

Mr Moore

City of Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

7/17/17

Att: Bill Moore, Chair



Dear Mr. Moore,

We are writing to you regarding a requested area variance and sign variance for the former Peppers Market (currently operating as Moby Rick's Seafood Market) located at 173 Lake Ave. It is proposed that the building in place now be torn down and replaced by a much larger structure that will house 2 businesses. We have been notified that this will be on the ZBA agenda at the meeting scheduled for July 24, 2017.

The immediate neighbors are in major opposition to this change. With only 7 days' notice we don't think there is sufficient time to gain legal representation for the meeting on 7/24. We have been in contact with three prominent local attorneys who all have conflicts and have a meeting scheduled with a fourth this week.

We believe that the proposed change is a radically different use of this property given that this neighborhood is zoned UR3 residential. If granted this variance will alter the essential character of the neighborhood. We understand that Peppers has been a "grandfathered" business for convenience sales. What it has become is a fish market with no real "convenience" sales. It is now proposed that a new eat in-take-out food and pizza delivery business along with the fish market will operate as 2 separate businesses in a much larger building. There is proposed inside seating for both businesses and per Tom West the developer the possibility of both businesses offering alcohol in the future. There are major concerns regarding the quality of life in this neighborhood along with major parking, noise, garbage, deliveries, parking lot lights, all on a very small Warren St.

We are asking that this proposal be tabled until we can gain proper legal representation. We look forward to voicing our concerns directly to the ZBA on 7/24/17.

Sincerely,

John Bepko 171 Lake Ave., Saratoga Springs, NY
Joan D Bepko 171 Lake Ave

(owners of 171 Lake Ave)

Submittals
7/24/2017 w/ PHOTOS
zoning board 7/24/2017

For
Board
Records

I am asking that this proposal be denied as presented on the application. My concerns and questions are as follows:

1. AREA variances are being sought should be USE
2. not convenience sales but distribution : fish and pizza definition of convenience of doesn't include take out or delivery
3. notice to homeowners from city says area variance to demolish and signs for 2 retail tenants
4. no notice given to us about parking variance but cover letter on application state they are asking for parking also
5. this is a NEW USE now two businesses pizza delivery and an eat in take out for both. Never was this before.
6. IF a parking variance is being addressed . What is the standard being held to? Mr. Shaws letter does not address parking at all.
7. off street loading off street parking area may not be used to satisfy . Currently ONE business gets at least 6 in a week now TWO will double that. *(delivery trucks)*
8. outdoor eating area not allowed use in UR 3 . Outdoor patio is on plans.
9. Could they achieve these businesses by other means? YES many truly commercial spaces available. Did they try to find more suitable?
10. EXTENSION OR EXPANSION OF USE They are seeking both to extend AND expand . Two distinct separate businesses in a space currently where only ONE exists.

11. estimated total property values for surrounding neighbors is 6 million dollars.

Based on these concerns please deny this application.

Very concerned property owner,

Joan And John Brophy
171 Lake Ave. Saratoga Springs

Mr Moore,

*please enter this into
the record.*

*I also request a
polling of the vote*

*Joan D Brophy
171 Lake Ave*

Zoning Board member

RECEIVED
JUL 20 2017

City of Saratoga Springs Zoning Board of Appeals
City Hall
474 Broadway
Saratoga Springs, NY 12866

2989

7/17/17

Att: Bill Moore, Chair

Dear Mr. Moore,

We are writing to you regarding a requested area variance and sign variance for the former Peppers Market (currently operating as Moby Rick's Seafood Market) located at 173 Lake Ave. It is proposed that the building in place now be torn down and replaced by a much larger structure that will house 2 businesses. We have been notified that this will be on the ZBA agenda at the meeting scheduled for July 24, 2017.

The immediate neighbors are in major opposition to this change. With only 7 days' notice we don't think there is sufficient time to gain legal representation for the meeting on 7/24. We have been in contact with three prominent local attorneys who all have conflicts and have a meeting scheduled with a fourth this week.

We believe that the proposed change is a radically different use of this property given that this neighborhood is zoned UR3 residential. If granted this variance will alter the essential character of the neighborhood. We understand that Peppers has been a "grandfathered" business for convenience sales. What it has become is a fish market with no real "convenience" sales. It is now proposed that a new eat in-take-out food and pizza delivery business along with the fish market will operate as 2 separate businesses in a much larger building. There is proposed inside seating for both businesses and per Tom West the developer the possibility of both businesses offering alcohol in the future. There are major concerns regarding the quality of life in this neighborhood along with major parking, noise, garbage, deliveries, parking lot lights, all on a very small Warren St.

We are asking that this proposal be tabled until we can gain proper legal representation. We look forward to voicing our concerns directly to the ZBA on 7/24/17.

Sincerely,

John Brough 171 Lake Ave, Saratoga Springs, NY

John D Brough 171 Lake Ave

(owners of 171 Lake Ave)