



**City of Saratoga Springs**  
**MAYOR'S OFFICE**  
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JOANNE D. YEPSEN  
Mayor

JOSEPH J. OGDEN  
Deputy Mayor

GAYLE B. LASALLE  
Executive Assistant to the Mayor

October 9, 2015  
VIA E-MAIL

Dear Mr. Kaufmann:

Thank you for your recent e-mails regarding the special use permit associated with Saratoga National Golf Club (SNGC). Mayor Yepsen has asked me to respond to you on her behalf.

While we greatly appreciate the concerns you have raised, the idea that "a major business in this city has been allowed to violate our land use requirements with impunity" is simply not accurate. Based on conversations the mayor and I had with our city staff, including the Office of Economic Development and Planning, the Building Department and the City Attorney's Office, I am happy to share the following, which may be of interest to you.

Paragraph six of the 1998 special use permit, which deals with special event/tournament capacity, reads as follows:

*The facility may have up to three special events/tournaments per year where the visitors' demand exceeds available designated parking. Each permitted event shall not exceed 3,000 persons.*

Please be advised that the special use permit does not limit SNGC to three "large events" per year, as you have suggested in your email. Rather, it limits SNGC to three events where the visitors' demand exceeds available designated parking or where the event exceeds 3,000 persons. While it would seem relatively easy to know when an event has reached 3,000 persons, it is much more difficult to ascertain when an event's capacity "exceeds designated parking", since this restriction seems to apply only to the volume of parking (not necessarily the number of actual attendees) associated with the special event itself, and would not include parking being used by those individuals who are playing golf, attending the bar/restaurant, attending banquets and other events, or are employed at SNGC.

While we do not have any data or evidence to say for certain that SNGC has or has not violated the requirements of the special use permit, Mayor Yepsen has, in response to your concerns, instructed the city's zoning and building inspector, Stephen Shaw, to immediately

send a letter to SNGC reminding them of the conditions outlined in the special use permit as well as to ask that they inform the city as to how they comply with these conditions. Also, it may be in the interest of the Planning Board to revisit the language of the now 17 year old permit, given that evaluating the compliance of this requirement is so difficult for the city.

Please know that both the mayor and I expect every condition of a special use permit to be adhered to, regardless of the circumstances or business and will not allow anyone to knowingly violate our land use requirements – or any other rules or regulations – with impunity.

With regard to the nature trail, Saratoga PLAN holds a conservation easement which requires Saratoga National to maintain the trails in question and reads: "hiking trail and related facilities shall be maintained by grantor in a manner that is satisfactory to their continued use by the public as a hiking trail." In response to your concerns, Mayor Yepsen has directed our city planner, Kate Maynard, to set up a time to visit the trail with PLAN and evaluate its condition so we can assess whether or not we believe it meets the conditions of the easement.

As always, thank you for your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ogdén", written over the word "Sincerely,".

Joseph J. Ogdén  
Deputy Mayor

Cc: Joanne Yepsen, Mayor  
Vincent DeLeonardis, City Attorney  
Anthony Izzo, Assistant City Attorney  
Kate Maynard, Principal Planner  
Stephen Shaw, Zoning and Building Inspector  
John Barney, Assistant Zoning and Building Technician