

December 5, 2017

Mayor Kathy M. Sheehan
City Hall
24 Eagle Street, Room 102
Albany, NY 12207

Re: Site Plan Violations
The Eleftheria
241 South Allen St.

Dear Mayor Sheehan:

Almost two years have passed since the Eleftheria commenced operation in violation of the site plan approved 7/17/14. The specific violations that persist at the building site are:

1. Missing rear property line 4' high black vinyl coated chain link fence.
2. Missing 29 white fir ("AB") & eight crabapple ("MI") trees on or near the rear slope and all rear foundation shrubbery ("AZ" & "RH").
3. Contour alteration at the SE corner including creation of a berm on Onderdonk Avenue, resulting in a local increase in elevation, interrupting the pattern of storm water runoff. Result is water entrapment (pooling) on adjacent lands where previously there was very little or none.

Attached are copies of the approval and site plan diagram C-3. Note the stern words appended to the former under Albert R. DeSalvo's signature:

Prior to making an application for a Certificate of Occupancy, the applicant will be required to submit to the Building Department an "as built" site plan which depicts all the elements shown on the approved site plan including but not limited to contours, landscaping, building locations, utilities, paved and parking areas, signage, accessory structures and other related physical improvements.

The leaves are down and winter is almost upon us. Bright exterior lights beam across Onderdonk Avenue every morning & night. Take a walk along the berm the developer created to alter the drainage pattern and you will see immense naked facades sans fence, sans trees, sans shrubs.

Then peruse the "as built" site plan, if it exists, and explain why a Certificate of Occupancy was granted to this developer, a tough assignment unless you're prepared to admit the site plan approval process is a sham, a bureaucratic exercise in feigning concern for benevolent neighborhood values.

Respectfully,

Michael Kalin
510 W. Lawrence St.

cc: Albert R. DeSalvo, Planning Board Chair
Robert Magee, Director of Buildings & Regulatory Compliance

attachments:

1. Site plan approval, Case Number 5-14, 912
2. Site plan diagram C-3

**NOTIFICATION OF LOCAL ACTION
DECISION OF THE CITY OF ALBANY PLANNING BOARD**

RECEIVED

2014 AUG -5 AM 8:55

OFFICE OF THE CLERK
ALBANY, N.Y.

ADDRESS OF SUBJECT PROPERTY: 241 S. Allen St.

IN THE MATTER OF: Site Plan Approval (§375-33B) to allow for the construction of two 24-unit, +/- 31,000 square foot garden apartment buildings and an 84-space accessory parking area.

CASE NUMBER: 5-14, 912

Date Received: 04/30/14

Presentation Dates: 5/15/14; 7/17/14

SEQR Classification: Unlisted Action

SEQR Determination: 7/17/14

Date of Decision: 7/17/14

Vote:	For Approval:	5	Abbott:	Y	Fox:	Y
	Against:	0	Bates:	Y	Pryor:	Y
	Abstain:	0	DeSalvo:	Y		

Owner: 241 South Allen Holdings, LLC, PO Box 8683, Albany, NY 12208

Applicant: 241 South Allen Holdings, LLC, PO Box 8683, Albany, NY 12208

Project Engineer: Hershberg & Hershberg, 18 Locust St., Albany, NY 12203

Zoning: R-3A (Multifamily Low-Density Residential District.).

Project Details: The applicant proposes to construct two, three-story, +/- 30,800 square foot garden apartment structures at the site. Each apartment structure will contain 24 dwelling units for a total of 48 units at the site. The buildings will have their principal frontage upon South Allen Street.

Accessory parking is to be provided at the rear of the site. A total of 84 parking spaces will be constructed, 60 of which will be located beneath the buildings where the site topography slopes downward towards the east. The remaining 24 parking spaces will be accommodated in a surface lot directly to the rear of the building.

The parking areas will be accessed by means of a driveway located to the south of the property known as 261 South Allen Street, currently a vacant structure. This is the location of a former City right-of-way known as Dale Place.

The site includes on-site storm water detention capacity sufficient to accommodate 100-year storm events. Additional off-site storm water mitigation is being provided at Cliff and Winnie Streets.

The site area has been deemed a non-jurisdictional wetland by the United States Army Corps of Engineers.

A detailed landscape plan is included with the site plan drawings.

Actions Taken:

The Board issued a **Negative Declaration** for this **Unlisted Action** as per the provisions of SEQR, as the environmental impacts are negligible or non-existent.

The Board **Approved** the site plan.

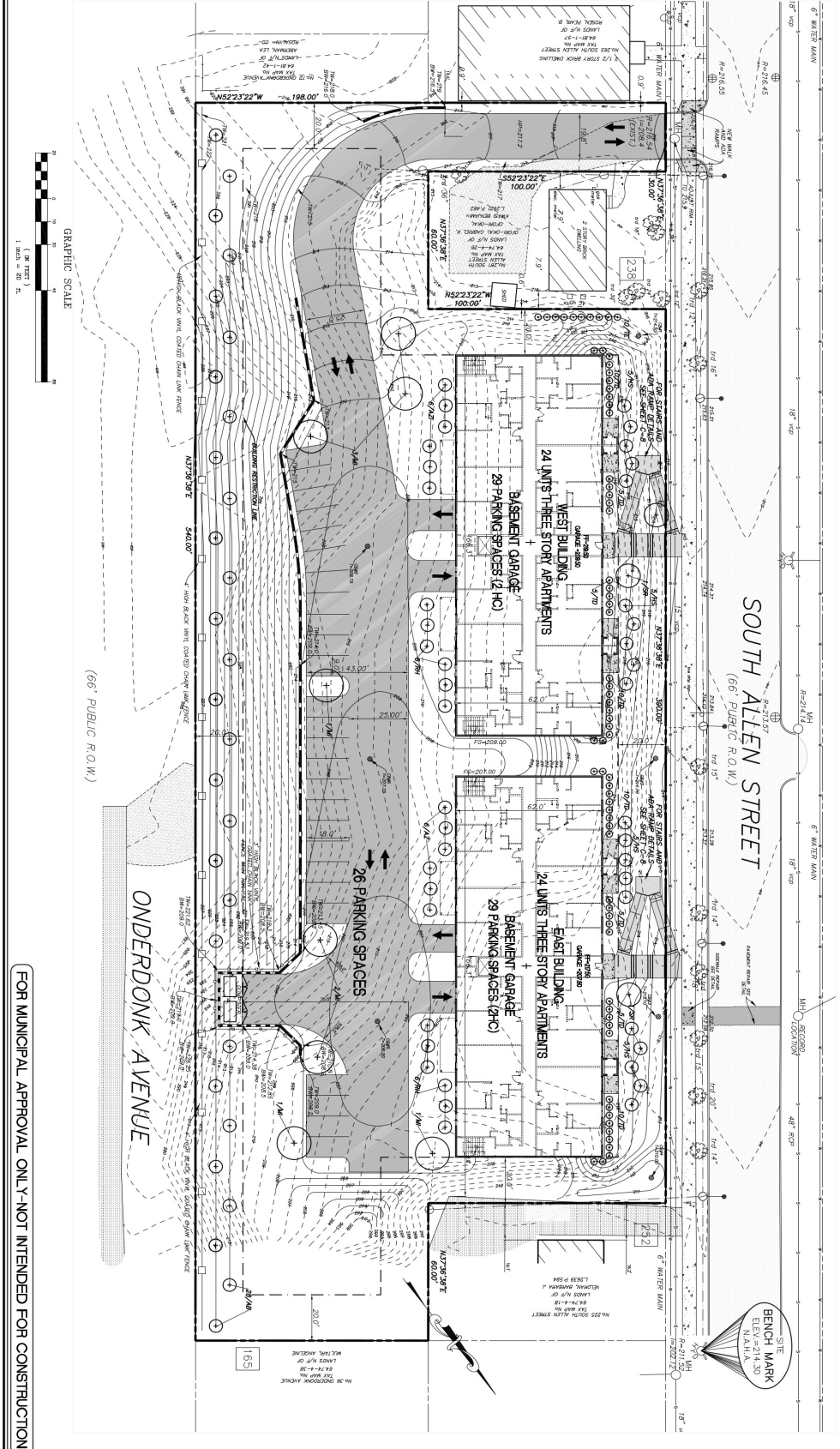
I, **Albert DeSalvo** representing the Planning Board of the City of Albany, hereby certify that the foregoing is a true copy of a decision of the Planning Board made at a meeting thereof duly called and held on the day of **July 17, 2014**.

Date: **7/17/14**

Signature: Albert R DeSalvo

This is not a building permit. All building permits must be approved and issued by the Building Department prior to the start of any construction.

Prior to making an application for a Certificate of Occupancy, the applicant will be required to submit to the Building Department an "as built" site plan which depicts all elements shown on the approved site plan including but not limited to contours, landscaping, building locations, utilities paved and parking areas, signage, accessory structures and other related physical improvements.



GRAPHIC SCALE
1 inch = 20 ft.

FOR MUNICIPAL APPROVAL ONLY-NOT INTENDED FOR CONSTRUCTION

SITE COVERAGE STATISTICS PROPOSED CONDITIONS			
description	s.f.	acres	%
gross site area	94,820	2.179	100.00
improvable area	41,074	0.943	43.27
building coverage	20,624	0.473	21.73
parkable area	53,646	1.236	56.73
coverage/footprint	20,450	0.469	21.54

- SEEDING AND MULCHING NOTES FOR AREAS TO BE TREATED AFTER GRADING.
1. SEED AREAS AFTER GRADING IN PROJECT SEASON.
 2. MULCH AREAS AFTER GRADING IN PROJECT SEASON.
 3. TREAT AREAS WITH FIBER MULCH.

S/N	BOTANICAL NAME	COMMON NAME	SIZE	AMT	COMMENTS
42	ANEMONE	ANEMONE	2" HT.	12	8.8.8
43	ANEMONE	ANEMONE	2" HT.	12	8.8.8
44	ANEMONE	ANEMONE	2" HT.	12	8.8.8
45	ANEMONE	ANEMONE	2" HT.	12	8.8.8
46	ANEMONE	ANEMONE	2" HT.	12	8.8.8
47	ANEMONE	ANEMONE	2" HT.	12	8.8.8
48	ANEMONE	ANEMONE	2" HT.	12	8.8.8
49	ANEMONE	ANEMONE	2" HT.	12	8.8.8
50	ANEMONE	ANEMONE	2" HT.	12	8.8.8
51	ANEMONE	ANEMONE	2" HT.	12	8.8.8
52	ANEMONE	ANEMONE	2" HT.	12	8.8.8
53	ANEMONE	ANEMONE	2" HT.	12	8.8.8
54	ANEMONE	ANEMONE	2" HT.	12	8.8.8
55	ANEMONE	ANEMONE	2" HT.	12	8.8.8
56	ANEMONE	ANEMONE	2" HT.	12	8.8.8
57	ANEMONE	ANEMONE	2" HT.	12	8.8.8
58	ANEMONE	ANEMONE	2" HT.	12	8.8.8
59	ANEMONE	ANEMONE	2" HT.	12	8.8.8
60	ANEMONE	ANEMONE	2" HT.	12	8.8.8

PARKING ANALYSIS TABLE			
description	quantity	% required	% provided
gross site area	94,820	46	46
gross site area provided	24		