

VILLAGE OF BALLSTON SPA  
66 Front St  
Ballston Spa, NY 12020  
Ph: (518)885-5711 Fax: (518)885-0512

APPLICATION FOR:  
APPEAL TO THE ZONING BOARD FOR AN  
INTERPRETATION, USE VARIANCE, AREA VARIANCE AND/OR VARIANCE EXTENSION

	APPLICANT(S)	OWNER(S) (if not applicant)	ATTORNEY/AGENT
Name	FRATERNAL BUILDING ASSOCIATION <del>OF BALLSTON SPA, INC.</del>		John Cromie
Address	25 HYDE BLVD BALLSTON SPA		132 BATH STREET BALLSTON SPA
Phone	518-312-1159		99885-0451
Email	cafebus@aol.com		

\*An applicant must be the property owner, lessee, or one with an option to lease or purchase the property in question.

Applicant's interest in the premises:  Owner  Lessee  Under option to lease or purchase

PROPERTY INFORMATION

- Property Address/Location: 25 HYDE BLVD Tax Parcel No: 203.81-2-30
- Date acquired by current owner: 3/2/2014
- Zoning District when purchased: R-1
- Present use of property: MASONIC PURPOSES
- Current Zoning District: R-1
- Has a previous ZBA application/appeal been filed for this property?
  - Yes (when? 2/12/14, for what? MASONIC PURPOSES)
  - No
- Is property located within (check all that apply):
  - Historic District
  - Architectural Review District
  - within 500' of a State Park, city boundary, or county/state highway?

8. Brief description of proposed action:

Permanent special permit

9. Is there a written violation for this parcel that is not the subject of this application? \_\_\_ Yes  No

10: Has the work, use or occupancy to which this appeal relates already begun?  Yes \_\_\_ No

11. Identify the type of appeal you are requesting (*check all that apply*):

- INTERPRETATION (p.2)
- VARIANCE EXTENSION (p.2)
- USE VARIANCE (pp.3-6)
- AREA VARIANCE (pp. 6-7)

FEES: Make checks payable to the "VILLAGE OF BALLSTON SPA". Fees are cumulative and required for each request below:

<input type="checkbox"/> Interpretation	\$500
<input type="checkbox"/> Use variance	\$200
<input type="checkbox"/> Area variance	
- Residential use/property:	\$100
- Non-residential use/property:	\$300
<input checked="" type="checkbox"/> Extensions:	\$150

**INTERPRETATION – PLEASE ANSWER THE FOLLOWING** (add additional information as necessary):

1. Identify the section(s) of the Zoning Ordinance for which you are seeking an interpretation:

Section(s) \_\_\_\_\_

2. How do you request that this section be interpreted?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. If interpretation is denied, do you wish to request alternative zoning relief? \_\_\_ Yes \_\_\_ No

4. If the answer to #3 is "yes", what alternative do you request? \_\_\_ Use Variance \_\_\_ Area Variance

**EXTENSION OF A VARIANCE-PLEASE ANSWER THE FOLLOWING (add additional information as necessary):**

1. Date original variance was granted: 2/12/04

2. Type of variance granted? special Use R1 Area

3. Date original variance expired: "two years"

4. Explain why the extension is necessary. Why wasn't the original timeframe sufficient:

(see ATT) we all forgot & no complaints  
were filed

When requesting an extension of time for an existing variance, the applicant must prove that the circumstances upon which the original variance was granted have not changed. Specifically demonstrate that there have been no significant changes on the site, in the neighborhood, or within the circumstances upon which the original variance was granted:

There have been no changes to our use  
of property.

**USE VARIANCE-PLEASE ANSWER THE FOLLOWING (add additional information as necessary):**

A use variance is requested to permit the following: \_\_\_\_\_

For the Zoning Board to grant a request for a use variance, an applicant must prove that the zoning regulations create an unnecessary hardship in relation to that property. In seeking a use variance, New York State law requires an applicant to prove all four of the following "tests".

- 1. That the applicant cannot realize a reasonable financial return on initial investment for any currently permitted use on the property. "Dollars & cents" proof must be submitted as evidence. The property in question cannot yield a reasonable return for the following reasons:

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- 
5. Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

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**DISCLOSURE**

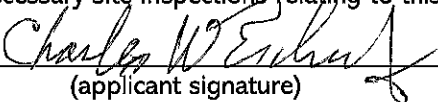
Does any Village of Ballston Spa officer, employee, or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? \_\_\_ No \_\_\_ Yes If "yes", a statement disclosing the name, residence and nature and extent of this interest must be filed with this application.

**APPLICANT CERTIFICATION**

I/We, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Zoning Board of Appeals.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/We further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I/we hereby authorize the members of the Zoning Board of Appeals and designated Village of Ballston Spa staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.


 Date: 11/21/2022  
 (applicant signature)

Date: \_\_\_\_\_  
 (applicant signature)

If applicant is not the currently the owner of the property, the current owner must also sign.

Owner Signature: FRATERNAL TEMPLE ASSOC Date: 11/21/22  
OF Ballston Spa Inc

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPLICATION TO THE ZONING BOARD  
OF THE VILLAGE OF BALLSTON SPA, NY  
FOR THE CONTINUANCE OF A SPECIAL PERMIT  
PURSUANT TO CHAPTER 205, ARTICLE XII, §205-72

APPLICANT: Fraternal Temple Building Association of  
Ballston Spa, Inc., Owner of

PREMISES 25 Hyde Blvd., Ballston Spa, NY 12020

CONTACT: Charles W. Escher, Jr., President  
8 Currie Court  
Ballston Spa, NY 12020  
518-885-5685

PROPERTY  
DATA: Tax Map No. 203.81-2-30  
Acquired March 3, 2014  
R-1 Zoning District  
Meeting Rooms for Masonic Purposes  
Special Use Permit issued by Zoning Board  
February 12, 2014 [See Attached]  
Property is not in Historic District or  
500 feet of State Park, St. or Co. Highway  
Property is within 500 feet of village boundary

PURPOSE: Applicant seeks a permanent special permit to  
allow a fraternal lodge to operate at 25 Hyde  
Blvd., Ballston Spa, NY in an R-1 Residential  
District, under the following conditions:

- a. The premises are to be used solely for the  
business and ritualistic Masonic activities of  
the Fraternal Building Association of Ballston  
Spa, Inc., or a similar successor organization.
- b. Gatherings other than those specified above  
shall be limited to members, their families, and  
other invited guests.
- c. Onsite parking areas shall remain as they  
now exist. Any extension or relocation of  
parking areas must be approved by either the  
Zoning Board or Planning Board through a site  
plan process.
- d. Exterior lighting for safety and security  
purposes shall be consistent with that of an R-1  
Zone.

e. The use of the existing 2<sup>nd</sup> floor residential apartment that is a legal non-conforming use *may* be continued.

f. A fence or *green buffer* will be placed along the east side of the rear driveway.

g. A Masonic Lodge sign 30-inches in diameter may be placed between two columns on the west side of the building's front porch.

JUSTIFICATION: Since the initial special permit was granted in 2014, Masonic activities have been conducted on premises. To applicant's knowledge, it activities have not adversely impacted the neighborhood. This is borne out by the fact that no one has sought to have the special permit reviewed. Applicant's transition into the neighborhood was so seamless that members of the organization had forgotten to seek renewal of the special permit after two years.

The above conditions sought for the permanent special permit mirror the original conditions, but for the language in italics.

Over time, this corporation may change its name or be merged into a like organization. As a name change would not change the property's use, we added the successor organization language.

The original language made the rental mandatory. It seems more appropriate to make in permissive. Because of the treed area between the abutting properties and the neighbor not wanting to lose the trees to build a fence, the provision of a green buffer was added.

Fee: \$150 for an extension of a special use permit.

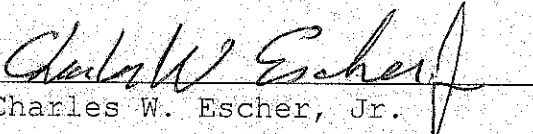
DISCLOSURE: No Village of Ballston Spa officer, employee, or family member has a financial interest ) as defined by General Municipal Law Section 809) in this application.

ATTORNEY: John J. Cromie  
132 Bath Street  
Ballston Spa, NY 12020

CERTIFICATION: The undersigned, as President of the Fraternal Temple Building Association of Ballston Spa, Inc., owner of the land in question hereby requests an appearance before the Zoning Board of Appeals.

By the signature attached hereto, I certify that the information provided within this application and accompanying documentation is, to the best of my knowledge true and accurate. I further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

Furthermore, I hereby authorize the members of the Zoning Board or Appeals and designated Village of Ballston Spa staff to enter the property associated with this application for purposes of conducting any necessary site inspections relating to this appeal.

 November 21, 2022  
Charles W. Escher, Jr.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Fraternal Temple Building Association of Ballston Spa, Inc.			
Name of Action or Project: Extension of Special Permit granted 2014			
Project Location (describe, and attach a location map): 25 Hyde Blvd., Ballston Spa, NY 12020			
Brief Description of Proposed Action: Extension of special permit allowing Masonic activities at existing building at 25 Hyde Blvd., which was granted in 2014 and has since lapsed. Minor modifications requested.			
Name of Applicant or Sponsor: Charles W. Escher, Jr., President		Telephone: 518-885-5685 E-Mail: capebud@aol.com	
Address: 8 Currie Court			
City/PO: Ballston Spa		State: NY	Zip Code: 12020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Ballston Spa Zoning Board			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ .57 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ .57 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			



5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
Not relevant	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ Property currently serviced by public water	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ Property currently serviced by public sewer	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		

**I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor/name: Fraternal Temple Building Association of Ballston Spa, Inc.      Date: 11/21/2022  
Signature: Charles W Escher Jr      Title: President

# *Village of Ballston Spa*

66 FRONT STREET

*Ballston Spa, NY 12020*

*From the Office of Planning Board*

February 12, 2014

Kevin P. McDonough  
Chairman, Zoning Board of Appeals  
Randy Lloyd  
Building Inspector  
66 Front Street  
Ballston Spa, NY 12020

Dear Mr. McDonough and Mr. Lloyd:

Pursuant to §205-23 the outcome of the February 12, 2014 planning board meeting regarding the site plan review of the application from the Fraternal Building Association of Ballston Spa for the property at 25 Hyde Boulevard is provided for your information.

Given that the Zoning Board of Appeals of the Village of Ballston Spa, NY granted a Special Permit to the Fraternal Building Association of Ballston Spa, Inc. to allow a fraternal lodge to operate at 25 Hyde Blvd., Ballston Spa, NY in an R1 residential district.

Given that this permit was issued under Section 205-72 Special Permits of the Village Zoning Ordinance and in conformance with Schedule A-Schedule of Uses by Zoning District for a period of two years with the following conditions:

- a. The premises are to be used solely for the business and ritualistic Masonic activities of the Fraternal Building Association of Ballston Spa, Inc.
- b. Gatherings other than those specified above shall be limited to members, their families and other invited guests.
- c. Onsite parking areas (ZBA Exhibit 4) shall remain as they exist as of the date of this Special Permit. Any extension or relocation of parking areas must be approved by the ZBA.
- d. Exterior lighting for safety and security purposes shall be consistent with that of a residence in an R1 zone.
- e. The use of the existing 2<sup>nd</sup> floor residential apartment that is a legal non-conforming use shall be continued.

The planning board added the following conditions:

f. A fence will be placed along the east side of the rear driveway.

g. Priority parking shall be on site and on the Arpey property at the end of Columbia St. as documented in planning board Exhibit J.

h. The 30 inch in diameter Masonic Lodge sign will be placed between the two columns on the south side of the porch.

Furthermore, given that the ZBA declared itself to be the lead agency for SEQRA purposes and issued a negative declaration.

It is moved that the site plan for the Fraternal Building Association of Ballston Spa, Inc. at 25 Hyde Boulevard be approved.

Sincerely,



Edward Lake  
Chairman

Cc: Hon. James A. Fauci