

Lynch, Ariel D (APA)

From: Ana Velasquez <AMV@fmbf-law.com> on behalf of Thomas Ulasewicz <TAU@fmbf-law.com>
Sent: Wednesday, May 31, 2017 3:40 PM
To: Hubbard, Jennifer M (APA)
Cc: Lynch, Ariel D (APA); Jeff Anthony (janthony@studioadpc.com)
Subject: RE: Estate of Genevieve Garrant APA Variance Request

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Our responses/comments to staff's written analysis and recommendations on the above referenced are as follows:

1. Page 1 – “Summary,” 3rd para:
 - a) The closest point of the sfd structure (the porch) is actually 105.6 feet from the mhw mark of Hadlock Pond. Your analysis says 95 feet.
 - b) We suggest changing the last sentence to read as follows: “Shoreline tree cutting is proposed to create a filtered view of Hadlock Pond, including removal of 25% of the trees (a total of 5 trees with one considered a potential hazard) and trimming of branches on trees to remain with very little of this trimming occurring within 35 feet of the lake.”
2. Page 2 – “Staff Analysis,” 3rd para.: We suggest adding the following sentence to the end of that paragraph: “Lot 15, - the variance site, however, does meet the minimum density requirement under §806 of the APA Act.”
3. Page 2 – “Staff Analysis,” 4th paragraph: We suggest changing the last sentence in this paragraph to read: “It is important to note that tax maps for the town show that there are 72 shoreline parcels on the east side of Hadlock Pond that are in the Low Intensity Use area. Of these 72 shoreline parcels, 55 have less than the minimum shoreline lot width requirement for a total of 76.8%, including lots directly to the south of the variance site. This supports the conclusion that the addition of this proposed dwelling on this parcel is also consistent with the character of the neighborhood.
4. Page 2 – “Staff Analysis,” 5th paragraph: We suggest changing the 2nd sentence to read: “The vast majority of Hadlock Pond shoreline is developed and, in fact, one would be hard pressed to locate a vacant parcel. The addition of a dwelling in this context further demonstrates that it would be consistent with the neighborhood character.”

Thank you for the opportunity to comment. All of our suggested changes are supported by the record and are merely intended to further clarify or elaborate on the facts. Staff's assistance in this effort is appreciated.

From: Hubbard, Jennifer M (APA) [<mailto:Jennifer.Hubbard@apa.ny.gov>]
Sent: Tuesday, May 30, 2017 4:29 PM
To: Thomas Ulasewicz <TAU@fmbf-law.com>
Cc: Lynch, Ariel D (APA) <Ariel.Lynch@apa.ny.gov>
Subject: Estate of Genevieve Garrant APA Variance Request

Hi Tom,

Attached, please find a copy of staff's written analysis and recommendation to the Agency Board regarding the Estate of Genevieve Garrant's pending variance request. While it is not necessary to do so, you may provide a written response to staff's analysis and recommendation. To ensure that any such response can be included with the rest of the variance record sent to all Agency Board members in advance of the June Agency Meeting, please provide any written response by email or fax by close of business tomorrow, Wednesday, May 31st.

I will be out of the office Wednesday, May 31st, so please reply-all to this email in order to include the assigned Environmental Program Specialist, Ariel Lynch. If you have any questions, you may contact me or Ms. Lynch.

Thank you,
Jenny

Jennifer McAleese Hubbard

Senior Attorney

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