

**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	<u>25-24</u>
Date Application Received	<u>9/19/25</u>
Hearing Scheduled Date	<u>10/15/25</u>
Application Fee	<u>\$100 - pd</u>
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	_____

<u>Applicant:</u>		<u>Property Owner:</u>	
Name:	<u>Adam Kohler</u>	Name:	<u>Same</u>
EMAIL:	<u>ackconstructionanddevelopment@gmail.com</u>	EMAIL:	_____
Company:	_____	Company:	_____
Address:	<u>3 Briar Rose Way</u> <u>Troy, NY 12180</u>	Address:	_____
Phone:	<u>518-858-4866</u>	Phone:	_____

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

Lot Information

Street Address of Lot: 3 Briar Rose Way

Parcel ID Number: 123.0-5-5.114 Zoning District: AR Agricultural Residential (Type A)

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

Existing: Lot Area 4.17 ac Frontage 20' Depth 475'

Set Backs: Front 256.1' Rear 224.9' Left 138.1' Right 53.9'

Proposed : Lot Area 4.17 Frontage 20' Depth 475'

Setbacks: Front 98.6' Rear 370.5' Left 85.1' Right 178.5'

Type of Water Service: Municipal Type of Sanitary Disposal Municipal

Describe Existing Use:

Single Family Residential

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

Briefly describe the proposal:

Applicant proposes to construct a 1,224 sf detached garage that requires a maximum building area variance and a

front yard location variance.

Abutters- Adjacent Property Owners

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>Steven Massey</u>	<u>50 North Road</u>	<u>Residential</u>
Rear	<u>Marv Ingraham</u>	<u>391 Winter Street Ext.</u>	<u>Residential</u>
Left	<u>Ramji Bathina</u>	<u>4 Briar Rose Way</u>	<u>Residential</u>
Right	<u>Jeremy Pratt</u>	<u>2 Briar Rose Way</u>	<u>Residential</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: Accessory building
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:	1 Acre	1 Acre
Width at set back:	150'	313'
Front Setback:	40'	98.6
Rear Setback:	40'	370.5'
Left Side Setback:	40'	85.1'
Right Side Setback:	40'	178.5'
Maximum Lot Coverage:	10%	
Maximum Height:	2 stories	1 story

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 GARAGE IS PROPOSED TO BE LOCATED OVER 80 FEET FROM THE NEAREST PROPERTY LINE AND OVER 150 FEET FROM THE NEAREST ROAD. EXISTING TREES AND VEGETATION WILL BE PRESERVED TO MAINTAIN THE CHARACTER OF THE NEIGHBORHOOD.

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 CURRENT LOT CONFIGURATION THE GARAGE NEEDS TO BE LOCATED IN THE FRONT YARD AS CLOSE TO THE EXISTING DRIVEWAY AS POSSIBLE. ANY OTHER LOCATION WOULD REQUIRE AN EXTREMELY LONG ADDITIONAL DRIVEWAY WITH MULTIPLE SITE DISURBANCE IMPACTS.

3. Describe whether the requested Area Variance is substantial.

THE SIZE OF THE PROPOSED GARAGE IS EXACTLY THE SAME AS THE EXISTING ATTACHED GARAGE. THE GARAGE BUILDING LAYOUT AND MATERIALS WILL BE IDENTICAL AND ONLY 24 SF BEYOND THE MAXIMUM ALLOWED SQUARE FOOTAGE OF 1200 SF.

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

THE PROPOSED GARAGE GENEROUSLY EXCEEDS ALL FRONT, REAR AND SIDE BUILDING SETBACK REGULATIONS. ALL STORMWATER RUNOFF FROM THE GARAGE WILL REMAIN ON SITE AND MINIMAL TREE CLEARING AND GRADING IS PROPOSED.

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

THE VARIANCE MAY BE CONSIDERED AS SELF-CREATED DUE TO THE FACT THAT IT IS A PROPOSED BUILDING STRUCTURE.

For Use Variance Applications, please complete the following: N/A

Describe the request use: NA

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.

SECTION 197-16.A(b)(5) Accessory buildings

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:

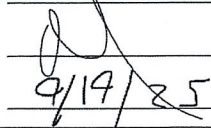
Property owner:

Name:

Adam Kohler

Same

Signature:



Date:

9/14/25

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 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: Kohler Garage			
Project Location (describe, and attach a location map): 3 Briar Rose Way			
Brief Description of Proposed Action: Applicant proposes to construct a 1,224 sf detached garage that requires a maximum building area variance and a front yard location variance.			
Name of Applicant or Sponsor: Adam Kohler		Telephone: 518-858-4866	
		E-Mail: ackconstructionanddevelopment@gmail.com	
Address: 3 Briar Rose Way			
City/PO: Troy		State: New York	Zip Code: 12180
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		4.17 acres	
b. Total acreage to be physically disturbed?		.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.17 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" 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?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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?	<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?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

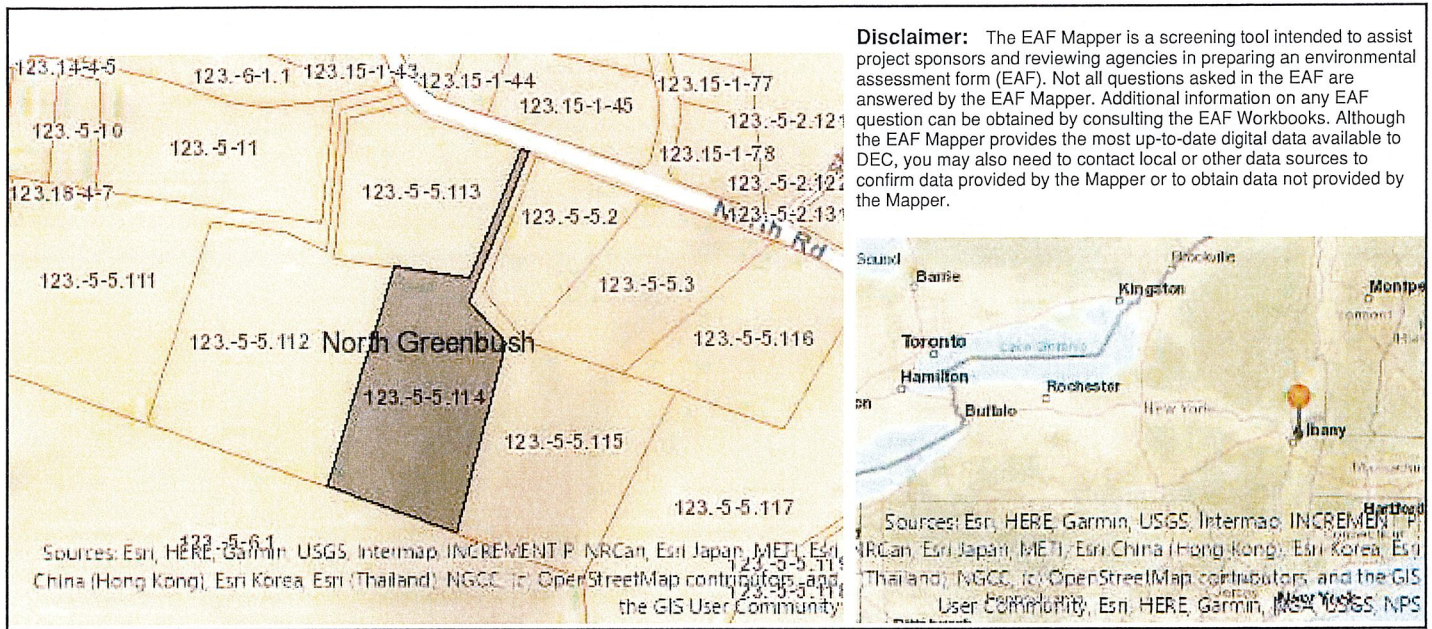
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<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:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Gavin Vuillaume (sponsor)</u> Date: <u>09-15-2025</u> Signature: <u></u> Title: <u>Landscape Architect</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No