

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



Application Number 262020-0179

Date Application Received 6-5-20

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Denial Date \_\_\_\_\_ Withdrawn Date \_\_\_\_\_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: John Zwack

Property Owner Name: John Zwack

Company: \_\_\_\_\_

Company: \_\_\_\_\_

Address: 6 Genesee St

Address: 6 Genesee St.

Troy NY 12180

Troy NY 12180

Phone:

Phone:

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

Lot Information

Street address of Lot: 6 Genesee St. Troy NY 12180

Parcel ID Number: 90.20-3-3 Zoning District: R-9

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

Existing: Lot Area 6,898 Frontage 64.07 Depth 109.87

Setbacks: Front 61.49 rear 11.68 Left 0.0625 Right 45.47

Proposed: Lot Area 6,898 Frontage 64.07 Depth 109.87

Setbacks: Front 61.49 rear 10.4 Left 2.66 Right 4.40

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

Describe Existing Use: Single Family with existing detached garage

Type of Request: Area Variance  Use Variance \_\_\_\_\_ Sign Variance \_\_\_\_\_

Briefly describe the proposal:

Replace existing detached garage. Move rear corner away from property line, pour new monolithic slab in the pre-existing area and extend into property. Erect a Carolina Carport Garage on top of new Slab. Replacement garage will be same length & 4 ft wider.

**Abutters-Adjacent Property Owners**

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

	Name:	Address:	Property Use
Front	Genesee St.		
Rear	Marie Gould	9 Norfolk Troy NY	Single Family
Left	Thomas Michael	4 Genesee St Troy NY	Single Family
Right	William Ryan	8 Genesee St Troy NY	Single Family

**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: Single Family w/ Garage / Replace Existing Garage  
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc.)

	REQUIRED	PROPOSED
Lot Size:	6,898 ft <sup>2</sup>	6,894 ft <sup>2</sup>
Width at set back:	64.0 ft	64 ft
Front Setback:	61.49 ft	61.49 ft
Rear Setback:	11.68 ft	10.4 ft
Left Side Setback:	0.0625 ft	2.66 ft
Right Side Setback:	45.47 ft	51.40 ft
Maximum Lot Coverage:	480 ft <sup>2</sup>	600 ft <sup>2</sup>
Maximum Height:	14 ft	14 ft

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.

Existing garage is in poor condition due to previous owners. Rear corner is 3/4" from property line with the eve being 1ft on neighbor's property. New garage will be parallel to existing home. Farther from neighbor property line. Additionally will be neutral in color.

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.

Property is a R-9 zone but does not meet minimum 9,000 ft<sup>2</sup>. As a result the replacement garage cannot be located at minimum 10ft set backs and still be useable. Existing garage is positioned at the end of the paved driveway.

3. Describe whether the requested Area Variance is substantial.

Replacement garage will sit over existing garage's footprint, be similar in height, correct existing overhang issues, will blend in with existing home/yard

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 existing & planned replacement garage is not near any ecosystem that will be impacted due to construction or after it is in place. No damage will be done to existing infrastructure or will require the relocation of utilities. New garage will increase curb appeal & neighborhood appearance.

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

Existing garage is located within current 10ft set back requirements. Lot is a narrow lot in a R-9 zone. Lot does not meet minimum 9,000ft<sup>2</sup> requirement for R-9. As such replacement garage cannot be located 10ft from westward neighbor.  
Replacement Garage will be farther from property line than existing.

**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: John Zwack

Signature: 

Date: 06/05/2020

Property Owner:

Name: John Zwack

Signature: 

Date: 06/05/2020

## 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			
Name of Action or Project: <i>Existing Detached Garage Replacement</i>			
Project Location (describe, and attach a location map): <i>6 Genesee St. Troy NY 12180. North west corner of property.</i>			
Brief Description of Proposed Action: <i>Replace existing detached garage. Replacement will be over existing foot print. Pour new monolithic slab, install a Carolina Carpet Garage. New slab will be further away from boundary line.</i>			
Name of Applicant or Sponsor: <i>John Zwack</i>		Telephone:	
		E-Mail:	
Address: <i>6 Genesee St.</i>			
City/PO: <i>Troy</i>		State: <i>NY</i>	Zip Code: <i>12180</i>
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 type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?			<i>0.0137</i> acres
b. Total acreage to be physically disturbed?			<i>0.0137</i> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<i>0.158</i> acres
4. Check all land uses that occur on, are adjoining or 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			



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>No water will be required</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>No waste water will be produced</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	





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

Agency Use Only [If applicable]

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.

No impact

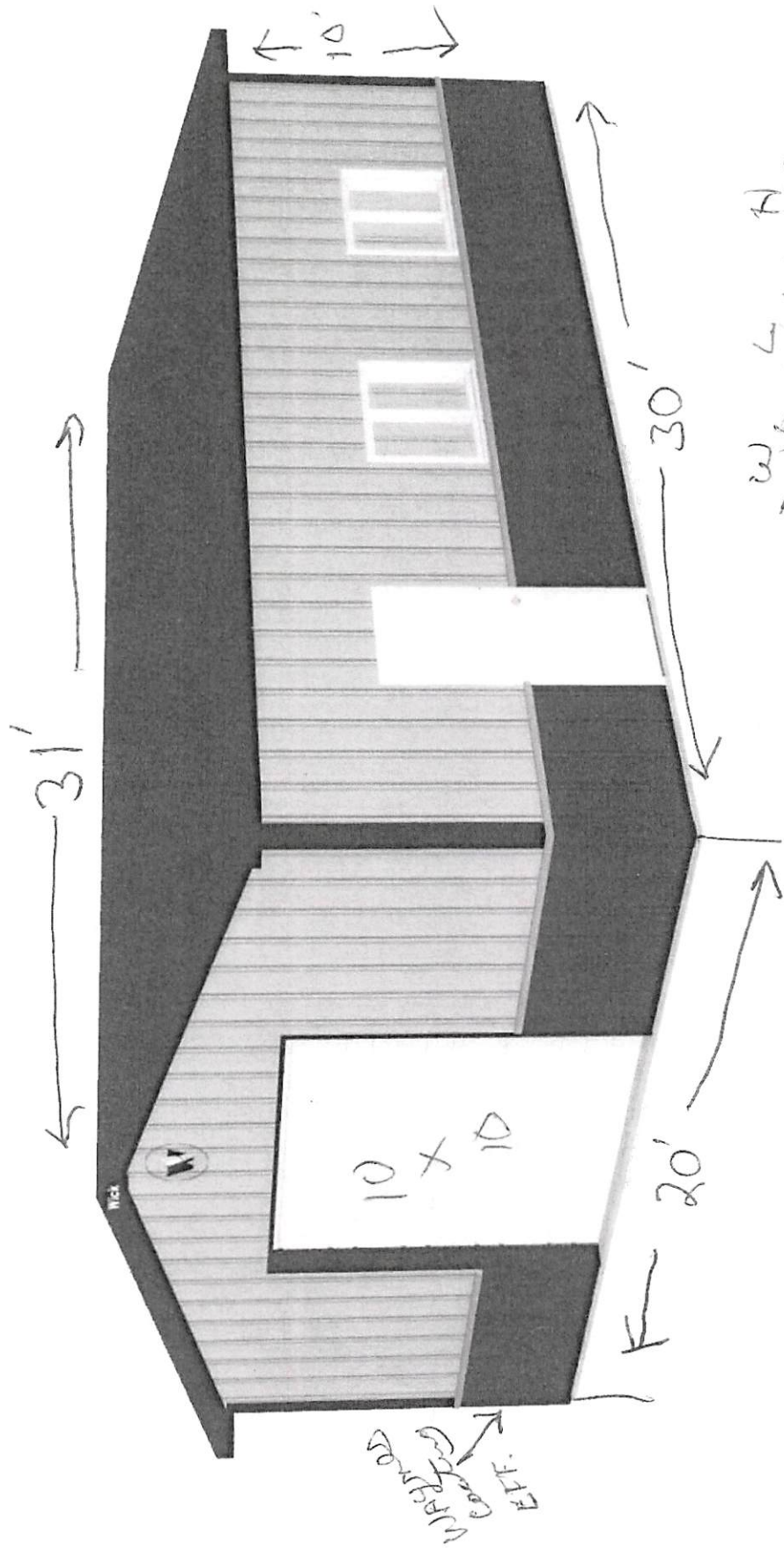
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input 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.
<u>John Zwack</u>	<u>06/05/2020</u>
Name of Lead Agency	Date
<u>John Zwack</u>	<u>Property Owner</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Redacted]</u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

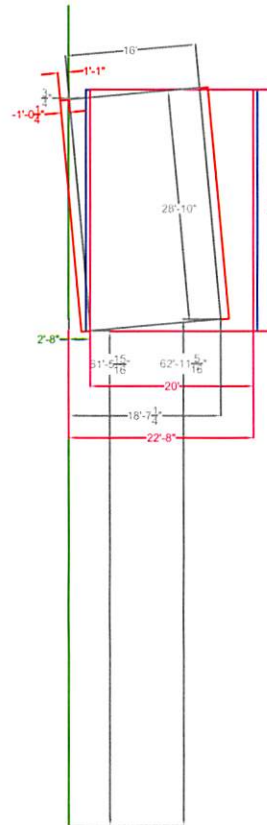
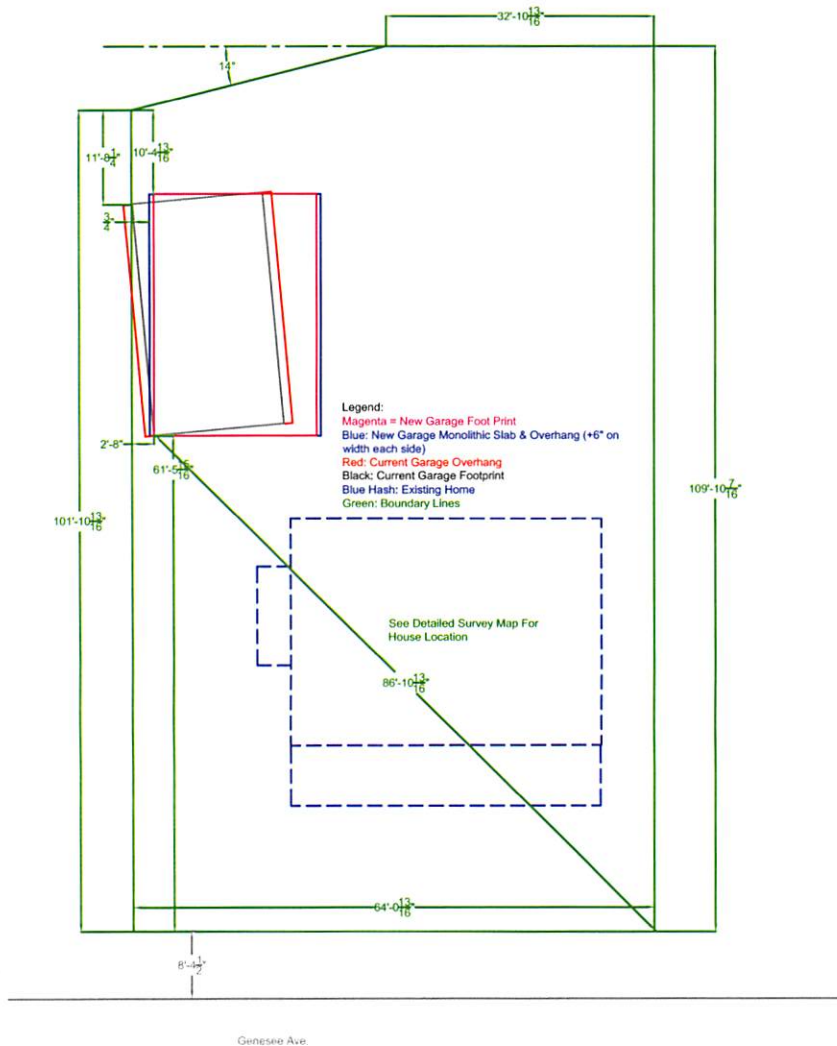




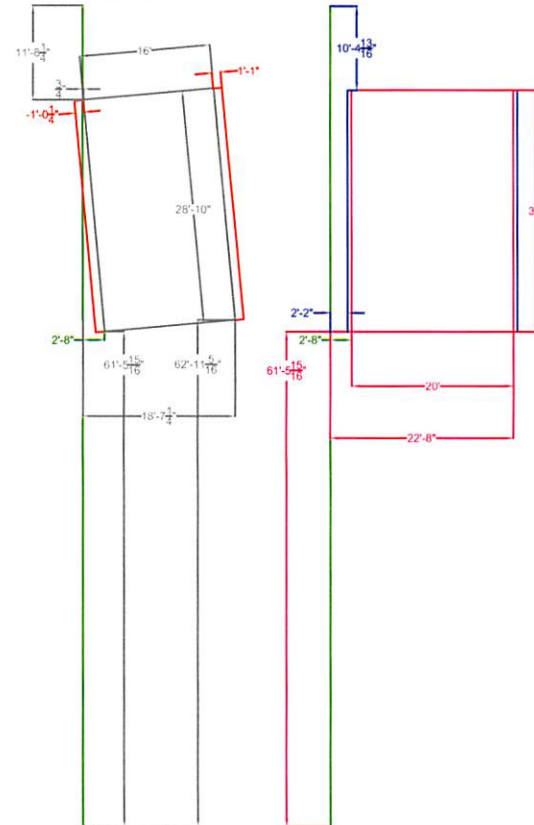




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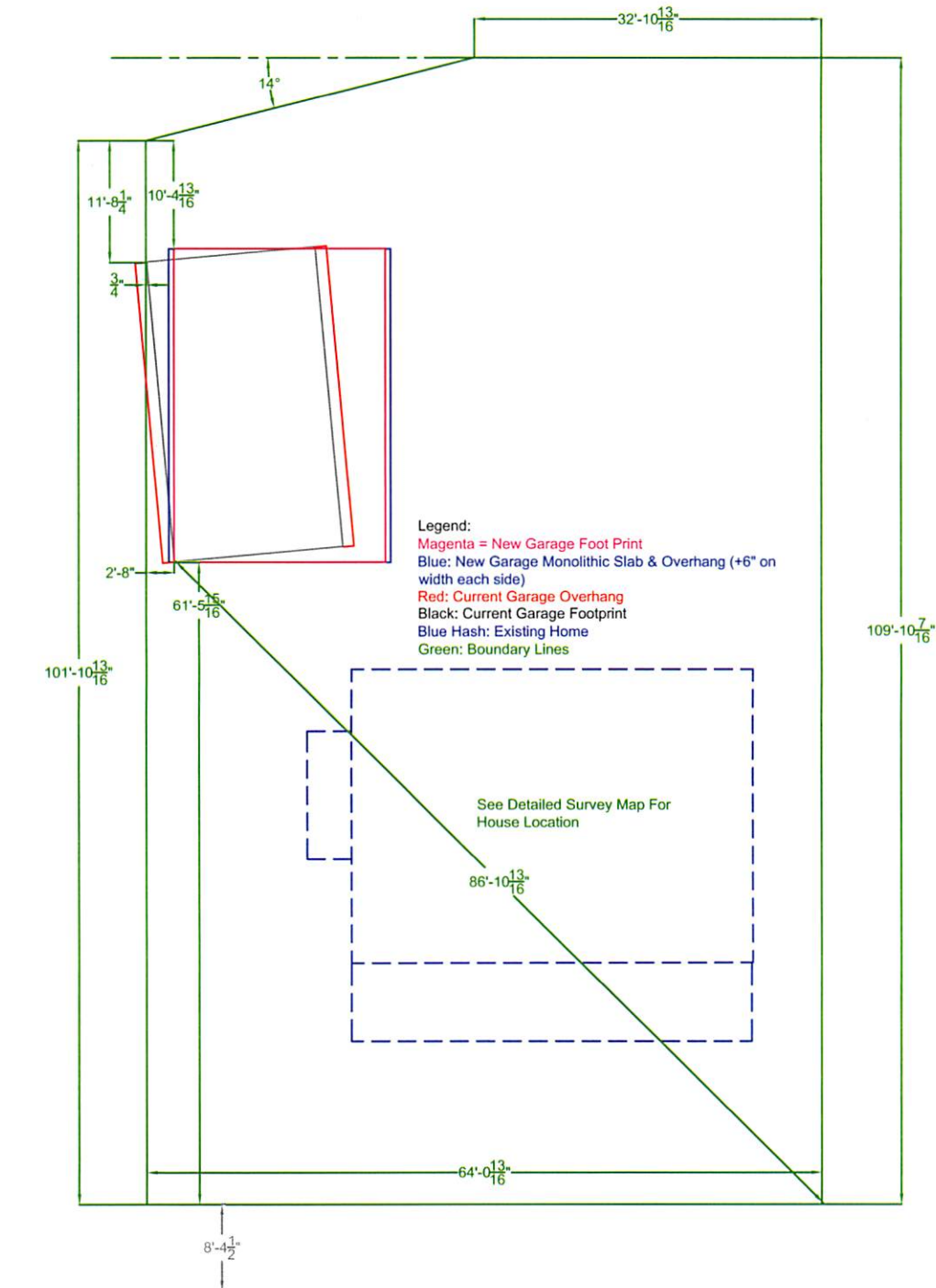


Legend:  
 Magenta = New Garage Foot Print  
 Blue = New Garage Monolithic Slab & Overhang (+6" on width each side)  
 Red = Current Garage Overhang  
 Black = Current Garage Footprint  
 Blue Hash = Existing Home  
 Green = Boundary Lines



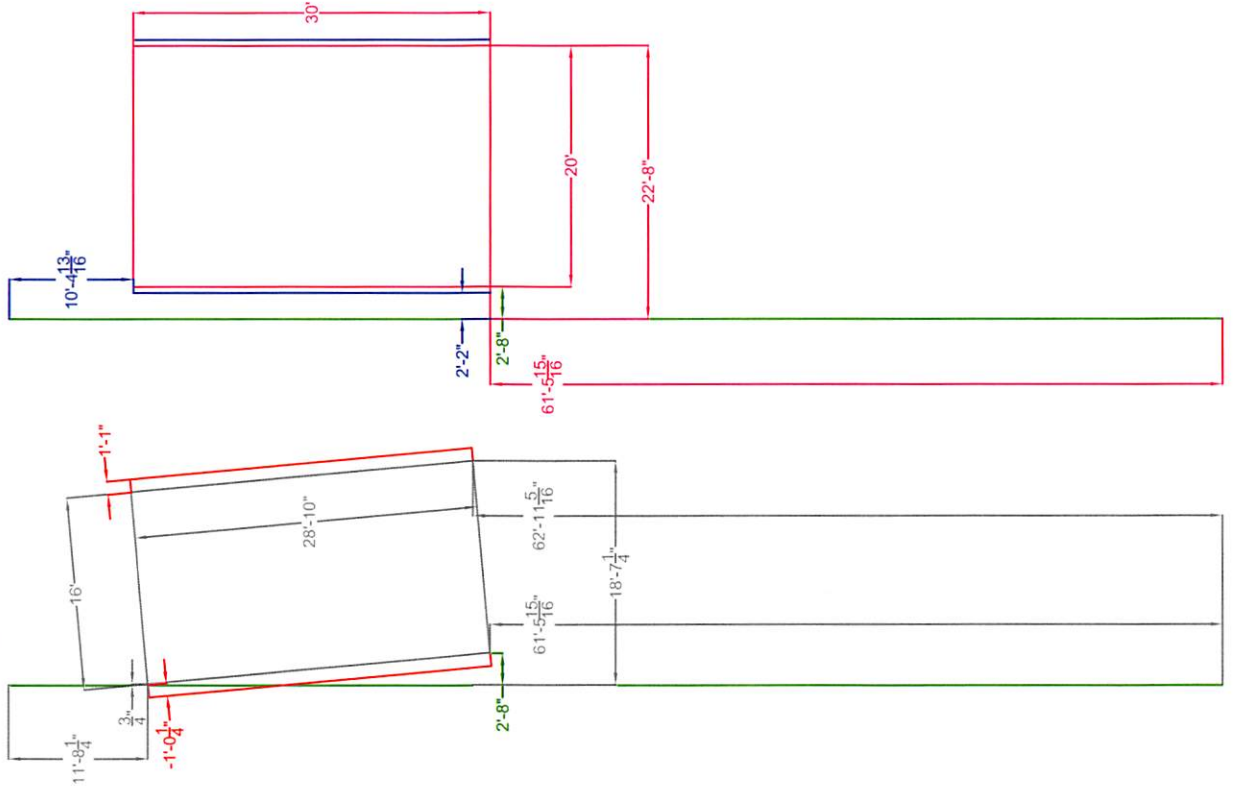
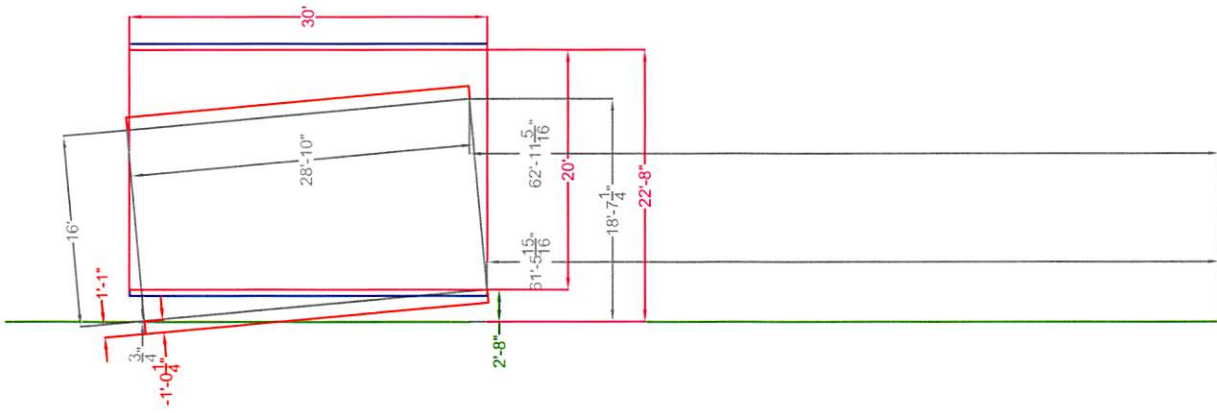
John Zwack  
 6 Genesee St (Ave) Troy NY, 12180  
 Detached Garage Replacement Project  
 06-03-2020  
 Zone: R-9  
 Lot Size: 6,898 sqft  
 Tax Map ID: 090.20-3-3  
 Survey Completed 05/29/2020 by Mark Danskin (See Included Survey Map with Permit Application)

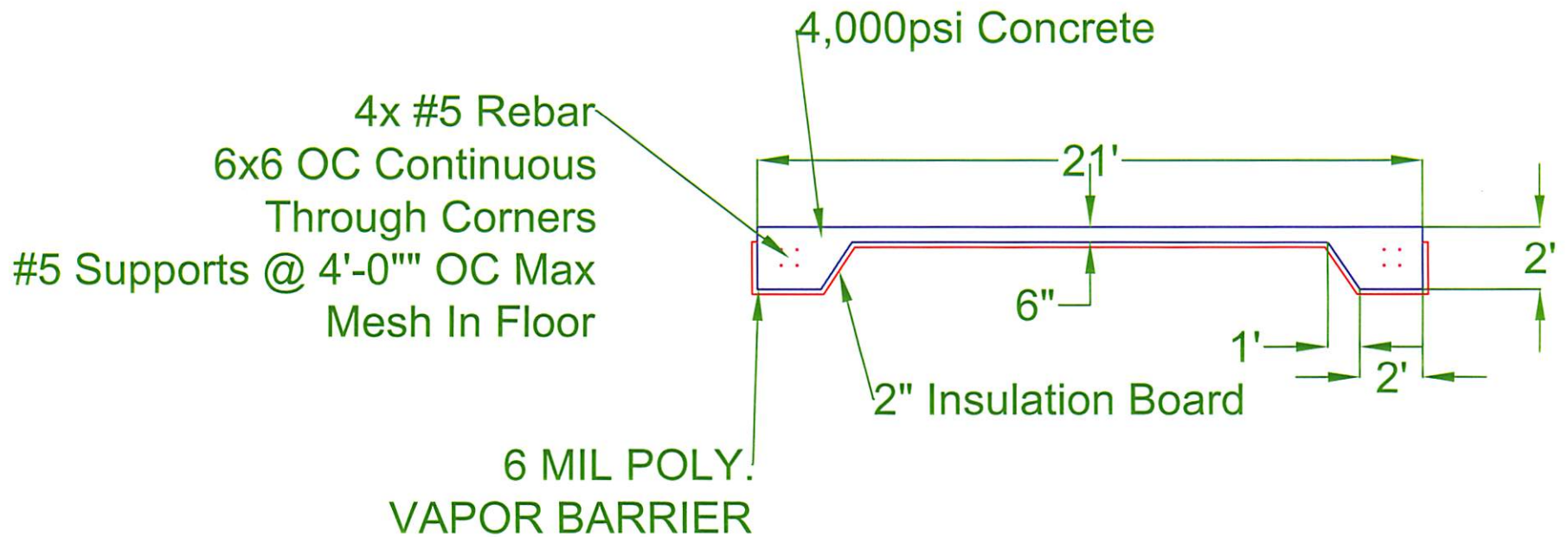




**Legend:**

- Magenta = New Garage Foot Print
- Blue: New Garage Monolithic Slab & Overhang (+6" on width each side)
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- Black: Current Garage Footprint
- Blue Hash: Existing Home
- Green: Boundary Lines





6 Genesee St.  
 Monolithic Slab  
 21' W x 30' L x 6" THK in center