

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 1

General Information

Applicant Number	<u>25-21</u>
Date Application Received	<u>8/20/25</u>
Hearing Scheduled Date	<u>9/10/25</u>
Application Fee	<u>\$ 100 - (pd)</u>
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	<u>R. FRENCH</u>

<u>Applicant:</u>		<u>Property Owner:</u>	
Name:	<u>John Ambuhl</u>	Name:	<u>Gail Farrell</u>
EMAIL:	<u>jambuhl16@gmail.com</u>	EMAIL:	<u>FairL.Gail@gmail.com</u>
Company:	_____	Company:	_____
Address:	<u>42 Marvin Ave</u> <u>Troy N.Y. 12180</u>	Address:	<u>40 Marvin Ave</u> <u>Troy N.Y. 12180</u>
Phone:	<u>518-441-5030</u>	Phone:	<u>518-339-4297</u>

Applicant is: Owner _____ Builder _____ Lessee ☒ Architect/Engineer _____ Agent _____ Other _____
If Other, Explain: Owner's Son

Lot Information

Street Address of Lot: 68 Lakeshore Dr. Wynantskill N.Y. 12198

Parcel ID Number: 135.14-2-8 Zoning District: R-1 Single Family

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

Existing: Lot Area 0.27ac Frontage 129' Depth 87'

Set Backs: Front 17' Rear 22' Left _____ Right _____

Proposed: Lot Area 0.27ac Frontage 129' Depth 87'

Setbacks: Front 20' Rear 16' Left _____ Right 30'

Type of Water Service: Town water Type of Sanitary Disposal Town sewer

Describe Existing Use:

Single Family House - fire damaged

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

Briefly describe the proposal:

Reconstruction of a previously existing single family home that was destroyed by fire. The new house will be built in approximately the same footprint as the previous structure within the 100-foot adjacent area of Abutters- Adjacent Property Owners Snyder's Lake. DEC wetlands permit # 4-3832-

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

	<u>Name:</u>	<u>Address:</u>	<u>Property Use:</u>
Front	<u>Mark Premeo</u>	<u>210 Pershing Ave</u>	<u>1-Family Home</u>
Rear	<u>Snyder's Lake</u>		<u>Public Lake</u>
Left	<u>Mark Cavanaugh</u>	<u>215 Pershing Ave</u>	<u>1 Family Home</u>
Right	<u>Mark Premeo</u>	<u>210 Pershing Ave</u>	<u>Vacant</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) NO

If yes, explain:

For any Area Variance Request, please complete the following:

Proposed use/construction: Rebuild of Fire damaged single family home
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:	11,761 sq ft - 0.27 ac	0.27 ac - 11,761 sq ft.
Width at set back:	110	129
* Front Setback:	35	20 Ft
* Rear Setback:	35	16 ft
Left Side Setback:	20	30 ft
Right Side Setback:	20	> 20 ft
* Maximum Lot Coverage:	10%	10.5%
Maximum Height:	35	25 ft.

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

	REQUIRED	PROPOSED
Number of Parking Spaces:	2	2
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 rebuild maintains the character of the neighborhood. Staying within the same approximate footprint and scale of the previous single family home. The new design aligns with nearby homes and will not obstruct views or access.

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.

Due to the lots narrow lot front configuration and environmental regulations, the structure can not be relocated without disturbance. The proposed location is the most logical and least impactful.

3. Describe whether the requested Area Variance is substantial.

The proposed setback and structure size are similar to what previously existed and are in line with neighboring properties. No significant expansion is requested.

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

NYSDEC has issued a freshwater wetlands permit # 4-3832-00157/00002 confirming compliance with environmental protections. Proper erosion controls and best practices will be followed.

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

The hardship stems from the loss of the previous home in a fire and pre-existing lot constraints.

For Use Variance Applications, please complete the following:

Describe the request use: (Not applicable) The use remains a
single family residential home in a residential zone.

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:	Property owner:
Name: <u>John Ambuhl</u>	<u>Carl Faeel</u>
Signature: <u>John Ambuhl</u>	<u>[Signature]</u>
Date: <u>August 18th 2025</u>	<u>August 18th 2025</u>

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 FormInstructions 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>68 Lakeshore Rebuild</u>			
Project Location (Describe, and attach a location map): <u>68 Lake Shore Drive Wynantskill N.Y. 12190</u>			
Brief Description of Proposed Action: <u>Reconstruction of a previously existing single family home that was destroyed by fire. The new home will be built in approx. the same footprint as the previous structure within the 100 ft adjacent area of Snyder's Lake. DEC wetlands permit #4-3832-0057/00002 has been issued.</u>			
Name of Applicant or Sponsor: <u>John Ambuhl</u>		Telephone: <u>518-441-5030</u> E-Mail: <u>jambuhl4@gmail.com</u>	
Address: <u>42 Marvin Ave</u>			
City/PO: <u>Troy</u>		State: <u>N.Y.</u>	Zip Code: <u>12207</u>
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?		<u>0.27</u> Acres	
b. Total acreage to be physically disturbed?		<u>0.24</u> Acres	
c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.27</u> 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 NO

a. A permitted use under the Zoning regulations?	YES	NO
b. Consistent with the adopted comprehensive plan?		
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	YES	NO
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If yes, identify: <u>Snyder Lake</u>	YES	NO
8.	YES	NO
a. Will the proposed action result in a substantial increase in traffic above present levels?		X
b. Are public transportation service(s) available at or near the site of the proposed action?		X
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		X
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:	YES	NO
	X	
10. Will the proposed action connect to an existing public/private water supply? If no, describe method for providing wastewater treatment:	YES	NO
	X	
11. Will the proposed action connect to existing wastewater utilities? If no, describe method for providing wastewater treatment:	YES	NO
	X	
12.	YES	NO
a. Does the site contain a structure that is listed on either the State or National Register of Historic places?		X
b. Is the proposed action located in an archeological sensitive area?		X
13.	YES	NO
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?	X	
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:		X
14. Identify the typical habit types that occur on, or are likely to be found on the project site. Check all that apply:	YES	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?	YES	NO
		X
16. Is this project site located in the 100 year flood plan?	YES	NO
	X	
17. Will the proposed action create storm weather discharge, either from point or non- point sources? If yes,	YES	NO
a. Will storm water discharge flow to adjacent properties?		X

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

X

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

X

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: _____

Hot demo to clean the fire damaged

YES NO

X

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

Applicant/ Sponsor name: _____

Date: _____

Signature: _____

John Ambuhl

Aug 18, 2002

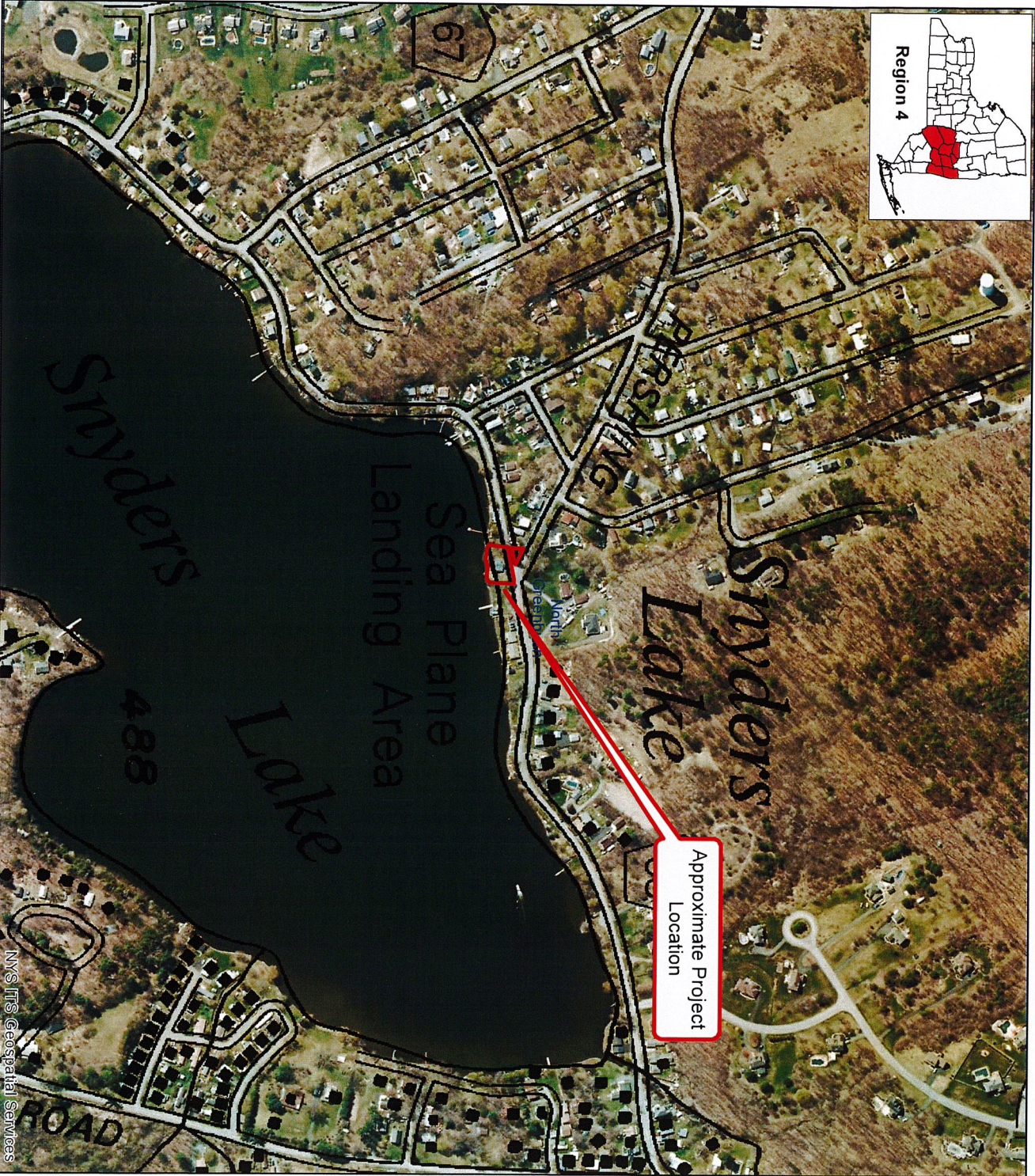
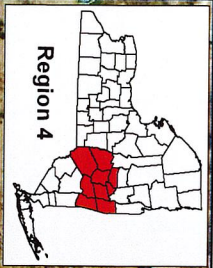
Part 2- Impact Assessment. The Leaf Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the 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?		

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.

- ☐ 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.
- ☐ 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)



Disclaimer: This map was prepared by the NYSDEC Division of Environmental Permits using the most current data available. It is deemed accurate but is not guaranteed. NYSDEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.



Department of
Environmental
Conservation

NYS ITS Geospatial Services

PROJECT LOCATION & NYS RESOURCES MAP

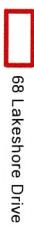
Farrell Property
House Reconstruction
68 Lakeshore Drive
Town of North Greenbush
Rensselaer County

April 1, 2025



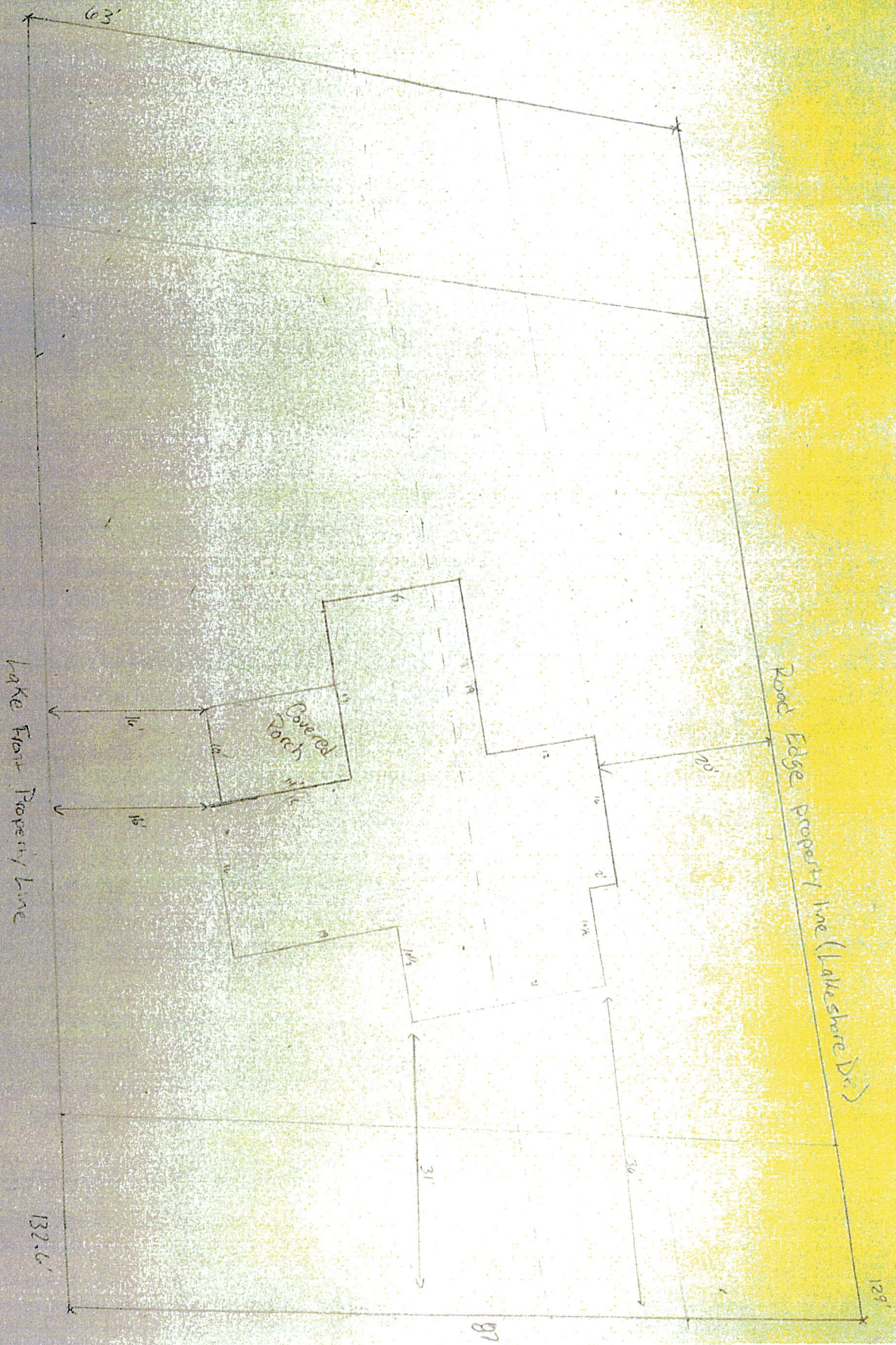
1 inch = 500 feet

Legend



68 Lakeshore Drive

Proposed site



DEC APPROVED
PROJECT PLAN

Current site

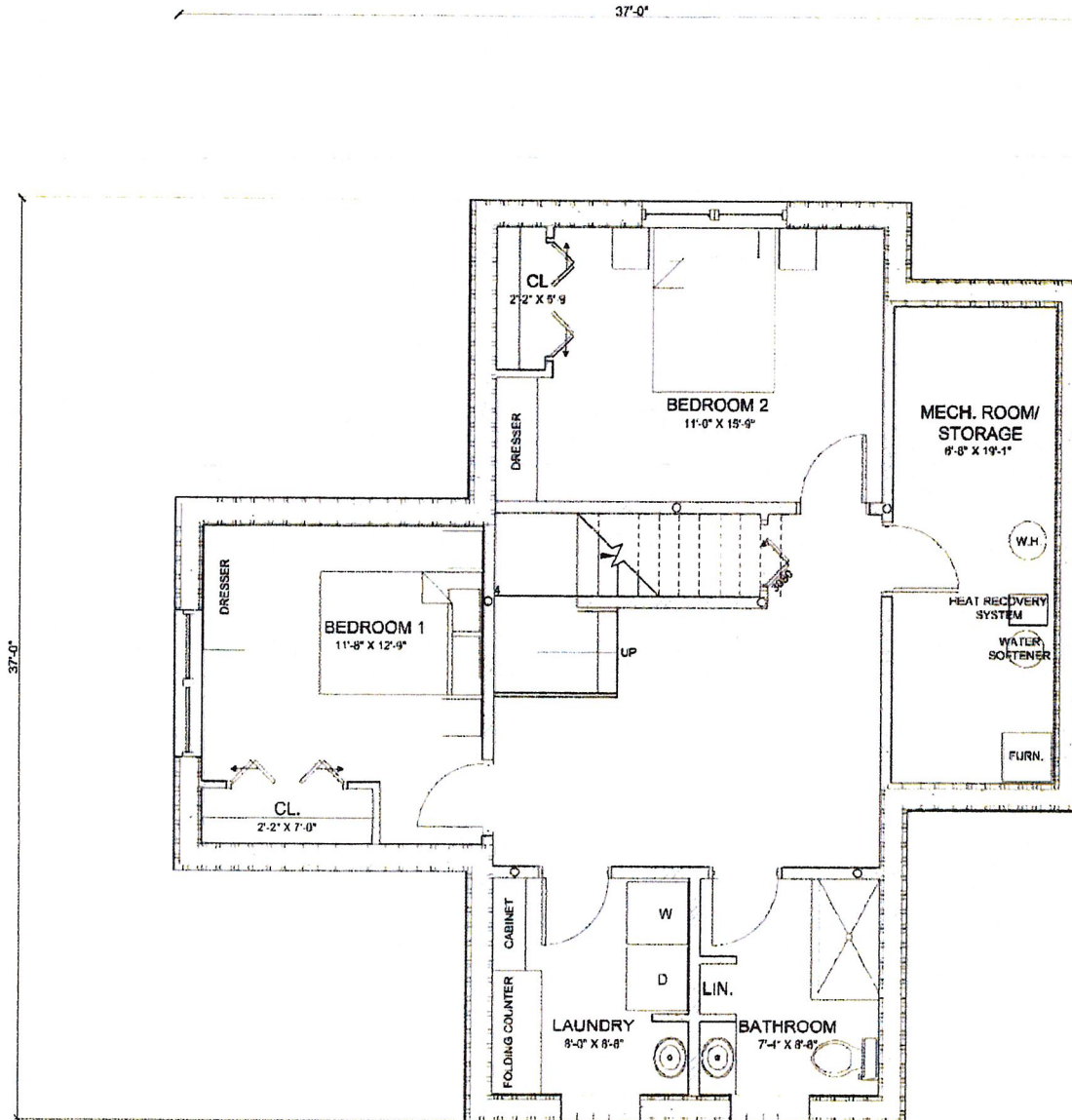
DEC APPROVED PROJECT PLAN

DEC APPROVED PROJECT PLAN



TIMBERBUILT
artful. rugged. green.

Micro Lower Level: 837 sf



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**DEC APPROVED
PROJECT PLAN**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2593

www.dec.ny.gov

June 30, 2025

Gail Farrell
40 Marvin Ave, 1st Floor
Troy, NY 12180

Re: Article 24 Freshwater Wetlands Permit
DEC #4-3832-00157/00002
Residential Structure
Demolition & Reconstruction
Farrell Property- Snyders Lake
68 Lakeshore Drive
Town of North Greenbush, Rensselaer
County

Dear Gail Farrell:

The Article 24 Freshwater Wetlands permit that you applied for is enclosed authorizing the demolition and reconstruction of your home at the location listed above. It is valid for only those activities authorized, is **effective on June 30, 2025, and will expire on June 29, 2028**. Please review General and Special conditions carefully. Work beyond the scope of the permit and the approved project plans may be considered a violation and subject to appropriate enforcement action.

Please be advised that the Uniform Procedures Regulations (6 NYCRR Part 621) provide that an applicant may request a public hearing if a permit is denied or contains conditions they deem unacceptable. Any such request must be made in writing within 30 calendar days of the permit issuance date and addressed to the Regional Permit Administrator at the letterhead address. A copy should also be sent to the Chief Administrative Law Judge at NYSDEC, 625 Broadway, 1st Floor, Albany, NY 12233-1550.

Also note that this permit does not eliminate the need to obtain any other federal, state, or local permits or approvals that may be required for this project. You may request a permit extension if you need additional time to complete the project. Please reference the above DEC number and include an explanation of why additional time is required and the anticipated completion date.



Department of
Environmental
Conservation