

Cemail: SKcontracting124@gmail.com

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

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

Zoning Board Fees as per Chapter 197 Section I

General Information

Applicant Number	24-22
Date Application Received	6/20/24
Hearing Scheduled Date	7/10/24
Application Fee	100
Approved Date (y/n)	_____
Conditions	_____
Denial Date	_____
Withdrawn Date	_____

Rayannebabich@hotmail.com

Applicant:
 Name: SEAN KNOWLES
 Company: SK CONTRACTING
 Address: 743 COLUMBIA TRICE
ELG, NY 12061
 Phone: 518-888-7504

Property Owner:
 Name: Frank & Rayanne Babich
 Company: na
 Address: 8 Mountainview Ter
Rensselaer NY 12144
 Phone: 518-676-4531

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

Lot Information

Street Address of Lot: 8 Mountainview Ter, Rensselaer NY 12144

Parcel ID Number: 145.5-2-5 Zoning District: RS or (R1)

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

Existing: Lot Area 0.68 Frontage 200.00 Depth 125.00

Set Backs: Front _____ Rear _____ Left _____ Right _____

Proposed: Lot Area 0.68 Frontage 200.00 Depth 125.00

Setbacks: Front _____ Rear _____ Left _____ Right _____

Type of Water Service: public Type of Sanitary Disposal: septic

Describe Existing Use:

Single-family residential

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

Briefly describe the proposal:

Adding an addition to our home - seeking variance for
Rear Setback - 40' required, asking for permit for 30'

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>Louise John</u>	<u>9 Mountainview Ter</u>	<u>Residential - Single Fam (across street)</u>
Rear	<u>Robert & Mary Lou Acheson</u>	<u>3 Holland Drive</u>	<u>Residential - Single Fam</u>
*Left	<u>Anthony & Cheryl Caiozzo</u>	<u>18 Mountainview Ter</u>	<u>Residential - Single Fam</u>
Right	<u>William & Victoria Miller</u>	<u>6 Mountainview Ter</u>	<u>Residential - Single Fam</u>

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*upon information & belief

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) Y

If yes, explain: Prior variance for installation of an above ground pool in 2018 - granted

For any Area Variance Request, please complete the following:

Proposed use/construction: Single family home - adding an addition
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:		
Front Setback:		
Rear Setback:	40'	30'
Left Side Setback:		
Right Side Setback:		
Maximum Lot Coverage:		
Maximum Height:		

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

	REQUIRED	PROPOSED
Number of Parking Spaces:		
Buffer:		
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.

The addition to our home will be in full conformity with all homes in nearby property.

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.

Seeking to add living space. Can't build to left due to septic. Cannot build to right as it is too close adjacent property.

3. Describe whether the requested Area Variance is substantial.

Substantial that it will provide use with necessary square footage, however, seeking a variance of only 75% of required setback.

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

Variance with rear setback will not affect adjacent property because existing patio and fence will remain in place as it currently stands. Fence required for pool.

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

This is not self-created. The existing home was built in 1950s/1960s in the general area of the right rear quadrant. Unknown as to why this spot was chosen.

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.

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: ^{SK} SEAN KNOWLES CONTRACTING Property owner: Frank Babich; Rayanna Babich
Name: _____
Signature: [Signature] [Signature]
Date: 6-26-24 6/25/2024

FEES as per Town Code Chapter 197	
Special Permits for a residential single parcel: \$50	Special Permit for non-residential parcel: \$150
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

617.20

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Appendix B

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: <u>Addition to existing single-family residence</u>	
Project Location (Describe, and attach a location map): <u>8 Mountainview Ter, Rensselaer NY 12144 Parcel ID 145.5-2-5</u>	
Brief Description of Proposed Action: <u>Variance (area) for rear setback to home & proposed addition</u>	
Name of Applicant or Sponsor:	Telephone: E-Mail:
Address:	
City/PO:	State: Zip Code:
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 <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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 <input type="checkbox"/> NO <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?	<u>0.68</u> Acres
b. Total acreage to be physically disturbed?	_____ Acres
c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ Acres
4. Check all land uses that occur on, adjoining and near the proposed action.	
<input type="checkbox"/> Urban <input type="checkbox"/> Rural <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify): _____ <input type="checkbox"/> Parkland	
5. Is the proposed action,	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

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 <input checked="" type="radio"/> No <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 checked="" type="radio"/> YES	<input 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 checked="" type="radio"/> YES	<input type="radio"/> NO
11. Will the proposed action connect to existing wastewater utilities? If no, describe method for providing wastewater treatment:	<input checked="" type="radio"/> YES	<input 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 <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 alterations in square feet or acres:	<input type="radio"/> YES	<input checked="" type="radio"/> NO <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 _____		NO
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		
Applicant/ Sponsor name: <u>SEAN KNOWLES / SK CONTRACTING</u>		
Date: <u>6-26-24</u>		
Signature: <u>[Signature]</u>		

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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the Proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora and fauna)?		
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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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 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)

Building Permit Application

PLOT PLAN

How far from property lines will your project be?

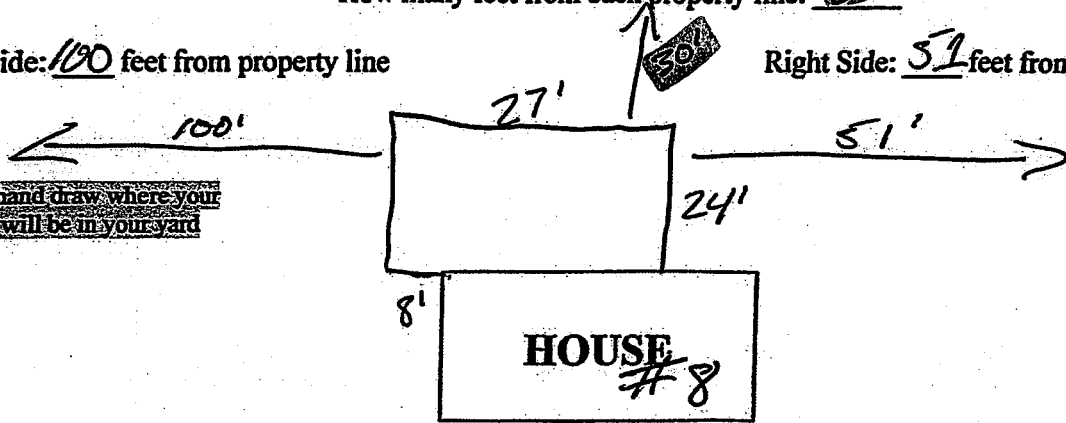
Some projects will have setback requirements – if there's an issue, you will need to request an area variance from the ZBA

How many feet from back property line: 30

Left Side: 100 feet from property line

Right Side: 51 feet from property line

Please hand draw where your Project will be in your yard



❖ **PLOT PLANS SHALL INCLUDE:**

- ❖ Show bordering roads
- ❖ Show existing structures with setbacks to property lines
- ❖ Show proposed structures (pool and/or deck) with setbacks to property lines
- ❖ The property line at roads is not the edge of pavement (measure from center of road to ½ the distance of the Right of Way [typical-50 ft R.O.W.]

For All Stamped Plans, the following must be adhered to:

- ❖ **PLANS MUST INCLUDE HVAC MANUAL J DESIGN FOR NEW CONSTRUCTION**
- ❖ To the best of the knowledge, belief, and professional judgment of the undersigned [registered architect or licensed professional engineer], the plans and specifications depicted on these drawings are in compliance with the applicable provisions of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code, as currently in effect.

I understand that I must close out this permit and call for all inspections in order to receive the Certificate of Occupancy or Certificate of Compliance. All permits expire in one year from the date issued. If a final inspection is not scheduled or a permit renewal is not issued, the building permit may be closed out without the issuance of a C.O. or C.C. this can be an issue if you sell or refinance your home. We appreciate your cooperation!

Print Name: SEAN KNOWLES Signature: [Signature]

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