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In the Matter of the Application of Jon Cromer  
for a SUP for 66 White Farms Road

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STATE OF NEW YORK :  
 : ss.:  
COUNTY OF SARATOGA :

Jon Cromer, being duly sworn, deposes and says, that:

1. I am the applicant for a SUP to operate a neighborhood bed and breakfast at 66 White Farms Road.

2. I submit this affidavit in support of that application, and to rebut some comments made and questions raised by Mr. Michael Toohey, Esq.

***The Legality Of My Home Occupation As A Videography Business.***

3. The objection to my home occupation by the neighbor to the north is ironic on two grounds: first, my home occupation would be lawfully extinguished by the establishment of the proposed Bed and Breakfast. Second, it should be apparent to all that my neighbor to the north runs a home occupation on her 27 acre parcel with considerably more than one non-resident employee. My neighbor had one of her (resident) employees speak in opposition to my application.

*Non-resident employees*

4. The trigger for Planning Board review of a home occupation appears to be the presence of more than one non-resident employee. (Section 240-12.4, Home Occupation, Item B-1). I have never had more than one non-resident employee, and she was part-time.

*The tractor trailer trucks*

5. I own two tractor trailer trucks which may be used to deliver equipment to job locations. I am the principal driver. The trucks are usually in Florida at job sites January to April. One truck goes to the St. Clement's Horse Show and stays until July, then it goes to Vermont or Saugerties until September, then back to Florida in October through April. The other truck goes in May to New Jersey, then to Kentucky, then Devon, PA. In June that truck goes to Lake Placid, then back to Kentucky until September, then to Harrisburg in October, back to Saratoga and then to Florida in November until April. Sometimes I fly back and forth to drive the trucks. On occasion a friend of mine is my back-up driver but he is never an employee at my house. When I was advised that the temporary parking of the trucks could be deemed outdoor storage of equipment, I moved them to the truck stop at Exit 16.

6. I draw the Board's attention to the fact that on occasion tractor trailer trucks arrive at the Whitney estate via White Farms Road. I recall that

for the 2008 Travers weekend two such trucks arrived: one was a flatbed with a large tent and the other appeared to be a satellite truck. I have no objection to such activity.

### *Parking of Cars*

7. I have only parked cars when there is a sold out concert at SPAC. Obviously, no one wants to pay to park cars on my yard when free parking is available at SPAC. In 2009, I parked cars on 8 occasions. In 2008, I parked cars on 2 occasions. Without parking available on my yard, the concert goers will park all over White Farms Road, in The Springs neighborhood and on Geysers Road. I was asked at the Planning Board whether I ever called the police in connection with illegally parked cars blocking White Farms Road, and I answered that I had not called the police. The complete answer would be that I did not call the police because the Park Police and the City Police are on site, and they routinely summon tow trucks to tow away the illegally parked cars.

8. If I am granted the SUP by the Planning Board and I have guests in residence at 66 White Farms Road I would certainly not park cars on the yard as that would destroy the ambience for my guests. However, I would ask that the Board not banish all parking as a condition of the granting of the SUP, especially not without consulting with the affected police agencies for their opinion as to the impact on public safety.

### *Fence Issues*

9. At the Board it was suggested that my parking patrons are somehow responsible for damage to my northern neighbor's fence. This defies logic; my parking patrons use the overhead pedestrian bridge and have a straight line access to and from their cars from SPAC. I have attached hereto 2 photographs which show the state in which my neighbor's fence is kept; I can't understand how her fence maintenance or lack thereof has any bearing on my application.

### *The Longshots Mansion Website*

10. I set up a website called Longshots Mansion as a marketing tool to see if the concept was popular. Originally I referred to it as a "B & B" however when I learned that would require a series of permits I discontinued using that term.

11. I have rented out the entire house on two occasions in 2003: a track rental and one wedding. In 2004 I rented out the entire house on two occasions for weddings. In 2005 I rented out the entire house once, for a wedding. I have not rented out the house nor any portion of the house since then.

12. I have never rented out individual rooms. I have never provided food service.

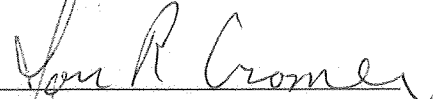
***Impact on the Neighborhood of the Proposed Use***

13. I believe my application satisfies the standards for a special use permit set forth in Section 240-6.4 of the Code. My house is located alongside Route 50 and next to the SPAC parking lot. My neighbor to the north has a 27 acre compound which is well secured by six foot fences topped with barbed wire adjacent to my property line. In the immediate neighborhood are located the NYS Park, the Saratoga Water bottling plant and The Springs townhouse community. My neighbors in The Springs have supported my application by signing my petition. The impact of up to five guest bedrooms would be miniscule in this context. Given the large size of my lot and its location next to the pedestrian overhead bridge to SPAC, my house is an ideal location for a neighborhood B & B.

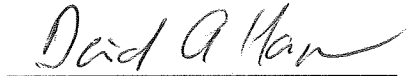
***Waiver of site plan review***

14. As shown on the submitted sketch plan there is more than adequate space to provide parking within the setbacks. I do not propose any paving or changes to the existing vegetation. As the Board knows from its site inspection and the photographs submitted with this application, the house is well screened from all directions. In light of this, I respectfully ask

the Board to waive the requirement for site plan review.

  
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Jon Cromer

Sworn to before me this  
14 day of March, 2010.

  
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Notary Public

DAVID A. HARPER  
Notary Public, Reg. No. 4730928  
State of New York, Saratoga County  
My Commission Expires Aug. 31, 2010

