



Engineering and Land Surveying, P.C.

1533 Crescent Road, Clifton Park, NY 12065
[Redacted]
[Redacted]

LETTER OF TRANSMITTAL

TO:

Saratoga Springs Planning Board
City Hall
474 Broadway
Saratoga Springs NY 12866

Date:	MJ #:	Contract:
8/5/16	972.17	N/A-
Attention:		PIN:
Susan Barden, Senior Planner		N/A
Project:		
20 Bowman Street		
RE: ZBA Application		

WE ARE SENDING:

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Shop Drawings | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Separate Cover | <input type="checkbox"/> via <u>regular mail</u> the following items: |
| <input type="checkbox"/> Copy of Letter | <input type="checkbox"/> Prints | <input checked="" type="checkbox"/> Plans | <input type="checkbox"/> Samples |
| | <input type="checkbox"/> Change Order | <input type="checkbox"/> CD | <input type="checkbox"/> Specifications |
| | | | <input checked="" type="checkbox"/> Other <u>See Below</u> |

Copies	Date	No.	Description
1	8/5/2016		ZBA Application
1	8/5/2016		Existing Conditions Plan
1	8/5/2016		Concept Site Plan
1	8/5/2016		Project Narrative
1			Short Environmental Assessment Form
1			Check #2456 \$500.00

ITEMS ARE TRANSMITTED as checked below:

- | | | | |
|--|---|-----------------------------------|-------------------------------|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit | _____ copies for approval |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit | _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Resubmit | _____ corrected prints |
| <input checked="" type="checkbox"/> For review and comment | <input type="checkbox"/> Prints returned after loan to us | | |
| <input type="checkbox"/> For bids due _____ | <input type="checkbox"/> Other: _____ | | |

Comments:

cc: file _____
client _____

Signed: _____
Alison Yovine, PLA

2456

Sames Media Group LLC
19 Blue Jay Way
Rexford, NY 12148

29-1310-213

DATE 8/2/14

PAY TO THE
ORDER OF

Comm. of Finance

\$ 500⁰⁰

Five hundred & 00/100

DOLLARS

 Security Features
Included
Details on Back.

Citizens Bank®

President and CEO

FOR 20 BOWMAN ST. APP.



MP



CITY OF SARATOGA SPRINGS

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

[FOR OFFICE USE]

(Application #)

(Date received)

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

	<u>APPLICANT(S)*</u>	<u>OWNER(S) (If not applicant)</u>	<u>ATTORNEY/AGENT</u>
Name	Matt Sames		James Easton MJ Engineering
Address	_____		21 Corporate Drive, Suite 105
	_____		Clifton Park, NY 12065
Phone	_____ / _____	_____ / _____	_____ / _____
Email	_____	_____	_____

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

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

PROPERTY INFORMATION

1. Property Address/Location: 20 Bowman Street Tax Parcel No.: 179 29 3 11
(for example: 165.52 - 4 - 37)

2. Date acquired by current owner: _____ under contract 3. Zoning District when purchased: TRB

4. Present use of property: commercial 5. Current Zoning District: TRB

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

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

8. Brief description of proposed action: _____
Converting an existing one story commercial building into a 2 story building with drinking and eating establishment on the first floor and apartment on the second floor.

9. Is there a written violation for this parcel that is not the subject of this application? Yes No

10. Has the work, use or occupancy to which this appeal relates already begun? Yes No

11. Identify the type of appeal you are requesting (check all that apply):

INTERPRETATION (p. 2) VARIANCE EXTENSION (p. 2) USE VARIANCE (pp. 3-6) AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "Commissioner of Finance". Fees are cumulative and required for each request below.

- Interpretation \$ 400
- Use variance \$1,000
- Area variance
- Residential use/property: \$ 150
- Non-residential use/property: \$ 500
- Extensions: \$ 150

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

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) _____

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

3. If interpretation is denied, do you wish to request alternative zoning relief? Yes No

4. If the answer to #3 is "yes," what alternative relief do you request? Use Variance Area Variance

EXTENSION OF A VARIANCE – PLEASE ANSWER THE FOLLOWING (add additional information as necessary):

1. Date original variance was granted: _____ 2. Type of variance granted? Use Area

3. Date original variance expired: _____

5. Explain why the extension is necessary. Why wasn't the original timeframe sufficient?

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

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

A use variance is requested to permit the following: _____

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following “tests”.

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

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

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

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

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

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

5) Annual income generated from property: \$ _____

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

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

Appraisal Assumptions: _____

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

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

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

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

If yes, describe frequency and name of publications: _____

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

If yes, list dates when sign was posted: _____

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

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

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

240-2.0

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

<u>Dimensional Requirements</u>	<u>From</u>	<u>To</u>
Ex. Building -Front Minimum setback	40'	26.9'
Ex. Building - North Side Minimum setback	40'	8.1'
Parking - South Side Minimum setback	20'	1.8'
Parking - Rear Minimum setback	25'	7.8'
Parking - Front Minimum setback	40'	27.1'
Deck - North Side Minimum setback	40'	8.1'

Other: _____

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

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

The building side and front setbacks are necessary to make the existing building conform to the current zoning code. The apartment will be added to conform to the comprehensive plan, where second floor apartments are encouraged.

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

The use of drinking and eating establishment is allowed within the Tourist Related Business district. The property to the north is used as track parking and will not be affected. There are currently eating and drinking establishments in the neighborhood, although this will geared towards an upscale clientele.

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

No, as the existing building does not conform to code.

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

No, as the existing building footprint is to remain the same, there is no change in the character of the neighborhood. Also as the existing parking in front is located to the side, it will not conform with City code and again be similar to the existing business in the neighborhood.

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

The proposed building variances are not self created as the existing building does not comport to the City code. The parking variance setback is also not self created as a result of the City code requirement of 24' travel way and 18' parking stalls, the side parking variance is required, as no parking based upon dimension and code compliance would be allowed on parcel if a variance was not granted.

DISCLOSURE

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

APPLICANT CERTIFICATION

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

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

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



(applicant signature)

Date: 8/2/16

(applicant signature)

Date: _____

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

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

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

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

PROPERTY ADDRESS: _____ ZONING DISTRICT: _____

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

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

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

Extension of existing variance Interpretation

Use Variance to permit the following: _____

Area Variance seeking the following relief:

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

Other: _____

Note: _____

Advisory Opinion required from Saratoga County Planning Board

ZONING AND BUILDING INSPECTOR

DATE

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

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>MATT SAMES</u> Date: <u>8/2/16</u></p> <p>Signature: <u></u></p>		

**Zoning Board of Appeals
Project Narrative
for**

**20 Bowman Street
City of Saratoga Springs
Saratoga County, New York**

Prepared for:
Matt Sames
Sames Media Group
Located at
19 Blue Jay Way
Rexford, NY 12148

August 8, 2016

Prepared by:



Engineering and
Land Surveying, P.C.

21 Corporate Drive, Suite 105
Clifton Park, NY 12065

Tel: XXXXXXXXXX
Fax: XXXXXXXXXX



INTRODUCTION

The proposed project consists of one tax parcel in the City of Saratoga (tax parcel 179.29-3-11) comprising 0.29 acres. The existing commercial lot is situated between a restaurant/bar to the south and residential property to the west/north, with a vacant residential lot used as track parking directly to the north. See attached aerial map and tax map. The proposal application wishes to renovate an existing 1,500 commercial building, by removing the roof and making a second floor 1,500 SF apartment above the existing space, which will be converted into an eating and drinking establishment. The existing dated, concrete building will be renovated using stone, dark woods, black iron hinges and fixtures. An open air connection would be created between the patio and the restaurant. The year-round establishment will feature a menu of flatbreads, meat and cheese boards, and tapas style plates. The drink offerings will include wines, microbrewery beers, and various vodka drinks, with an upscale lounge atmosphere.

Zoning

The parcel is within the Tourist Related Business (TRB-zone). To the north of the site the zoning is Urban Residential-2 (UR-2).

Parcel

The parcel has an area of 0.29 acres and has a lot frontage of 100 feet and a depth of 124.9 feet.

Water

There is service currently within the property. A water district extension would not be needed.

Sewer

Currently no sewer service is available within the property. A grinder pump station will be needed.

Stormwater

Stormwater will be managed by an underground infiltration array system.

Usage

The proposed use of eating and drinking establishment is an approved use. The second floor apartment is an approved use within the TRB zone with a special use permit issued by the City.

Variances

Existing Building

The existing building does not conform to the setbacks for the TRB zone. Therefore the following variances are required:

1. Front minimum setback from 40 feet to 26.9 feet
2. North side minimum setback of 40 feet to 8.1 feet

Proposed Design

The schematic design proposes 17 parking spaces. 2 parking spaces for the apartment, 13.5 spaces for the eating and drinking establishment (1 space for 4 seats = 54 seats/4 seats per stall), 1.5 spaces for the employees (1 space for every 2 employees = 3 employees/2). Therefore the following variances are required to allow the required parking within the parcel:

1. South side minimum setback of 20 feet to 1.8' feet.
2. Rear minimum setback of 25 feet to 7.8 feet.
3. Front minimum setback of 40 feet to 27.1 feet.

The deck providing access to the second floor apartment requires the following variances:

1. North side minimum setback of 40 feet to 8.1 feet.



EXHIBITS:

- | | |
|------------------|-------------------|
| Exhibit 1 | Aerial Map |
| Exhibit 2 | Tax Map |
| Exhibit 3 | Site Photo |



Aerial Map

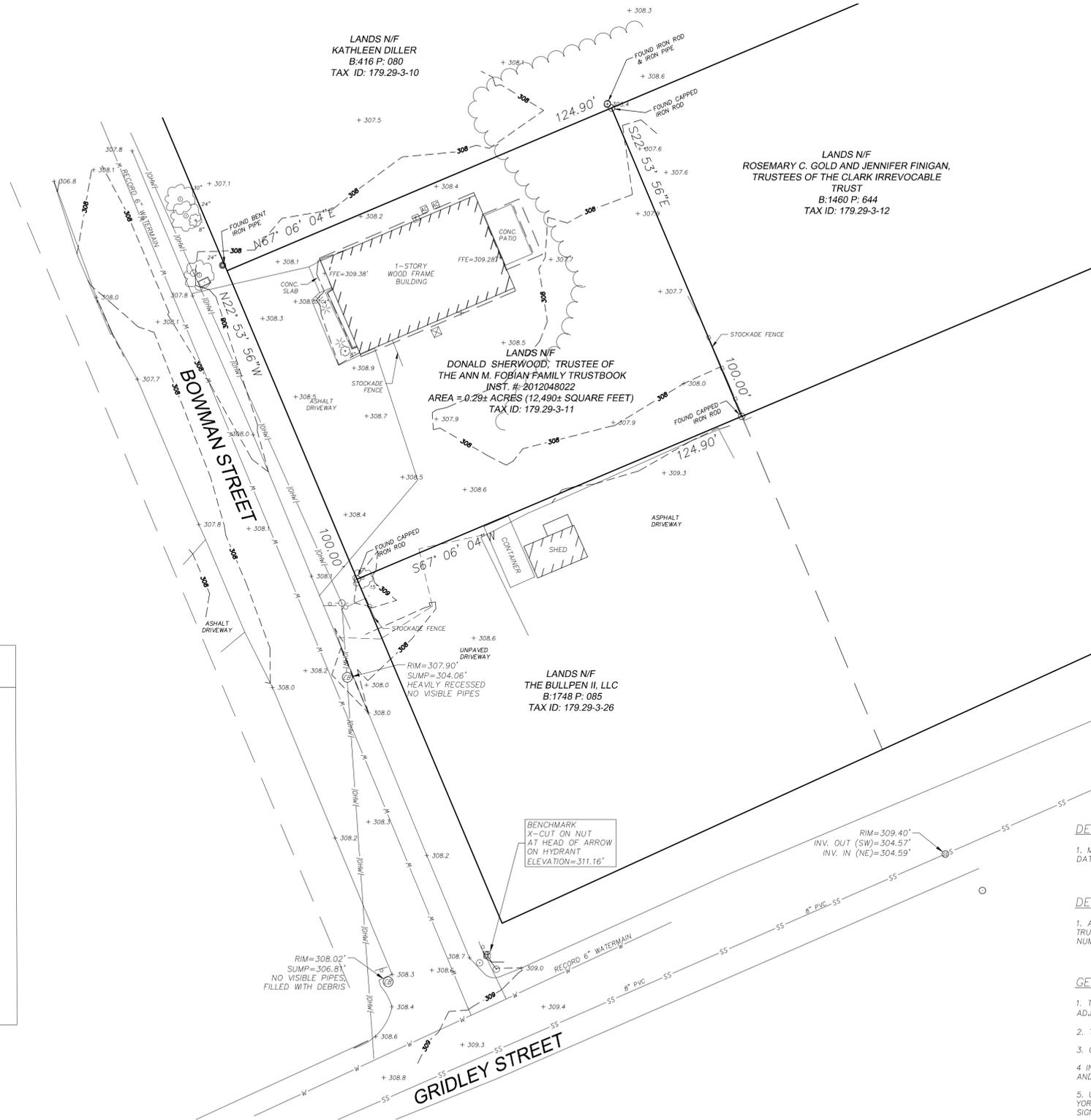
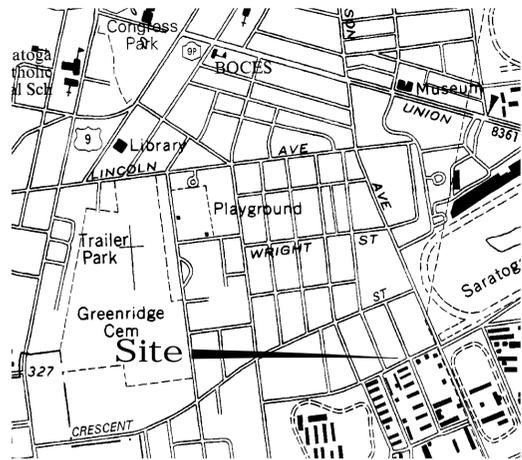


Tax Map



Image capture: Jul 2014 © 2016 Google

Street View Photo – Existing Conditions



LEGEND	
	CATCH BASIN
	UTILITY POLE
	GUY WIRE
	ELECTRIC METER
	SINGLE POST SIGN
	MAILBOX
	AIR CONDITIONER UNIT
	DECIDUOUS TREE
	CONIFEROUS TREE
	CONIFEROUS SHRUB
	DOUBLE POST SIGN
	DECIDUOUS TREE
	CONIFEROUS TREE
	DECIDUOUS SHRUB
	PROPERTY LINE
	OVERHEAD WIRES
	SANITARY SEWER LINE
	WOOD FENCE
	WOODS LINE

DEED REFERENCE:
 1. MAP ENTITLED "MAP OF PROPERTY OWNED BY J.M. ADAMS, H. KNICKERBACKER, C.E. LELAND AND E.H. CHAPMAN" DATED 1971 AND FILED IN THE SARATOGA COUNTY CLERKS OFFICE IN DRAWER 2 AS MAP 83.

DEED REFERENCE:
 1. ANN M. FOBIAN, F/K/A ANN M. COOK TO DONALD SHERWOOD, AS TRUSTEE OF THE ANN M. FOBIAN FAMILY TRUST, DATED DECEMBER 14, 2012 AND RECORDED IN THE SARATOGA COUNTY CLERKS OFFICE AS INSTRUMENT NUMBER 2012048022 ON DECEMBER 18, 2012.

GENERAL NOTES:
 1. THE HORIZONTAL DATUM IS ON NORTH AMERICAN DATUM OF 1983, (2011) ADJUSTMENT: NAD 83/ (2011), NEW YORK STATE PLANE EAST ZONE 3101.
 2. THE VERTICAL DATUM IS THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29).
 3. CONTOUR INTERVAL = 1 FOOT.
 4. INFORMATION SHOWN HEREON IS FROM A FIELD SURVEY CONDUCTED BY MJ ENGINEERING AND LAND SURVEYING, PC JULY 21, 2016.
 5. UNAUTHORIZED ALTERATIONS OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYORS SEAL AND SIGNED WITH RED INK SHALL NOT BE CONSIDERED TO BE VALID COPIES.

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS "A" MISDEMEANOR.

SUBMITTAL / REVISIONS					
No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE

PROJ. MANAGER:	JWE
CHIEF DESIGNER:	JWE
DESIGNED BY:	JWE
DRAWN BY:	JWE
CHECKED BY:	-

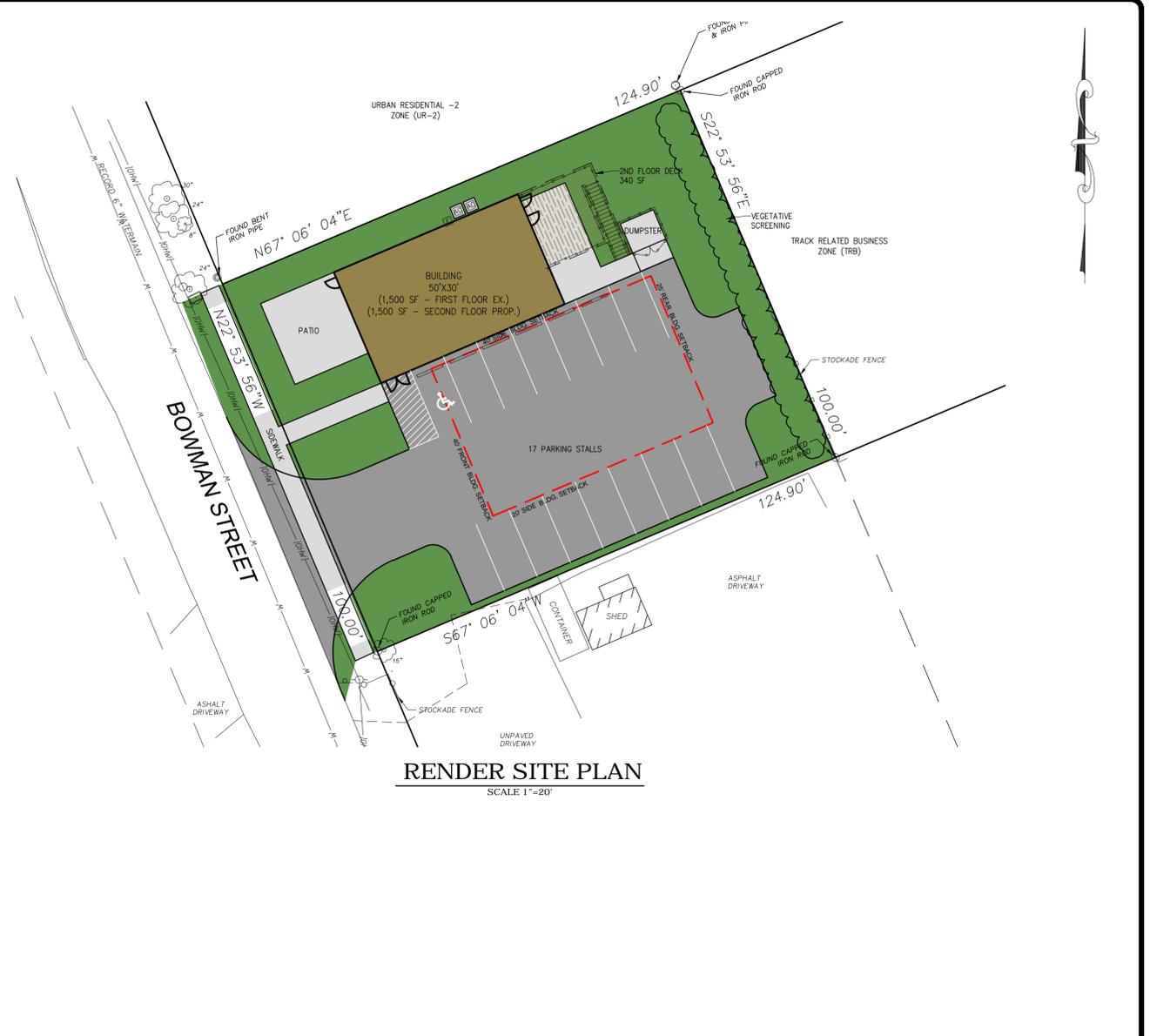
DRAFT



Engineering and Land Surveying, P.C.
 1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES
EXISTING CONDITIONS
 20 BOWMAN STREET
 CITY OF SARATOGA SPRINGS NEW YORK

SCALE: AS SHOWN
CONTRACT No.: -
MJ PROJ. No.: 972.17
DATE: AUGUST 2016
C-1
SHEET 1 OF 2



SITE STATISTICS

SITE AREA:	12,490 SF (MIN LOT SIZE IS 10,000 SF)
EXISTING ZONE:	TRB (TOURIST RELATED BUSINESS)
USE:	DRINKING AND EATING ESTABLISHMENT 1ST FLOOR, APARTMENT 2ND FLOOR (SPECIAL USE PERMIT FOR APARTMENT IN TRB ZONE)
PARKING:	REQUIRED= 17 SPACES PROPOSED= 17 SPACES BASED UPON 2 SPACES PER APARTMENT= 2 REQUIRED. BASED UPON 1 SPACE PER 4 SEATS= 54 SEATS/4 SEAT PER STALL=13.5 SPACES BASED UPON 1 SPACE PER EVERY 2 EMPLOYEES= 3 EMPLOYEES= 1.5 SPACES
MINIMUM LOT WIDTH:	100' IN TRB (HAVE 100')
SETBACKS BLDG:	FRONT=40' (TRB) NORTH SIDE=40' (TRB) SOUTH SIDE=20' (TRB) REAR= 40' (TRB)
MAX HT:	40'
GREEN SPACE:	30% REQUIRED (PROPOSED 33.3%= 4,129 SF/12,400 SF)
PRINCIPAL BLDG:	20% REQUIRED (PROPOSED 12%=1,500 SF/12,400 SF)

PRELIMINARY DRAWINGS: NOT FOR CONSTRUCTION

THE ALTERATION OF THIS MATERIAL IN ANY WAY, UNLESS DONE UNDER THE DIRECTION OF A COMPARABLE PROFESSIONAL, (I.E.) ARCHITECT FOR AN ARCHITECT, ENGINEER FOR AN ENGINEER OR LANDSCAPE ARCHITECT FOR A LANDSCAPE ARCHITECT, IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW AND/OR REGULATIONS AND IS A CLASS 'A' MISDEMEANOR.

SUBMITTAL / REVISIONS					
No.	DATE	DESCRIPTION	BY	REVIEWED BY:	DATE

PROJ. MANAGER: JWE
CHIEF DESIGNER: JWE
DESIGNED BY: JWE
DRAWN BY: JWE
CHECKED BY: -

SEAL

DRAFT

Engineering and Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

MATT SAMES
CONCEPT SITE PLAN #1
20 BOWMAN STREET
CITY OF SARATOGA SPRINGS NEW YORK

SCALE: AS SHOWN
CONTRACT No.: -
MJ PROJ. No.: 972.17
DATE: AUGUST 2016

C-2
SHEET 2 OF 2