

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

Application Number ZB2020-0186

Date Application Received 9/16/2020

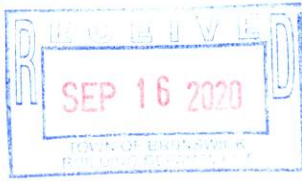
Hearing Scheduled Date _____

Application Fee \$75

Approval Date _____ Conditions (y/n) _____

Denial Date _____ Withdrawn Date _____

Zoning Chairperson ANN CLEMENTE



Application of a Variance

General Information

Applicant Name: Tom Sheehan

Property Owner Name: Tom & Angela Sheehan

Company: _____

Company: _____

Address: 29 Norfolk St.
Troy, N.Y. 12180

Address: 29 Norfolk St.
Troy NY 12180

Phone: [REDACTED]

Phone: [REDACTED]

Applicant is: Owner Builder _____ Lessee _____ Architect/Engineer _____ Agent _____
Other _____ If other, please explain: _____

Lot Information

Street address of Lot: 29 Norfolk St. Troy NY 12180

Parcel ID Number: 9020-2-5.1 Zoning District: R9

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

Existing: Lot Area .2 acre Frontage 90' Depth 100'
Setbacks: Front 30' rear 36' Left 10' Right 11'

Proposed: Lot Area _____ Frontage _____ Depth _____
Setbacks: Front _____ rear _____ Left _____ Right _____

Type of Water Service: Town of Brunswick Type of Sanitary Disposal: SEWER

Describe Existing Use:
The AREA OF CONCERN is a grassy back yard.

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

Briefly describe the proposal:
We wish to add a deck and a pool to the back of our house. This project will NOT MEET the required 20 ft. from the back line, This project will not go over a property's back line.

Abutters-Adjacent Property Owners

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

	Name:	Address:	Property Use
Front			
Rear	KEITH DUNCAN	Duncan Lane	old cow pasture
Left	Joe Cioffi	23 Norfolk St Troy NY 12180	RESIDENCE
Right	Vaughan Thompson	35 Norfolk St Troy NY 12180	RESIDENCE

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) N
If yes, explain: _____

For any Area Variance Request, please complete the following:

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

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:		
Front Setback:	<u>10</u>	<u>20</u> *POOL
Rear Setback:	<u>20</u>	<u>9 FEET</u>
Left Side Setback:	<u>10</u>	<u>10</u>
Right Side Setback:	<u>20</u>	<u>10</u>
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 deck and pool will be directly behind our house. It will not be visible from the street. In relationship to our neighborhood there are other homes with decks and pools.

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.

The setback line is the issue in question. Our back line butts up to an old cow pasture of the Duncan's farm. It is my understanding that this field cannot be subdivided thus I would not be able to purchase additional footage of land. This project can fit on my property with out touching or going over the setback line. But this will not satisfy the required 20 feet from setback line.

3. Describe whether the requested Area Variance is substantial.

It is NECESSARY in order to fit the deck and pool (which will be on my property) but short of the 20ft from rear setback.

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

The deck and pool will not have a negative effect on my neighbors land or sight. We will not come into contact with any power or gas lines. The pool is an above ground which will not change the terrain.

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

The difficulty is self-created because we have desire to have a deck and pool.

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: Thomas J Sheehan

Signature:



Date: 9-16-2020

Property Owner:

Thomas J Sheehan

Short Environmental Assessment Form

Part I - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. 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 I - Project and Sponsor Information			
Angele and Tom Sheehan Pool and Deck			
Name of Action or Project:			
29 NORFOLK ST. Troy NY 12180			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: Convert a grassy back yard area into a Deck and pool area.			
Name of Applicant or Sponsor:		Telephone: [REDACTED]	
Tom Sheehan		E-Mail: [REDACTED]	
Address: 29 NORFOLK ST.			
City/PO: Troy NY		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 YES <input checked="" type="checkbox"/> <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:			NO YES <input checked="" type="checkbox"/> <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		9,000 sq ft acres	
b. Total acreage to be physically disturbed?		616 sq ft 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 (non-agriculture) <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			

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Thomas J Sheehan</u> Date: <u>9-16-2020</u></p> <p>Signature: _____</p>		

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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<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"/>

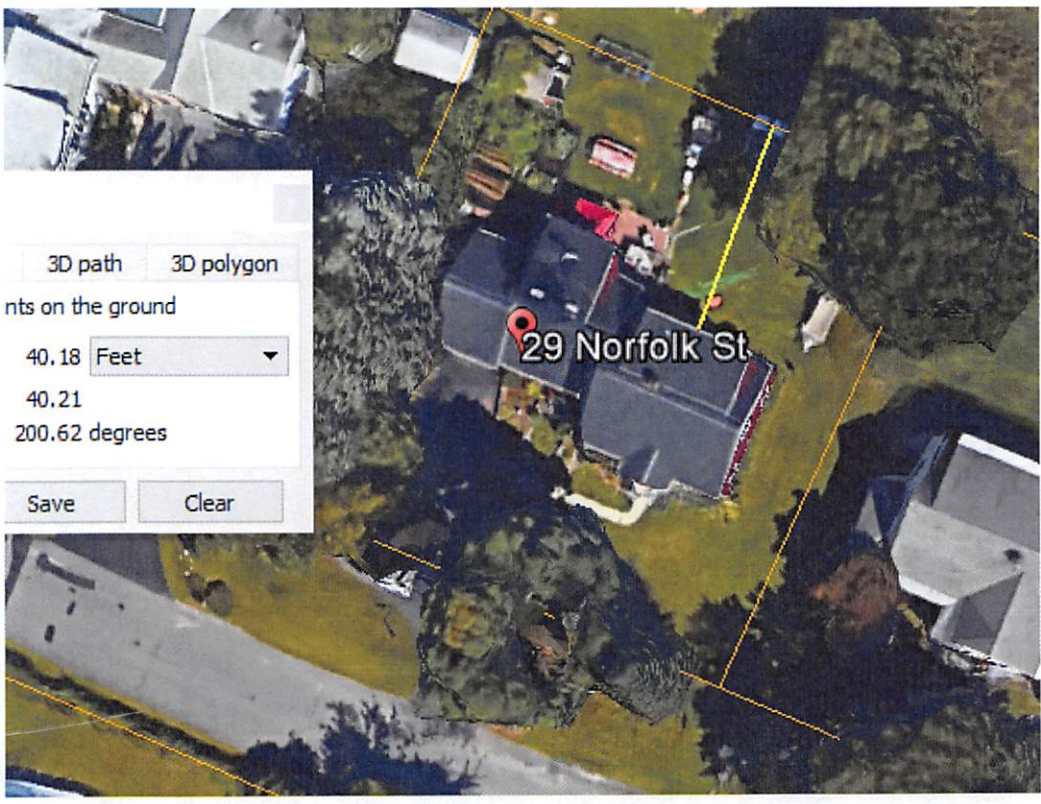
PRINT FORM

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



3D path 3D polygon

nts on the ground

40.18 Feet

40.21

200.62 degrees

Save Clear

29 Norfolk St