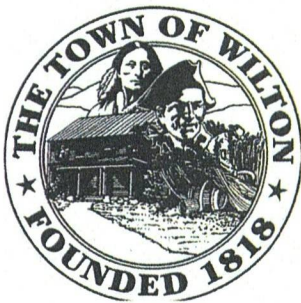




TOWN OF WILTON
22 TRAVER ROAD
GANSEVOORT, NY 12831-9127

John Herlihy
Senior Building Inspector
Code Enforcement Officer
Zoning Officer

(518) 587-1939, Ext. 603
FAX (518) 587-2837
Website: www.townofwilton.ny.gov
E-Mail buildingdept@townofwilton.com

DETERMINATION OF ZONING ENFORCEMENT OFFICER

DATE: October 15, 2026

APPLICANT: Eric Whiting, RA

OWNER: Scott Fichera

PROPERTY ADDRESS: 9 Carpenter Lane, Saratoga Springs, NY 12866

TAX ID NUMBER: 153.9-1-20

ZONING DISTRICT: (CR-1) Commercial Residential District

Applicable Standard: Schedule N (Two-Family Dwelling / Accessory Apartment)

Lot Area: 22,651.2 Square Feet

Lot Frontage: 179.9 Feet

Status: Legally Established Pre-Existing Non-Conforming / Undersized Lot

PROPOSED USE: Demolition of 2 existing accessory structures, addition to the existing primary structure and renovation to the garage to add a second floor apartment.

Based on a review of the submitted plot plans, architectural plans and property records, the lot features an overall area of **22,651.2 SF** and a total frontage of **179.9'**. Under the bulk and dimensional guidelines established in **Schedule N** for a two-family dwelling or accessory apartment use within the CR-1 zone, this parcel constitutes a substandard/undersized lot.

DETERMINATION: Pursuant to **§ 129-158 (Undersized Lots)** of the Code of the Town of Wilton, a single substandard lot may only be built upon or altered if it remains in separate ownership without contiguous frontage to other parcels owned by the same entity, and provided its yard layouts conform to district regulations. Because the proposed development fails to conform to the baseline yard requirements and expands an existing non-conforming condition under **Article XX**, the plan violates both the standard setbacks and the provisions of **§ 129-158**.

NOTE TO APPLICANT: This is to inform you that you may appeal this determination to the Town of Wilton Zoning Board of Appeals by filing a Notice of Appeal with the Zoning Enforcement Officer and the Zoning Board of Appeals within sixty (60) days of the date this determination was filed in the Code Enforcement Office. Effective May 30, 2007

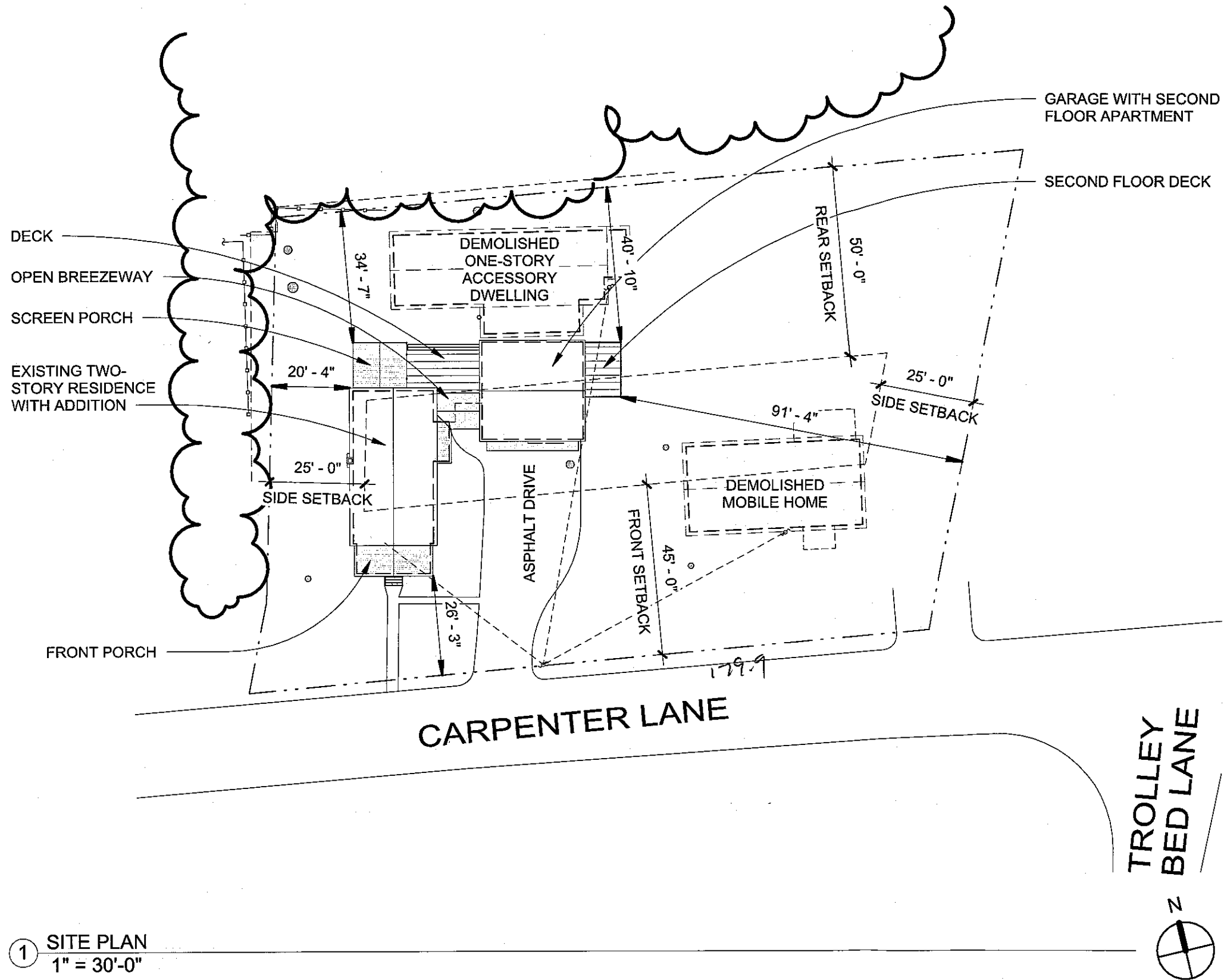
Consequently, the requested building permit is hereby **denied**. To proceed, the applicant must formally petition the Town of Wilton Zoning Board of Appeals (ZBA) for relief under **§ 129-158** and **Schedule N** for the following four (4) area variances:

1. **Section 129-158 Lot Area/Dimensional Relief:** A variance to permit the expansion/modification of a principal residential structure on a substandard lot of 22,651.2 SF where Schedule N requires 40,000 SF.
2. **Front Yard Setback Variance:** A request for relief of **18 feet, 9 inches (18'-9")** from the minimum front setback of 45 feet required under Schedule N.
3. **Side Yard Setback Variance (West/Left Property Line):** A request for relief of **4 feet, 8 inches (4'-8")** from the minimum interior side yard setback of 25 feet required under Schedule N.
4. **Rear Yard Setback Variance:** A request for relief of **15 feet, 5 inches (15'-5")** from the minimum rear yard setback of 50 feet required under Schedule N.
5. **Frontage Variance:** A request for relief of **20.1 Feet** from the minimum frontage required under Schedule N.

STATUS: DENIED / REFERRED TO ZONING BOARD OF APPEALS Senior Building Inspector
Code Enforcement Officer Zoning Officer

John Herlihy
Zoning Enforcement Officer
Town of Wilton, NY

NOTE TO APPLICANT: This is to inform you that you may appeal this determination to the Town of Wilton Zoning Board of Appeals by filing a Notice of Appeal with the Zoning Enforcement Officer and the Zoning Board of Appeals within sixty (60) days of the date this determination was filed in the Code Enforcement Office. Effective May 30, 2007



DRAWING LEGEND

---	PROPERTY LINE
---	REQUIRED SETBACKS
---	OUTSIDE FACE OF STRUCTURE
⊕	ELECTRIC POLE
●	EXISTING TREE TO REMAIN
○	EXISTING TREE TO BE REMOVED

ZONING INFORMATION:

TOWN OF WILTON, NEW YORK

ZONING DISTRICT: COMMERCIAL-RESIDENTIAL ONE DISTRICT (CR-1)

PROPOSED USE: DWELLING, ONE FAMILY W/ ACCESSORY APARTMENT

MINIMUM LOT SIZE: 40,000 SF

MAX BUILDING HEIGHT: 35 FT

MINIMUM GREEN SPACE: 35%

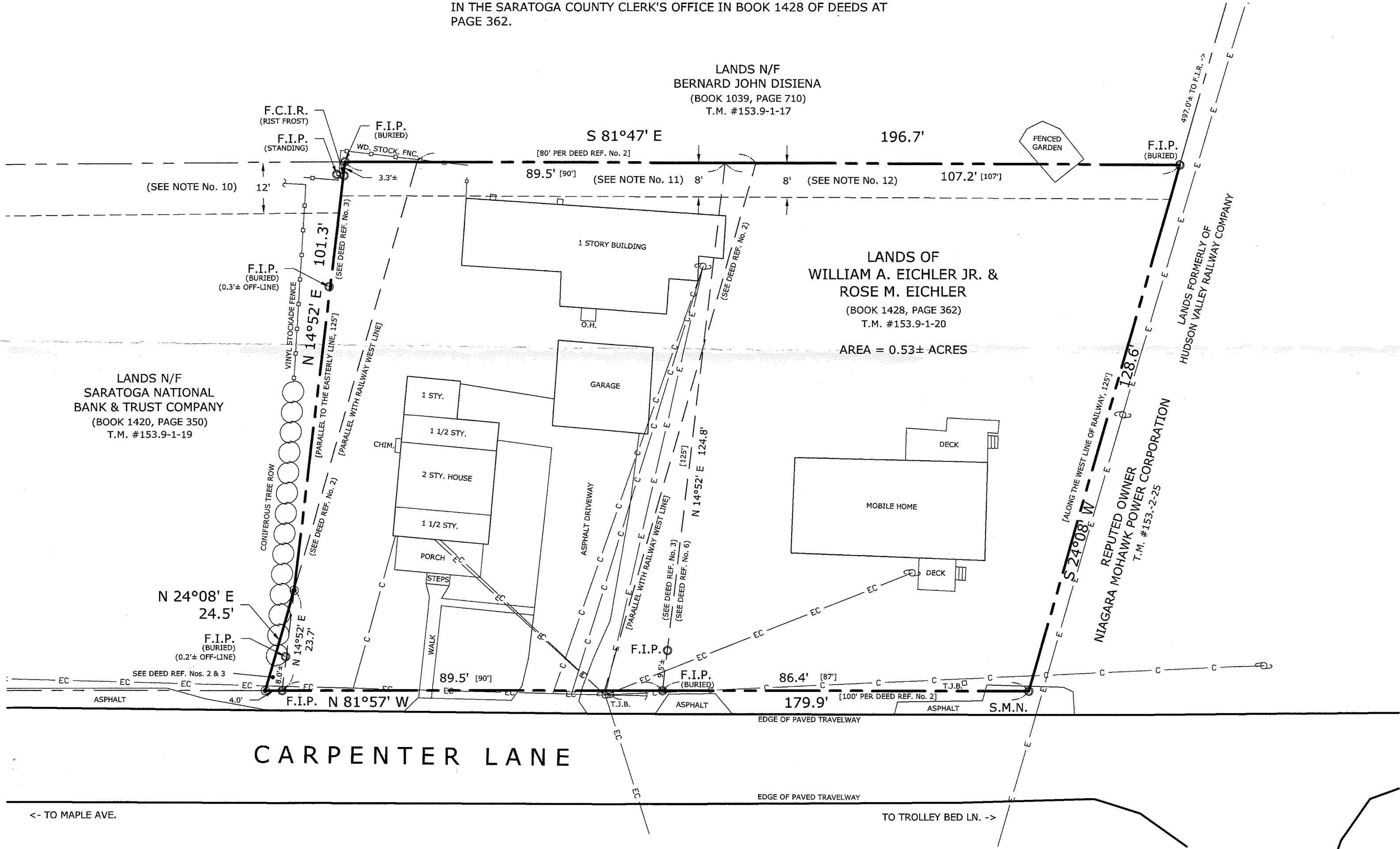
SETBACKS:

FRONT:	45 FT MIN
REAR:	50 FT MIN
SIDES:	25 FT MIN

DEED REFERENCES:
1.) DEED FROM HENRY MCGURK TO WILLIAM E. GORHAM & PAULINE GORHAM, DATED MAY 25, 1918 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 301 OF DEEDS AT PAGE 237.
2.) DEED FROM WILLIAM E. GORHAM & PAULINE GORHAM TO BYRON J. GORHAM, DATED SEPTEMBER 17, 1930 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 364 OF DEEDS AT PAGE 83.
3.) DEED FROM WILLIAM E. GORHAM & PAULINE GORHAM TO BYRON J. GORHAM, DATED APRIL 15, 1935 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 382 OF DEEDS AT PAGE 89.
4.) AGREEMENT BETWEEN WILLIAM E. & PAULINE G. GORHAM AND BYRON J. GORHAM, DATED APRIL 12, 1937 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 391 OF DEEDS AT PAGE 130.
5.) DEED FROM BYRON J. GORHAM TO BYRON J. GORHAM & VESTA GORHAM, DATED DECEMBER 7, 1940 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 407 OF DEEDS AT PAGE 76.
6.) DEED FROM PAULINE G. GORHAM TO BYRON J. GORHAM, DATED MAY 17, 1952 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 552 OF DEEDS AT PAGE 303.

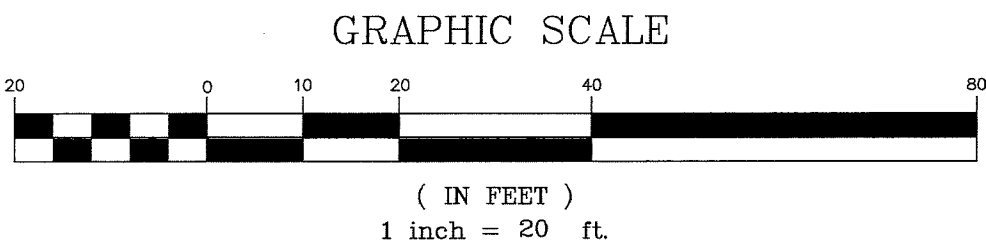
DEED REFERENCES:
7.) DEED FROM JOHN B. LANGER AS DISTRICT DIRECTOR OF INTERNAL REVENUE TO WILLIAM EICHLER III, LINDA BRADLEY, JACQUELINE BARNES, VALERIE SURPRENANT, JOHN EICHLER AND ROSEMARY EICHLER, DATED DECEMBER 16, 1981 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1030 OF DEEDS AT PAGE 868.
8.) DEED FROM WILLIAM EICHLER III, LINDA BRADLEY, VALERIE SURPRENANT, JOHN EICHLER, ROSEMARY EICHLER AND JACQUELINE BARNES TO THEODORE KASKA & LILLIAN KASKA, DATED MAY 20, 1982 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1031 OF DEEDS AT PAGE 902.
9.) DEED FROM LILLIAN KASKA TO WILLIAM A. EICHLER JR. & ROSE M. EICHLER, DATED MAY 27, 1995 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1413 OF DEEDS AT PAGE 609.
10.) DEED FROM WILLIAM EICHLER III, LINDA BRADLEY, JACQUELINE BARNES, VALERIE SURPRENANT, JOHN EICHLER, AND ROSEMARY EICHLER TO WILLIAM A. EICHLER JR. & ROSE M. EICHLER, DATED OCTOBER 26, 1995 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1428 OF DEEDS AT PAGE 359.
11.) DEED FROM WILLIAM A. EICHLER JR. & ROSE M. EICHLER TO WILLIAM A. EICHLER JR. & ROSE M. EICHLER, DATED DECEMBER 20 1995 AND RECORDED IN THE SARATOGA COUNTY CLERK'S OFFICE IN BOOK 1428 OF DEEDS AT PAGE 362.

NOTES:
1.) UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2.) ONLY COPIES OF THIS MAP BEARING THE EMBOSSED SEAL OF A LICENSED LAND SURVEYOR AND SIGNED IN RED INK SHALL BE CONSIDERED TRUE AND VALID COPIES.
3.) CERTIFICATION OF THIS SURVEY IS TO THE CLIENT FOR THE SPECIFIC STATED PURPOSE OF THIS SURVEY AND ON THE CLIENT'S BEHALF TO ANY TITLE COMPANIES AND/OR LENDING INSTITUTIONS AS SHOWN HEREON.
4.) THE CERTIFICATION(S) SHOWN HEREON ARE NOT TRANSFERABLE.
5.) COPYING THIS DOCUMENT IN ANY MANNER IS A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR IS OBTAINED.
6.) THERE IS NO CERTIFICATION AS TO THE EXISTENCE NOR TO THE LOCATION OF ANY EASEMENTS WHICH MAY EFFECT THE PARCEL SURVEYED OTHER THAN THOSE SHOWN HEREON.
7.) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE AND IS SUBJECT TO ANY INFORMATION THAT AN UP-TO-DATE ABSTRACT MAY SHOW.
8.) THIS SURVEY MAP WAS PREPARED USING INFORMATION CONTAINED IN TITLE REPORT No. BA-FA-1608, PREPARED BY BENTLEY ABSTRACT, INC. AS AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK, DATED NOVEMBER 14, 2024.
9.) TOGETHER WITH ALL RIGHT, TITLE AND INTEREST IN AND TO CARPENTER LANE.
10.) TOGETHER WITH ALL RIGHTS OF INGRESS AND EGRESS RESERVED IN DEED REFERENCE No. 4.
11.) SUBJECT TO ALL RIGHTS OF INGRESS AND EGRESS AS DESCRIBED IN DEED REFERENCE No. 4.
12.) SUBJECT TO ALL RIGHTS OF INGRESS AND EGRESS AS DESCRIBED IN DEED REFERENCE No. 6.
13.) UNDERGROUND UTILITIES AS SHOWN HEREON LOCATED FROM VISIBLE PHYSICAL FEATURES. OTHER UTILITIES MAY EXIST AND ALL ARE SUBJECT TO VERIFICATION BY OTHERS.
14.) GROUND OBSCURED BY SNOW AND ICE AT TIME OF FIELD SURVEY.
15.) BEARINGS ARE REFERENCED TO THE MAGNETIC MERIDIAN OF JANUARY 2025.
16.) DEED COURSES AND DISTANCES SHOWN IN BRACKETS.
17.) FIELD SURVEY COMPLETED JANUARY 14, 2025.



SURVEY CERTIFIED TO:
1.) SCOTT FICHERA
2.) BENTLEY ABSTRACT INC.
3.) FIRST AMERICAN TITLE INSURANCE COMPANY

LEGEND:	
●	PROPERTY CORNER
○	PROPERTY MARKER
S.M.N.	SET MAGNETIC NAIL
F.C.I.R.	FOUND CAPPED IRON ROD
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
⊙	UTILITY POLE
—	GUY WIRE
□ T.J.B.	TELEPHONE JUNCTION BOX
— E —	OVERHEAD ELECTRIC LINE
— C —	OVERHEAD COMMUNICATION LINE
— — —	SUBJECT PROPERTY LINE
— · — · —	ADJOINING PROPERTY LINE
— — — — —	DEED LINE
- - - - -	RIGHT-OF-WAY LINE



TOWN OF WILTON, SARATOGA COUNTY, NEW YORK	
MAP OF SURVEY SHOWING PROPERTY KNOWN AS 9 CARPENTER LANE	
DATE: JANUARY 21, 2025 DRAWN BY: WCD JR. SCALE: 1" = 20'	AM C. DARLING JR., P.L.S. ITE CHURCH LANE NEW YORK 12180

Scott Fichera
9 Carpenter Lane
Saratoga Springs, NY 12866
153.9-1-20

Zoning Ordinance Section	Required	Proposed	Relief requested
Schedule N, CR-1	45 ft front yard setback	26.25 ft. front yard setback	18.75 ft. front yard setback relief
	25 ft. side yard setback	20.33 ft. west side yard setback	4.67 ft. west side yard setback relief
	50 ft. rear yard setback	34.58 ft. rear yard setback	15.42 ft. rear yard setback
	200 ft. frontage	179.9 ft. frontage	20.1 ft. frontage relief