

Town of Northumberland
Use Variance Application

<u>Office Use Only</u>	
SBL #	<u>118-1-5</u>
APPLICATION #	<u>0011-24</u>
Date Rec'd. By Board:	<u>11/25/2024</u>
Notice Published:	_____
Date Sent to SCPB:	_____
Date of Public Hearing:	_____
Date of Final Action:	_____
Date of Filing a Decision with the Town Clerk's Office:	_____
Fee's paid:	_____

Part I: To be Completed by the Applicant

Applicant: Nicholas LaFountain + Emily Getty
Owner (if not applicant): Nicholas LaFountain + Emily Getty
Mailing Address: 708 W River Road, Gansevoort, NY
12831

Day Phone: 518 669 5219 - Evening Phone: 518 669 5219

Property Information

Appeal Concerns Property at the following Address:

Project Description (attach sketch): "The Cottage"

One bedroom accessory dwelling unit at 708 W River Road.

Reasonable Return: Explain why this property cannot realize a reasonable return: Saving this historic structure required significant capital investment, and its primary use is for friends and family to stay in while visiting.

Unique Hardship: Explain [why or what] the alleged hardship relating to the property is unique, and does not apply to a substantial portion of the district or neighborhood: The Cottage was pre-existing and habitable at the time of purchase. This accessory dwelling unit provided us a place to live, in order to renovate the primary existing and historic structure (see attached documentation).

General Character of the Neighborhood: Describe how the requested variance will not alter the essential character of the neighborhood: Mixed agricultural and residential neighborhood with large land parcels. This historic structure has been here for generations (see old photos).

Not Self-Created: Provide confirmation that the alleged hardship has not been self-created by the applicant: This accessory dwelling unit was an existing and habitable at the time of purchase.

Signature of Property Owner: [Signature] Signature of Applicant: Emily Getty
Date: 11/22/24 Date: 11/22/24

Disclaimer: I/We hereby dispose and swear that all the above statements and statement content in the application submitted are true.

Sworn before me, Denise D Murphy, on this date 25, month, Nov, and year 24

Emily Getty
Applicant

Denise Murphy
Notary

[Signature]
Property Owner

DENISE MURPHY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN SARATOGA COUNTY
REGISTRATION NO. 01MU4867899
MY COMM. EXPIRES 05/18/2028

Part 2: To Be Completed by Zoning Administrator

Property Description:

Tax Map SBL#: 118-1-5 Zoning District: APD

Description of Current Use of the Property: (attach sketch): Single family home w/ 2nd residence used as airbnb

Is Property in Hamlet Area? ___ Yes No Is SEQRA Review required? ___ Yes ___ No

The applicant's appeal from a decision of the Zoning Enforcement Officer, or on direct appeal from the planning board as permitted by Town Law, concerns the following:

___ Denial of an Application for a Building Permit concerns the following: _____

Denial of an Application for a Certificate of Occupancy (Attach to Application)

For the Proposed Activity: using 2nd residence as Airbnb.

Denial was made because of a violation of the Town Zoning Code (s): Article XI Section H

Michael Lopez
Signature of Zoning Administrator

11/25/24
Date of Zoning Administrator's Decision

Part 3: To Be Completed by the Zoning Board of Appeals

After public hearing and reviewing the above criteria the ZBA finds:

- () The Applicant has failed to prove hardship through the application of the above tests as required by state statutes.
- () The Applicant has proven hardship through the application of the above tests. In finding for such hardship, the ZBA grants a variance to allow use of the property in the manner detailed below:

Signature of ZBA Chairperson

Date

Applicant: Unless otherwise specified by the Zoning Board of Appeals, an Approved Variance shall expire if you fail to obtain any necessary building permit or fail to comply with the conditions of said authorized permit within six (6) months from the date of authorization thereof. The Zoning Board of Appeals may increase this period from six (6) months to one (1) year at its discretion.

P.O. Box 128
17 Catherine Street
Gansevoort, NY 12831



Phone: (518) 792-9179
Fax: (518) 792-9203
Highway: (518) 793-6901

www.Townofnorthumberland.org

August 1, 2024

Nicholas & Emily LaFountain
768 West River Rd
Gansevoort, NY 12871

RE: Airbnb
768 West River Rd
Gansevoort, NY 12871
118.-1-5
Violation #:24-217

Dear Nicholas & Emily,

It has been brought to my attention that you are advertising a tiny home on West River Road in the Town of Northumberland as a short-term rental property. Please be advised this is not an authorized use of this structure. I understand you built it and were allowed to live in while your main house was being built, now the structure is in violation of Town Zoning Article XI section H (principal building per lot). Please discontinue taking reservations immediately and remove the listing.

Thank you for your co-operation in this matter and if you have any questions or need information, please contact me at (518) 792-9179, ext. 112. Mon.-Fri, 9 am – 1 pm, or Tuesday evenings from 6-8 pm.

Sincerely,

Michael Terry
Code Enforcement Administrator
Town of Northumberland

**USE VARIANCE
ACCESSORY DWELLING UNIT
768 W RIVER ROAD
GANSEVOORT, NY 12831**

Meet the LaFountains: Nick, Emily, Clay, and Graham

Nick grew up in northern New York and has a passion for architecture. Emily grew up locally in Kingsbury on a family-owned dairy farm and has a passion for sustainability.

We were married in 2014.

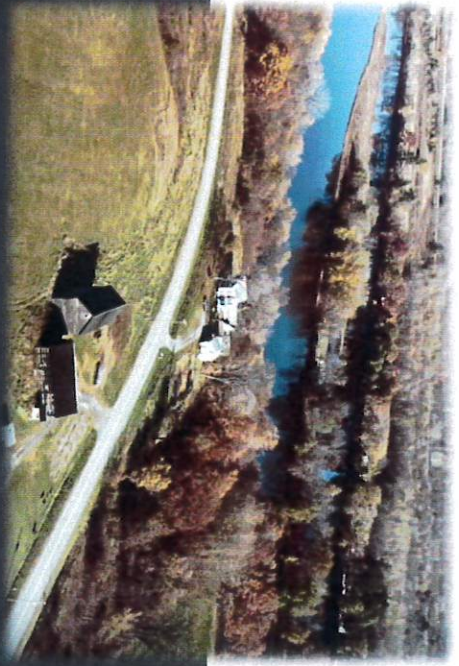
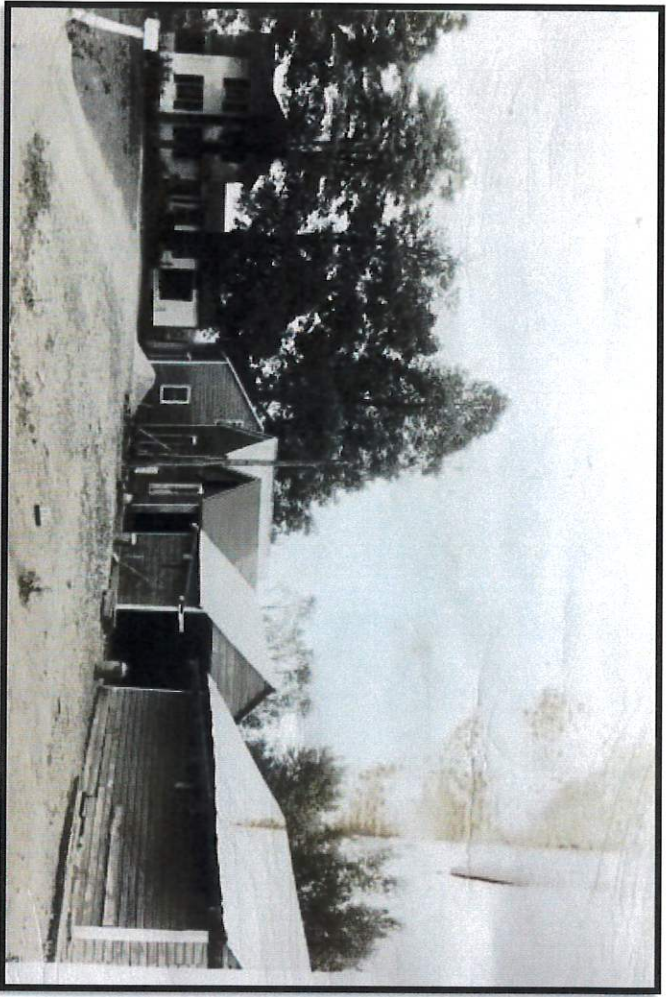
We purchased 768 W River Road in July 2017 and began bringing the property back to life. With big dreams, and a small budget, we worked hard building our forever home on the Hudson. To realize the full project, we fixed up "The Cottage" enabling us to live on the property and work on our renovations.

We welcomed Clay into our family in April 2020 at the height of a global health pandemic.

Graham completed our family in December 2022 and keeps us on our toes.

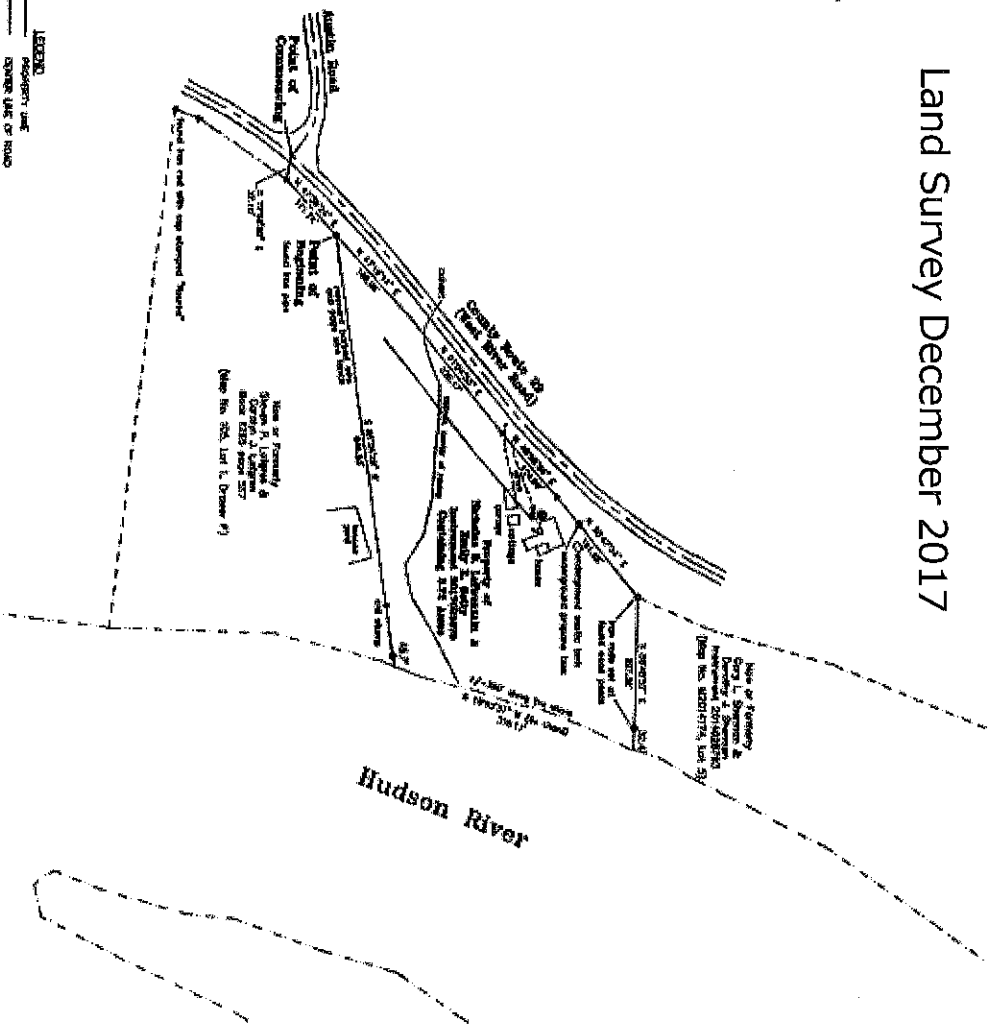
As our family has grown, so has our love of the people, and community of Northumberland.





Past Photos of our home

Land Survey December 2017



LEGEND

—	PROPERTY LINE
—	OWNER USE OF ROAD
—	RIGHT OF WAY OF ROAD
—	BOUNDARY OF ROAD
—	ADJACENT PROPERTY LINE
—	ADJACENT ROAD RIGHT OF WAY
—	ADJACENT ROAD BOUNDARY
—	ADJACENT EASEMENT
—	ADJACENT DISTANCE
—	ADJACENT PROPERTY BOUNDARY

Contractor indicated there may be the existing curb of property for land survey. The contractor indicated that the location of the curb is not shown on the map. The contractor indicated that the location of the curb is not shown on the map. The contractor indicated that the location of the curb is not shown on the map.

- 1) Survey done and bearing shown on map is 117.5000 degrees, as determined by GPS observations.
- 2) The map is based on the official land survey conducted by John L. Simpson, Land Surveyor, in December 2017.
- 3) The survey was conducted in accordance with the provisions of the Surveying and Mapping Act, R.S. 48:201.

NOTES:

1) The land of Survey is not shown on the map. The land of Survey is not shown on the map. The land of Survey is not shown on the map.

2) The land of Survey is not shown on the map. The land of Survey is not shown on the map. The land of Survey is not shown on the map.

PREPARED BY:
Hughes Land Surveying
 Alan J. Hughes, L.S.
 146 Clinton Street, Suite 100, New York, NY 10014
 Phone: 212/279-4500 Fax: 212/279-4504
 www.hugheslandsurveying.com

CLIENT: Survey prepared for:
Nicholas & LaFontaine & Gentry
 County Road 20
 Town of Monticello, NY
 State of New York
 DATE: DECEMBER 20, 2017 SCALE: 1 inch = 100 feet
 JOB NO: 17-10-103 FILE # 2017-03

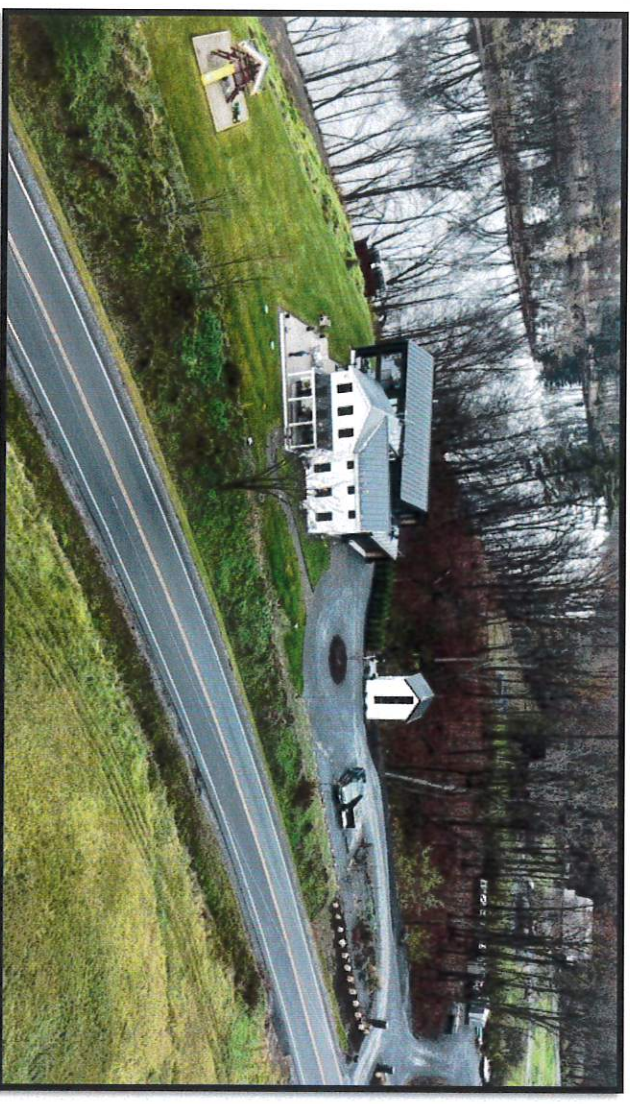
- New septic system

- Safer driveway exit to road

- New mechanical, electrical, and plumbing

- New landscaping adding trees, shrubs, and lawn

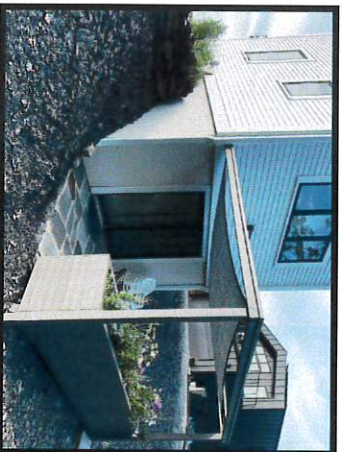
Key Improvements to the property



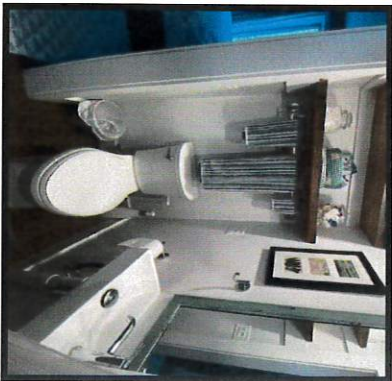


Before & After

The Cottage



Before & After Exterior



Before & After Interior

Tall Tiny on the Hudson minutes to Saratoga

Tiny home in Gansevoort, New York
4 guests · 1 bedroom · 2 beds · 1 bath

4.91

Guest
favorite

99
Reviews



Hosted by Emily
Superhost · 10 years hosting



Top 10% of homes
This home is highly ranked based on ratings, reviews, and reliability.



Great check-in experience
Recent guests loved the smooth start to this stay.



Mountain and valley views
Soak up the views during your stay.

★ 4.91

Check availability

Owner-occupied property managed responsibly

- House rules to ensure a safe, healthy, and quiet stay
- Emily & Nick manage all the bookings directly and greet guests on-site for check in
- Repeat guests include musicians from the Philadelphia Orchestra, a mother visiting her daughter at Skidmore, a couple visiting their family who live nearby for holidays.

"Absolutely loved our stay at this Airbnb! The atmosphere was peaceful and quiet, perfect for relaxation. The place was stocked with lots of amenities, making our stay comfortable and convenient. Check-in was a breeze, and the host was very accommodating. Would definitely stay here again."

"Emily's place was absolutely lovely. It was peaceful and secluded while still being close enough to restaurants. The place was spacious and beautifully designed. We especially enjoyed drinking coffee on the patio. Would definitely stay again 😊"

THANK YOU

Nicholas LaFountain
& Emily Getty
518-669-5219 (Nick)
518-944-6709 (Emily)
emily.getty@gmail.com