LAW OFFICE OF

JEFFREY L. ZIMRING

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ALBANY, NEW YORK 12208

August 12, 2021

City of Albany
Department of Buildings and Regulatory Compliance
200 Henry Johnson Boulevard, Suite 1
Albany, New York 12210

Attn: Eileen Halloran

Re: CODE21-45081
82 Euclid Avenue

Dear Building Inspector Halloran:

I write in response to you Notice of Violation dated August 5, 2021. Initially, I would like to assure you that no work has been performed since the receipt of the Stop Work Order issued on August 5, 2021. Enclosed, you will find my check in the amount of $300.00 payable to the City of Albany to satisfy the administrative fee associated with the Stop Work Order. By this letter, I respectfully ask that you amend the application for a building permit submitted October 27, 2020 and the Building Permit issued December 11, 2021 (Permit No. BVDG20-21817.

It is my understanding that you issued the Stop Work Order and Violation because the size of the retaining that has been substantially constructed is larger than the wall depicted in the rendering submitted with the original application. Additionally, the wall extends further from the house than is depicted. Please accept the explanation offered in this letter and the revised drawings as support for the issuance of an amended building permit for the wall that has been built.

The rendering submitted with the initial application does not accurately depict the elevation difference the front porch of the house and the base of the door that has been installed in the basement wall. The actual change in elevation is approximately ten (10) feet (the top of the block foundation is seven (7) feet above the basement floor). Excavating the fill between the front porch and the side of the house to the level shown in the original rendering would be impractical in that it would result in a drastic slope that would expose a significant portion of the foundation and create stormwater drainage issues that could result in the flooding of the basement on a regular basis.

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Included with this letter is a revised rendering of the walkway to the basement door and the retaining wall that has been built. I also enclose a drawing of the wall when viewed from the other (house) side of the wall. You will note that the highest level of fill is expected to be approximately six (6) feet above the grade of the planned walkway to the new basement door. The retaining wall, therefore, has been constructed to provide a barrier of approximately two feet in height between the lawn and the drop to the walkway leading to the new basement door. The purpose of this barrier is to prevent inadvertent falls of people or equipment (i.e., a lawn mower) to the walkway from the lawn. The top of the retaining wall follows the slope of the lawn in two (steps). The exposed portion of the retaining wall (both sides) and any exposed portion of the foundation will be covered with a cultured stone façade the matches, to the greatest extent possible, the existing façade on the house.

I would also like to note that while the wall extends to the sidewalk, it will not encroach onto the sidewalk, and no part of the existing sidewalk will be damaged or removed during the construction and/or finishing of the wall. The driveway of our next-door neighbor (88 Euclid) is higher than the sidewalk at the point where the wall abuts the sidewalk. Accordingly, given that the top of the wall will be only 34.5" above the sidewalk, the wall will not interfere with our neighbor's view of the street while entering or exiting his driveway. As shown on the drawing of the wall viewed from the house side of the wall, a lamppost and lamp will be installed. Since the wall does extend to (but not onto) the sidewalk, a light at that location will make the wall visible at night and help prevent accidental contact with the wall in the dark.

The existing retaining wall is a constructed on a concrete footing with 8"x16" cinderblocks reinforced with vertical rebar and filled with concrete. The house side of the wall will be filled with gravel and has a drainage pipe along the base of the wall. Moreover, as suggested by U.S. Department of Transportation Publication No. FHWA-HRT-11-027, Geosynthetic Reinforced Soil Integrated Bridge System Synthesis Report (January, 2011) and N.Y. Department of Transportation Geotechnical Engineering Manual GEM-28 (Revision #1) Guidelines for Design and Construction of Geosynthetic Reinforced Soil Integrated Bridge System (August, 2015), a horizontal layer of geosynthetic fabric will be placed between layers of fill at 12" to 15" intervals. As the U.S. and N.Y. DOT publications suggest, the horizontal pressure on the retaining wall will be significantly reduced by such addition.

I have enclosed a number of photographs with this letter. These pictures show the wall at various points of its construction. They also confirm the vertical rebar reinforcements that have been added to the wall.

If the information in this letter is sufficient, I ask that you issue an amended building permit and forward it to me by email to jeff@zimringlaw.com. In the event, however, that you need additional information or there are any additional fees associated with the request for an amended permit, I ask that you forward the required information and/or fees to that email address, and I will provide the additional information and/or fees immediately. Should you wish to discuss this matter further, please do not hesitate to call me or send me an email.

Thank you for your attention to this matter.

Very truly yours,

Jeffrey L. Zimring

Enc.

BLDG20-21817

82 Euclid Avenue

Permit No. BLDG20-21817

Renderings, Drawings and Photographs Offered in Support of Application for an Amended Building Permit

August 12, 2021

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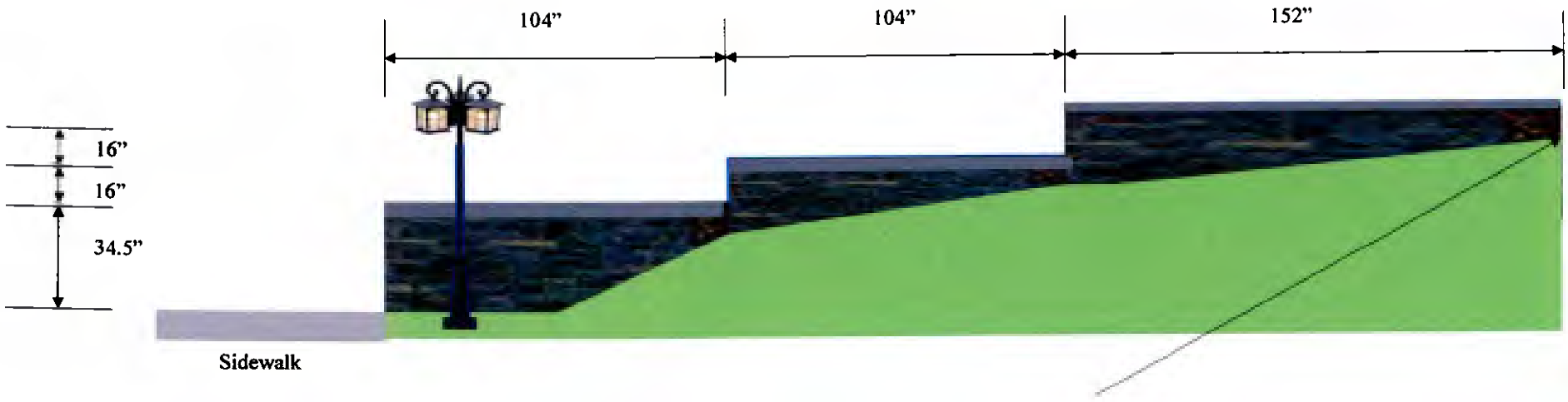
Revised Rendering of Proposed Retaining Wall

Drawing of Proposed Retaining Wall

From House Side of Wall

View of Retaining Wall from House side of Front Yard



The highest level of fill on the house side of the wall is 72" higher than the sidewalk to the new basement door.

Photographs of Form Used for Retaining Wall Footing

Photograph of Retaining Wall Footing
With Vertical Rebar Reinforcement

First Courses of Cinder Block Retaining Wall

Retaining Wall at Current Stage of Completion