

Town of North Greenbush
Zoning Board of Appeals
2 Douglas Street, Wynantskill NY 12198

Applicant Number	<u>24-73</u>
Date Application Received	<u>4/23/24</u>
Hearing Scheduled Date	<u>5/8/24</u>
Application Fee	<u>\$200 - pd</u>
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	_____

Application for a Variance, Special Permit,
and/or Appeal

Zoning Board Fees as per Chapter 197 Section I

General Information

Applicant:
 Name: Lynne & Paul Swedick
 EMAIL: lynne.swedick@gmail.com
 Company: _____
 Address: 52 Troy Avenue
Wynantskill, NY 12198
 Phone: 518-603-0678

Property Owner:
 Name: Lynne & Paul Swedick
 EMAIL: lynne.swedick@gmail.com
 Company: _____
 Address: 52 Troy Avenue
Wynantskill, NY 12198
 Phone: 518-603-0678

Applicant is: Owner Builder _____ Lessee _____ Architect/Engineer _____ Agent _____ Other _____
If Other, Explain: _____

Lot Information

Street Address of Lot: 52 Troy Ave. Wynantskill, NY 12198

Parcel ID Number: 135.9-8-6' Zoning District: R1

Irregular Shape of Lot (Y or N) N Corner Lot (Y or N) N

Existing: Lot Area 573/4 Frontage 100 Depth 100
 Set Backs: Front 52'8" Rear 23'3" Left 69'5" Right 6'7"
 Proposed: Lot Area 573/4 Frontage 100' Depth 100'
 Setbacks: Front 57'4 Rear _____ Left _____ Right _____

Type of Water Service: City Water Type of Sanitary Disposal City Sewer

Describe Existing Use:

Driveway/Backyard.

Type of Request: Area Variances _____ Use Variance _____
 Special Permit _____ Code Interpretation _____

Briefly describe the proposal:

To construct a 24x24 two story detached garage from house.

Abutters- Adjacent Property Owners

List the name and address for each adjacent property owners. Use additional paper if needed.

	Name:	Address:	Property Use:
Front	<u>Joe Mason</u>	<u>53 Troy Ave. Wynantskill, NY</u>	<u>residential</u>
Rear	<u>VACANT</u>		
Left	<u>Seth Reider</u>	<u>27 Lillian Court, Wynantskill, NY</u>	<u>residential</u>
Right	<u>Ron Crowe</u>	<u>44 Troy Ave. Wynantskill, NY</u>	<u>residential</u>

Required Submittals

- A plot plan showing all property lines, dimensions, adjacent streets, existing structures, setback distances, and location of proposed changes.
- Part 1 of the State Environmental Quality Review (SEQR) Short Environmental Form
- Appropriate fee, as determined by the Code of the Town of North Greenbush, and as Calculated by the Building Department

**NOTE: Additional submittals may be required by the Zoning Board of Appeals.
Failure to submit all required documents may result in a delay
in the processing or denial of the application.**

Have there been any other variances issued for this property? (Y or N) Yes

If yes, explain:

Installed inground pool

For any Area Variance Request, please complete the following:

Proposed use/construction: Construct 24x24 two story garage detached from house.
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:	100 x 100	24 x 24
Width at set back:		
Front Setback:		52' 9"
Rear Setback:	10'	23' 3"
Left Side Setback: (FROM HOUSE)	12'	5'
Right Side Setback:	10'	6' 7"
Maximum Lot Coverage:		24x24 576 sqft
Maximum Height:	16'	16'

For Multi-family Residential / Non- Residential Area Variances, please complete the following:

	REQUIRED	PROPOSED
Number of Parking Spaces:		
Buffer:		N/A.
Units per Acre:		

Area Variance Continued

1. Explain how no undesirable change will be produced in the character of the neighborhood; nor a detriment to nearby properties created by granting the area variance.

This construction will only improve home values and neighborhood values.

2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

As homeowners we have the ability to achieve our proposal by going through the zoning board @ the town of No. Greenbush.

3. Describe whether the requested Area Variance is substantial.

Yes. We have the room to build this garage without effecting other properties.

4. Explain how the proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.

This proposal will not have any adverse effect on the physical or environmental conditions in the neighborhood or district.

5. Explain whether difficulty is self-created. (Consideration is relevant, but should not necessarily preclude the granting of the Area Variance.)

There is no difficulty and our grounds are level and ready to go. No changes to our grounds are needed.

For Use Variance Applications, please complete the following:

Describe the request use: _____

1. Explain why the application cannot realize a reasonable return without the Use Variance, as demonstrated by the content financial evidence.

2. Explain how the alleged hardship relating to the property is unique, and does not apply to a substantial portion of the neighborhood.

3. Describe why granting the requested use variance will not alter the essential character of the neighborhood.

Explain whether the alleged hardships have been self- created.

Describe in Detail your request:

Explain why granting the request is consistent with the public health, safety, and general welfare of the community, including the public or commercial inconvenience of the applicant.

There are no changes nor will there be changes to our lots other than the construction of the garage. This request is consistent with the public health, safety and general welfare of the community. There is no inconvenience.

For Home Occupation Request, please see Town of North Greenbush Code Sections 197-3 and 197-24

For Earthwork Permit, Please see Town of North Greenbush Code Section 197-30

For Telecommunication Tower Permit, Please see Town of North Greenbush Code Section 197- 107

Appeal Criteria

Explain the nature of the requested appeal, including Town Code Section, Building Department decision, and your objections.

Certification and Authorization

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of North Greenbush to process this application as provided by law.

Applicant:
Name: Lynne M. Swedick
Signature: Paul A. Swedick
Date: 4/20/2024

Property owner:
Name: Lynne M. Swedick
Signature: Paul A. Swedick
Date: 4/20/2024

FEES as per Town Code Chapter 197:	
Special Permits for a residential single parcel: \$50.00	Special Permit for non-residential parcel: \$150.00
Area Variance for a single residential parcel: \$100.00	Area Variance for a non-residential parcel: \$300.00
Use Variance for a single residential parcel: \$200.00	Use Variance for a non-residential parcel: \$500.00
Plus reimbursement of legal and engineering expenses per 95-4 for all variances & special permit applications	

617.20

Short Environmental Assessment Form

Instructions for Completing

Please refer to this link for step by step assistance: <http://www.dec.ny.gov/permits/90156.html>

Part 1- Project information. The applicant or project sponsor is reliable 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; attached additional pages as necessary to supplement any item.

Part 1- Project and Sponsor Information		
Name of Action or Project: 24 x 24 2 Story Garage - Detached		
Project Location (Describe, and attach a location map): 52 Troy Ave. Wynantskill, NY 12198		
Brief Description of Proposed Action: To construct a 24 x 24 2 Story Garage - Detached		
Name of Applicant or Sponsor: Lynne M. Swedick Paul A. Swedick		Telephone: 518-603-0078 E-Mail: lynnswedick@gmail.com
Address: 52 Troy Avenue		
City/PO: Wynantskill	State: NY	Zip Code: 12198
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.	YES	NO X
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If yes, list agency(s) name and permit or approval:	YES	NO X
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	.23 → Under 1/2 acre	Acres Acres Acres - 576 Sq. Ft.
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural	<input type="checkbox"/> Industrial
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic
<input type="checkbox"/> Parkland	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)
Other (Specify): _____		
5. Is the proposed action,	YES	NO

a. A permitted use under the Zoning regulations? b. Consistent with the adopted comprehensive plan?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If yes, identify: _____ _____	<input type="radio"/> YES	<input checked="" type="radio"/> NO
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="radio"/> YES	<input checked="" type="radio"/> NO
10. Will the proposed action connect to an existing public/private water supply? If no, describe method for providing wastewater treatment: _____ _____	<input type="radio"/> YES	<input checked="" type="radio"/> NO
11. Will the proposed action connect to existing wastewater utilities? If no, describe method for providing wastewater treatment: _____	<input type="radio"/> YES	<input checked="" type="radio"/> NO
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic places? b. Is the proposed action located in an archeological sensitive area?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
13. a. does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other water bodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or water body? If yes, identify the wetland or water body and extent of altercations in square feet or acres: _____ _____	<input type="radio"/> YES	<input checked="" type="radio"/> NO
14. Identify the typical habit types that occur on, or are likely to be found on the project site. Check all that apply:	<input type="radio"/> YES	<input type="radio"/> NO
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?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
16. Is this project site located in the 100 year flood plan?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
17. Will the proposed action create storm weather discharge, either from point or non- point sources? If yes, a. Will storm water discharge flow to adjacent properties?	<input type="radio"/> YES	<input checked="" type="radio"/> NO

b. Will storm water discharges be directed to establish conveyance systems (runoff and storm drains)?
 If yes, briefly describe _____

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?
 If yes, explain purpose and size: _____

YES NO

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?
 If yes, describe: _____

YES NO

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?
 If yes, describe: _____

YES NO

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

Lynne M. Swedick
Paul A. Swedick

Applicant/ Sponsor name: _____

Date: *4/20/2024*

Signature: *Lynne M. Swedick, Paul A. Swedick*

Part 2- Impact Assessment. The Leaf Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	
4. Will the Proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	
7. Will the proposed action impact existing: a. public / private water supplies b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems?	<input checked="" type="checkbox"/>	
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	

Part 3- Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significance adverse environmental impact, please complete part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short- term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

52 Troy Ave
Wynnton Still NY. 12198
Lynne & Paul Swedick

