

Town of Brunswick
Zoning Board of Appeals
336 Town Office Road, Troy, New York 12180

Application for a Variance

General Information

Application Number _____
Date Application Received _____
Hearing Scheduled Date _____
Application Fee _____
Approved Date _____ Conditions (y/n) _____
Denial Date _____ Withdrawn Date _____
Zoning Chairperson _____

Applicant:

Name: Joseph Messia

Property Owner:

Name: Joseph Messia

Company: Property Revolution LLC

Company: Property Revolution LLC

Address: 1 Shafter Ave
Brunswick NY 12180

Address: [REDACTED]

Phone: [REDACTED]

Phone: [REDACTED]

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

Lot Information

Street Address of Lot 1 Shafter Ave, Brunswick NY, 12180

Parcel ID Number 38220011216852 Zoning District Troy

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

Existing: Lot Area 17,350 sq ft Frontage 152' Depth 115'
Setbacks: Front 19.6' Rear 27' Left 12.5' Right 115'

Proposed: Lot Area 17,350 sq ft Frontage 152' Depth 115'
Setbacks: Front 19.6' Rear 27' Left 12.5' Right 115'

Type of Water Service: Public Type of Sanitary Disposal: Public Sewer

Describe Existing Use:

Single family home. The front porch is currently an enclosed attached porch with 4 steps. There is no existing deck, there is currently a concrete slab where the deck would be.

Type of Request: ☒ Area Variance ☐ Use Variance

Briefly describe the proposal: Remove front porch and concrete walkway. Add pre-formed concrete steps with platform. Steps will be 42" / 5 steps total length of 87" and 6' wide. Add a 10' x 15' deck on the SE side of the house.

Abutters-Adjacent Property Owners

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

	Name:	Address:	Property Use
Front	Mountainview FD	2 Shaffer Ave	Fire Dept
Rear	David Bryce	Woods	No Buildings
Left	Donna Little Ford	124 Mountainview Ave	Multi Occupancy home
Right	David Bryce	Woods	No Buildings
Left	Carlos L. Montes + Inna V. Montes	126 Mountainview Ave	Single Family Home

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: _____

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:

JOSEPH MESSIA

Signature

[Redacted Signature]

Date:

3/10/2020

Property Owner:

JOSEPH MESSIA / PROPERTY REVOLUTION

[Redacted Signature]

3/10/2020

For any Area Variance Request, please complete the following:

Proposed use / construction: Single family home replace porch with steps + add deck
 (Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc.)

Lot Size:
 Width at set back:
 Front Setback:
 Rear Setback:
 Left Side Setback:
 Right Side Setback:
 Maximum Lot Coverage:
 Maximum Height:

REQUIRED	PROPOSED
60 ft	150 ft
30 ft	19.6 ft
30 ft	27 ft
10 ft	12.5 ft
10 ft	11.5 ft
2.5%	1%
28 ft	5 ft

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

Number of Parking Spaces:
 Buffer:
 Units per Acre:

REQUIRED	PROPOSED

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 current porch is larger than the proposed steps. The porch would be removed and replaced with smaller steps and improve the overall appearance of the home. The deck would be over an existing concrete slab - covering the concrete and allowing for additional outdoor living space.

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 home cannot be accessed without steps. The current porch is rotting and replacing it would be safer and use less space in the area where we are requesting the variance. There is currently not an outdoor space attached to the home. A deck accessible from the adjusted back entrance would be well within the existing lawn area of the property.

3. Describe whether the requested Area Variance is substantial.

No.

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

We will not be using additional green space for the steps. We will be using less. The proposed deck will be on the southeast side facing a piece of unoccupied woods.

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

The property as it exists is non-conforming. The proposed work will bring the property closer to compliance by increasing the setback. Very few residences in the Mt. View area can meet the front setback of 30'.

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: <div style="font-family: cursive; font-size: 1.2em;">1 Shafter Ave, Porch Replacement + Deck Addition</div>			
Project Location (describe, and attach a location map): <div style="font-family: cursive; font-size: 1.2em;">1 Shafter Ave, Brunswick NY 12180</div>			
Brief Description of Proposed Action: <div style="font-family: cursive; font-size: 1.2em;">Remove existing Porch + replace with pre-fabricated steps Add Deck to SE side of home with a new entrance onto deck</div>			
Name of Applicant or Sponsor: <div style="font-family: cursive; font-size: 1.2em;">Joseph Messia</div>		Telephone: [REDACTED] E-Mail: [REDACTED]	
Address: [REDACTED]			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.40 acres	
b. Total acreage to be physically disturbed?		.04 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.40 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 checked="" 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?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input type="checkbox"/> N/A
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
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: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
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?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
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: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input 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?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	

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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>JOSEPH MESSIA / PROGRESS RECOVERY</u> Date: <u>3/10/2020</u> Signature: 		