

September 11, 2018

Kate Maynard
Saratoga Springs Principal Planner
474 Broadway
Saratoga Springs, NY 12866

RE: 550 Union ROW impacts

Dear Ms. Maynard

The applicant has submitted their claim of title to the existing right of way to the city but the city attorney does not feel that the existing documentation is sufficient to demonstrate clear title of ownership of the right of way (private road). To resolve the title concern, the applicant has discussed with the City planning staff their desire to seek the title for the right of way and/or to seek variances for those parking spaces impacted by the setbacks from the right of way parcel (private road). Either, process will take many months to come to a resolution and the applicant wishes to move this project forward into construction to reopen in the spring of 2019. The right of way (private road) bisects the property and the setbacks from those property lines intersects the proposed parking spaces numbered 23-36 and 38-54. While the clear title of ownership is established and/or the variance for those parking spaces impacted by the setbacks from the right of way parcel (private road) are sought, the applicant has proposed to construct these parking spaces within the setbacks as temporary (seasonal overflow) spaces without the final paving surface. The temporary spaces will be constructed with the proposed subbase to match the asphalt pavement section for spaces 23-36 and the no. 57 stone and coarse aggregate for the porous pavement spaces 38-54. Above the base layers described previously a layer of mirafi 160N will be installed to separate the base layers from the no. 2 stone gravel surface which would remain as the temporary surface.

The applicant has proposed to fund the letter of credit for these spaces to be constructed as designed depending on the results of the title claim for the right of way and/or variances for those parking spaces impacted by the setbacks from the right of way parcel.

Condition A assumes that the tile claim is granted to the applicant in that case the parking spaces would be paved as designed. Spaces 23-36 would be parking lot asphalt and spaces 38-54 would be porous asphalt pavement.

Condition B assumes that the applicant would apply for variances for those parking spaces impacted by the setbacks. If the variances are granted the spaces would be constructed as designed.

If the clear title cannot be established or the variances are not granted, the spaces would remain as temporary (seasonal overflow) parking spaces.

The parking required for the proposed uses is 159 parking spaces the project proposes 183 parking spaces for vehicles. The use of boat parking as part of the required parking count was discussed with the planning board during the SEQRA process. It was said that the boat parking would provide customers an alternative to vehicular parking.

In section 7.2.4 number 2 the planning board can "determine the sufficiency of off-street parking and loading". The applicant will ask the planning board to consider the seasonal overflow parking as discussed above as part of the site plan application which would reduce the amount of parking by those 31 parking spaces. This allows for the application process to continue and covers the application requirements, in the case that neither; the clear title ownership can be established, or the variances for parking in the setback from the right of way (private road) are granted.

The applicant will seek both Condition A and Condition B and if successful with either process, will construct the parking areas as designed within 8 months of the clear title or variance approval.

Sincerely,

Handwritten signature of Matthew C. Brobston in black ink.

Matthew Brobston, RLA
Associate
mbrobston@thelagroup.com

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