

December 23, 2019

Via email: espencer@albanyny.gov &
Hand delivery

Christopher Spencer, Commissioner
City of Albany
Department of Planning & Development
200 Henry Johnson Blvd. Fl. 1 Suite 3
Albany, New York 12210

RE: Rehabilitation Support Services, Inc.
Project Number: P00060
Case Number: DPR #0016
Address: 288, 292, 296 Second Street
Tax ID #: 65.56-3-27; 65.56-3-26; 65.56-3-25
Zoning District: R-2 (Two Family)
Total Acreage: 0.43 Acres (17,650 SF)

Dear Mr. Spencer,

As you know, I represent Rehabilitation Support Services, Inc. (“RSS”) in connection with the above captioned Major Development Plan approval. The project for the referenced properties was approved by the City of Albany Planning Board on February 15, 2018, which approvals included a lot line adjustment, demolition of existing buildings, and construction of three (3), 4,350 +/- square foot Community Residences having eight (8) bedrooms each (the “Project”). A copy of the February 15, 2018 Decision of the Planning Board is attached hereto along with the approval for the lot line adjustment (the “Approval”). On January 14, 2019, an extension of the Approval was granted to February 15, 2020. Please find a copy of that prior extension attached as well.

The continuation and completion of the Project is dependent on RSS securing funding from the New York State Office of Alcoholism and Substance Abuse Services (“OASAS”). Closing on this funding is taking longer than anticipated for a few key reasons. OASAS originally budgeted for the Project based on construction analyses completed in 2012 and earlier. Since that time, the market has dictated an increase in material and construction costs such that the budget for the Project must be revisited. In addition, OASAS anticipated one (1) twenty-four unit building, which was thereafter recast into three (3) structures as indicated above, a change that bears directly on both construction and operational costs. In an effort to finalize and secure funding, RSS is continuing to work with OASAS to determine the construction budget, operational costs, and final agency approvals for this project. We are hopeful that this can be accomplished by the third quarter, 2020.

50 Beaver St., 2nd Floor
Albany, NY 12207
518.433.8800

RSS has made substantial investments in the Project to date, including, but not limited to, expenditures for acquisition, engineering, architectural, surveying, and insurance in excess of \$471,900.00. Additionally, in reliance upon the Approval, RSS has completed the lot line adjustment by filing of the map with Albany County and has demolished the structures on site at a cost of \$201,500.00. Currently, Project architects are working on architectural plans and intend to submit an application for a building permit in January of 2020. Please note that there has been no material change to the scope of the Project since its approval.

Pursuant to §375-5(D)(12)(c)(iii)(B) of the City of Albany's Unified Sustainable Development Ordinance ("USDO"), an extension of a Major Development Plan approval beyond one year is subject to review and approval by the Planning Board upon a written request for the same and a showing of good cause. I hereby submit that for the reasons outlined above, particularly the considerable investment made by our client in the Project to date, RSS has shown good cause and therefore, requests an extension of the Approval to February 15, 2021. In order to obtain the required Planning Board approval, I ask that you please add this matter to the agenda for the January 28, 2020 meeting.

I look forward to the opportunity to review this matter with you further. Should you have any questions or concerns please contact me at cdumas@lemerygreisler.com or 518.930.4143.

Very truly yours,
LEMERY GREISLER LLC



Charles B. Dumas, Esq.

Enclosures

cc. Zach Powell, Senior Planner
City of Albany
Via email: zpowell@albanyny.gov &
Hand Delivery

Amy Lavine, Assistant Corporation Counsel
City of Albany
Via email only: alavine@albanyny.gov

Edward Butz, Managing Director
Rehabilitation Support Services, Inc.
Via email only: EButz@Rehab.org

CITY OF ALBANY



NEW YORK

NOTIFICATION OF LOCAL ACTION

DECISION OF THE PLANNING BOARD

PROJECT NUMBER: P00060
CASE NUMBER(S): DPR #0016

ADDRESS: 292 Second Street
TAX ID #: 65.56-3-26
ZONING DISTRICT: R-2 (Two Family)
TOTAL ACREAGE: 0.43 Acres (17,650 SF)

REQUEST: Major Development Plan Review [§375-5(E)(14)]

PROJECT DESCRIPTION: Construction of three (3), +/- 4,350 square foot, community residential facilities on contiguous lots.

PROJECT APPLICANT: Rehabilitation Support Services Inc., 5172 Western Turnpike, Altamont, NY 12209

PROJECT ENGINEER: Zaremba Sopko, 200 Broadway, Suite 205, Troy, NY 12180

DATE OF DECISION: 2/15/18

DECISION: APPROVED

RECEIVED
2018 MAY 11 PM 12:54
OFFICE OF THE CITY CLERK
ALBANY, N.Y.

FACTS:

1. Application documents and supplemental filings of the applicant as of the date of this decision, as evidenced in the digital record for Project #00060.
2. All plans, renderings, analyses and reports received as of the date of this decision, as evidenced in the digital record for Project #00060.
3. All written correspondence received as of the date of this decision, as evidenced in the digital record for Project #00060.
4. Content and testimony of the 11/16/17, 1/18/18 and 2/15/18 meetings of the City of Albany Planning Board, as well as corresponding workshop sessions.

FINDINGS:

Based upon review of the complete record for DPR #0016, the Board finds that the proposed development:

1. Will not create significant adverse impacts on the surrounding neighborhood, or any significant adverse impacts will be limited to a short period of time;
2. Will not create risks to public health or safety;
3. Is not subject to any prior approvals or conditions;
4. Is consistent with the Comprehensive Plan;
5. Is consistent with any provisions of this Unified Sustainable Development Ordinance and the Albany City Code; and

6. Is not subject to any requirements or conditions of any prior development permits or approvals related to the property.

VOTE:

For Approval:	5	DeSalvo:	Y	Hull:	Y
Against:	0	Ellis:	Y	Kuchera:	Y
Abstain:	0	Gailliard:	Y		

I, Albert R. DeSalvo representing the Planning Board of the City of Albany, hereby certify that the foregoing is a true copy of a decision of the Planning Board made at a meeting thereof duly called and held on the day of February 15, 2018.

Signature: Albert R DeSalvo

►Important Notes: 1. This approval is subject to the approved plan set as stamped and approved by the Chair of the Planning Board. 2. This is not a building permit. All building permits must be approved and issued by the Division of Building & Regulatory Compliance prior to the start of any construction. Unless otherwise specified by the Board, this decision shall expire and become null and void if the applicant fails to obtain any necessary zoning, building, or other permits or comply with the conditions of such decision within one (1) year of the date of signature.

CITY OF ALBANY



NEW YORK

DEPARTMENT OF PLANNING AND DEVELOPMENT

MAYOR: KATHY M. SHEEHAN
DIRECTOR: CHRISTOPHER P. SPENCER

www.albanyny.gov

February 15, 2018

Charles Dumas, Esq.
Lemery Greisler, LLC
50 Beaver Street, Second Floor
Albany, NY 12207

Re: Lot Line Adjustment - 288/292 Second Street and 292/296 Second Street

Dear Mr. Dumas,

The proposed lot line adjustments for the above referenced properties have been approved pending the approval by the City of Albany Planning Board of the application for demolition, and the demolition of the buildings located at 288 Second Street (DR #0011) and 292 Second Street (DR #0012).

Please find enclosed the approved lot consolidation maps for the above referenced location. Please deliver one (2) paper copies and (1) Mylar copy along with the applicable filing fees and the updated property deed to the following address:

Dennis Brown
Albany County Real Property Tax Service Agency
112 State Street, Room 1340
Albany, New York 12207

Upon filing with the Albany County Clerk, please return one (1) stamped paper copy to the City of Albany Department of Planning and Development.

Please call if you should have any questions or require any additional information.

Sincerely,

Brad Glass

Deputy Director

CITY OF ALBANY



DEPARTMENT OF PLANNING AND DEVELOPMENT

MAYOR: KATHY M. SHEEHAN
COMMISSIONER: CHRISTOPHER P. SPENCER

January 14, 2019

Charles Dumas
Lemery Greisler, LLC
50 Beaver Street
Albany, NY 12207

RE: 292 Second Street
Planning Board Case # 00060

Dear Mr. Dumas,

I have reviewed your January 14, 2019 correspondence requesting an extension of the February 15, 2018 Development Plan Review approval issued by the Planning Board pursuant to §375-5(E)(14) of the City Code. The approval allows for the construction of three (3), +/- 4,350 square foot, community residential facilities on contiguous lots. This approval expires on February 15, 2019.

It is our understanding that the disbursement of funds from the New York State Office of Alcoholism and Substance Abuse Services (NYS OASAS) has taken longer than anticipated. We also understand that there has been no material change to the scope of the project since its approval.

Accordingly, upon showing of good cause pursuant to §375-5(D)(12)(c)(iii)(B) of the City's Unified Sustainable Development Ordinance, I hereby grant an extension of the valid approval time period not to exceed February 15, 2020 in duration. A Building Permit must be secured, or a further extension granted, on or before February 15, 2020 in order for this approval to remain in effect.

Sincerely,

A handwritten signature in black ink that reads "Christopher P. Spencer".

Christopher P. Spencer
Director of Planning