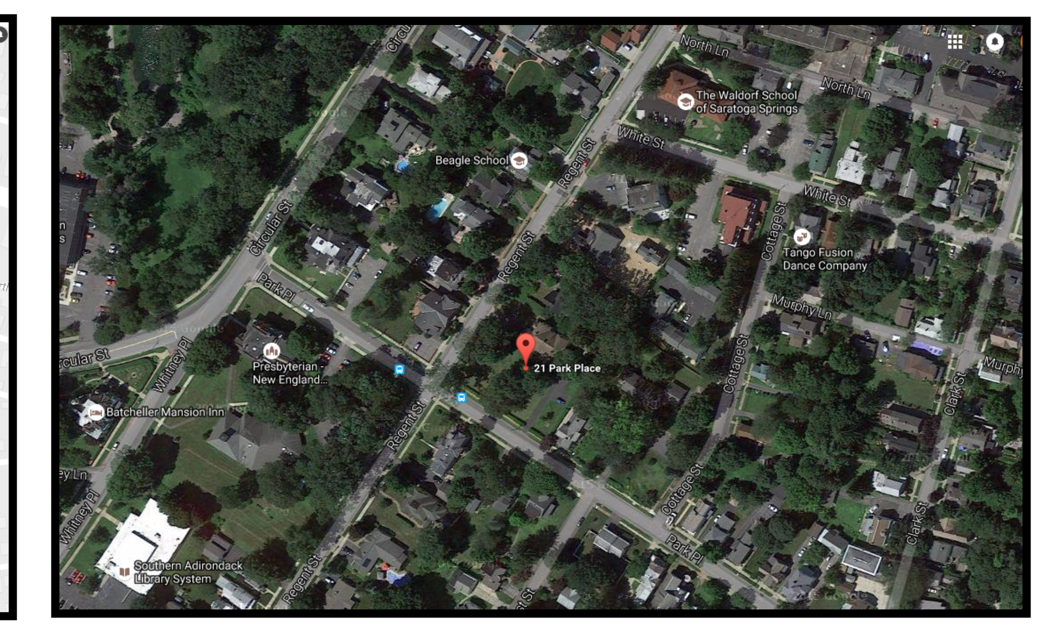
S3
SHEET 1



PROJECT LOCATION MAP
NTS



PROJECT LOCATION MAP
NTS



AERIAL MAP
NTS

CITY OF SARATOGA SPRINGS

1. ALL WORK MUST CONFORM TO ALL FEDERAL, STATE AND CITY CODES, SPECIFICATIONS, ORDINANCES, RULES AND REGULATIONS.

2. THE ELEVATION BASE FOR THE CONTOURS AND BENCHMARKS ARE BASED ON TEH NATIONAL GEODETIC VERTICAL DATUM, 1929.

3. ALL REFUSE, DEBRIS AND MISCELLANEOUS ITEMS TO BE REMOVED SHALL BE LEGALLY DISPOSED OF OFF-SITE BY THE CONTRACTOR TO A LOCATION APPROVED BY THE CITY ENGINEER.

4. THE CONTRACTOR MUST SET UP A PRE-CONSTRUCTION MEETING WITH THE CITY ENGINEER PRIOR TO ANY CONSTRUCTION. CONSTRUCTION INSPECTIONS BY THE DESIGN PROFESSIONAL OR A DESIGNATED REPRESENTATIVE ARE REQUIRED. THE COST OF THE CONSTRUCTION INSPECTIONS IS THE RESPONSIBILITY OF THE APPLICANT/DEVELOPER. AN ESCROW ACCOUNT TO COVER THE COST OF THE PROPOSED SITEWORK MUST BE ESTABLISHED WITH THE CITY PRIOR TO ANY CONSTRUCTION.

5. THE CONTRACTOR MUST OBTAIN A BLASTING PERMIT FROM THE BUILDING INSPECTOR IF ANY BLASTING IS REQUIRED FOR THE PROJECT.

STANDARD NOTES

6. THE CONTRACTOR MUST OBTAIN A STREET OPENING PERMIT ISSUED BY THE DEPARTMENT OF PUBLIC WORKS FOR ANY WORK IN THE STREET OR RIGHT-OF-WAY OF ANY CITY STREET.

7. ALL POINTS OF CONSTRUCTION INGRESS OR EGRESS SHALL BE MAINTAINED TO PREVENT TRACKING OR FLOWING OF SEDIMENT OR DEBRIS ONTO A PUBLIC ROAD.

8. NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL ALL SITE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS; AND AN AS-BUILT DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY ENGINEER.

9. THE APPLICANT MUST VERIFY THAT THE PROPOSED PROJECT CAN ACCOMMODATE THE TURNING MOVEMENTS OF ANY FIRE TRUCK THAT THE FIRE DEPARTMENT SO DESIGNATES.

SHEET INDEX

V1 - VACINITY PLAN

S1 - PROPOSED SUBDIVISION PLAT

S2 - PROPOSED SEDIMENT & EROSION CONTROL PLAN

S3 - SITE PLAN DETAILS

GENERAL NOTES

1.

2. PRIOR TO COMMENCING ANY EXCAVATION WORK, THE CONTRACTOR SHALL CONTACT U.F.P.O. (1-800-962-7962) AND THE PROPER LOCAL AUTHORITIES OR RESPECTIVE UTILITY COMPANY HAVING JURISDICTION TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. ANY COSTS INCURRED BY THE CONTRACTOR DUE TO FAILURE TO CONTACT THE PROPER AUTHORITIES SHALL BECOME THE RESPONSIBILITY OF THE CONTRACTOR.

3. THE LOCATIONS OF ALL UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE DIAGRAMMATIC ONLY. CONTRACTOR SHALL COORDINATE LOCATION OF ALL UTILITIES (LINES, DUCTS, CONDUITS, SLEEVES, FOOTINGS, ETC.) WITH LOCATIONS OF PROPOSED LANDSCAPE ELEMENTS (WALLS, FENCE, FOOTINGS, TREE ROOTBALLS, PROPOSED LIGHTING FOOTINGS, ETC.). EXCAVATION REQUIRED WITHIN PROXIMITY OF UTILITY LINES SHALL BE DONE BY HAND. ANY DAMAGE AND INCURRED COSTS DUE TO FAILURE OF THE CONTRACTOR TO CONTACT THE PROPER AUTHORITIES SHALL BE BORNE BY THE CONTRACTOR.

4. THE GENERAL CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS IN THE FIELD AND REPORT ANY DISCREPANCY BETWEEN THE PLANS AND THE ACTUAL FIELD CONDITIONS TO THE LANDSCAPE ARCHITECT.

5. LIMIT OF WORK LINE IS NOTED ON DRAWINGS. CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGE DUE TO OPERATIONS INSIDE AND OUTSIDE OF THE CONTRACT LIMIT LINE. ANY AREAS OUTSIDE THE LIMIT OF WORK THAT ARE DISTURBED SHALL BE RESTORED TO ITS ORIGINAL CONDITION AT NO ADDITIONAL COST TO THE OWNER. CONTRACTOR SHALL MEET LINE AND GRADE OF EXISTING CONDITIONS AT LIMIT OF WORK LINE. IF NO LIMIT OF WORK IS SHOWN, THE PROPERTY LINE SHALL BE THE LIMIT OF WORK.

6. THE CONTRACTOR SHALL ESTABLISH PERMANENT BENCH MARKS. MAINTAIN ALL ESTABLISHED BOUNDS AND BENCH MARKS AND REPLACE AS DIRECTED ANY WHICH ARE DESTROYED OR DISTURBED.

7. CONTRACTOR SHALL EMPLOY SPECIAL CARE IN SCHEDULING CONSTRUCTION SO AS TO MAINTAIN EXISTING VEHICULAR TRAFFIC PATTERNS, AND MINIMIZE DISRUPTION TO SURROUNDING PEDESTRIAN TRAFFIC. CONTRACTOR SHALL EMPLOY SPECIAL CARE TO PROTECT SAFETY OF PEDESTRIANS INSIDE AND OUTSIDE OF THE LIMIT OF WORK LINE.

8. VARIOUS PERMITS ARE REQUIRED FOR THIS WORK. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL REQUIRED PERMITS FROM ALL JURISDICTIONS AFFECTED BY THIS WORK ARE IN PLACE PRIOR TO CONSTRUCTION. FOR PERMITS ALREADY ISSUED, CONTRACTOR SHALL OBTAIN COPIES OF PERMITS AND STRICTLY ADHERE TO PERMIT CONDITIONS. PERMITS THAT ARE OUTSTANDING SHALL BE SECURED BY THE CONTRACTOR AND COORDINATED WITH THE OWNER'S REPRESENTATIVE.

9. ALL ALTERATIONS TO THESE DRAWINGS MADE IN THE FIELD DURING CONSTRUCTION SHALL BE RECORDED BY THE CONTRACTOR ON "AS-BUILT DRAWINGS," AS SPECIFIED

10. STORAGE AREAS FOR THE GENERAL CONTRACTOR'S EQUIPMENT AND MATERIALS SHALL BE LOCATED WITHIN THE LIMITS OF WORK AS SHOWN ON THE PLANS OR AS APPROVED BY THE OWNER'S REPRESENTATIVE.

11. SHOULD ANYTHING BE OMITTED FROM THE PLANS WHICH IS NECESSARY FOR A COMPLETE UNDERSTANDING OF THE WORK, OR SHALL ANY ERROR APPEAR IN THE VARIOUS INSTRUMENTS FURNISHED OR IN THE WORK BY OTHER CONTRACTORS AFFECTING THE WORK COVERED HEREBY, THE CONTRACTOR SHALL AND WILL PROMPTLY NOTIFY THE OWNER'S REPRESENTATIVE, AND IN THE EVENT OF THE CONTRACTOR'S FAILURE TO DO SO, HE SHALL AND WILL MAKE GOOD OF ANY DAMAGE OR DEFECT IN HIS WORK CAUSED THEREBY.

12. PROVIDE EXPANSION JOINTS AT ALL CURBS, WALLS, STEPS, LIGHT POLE BASES, PULL BOXES, MANHOLES, TRAFFIC CONTROLLER BOXES AND AS SHOWN ON PLAN.

13. CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF ALL EXISTING INFRASTRUCTURE FOR THE DURATION OF CONSTRUCTION.

14. CONTRACTOR SHALL PROTECT AND SUSTAIN IN NORMAL SERVICE ALL EXISTING UTILITIES, STRUCTURES, EQUIPMENT, ROADWAYS AND DRIVEWAYS.

15. THE CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE HIS EFFORTS OF DEMOLITION, REMOVALS AND OR RELOCATION WORK WITH ALL TRADES, IF APPLICABLE. CONSULT ALL DRAWINGS AND SPECIFICATIONS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.

16. CONTRACTOR TO COMPLY WITH ALL OSHA AND OTHER STATE AND LOCAL SAFETY REQUIREMENTS DURING CONSTRUCTION (PROPER SHORING, ETC.).

17. CONTRACTOR SHALL MAINTAIN PROPER SIGNS, BARRICADES, FENCES, TO PROPERLY PROTECT THE WORK, EQUIPMENT, PERSONS AND PROPERTY FROM DAMAGE. ALL DAILY TRAFFIC IN THE VICINITY OF THE SITE SHALL NOT BE IMPEDED.

MAP REFERENCES:
1. "SUBDIVISION PLAN, 21 PARK PLACE SUBDIVISION", MAP NO. 2016-07-04, REVISION -, 08/10/2016, BY SURVEY ASSOCIATES, LLC. DANIEL C. WHEELER L.S.

2. SITE PLAN FOR TORANI RESIDENCE, 21 PARK PLACE, SARATOGA SPRINGS, NEW YORK ZONING: R-4. EXISTING CONDITIONS AND PROPOSED OFF-STREET PARKING. DATED JAN 20 1987. WAYNE G. PETERSON, ARCHITECT. APPROVED 3/3/1987.

PB# XX.XXX

REV.	DATE	BY	CHK.	DESCRIPTION
0	9/06/2016	FTO	JK	ORIGINAL SUBMITTAL

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CHECKED BY: JK	COUNTY OF: SARATOGA	DATE: 9/06/16
TAX MAP NO. 165.84-1-1	STATE OF: NEW YORK	REVISION: 0

21 PARK PLACE SUBDIVISION
OWNER: DAVID P. GUARINO & LINDA E. HANER

PROPOSED VACINITY MAP

V1
SHEET 1