

Town of Brunswick
Zoning Board of Appeals
336 Town Office Road
Troy, NY 12180
518-279-3461



Application Number 2B2020-0170
emailed copy
Date Application Received rec. 4-30-20

Hearing Scheduled Date _____

Application Fee 75.-

Approval Date _____ Conditions (y/n) _____

Denial Date _____ Withdrawn Date _____

Zoning Chairperson Ann Clemente

Application of a Variance

General Information

Applicant Name: MARK N. DANSKIN

Property Owner Name: Usman Rashid

Company: DANSKIN LAND SURVEYING

Company: PAWLING AVENUE TROY
AUTO SALES & REPAIR, LLC

Address: 74 BELLVIEW ROAD
TROY, NY 12180

Address: 2422 10th Ave
waterliet NY 12189

Phone: 518 279-8002

Phone: [REDACTED]

Applicant is: Owner _____ Builder _____ Lessee _____ Architect/Engineer _____ Agent _____
Other X If other, please explain: LAND SURVEYOR REPRESENTING OWNER

Lot Information

Street address of Lot: 793 PAWLING AVENUE

Parcel ID Number: 112.84-9-3 Zoning District: B-15

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

Existing: Lot Area 9550 Frontage 105' Depth 92'
Setbacks: Front 0 rear 0 Left 3' Right 22

Proposed: Lot Area 9550 Frontage 105' Depth 92'
Setbacks: Front 30 rear 0 Left 3' Right 10'

Type of Water Service: MUNICIPAL Type of Sanitary Disposal: MUNICIPAL

Describe Existing Use: RAZED 6-8 UNIT APARTMENT BLDG. CURRENTLY
VACANT WITH REMAINS OF BUILDING FOUNDATION

Type of Request: Area Variance X Use Variance _____ Sign Variance _____

Briefly describe the proposal:

REPLACE THE PREVIOUS RAZED APARTMENT BUILDING WITH A AUTOMOBILE
SALES AND SERVICE SHOP CONSISTING OF A 59' X 36 GARAGE AND
21' X 38' ATTACHED OFFICE.

Abutters-Adjacent Property Owners

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

	Name:	Address:	Property Use
Front		PAWLING AVENUE	
Rear	STEPHAN & ANDREA MASON	LAKEVIEW AVE	RESIDENTIAL
Left		LAKEVIEW AVENUE	
Right	CLAYTON JOHNSON		VACANT

Required Submittals

- A plot plan showing all dimensions of buildings, yard (front, side and rear setbacks of building(s) (proposed and existing)), lot size, and streets.
- Part 1 of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form
- Application fee

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) NO
If yes, explain: _____

For any Area Variance Request, please complete the following:

Proposed use / construction: COMMERCIAL BUILDING
 (Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc.)

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:	75'	105'
Front Setback:	30'	30'
Rear Setback:	30'	0'
Left Side Setback:	30'	3'
Right Side Setback:	10'	10'
Maximum Lot Coverage:	40%	32%
Maximum Height:	30'	LESS THAN 30'
LOT SIZE	15,000 SF	9548 SF

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

	REQUIRED	PROPOSED
Number of Parking Spaces:	5	5
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.

PERMITTABLE USE IN ZONE WITH NEW BUILDINGS REPLACING OLD RAZED APARTMENT BUILDING THAT WAS AN EYE SORE.
B-15 ZONE DISTRICT EXTENDS NORTH FOR ENTIRE LENGTH OF LAKEVIEW AVENUE

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.

CORNER LOT CREATES SMALL BUILDING ENVELOPE UNDER CURRENT ZONING. LONG ESTABLISHED PARCEL THAT WAS NOT RECENTLY CREATED

3. Describe whether the requested Area Variance is substantial.

NO, THE PROPOSED BUILDING IS EITHER WITHIN THE SET BACK LINES OR WITHIN THE REMAINING FOUNDATION WALLS OF THE PRIOR BUILDING

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

REPLACING AN EYE SORE BUILDING THAT WAS RAZED
WITH A PRODUCTIVE USE OF THE PROPERTY,
PARCEL FRONTS ON A STATE ROAD AND SHOULD NOT
REMAIN VACANT.

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

NO. UNDERSIZED CORNER LOT HAD BEEN CREATED
MANY YEARS AGO. THE SIZE OF THE PARCEL
IS UNCHANGABLE



For Use Variance Applications, please complete the following:

Describe the requested use: _____

1. Explain why the applicant cannot realize a reasonable return from the property without the Use Variance, as demonstrated by competent financial evidence.

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

3. Describe why granting the requested Use Variance will not alter the essential character of the neighborhood.

4. Explain whether the alleged hardship has been self-created.

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 Brunswick to process this application as provided by law.

I also authorize the Town of Brunswick Building Department and Zoning Board of Appeals to enter the property that is the subject of this application for the purpose of inspection and consideration of the application documents.

Applicant:

Name: MARK M. DANSKIN
Signature: [REDACTED]
Date: 4/25/2020

Property Owner:

Usman Rashid
[REDACTED]
4-25-20



Short Environmental Assessment Form


Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible 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; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
PAWLING			
Name of Action or Project: PAWLING AVENUE TROY AUTO SALES & REPAIR, LLC			
Project Location (describe, and attach a location map): 793 PAWLING AVE ON NORTHEAST CORNER OF LAKE VIEW AVE.			
Brief Description of Proposed Action: REPLACE RAZED APARTMENT BUILDING WITH AUTO REPAIR GARAGE AND SALES OFFICE			
Name of Applicant or Sponsor: MARK N. DANSKIN		Telephone: 518 279-8002	
		E-Mail: DANSKIN LAND SURVEYING @NYCAP.RR.COM	
Address: 74 BELLVIEW ROAD			
AVENUE			
City/PO: TROY	State: NY	Zip Code: 12180	
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.		NO <input checked="" type="checkbox"/>	YES <input 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: PLANNING BOARD SITE PLAN REVIEW		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>9548</u> acres SF	
b. Total acreage to be physically disturbed?		<u>600</u> acres SF	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>9548</u> acres SF	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input 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			

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: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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: <u>REMEDIATION SITE AS PER EAF MAP</u> <u>LOCATOR PROGRAM</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>MARK N. DANKSIW</u>	Date: <u>4/25/2020</u>	
Signature: _____ 		

Project: _____

Date: _____

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

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 type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input 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 type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

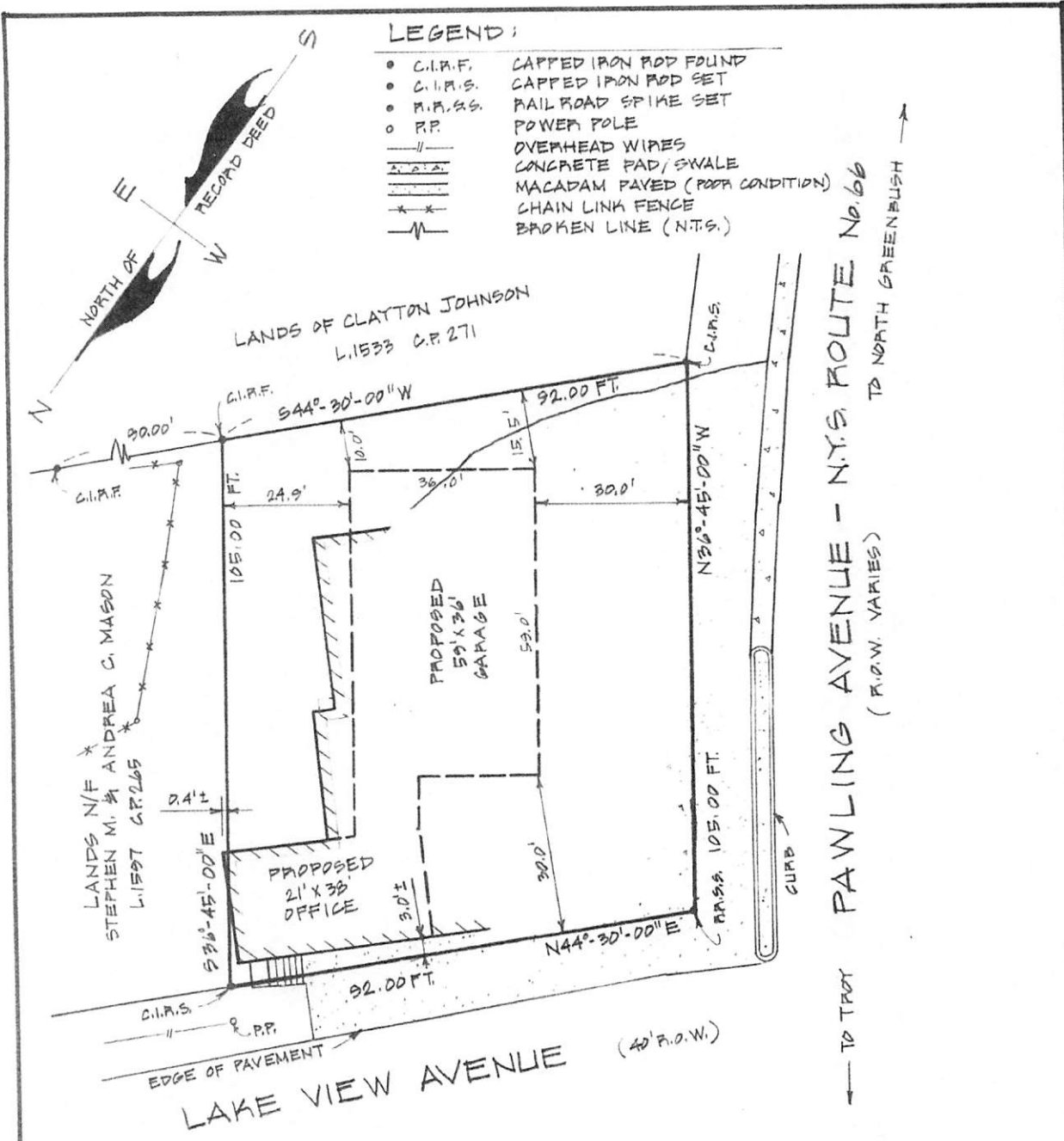
Project: _____
Date: _____

Short Environmental Assessment Form Part 3 Determination of Significance

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 significant 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)

PRINT FORM



NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS WAS MADE BY THE SURVEY OFFICE FOR EASEMENTS OR AGREEMENTS THAT MAY AFFECT THE SURVEYED PARCEL.
2. SUBJECT TO ANY SUBSURFACE CONDITIONS THAT MAY EXIST.
3. DEED OF RECORD: LIBER 8862 C.P. 317.
4. SEE "MAP OF SURVEY LANDS OF MASON", DATED FEBRUARY 28, 1991, BY WALPATH, P.L.S., AND ON FILE IN THE P.C.C.O. IN DRAWER 1991 AS MAP #85.
5. MAP OF PROPERTY OF SARAH L. RANKEN, FILED IN THE P.C.C.O. MAY 19, 1899, BY G.D. BALTIMORE, WAS NOT FOUND.

DANSHIN LAND SURVEYING, LLC
 P.O. BOX 72
 TROY, N.Y. 12181
 TEL 518-279-8002

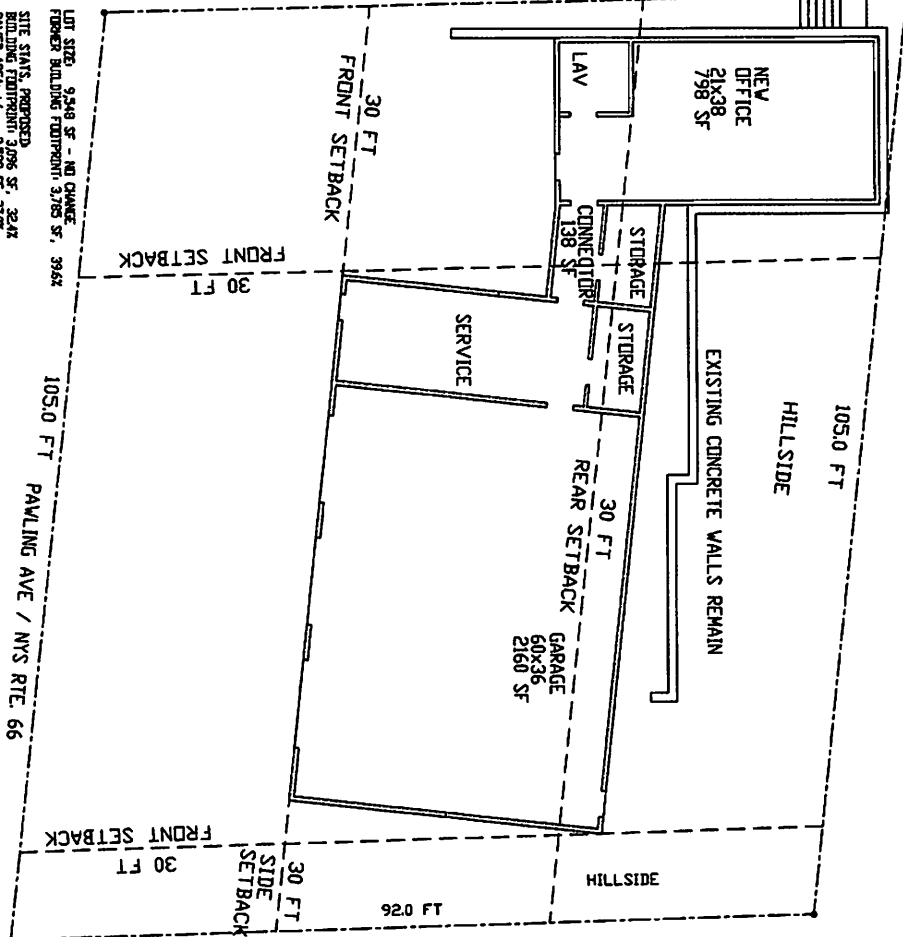
REVISIONS:
 MAP UPDATED. 3/16/20
 PROP. GARAGE ADDED 3/16/20

TOWN OF BRUNSWICK		PIENSSSLAER CO., N.Y.
SCALE: 1" = 20'		DATE: SEPT. 16, 2019
FIELD: PJD	F.B.N.: #516/53/193PAWLING	
OFFICE: MND	C'AD.: MND	



LAKE VIEW AVE

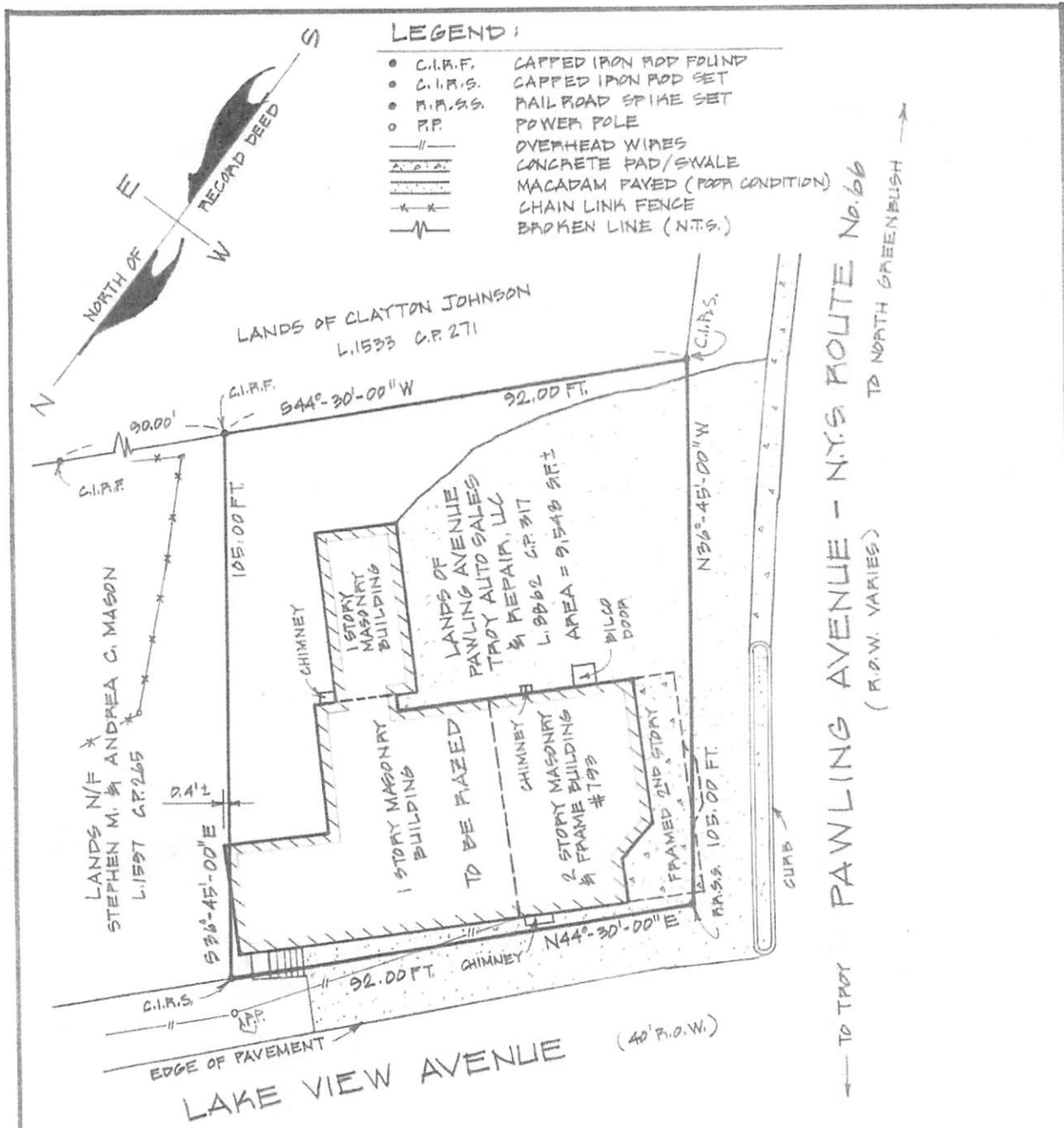
92.0 FT



LOT SITE: 9,349 SF - NO CHANGE
 FORMER BUILDING FOOTPRINT: 3,785 SF, 3942
 SITE STATUS: PROPOSED
 BUILDING FOOTPRINT: 3,095 SF, 324X
 PAVED AREA +/-: 3,359 SF, 3712X
 GREENSPACE +/-: 2,948 SF, 328X
 TOTAL PARKING: 14 SPACES (3 INSIDE)

105.0 FT
 PAWLING AVE / NYS RTE. 66

NEW BUILDING
 720 PAWLING AVE, TOWN OF BRUNSWICK, NY
 ERIC CALDWELL ARCHITECT (516) 438-8552
 100 WEST 10TH ST, SUITE 200, BRUNSWICK, NY 12208
 SHEET NO. 1 OF 5 DATE: APRIL 16, 2017



LEGEND:

- C.I.R.F. CAPPED IRON ROD FOUND
- C.I.R.S. CAPPED IRON ROD SET
- R.R.S.S. RAILROAD SPIKE SET
- P.P. POWER POLE
- //— OVERHEAD WIRES
- ▲—▲— CONCRETE PAD/SWALE
- MACADAM PAVED (POOR CONDITION)
- x—x— CHAIN LINK FENCE
- |—|— BROKEN LINE (N.T.S.)

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DANSHIN LAND SURVEYING, LLC P.O. BOX 72 TROY, N.Y. 12181 TEL: 518-279-8002	SURVEY MAP OF PREMISES KNOWN AS # 793 PAWLING AVENUE		
	REVISIONS:	TOWN OF BRUNSWICK SCALE: 1" = 20' FIELD: PJD OFFICE: MND	