



Village of Saranac Lake - Planning Department
 39 Main St.
 Saranac Lake, NY 12983
 Phone (518) 891-4150
www.saranaclakeny.gov

Instructions:

- A complete application must include a dimensioned plot plan
- Area Variance application fee - \$200.00
- Incomplete applications will not be placed on the Development Board agenda
- Dependent on the project scope, a public hearing may be required: <https://ecode360.com/31626259>
- Area Variance regulations can be found at: <https://ecode360.com/31627468>

AREA VARIANCE APPLICATION			
Project Address: 258 Broadway		Tax Map #: 164601-446.60-8-9	Zoning District Zone G (E1 transition)
Property Owner Name: Aubuchon Realty Co. Inc		Applicant Name (if different):	
Address: 73 Junction Square Dr		Address:	
City: Concord	State: MA	City:	State:
Phone: 774-696-9699	Zip: 01742	Phone:	Zip:
Email: michaels@arc1932.com		Email:	

Please provide a written description of the project. The narrative should describe why a variance is requested.

Narrative
<p>A hardship in the form of a catastrophic fire in late January of 2023 damaged beyond repair or otherwise made unusable a <30,000+ sqft commercial structure that was occupied by four tenants.</p> <p>Through a general contractor, the Aubuchon Realty Company has begun total demolition of much of the structure beginning in August of 2023. The portion of the building where the fire began will be razed in its entirety, and we are looking to save as much of the existing portion of the building on the Cedar Street side as is structurally possible, with the goal of repairing this portion to make it suitable again to house the hardware business that was displaced by the fire and its related damage.</p> <p>Unfeasible to rebuild on top of the existing building footprint of the Keene Street side that was totally destroyed by the fire, we are looking to extend the hardware store rectangle for proper parking to accommodate a 15,020 SF hardware store, and retail tenant(s) for a remaining 12,500 SF. The new proposed structure is roughly 275' by 100' or 27,520 SF as proposed.</p> <p>The existing structure sits within the current rear setback. This building is mostly reparable so we do not intend to change its footprint. Where it would change - and where we're seeking our first variance - would be with the new portion of the building of the extended rectangle (moving north towards Keene St). This will push into the side setback by a maximum of 3', tapering out to near-0' over a roughly 50' run. The attached diagram shades in green the new area that will go beyond that rear setback. We are in a transition zone with E1, and are hopeful we may be afforded some leniency in these setbacks due to this immediate proximity to the Village's principle commercial district.</p> <p>The existing building limits along Cedar also go beyond the current defined front setbacks, as well as encroaches on the Cedar Street Right of Way. It is our hope where this is a 40+ year pre-existing condition, and we have no plans of doing anything more with that side of the building than to repair interior finishes, that we are grandfathered and/or are afforded leniency with this nonconforming side-yard setback and encroachment due it being a pre-existing building, and would not be compelled to do so resulting from this hardship, so it is our belief that variance does not need to be sought for a longstanding pre-existing condition.</p> <p>The second variance we're seeking is for impervious surface coverage. We will honor current front setbacks with the new parking lot, but still need to size it appropriately to give delivery trucks enough room to maneuver, and to allow sufficient parking for two retail tenants.</p>

Property Owner Signature(required): Michael Sambuceti Digitally signed by Michael Sambuceti
 DN: C=US, E=michaels@arc1932.com, O=Aubuchon Realty Company, OU=Development Manager, CN=Michael Sambuceti
 Date: 2023.08.30 15:02:35-04'00' Date: _____

Applicant Signature(if different): _____ Date: _____

Refer to Code dimensional standards at: <https://ecode360.com/attachment/SA0109/SA0109-106b%20Schedule%202.pdf> to complete the 'Allowed/Required' column on the Project Data Table below. Complete the 'Requested Relief' column for each standard from which a variance is requested.

Project Data Table	Allowed/ Required	Proposed	Requested Relief
Lot Area			
Front Setback			
Rear Setback			
Side Setback	15'	12'	3'
Shoreline Setback			
% of lot coverage by principle building			
% of lot coverage by impervious surface	30%	39%	9%
Building Height/Stories			

Criteria Response

In making its determination, the Development Board shall take into consideration the benefit to the applicant if the Area Variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Development Board must also consider the criteria below.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance:

Explanation
<p>Requested Variance A (rear setback): The pre-existing condition of the building already encroaches some 3' into the rear setback. This would be a relatively short continuation of that 3', immediately tapering down to near 0' as the new building moves north. This would not negatively affect the surrounding neighborhood at any further depth than it's already been affected for over 40-years.</p> <p>The benefit to the applicant is we're allowed additional parking to serve the hardware store and viability to attract a Tenant B (presumed dry-goods retail) for the 12500 SF space.</p> <p>Requested Variance B (% impervious surface coverage): We are requesting relief of 9% additional impervious surface coverage beyond the 30% in code for Zone G. The new parking lot will be pulled away from the street to accommodate for front setback, and we need additional parking space for delivery trucks to maneuver entirely within the site, rather than attempting back-up maneuvers off of Broadway. This will greatly limit the amount of interference deliveries will have on Broadway traffic.</p> <p>The benefit to the applicant is we're still able to provide adequate parking to service two retail tenants</p>

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance:

Explanation
<p>Lengthening the building in the northerly direction would conceivably narrow its east/west width, pulling it out of the rear setback and reducing impervious surface coverage. However this would also reduce the area for delivery trucks to maneuver, in some cases forcing WB-67 semi-trailers to attempt to back into the parking lot off of Broadway, impeding the flow of traffic and being a general hazard to pedestrians using the new rail trail.</p>

Criteria Response, continued

3. Whether the requested area variance is substantial:

Explanation

Neither the relief of 3' at rear setback nor an 9% increase of impervious surface coverage is substantial, particularly in light of this being in a E1 transition zone.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district:

Explanation

None are expected.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance:

Explanation

Aubuchon Realty Company ("ARC") has been forced into this situation due to hardships resulting from a catastrophic fire. The existing building predated many current setback minimums, but with the repair/rebuild, we intend to honor current front setbacks by pulling the parking lot away from the road. ARC is also very conscious of not wanting delivery trucks to disrupt the flow of traffic on Broadway, so to fully accommodate delivery truck maneuvering to the on-site paved surface, we needed to expand the amount of paved surface.

The building is within Zone G, but we are in the transition zone with Zone E-1, and hope to be afforded some relief based on this immediate proximity to the principle commercial district.

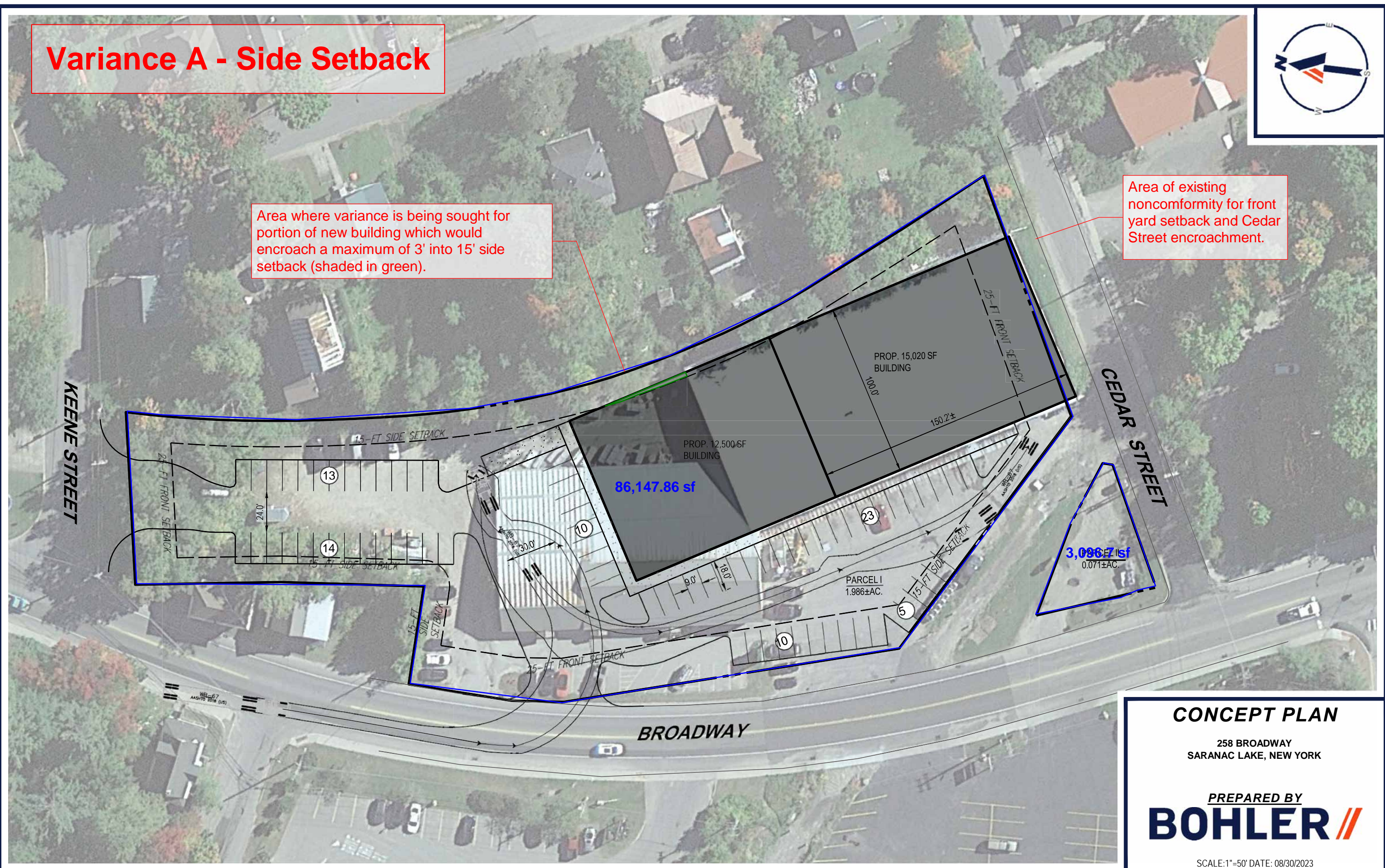


Variance A - Side Setback



Area where variance is being sought for portion of new building which would encroach a maximum of 3' into 15' side setback (shaded in green).

Area of existing nonconformity for front yard setback and Cedar Street encroachment.



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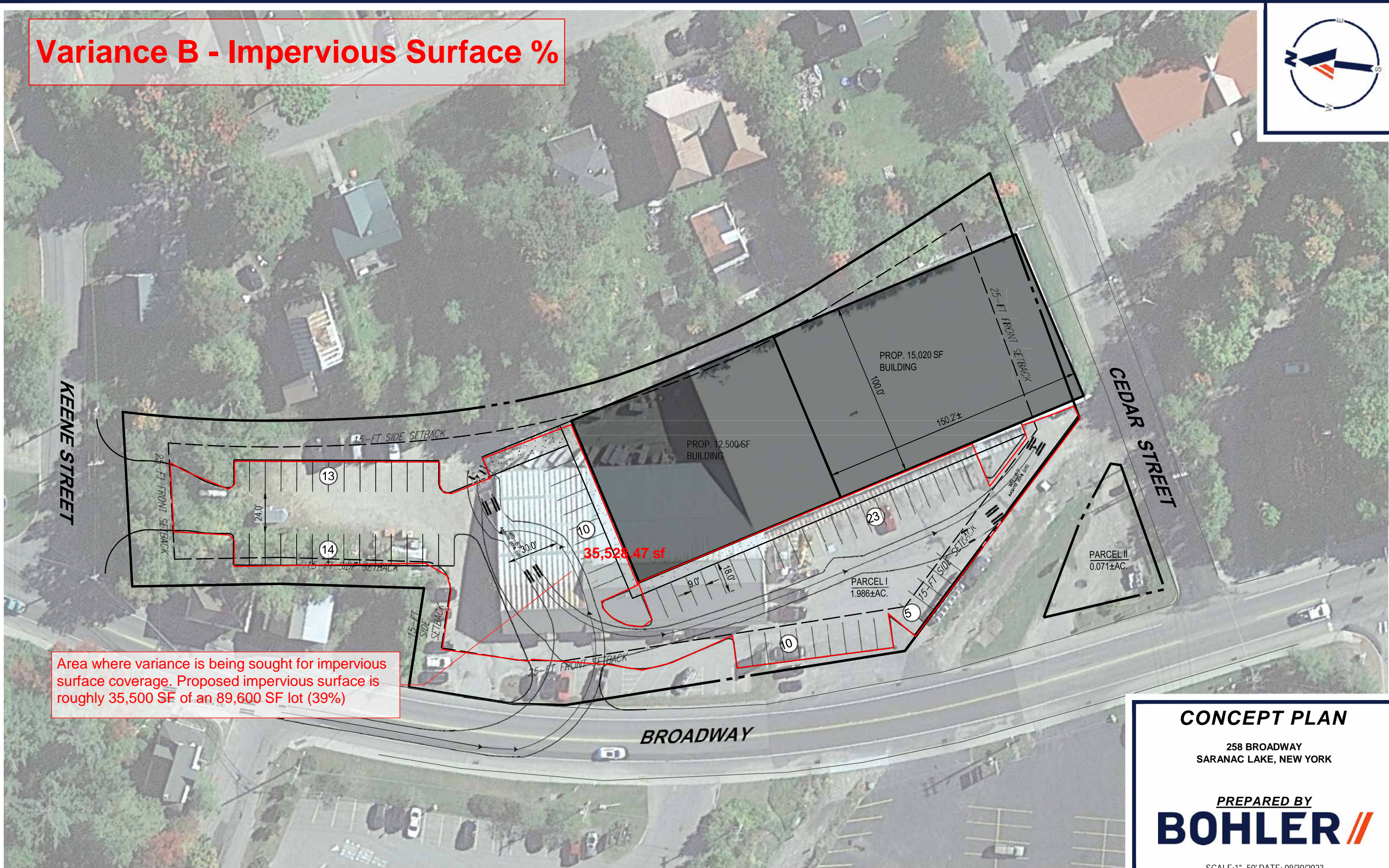
WE-67
AASHYS 2018 (US)

CONCEPT PLAN
258 BROADWAY
SARANAC LAKE, NEW YORK

PREPARED BY
BOHLER

SCALE: 1"=50' DATE: 08/30/2023

Variance B - Impervious Surface %



Area where variance is being sought for impervious surface coverage. Proposed impervious surface is roughly 35,500 SF of an 89,600 SF lot (39%)

CONCEPT PLAN

258 BROADWAY
SARANAC LAKE, NEW YORK

PREPARED BY
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SCALE: 1"=50' DATE: 08/30/2023



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VILLAGE OF SARANAC LAKE WATERFRONT ASSESSMENT FORM (WAF)

Section A. Instructions

Instructions: Applicants or, in the case of direct actions, Village agencies, shall complete this WAF for proposed actions which are subject to the LWRP consistency review law. This assessment is intended to supplement other information used by a Village agency in making a determination of consistency with the Village's Local Waterfront Revitalization Program.

Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Village of Saranac Lake, 39 Main St., Second Floor, Saranac Lake, NY 12983 or online at www.saranaclakeny.gov. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.

If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the actions should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

SECTION B. Description of Site and Proposed Action

1. Name of applicant:	
2. Mailing address:	3. Telephone Number:
4. Location of action:	5. Tax Map # (s):
6. Size of site:	7. Present land use(s):
8. Present zoning classification:	9. Percentage of site which contains slopes of 15% or greater:
10. Type of action (check appropriate response) <input type="checkbox"/> Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) <input type="checkbox"/> Financial assistance (e.g. grant, loan, subsidy) <input type="checkbox"/> Permit, approval, license, certification <input type="checkbox"/> Agency undertaking action:	
11. Streams, lakes, ponds, or wetlands existing within or continuous to the project area? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, Waterbody Name: _____ Waterbody Size(in acres): _____	
12. Describe nature and extent of action:	
13. Describe any unique or unusual land forms on the project site (i.e. bluffs, ground depressions, other geological formations):	
14. Will the action be directly undertaken, require funding, or approval by a State or Federal Agency? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, which State or Federal Agency?	

SECTION C. Waterfront Assessment (To be completed by reviewing agency)

	YES	NO
1. Will the proposed action have a significant effect upon:		
(a) Commercial or recreational use of fish and wildlife resources	<input type="checkbox"/>	<input type="checkbox"/>
(b) Scenic quality of the waterfront environment?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Development of future, or existing water dependent uses?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Stability of the shoreline?	<input type="checkbox"/>	<input type="checkbox"/>
(e) Surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Existing or potential public recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Structures, sites or districts of historic, archeological or cultural significance to the Village, State or nation?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action involve or result in any of the following:	YES	NO
(a) Physical alteration of land along the shoreline, land under water or coastal waters?	<input type="checkbox"/>	<input type="checkbox"/>
(b) Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Expansion of existing public services or infrastructure in undeveloped or low density areas of the waterfront area?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Energy facility not subject to Article VII or VIII of the Public Service Law?	<input type="checkbox"/>	<input type="checkbox"/>
(e) Mining, excavation, filling or dredging?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Reduction of existing or potential public access to or along the shore?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Sale or change in use of publicly-owned lands located on the shoreline or under water?	<input type="checkbox"/>	<input type="checkbox"/>
(h) Development within designated flood hazard area?	<input type="checkbox"/>	<input type="checkbox"/>
(i) Development on a natural feature that provides protection against flooding or erosion?	<input type="checkbox"/>	<input type="checkbox"/>
(j) Diminished surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>
(k) Removal of ground cover from the site?	<input type="checkbox"/>	<input type="checkbox"/>
3. Project:	YES	NO
(a) If a project is to be located adjacent to shore:		
(1) Will water-related recreation be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(2) Will public access to the shoreline be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(3) Does the project require a waterfront site?	<input type="checkbox"/>	<input type="checkbox"/>
(4) Will it supplant a recreational or maritime use?	<input type="checkbox"/>	<input type="checkbox"/>
(5) Do essential public services and facilities presently exist at or near the site?	<input type="checkbox"/>	<input type="checkbox"/>
(6) Is it located in a flood prone area	<input type="checkbox"/>	<input type="checkbox"/>
(7) Is it located in an area of high erosion	<input type="checkbox"/>	<input type="checkbox"/>
(b) If the project site is publicly owned:		
(1) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	<input type="checkbox"/>	<input type="checkbox"/>
(2) If located in the foreshore, will access to those and adjacent lands be provided?	<input type="checkbox"/>	<input type="checkbox"/>
(3) Will it involve the siting and construction of major energy facilities?	<input type="checkbox"/>	<input type="checkbox"/>
(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into a waterway	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is the project site presently used by the community as an open space or recreation area?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Does the present site offer or include scenic views or vistas known to be important to the community?	<input type="checkbox"/>	<input type="checkbox"/>
(e) Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Will the project involve any waste discharges?	<input type="checkbox"/>	<input type="checkbox"/>
(g) Does the project involve surface or subsurface liquid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>
(h) Does the project involve transport, storage, treatment or disposal of solid waste or hazardous material?	<input type="checkbox"/>	<input type="checkbox"/>
(i) Does the project involve shipment or storage of petroleum products?	<input type="checkbox"/>	<input type="checkbox"/>
(j) Does the project involve discharge of toxics, hazardous substances or other pollutants?	<input type="checkbox"/>	<input type="checkbox"/>
(k) Will the project affect any area designated as a freshwater wetland?	<input type="checkbox"/>	<input type="checkbox"/>
(l) Will the project alter drainage flow, patterns or surface water runoff on or from the site	<input type="checkbox"/>	<input type="checkbox"/>
(m) Will best management practices be utilized to control storm water runoff into waterways?	<input type="checkbox"/>	<input type="checkbox"/>
(n) Will the project cause emissions which exceed Federal or State air quality standards or generate significant amounts of nitrates or sulfates?	<input type="checkbox"/>	<input type="checkbox"/>

SECTION D. Remarks or Additional Information

For questions answered "Yes" in Section C, explain methods you will undertake to reduce adverse effects. Review the LWRP to see if the project is consistent with each policy. List policies the project is not consistent with and explain all mitigating actions. Add any additional sheets necessary to complete this form.

SECTION E. Preparer Information

Preparer's Name (Please print):

Title:

Organization Name:

Phone Number:

Signature:

Date:

SECTION F. Determination of LWRP Consistency (To be completed by the Planning Board)

The Village of Saranac Lake Planning Board finds that the above referenced project is:

- consistent with LWRP policy standards and conditions.
- not consistent with LWRP policy standards and conditions and shall not be undertaken.

Print Name of Planning Board Chair

Signature of Planning Board Chair

Date