

MINUTES

Birch Run Phase II - Special Meeting

March 6, 2019 | 6:30 pm *Meeting called to order by* Dean Higgins

Via Phone

Dean Higgins, William Noonan, John Essig, Fil Fina, Tracy Riley, John Safford, Dick Heffern & Sean Kane

New Business: City Council UDO workshop on rezoning Districts which include District 25 from residential to institutional

Recap events to date:

Feb 6, 2019

Tim Holmes (Birch Run I) organized neighborhood meeting at Momma Mia's to discuss February 12th City Council UDO workshop meeting. He encouraged homeowners to write letters to the city council opposing this rezoning. If homeowners copied him on their letter, he agreed to present a copy at the workshop to go on record. Sean & Katie Kane and Tim Riley agreed to poll BR Phase II and obtained signatures of homeowners who oppose the rezoning.

Feb 12, 2019

City Council UDO Workshop cancelled due to snowstorm; rescheduled March 12th

February 13, 2019

Birch Run Phase II (scheduled) board meeting. Board discussed upcoming workshop and agreed to do the following by Wednesday, February 27th:

- 1) Dean to contact Connie Murphy to gain understanding of Phase I position
- 2) Sean to complete poll of BR Phase II owners
- 3) Fil to contact Jennifer & Mark Leidig (from surrounding neighborhood) and Tim Holmes for updates.
- 4) Dean, Fil and Sean will share findings at Special Meeting.

March 6, 2019

1. Dean received email from Phase I Board:

"P1 agrees that P2 may represent to the City of Saratoga Springs that Birch Run as a united community is opposed to the zoning being changed from Residential to Institutional. That P1 will not expend any funds and that any and all expense incurred as a result of P2's objections shall be at P2's expense. That before any statement or release is issued which includes P1 as a participant it shall be approved by P1."

2. Sean: poll of BR Phase II homeowners: 35 homeowners: 31 oppose and 4 owners no response.
3. Fil spoke with Tim Holmes but didn't reach Jennifer or Mark Leidig (the Leidig's live at corner of Pearl St & Seward and headed a neighborhood group the last time this came up before the City Council. They had a number of meetings and took a very aggressive opposing position. Her group retained and paid an Albany attorney who came up with the super majority vote. Their attorney was paid by Jennifer's neighborhood not Birch Run.) Tim will speak at workshop.

4. Shared finding:

In 2015: The way the UDO played out, Behan had 75% of the project complete and then the city (Meg Kelly) terminated their contract and put out a bid nationally. A Chicago company received the bid and will present next week. This is their first opportunity to present a draft so it's not a final version. Because of this, *we believe* they have to have a public hearing.

We believe the zoning ordinance isn't up for any change only the zoning map.

If City Council approves the rezoning, the next step will be the Planning Board. The Hospital would apply to the Planning Board and a site plan review. If designated institutional, means the height and sq ft won't require any variances. Hospital's going to propose something that strictly complies to the zoning ordinance so it only has to go through a site plan review

We should solely focus on zoning, avoid any procedural issues prior to this and make no reference to the hospital. Until we poll 100% of Phase I and II, we can't say were speaking on behalf of owners.

In summary, Dick agreed to write a short summary of our opposition and request a special meeting. Since the public comment period will only be 15 minutes, we will select someone to read and provide a copy of this written document