



CHRISTOPHER T. HIGGINS
ALBANY COUNTY LEGISLATURE, 6TH DISTRICT
COUNTY OF ALBANY
STATE OF NEW YORK

CHAIR
LAW COMMITTEE
CIVIC CENTER COMMITTEE

277 HUDSON AVENUE
ALBANY, NEW YORK 12210
TELEPHONE: (518) 320-8580
EMAIL: CHRISTOPHER.HIGGINS@ALBANYCOUNTY.COM

March 23, 2010

Mike Apostol
Chair
Board of Zoning Appeals
City of Albany
Albany, NY 12207

RE: Grandfather Zoning Variance for 61 and 105 Morris Street

Dear Chairman Apostol:

I am writing to express my strong support for the current application before you dealing with the above referenced properties. As a resident and elected official representing downtown Albany and this specific area in question, I cannot stress enough how critical approval of this application is.

The two properties at issue in this complaint have been longstanding problems for Park South and its residents. So much so, that many of the neighbors in the immediate vicinity have signed on in support of this application. These properties and this application were also addressed at the February Park South neighborhood association meeting, where a motion was overwhelmingly supported by residents and members.

Park South is at a crossroads. Recent development in the neighborhood, coupled with an influx of new owner occupied residences demonstrates how neighborhoods in this city can be turned around after years in decline. In neighborhood revitalization endeavors like what we have in Park South, you have partners and those who choose to continue the status quo. Mr. Ploof, the owner of the subject properties at hand, rather than participate in this renaissance would rather continue the status quo. This is unacceptable.

Over the last several years there have been hundreds of calls placed to various city agencies and emergency responders regarding incidents at these properties. While many neighbors, landlords

and residents have chosen to actively take part in Park South's revitalization, Mr. Ploof has been silent. While neighbors have spoken out and complained at monthly neighborhood association meetings about chronic problems at these properties, Mr. Ploof has failed to attend and address them. It should be noted that a variety of other landlords with properties in the neighborhood, including Dino Kacani, Joe McGovern and Chris Maddalone regularly attend these meetings to hear from neighbors about their properties.

Based on a review of the facts at hand and overwhelming support for the application in the neighborhood, it is clear sufficient evidence exists to terminate the nonconforming zoning use these properties enjoy. The grandfather zoning use these properties enjoy is a privilege and not a right. Mr. Ploof has abused this privilege for years and it is time for him to be held accountable.

In closing, based on the law and the facts at hand I encourage swift action by the Board in terminating the nonconforming use at the subject properties. Should you have any questions please do not hesitate to contact me.

Sincerely,

Christopher T. Higgins
Albany County Legislator, 6th District