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ATTORNEYS AT LAW

PLEASE REPLY TO:  
P.O. BOX 4367

SARATOGA SPRINGS, N.Y. 12866  
STREET ADDRESS: 160 WEST AVENUE

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FACSIMILE (518) 584-1503

OF COUNSEL  
LOREN N. BROWN\*

\*RETIRED JUSTICE  
NEW YORK STATE  
SUPREME COURT

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Paralegal

HARRY D. SNYDER  
MICHAEL J. TOOHEY  
KATHLEEN A. CORBETT  
JAMES G. SNYDER  
JAMES S. COX

JACLYN A. BUNCE

May 4, 2015

**\*\*HAND DELIVERED\*\***

Commissioner John Franck, City Clerk  
City of Saratoga Springs  
474 Broadway, City Hall  
Saratoga Springs, New York 12866

Ms. Joanne Yepsen, Mayor  
City of Saratoga Springs  
474 Broadway, City Hall  
Saratoga Springs, New York 12866

Commissioner Skip Scirocco  
City of Saratoga Springs  
474 Broadway, City Hall  
Saratoga Springs, New York 12866

Commissioner Michele Madigan  
City of Saratoga Springs  
474 Broadway, City Hall  
Saratoga Springs, New York 12866

Commissioner Christopher Mathiesen  
City of Saratoga Springs  
474 Broadway, City Hall  
Saratoga Springs, New York 12866

RECEIVED  
MAY 06 2015  
ACCOUNTS DEPARTMENT

Rec'd from Xerox: 5/6/15  
by: [Signature]

**RE: Petition to Amend the Zoning Code of the City of Saratoga Springs**

Dear Commissioner Franck, Mayor Yepsen, Commissioner Scirocco, Commissioner Madison and Commissioner Mathiesen,

On behalf of Saratoga National Golf Course, Inc., I am forwarding directly to Commissioner Franck, as the City Clerk, fourteen (14) copies of a Petition, Short Form SEQRA, and our client's check in the amount of \$700.00, seeking to amend the Zoning Code of the City of Saratoga Springs, to include a definition of "Golf-Clubhouse" in Appendix A of Chapter 240 of

the City Code of the City of Saratoga Springs. I am also including to the Mayor and the Commissioners a Narrative explanation of the "Clubhouse" definition which explains Saratoga National's position with regard to seeking to have this term included within the Zoning Code.

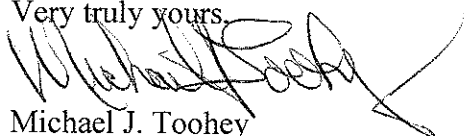
From the Narrative, we hope you will recognize that this proposed addition will permit us to do exactly what we have asked for in the past, while not being a catalyst for the expansion and growth of any other part of the East Side of the City of Saratoga Springs. It will also be a mechanism whereby greenspace can be preserved and significant taxes and job opportunities can be derived.

Also, as you go through the final reviews of the Comprehensive Plan, we would ask that within the definition of the "Conservation Development District" that in one of the last drafts appeared on Page 59 that the term "Golf Course with a Clubhouse", be incorporated. This does not change the fact that a golf course and clubhouse already exist within this zone, but merely eliminates the possible confusion that it was not intended to continue to be a permitted use that is allowed in this area of the City as set out in the Zoning Code.

I would ask that this matter be placed on the City Council Agenda so that we can follow the statutory path towards potential adoption of the definition by the City Council.

If any of you have individual questions, please do not hesitate to contact me.

Very truly yours,



Michael J. Toohey

MJT/cb

Enclosures

cc: Bradley Birge  
Kate Maynard

SARATOGA NATIONAL GOLF CLUB, INC.  
SARATOGA SPRINGS, NEW YORK 12866

34029

Check Number: 34029  
Check Date: May 1, 2015

COMMISSIONER OF FINANCE

Check Amount: \$700.00

Item to be Paid - Description

Discount Taken Amount Paid

Petition

700.00

DOCUMENT INCLUDES VISIBLE FIBERS, CHEMICAL REACTIVE PROPERTIES AND FEATURES, A FOIL HOLOGRAM

SARATOGA NATIONAL GOLF CLUB, INC.

458 UNION AVENUE  
SARATOGA SPRINGS, NEW YORK 12866



The Adirondack Trust Company  
Saratoga Springs, NY 12866

50-288/213

34029

DATE

AMOUNT

May 1, 2015

\*\*\*\*\*\$700.00

PAY

Seven Hundred and 00/100 Dollars

TO THE  
ORDER  
OF

COMMISSIONER OF FINANCE  
PO BOX 328  
SARATOGA SPRINGS, NY 12866



*Thomas R. Hart*

TRUE WATERMARK PAPER, HOLD TO LIGHT TO VIEW

PAPER CONTAINS TONER ADHESION PROPERTIES

HEAT SENSITIVE RED IMAGED DISAPPEARS WITH HEAT

⑈034029⑈ ⑆021302884⑆ 695⑈466⑈8⑈



# 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: 1/04/11)

1. Name of Petitioner: Saratoga National Golf Club, Inc.

2. Type of Amendment (map or text):

☐ Map Amendment:

Site Location: \_\_\_\_\_

Tax Parcel Number(s): \_\_\_\_\_

Current Zoning: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

Reason for amendment: \_\_\_\_\_

Location map: Submit 18 copies of location map (all sheets must be 24" x 36" or smaller).

☒ Text Amendment:

Section to be amended: Chapter 240 Appendix A - Definition of Terms

Proposed wording of text amendment (attach additional sheets if necessary): See Exhibit A -

Definition "Clubhouse - Golf"

Reason for amendment: Within the Rural Residential Zone (RR) "Golf Course & Clubhouse" are a Permitted Use upon the issuance of a Special Use Permit and Site Plan Approval. "Golf Course" is a specifically defined use, "Clubhouse" is not defined. This proposal is to codify the definition of "Clubhouse".

3. Professional Representing Applicant (if any):

Name: Michael J. Toohey, Esq.

Phone: 518-584-1500

Address: Snyder, Kiley, Toohey, Corbett & Cox, LLP

Fax: 518-584-1503

P. O. Box 4367, 160 West Avenue, Saratoga Springs, NY 12866

4. Environmental Assessment Form - All petitions must include a completed SEQOR Short or Long Form.
5. Petition Fee: \$700.00 plus \$100/acre Total \$ 700.00  
A check for the total amount payable to: "Commissioner of Finance" must accompany this petition.
6. Submit 18 copies of complete petition and all attachments.
7. 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 X . If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.
8. Submission Deadline - All completed petitions are to be submitted to the Office of the Mayor 5 days before the next City Council meeting.

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 240-15.3 of the Zoning Code for the City of Saratoga Springs.

Applicant Signature: 

Date: 5/ 4 /15

Name: Saratoga National Golf Club Inc.

Phone: 518-583-4653

Address: 458 Union Avenue  
Saratoga Springs, New York 12866

Fax: \_\_\_\_\_

## Short Environmental Assessment Form

### Part 1 - Project Information

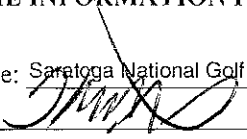
#### Instructions for Completing

**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.

<b>Part 1 - Project and Sponsor Information</b>							
Saratoga National Golf Club, Inc.							
Name of Action or Project: Clubhouse-Golf Defines							
Project Location (describe, and attach a location map): No specific location/Municipality - Saratoga Springs/County - Saratoga							
Brief Description of Proposed Action: Would primarily affect the possible Special Permitted Use of Land in the City of Saratoga Springs Rural Residential Zone or any other Zone in the City where a Golf Clubhouse exists or is proposed							
Name of Applicant or Sponsor: Saratoga National Golf Club, Inc.		Telephone: (518) 583-4653					
		E-Mail: tnewkirk@golfsaratoga.com					
Address: 458 Union Avenue							
City/PO: Saratoga Springs		State: NY	Zip Code: 12866				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
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 <div style="text-align: right;">No specific acreage.</div>							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): Commercial, restaurant, hotel <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ This is unknown as the proposed does not cover a specific location	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ This is unknown as the proposal does not cover a specific location	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> 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: _____ _____ _____	NO   <input checked="checked" type="checkbox"/>	YES   <input type="checkbox"/>
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: _____ _____ _____	NO   <input checked="checked" type="checkbox"/>	YES   <input type="checkbox"/>
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: _____ _____ _____	NO   <input checked="checked" type="checkbox"/>	YES   <input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Saratoga National Golf Club, Inc.</u> Date: <u>5/ 4</u> /2015</p> <p>Signature: <u></u></p>		



## **EXHIBIT A**

### **Clubhouse-Golf**

A structure or clustered group of structures associated with a full size 18 hole golf course, that may include locker rooms, spa, health and fitness center, fitness related retail, restaurant and banquet facilities, business center, lodging for up to 100 rooms and up to 6 free-standing golf lodges, containing up to 8 guest rooms with associated common space. No residential unit may be privately owned or deeded.

For a Clubhouse in the Rural Residential District (Conservation Overlay District), the facilities, other than the golf course, golf school, pump house, restrooms, storm shelter facilities and maintenance facilities, shall be at least 3,000 feet from the Clubhouse's primary public road entrance with no building being higher than 50 ft. Only one Clubhouse can be constructed in relation to the golf course. Retention of permeable land and public access may be a criterion considered by the Planning Board in granting of a Special Use Permit and/or Site Plan Review.