

**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>26-08</u>
Date Application Received	<u>4/17/26</u>
Hearing Scheduled Date	<u>2/17/27</u>
Application Fee	<u>\$100 - Pd</u>
Approved Date	_____ Conditions (y/n) _____
Denial Date	_____ Withdrawn Date _____
Zoning Chairperson	<u>R. FRENCH</u>

**Applicant:**  
**Name:** Jeremy Pratt  
**EMAIL:** prattj0612@gmail.com  
**Company:** \_\_\_\_\_  
**Address:** 2 Briar Rose Way  
Troy NY 12180  
**Phone:** 518-362-6779

**Property Owner:**  
**Name:** Jeremy Pratt  
**EMAIL:** prattj0612@gmail.com  
**Company:** \_\_\_\_\_  
**Address:** 2 Briar Rose Way  
Troy NY 12180  
**Phone:** 518-362-6779

Applicant is: Owner  Builder \_\_\_\_\_ Lessee \_\_\_\_\_ Architect/Engineer \_\_\_\_\_ Agent \_\_\_\_\_ Other \_\_\_\_\_  
 If Other, Explain: \_\_\_\_\_

**Lot Information**

Street Address of Lot: 2 Briar Rose Way, Troy NY 12180

Parcel ID Number: 123.-5-5.112 Zoning District: AR

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

Existing: Lot Area 6 ACRES Frontage 453' Depth 552'

Set Backs: Front 40 Rear 40 Left 40 Right 40

Proposed: Lot Area 6 ACRES Frontage 453' Depth 55'

Setbacks: Front \_\_\_\_\_ Rear 40 Left 40 Right 40

Type of Water Service: PUBLIC Type of Sanitary Disposal PUBLIC SEWER

**Describe Existing Use:**

Residential property with a single-family home. The lot is primarily wooded and accessed by a shared driveway with one neighboring residence.

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

**Briefly describe the proposal:**

Proposing to construct a detached garage. Due to site constraints, the garage is proposed to be located approximately 21 feet from the front property line, the structure being in said location avoid construction on steep slopes and maintain practical and safe access from the shared driveway.

**\*\*Below**

**Abutters- Adjacent Property Owners**

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

	<b>Name:</b>	<b>Address:</b>	<b>Property Use:</b>
Front	_____	<u>48 North Road</u>	<u>Residential</u>
Rear	_____	_____	_____
Left	<u>Moorehouse</u>	<u>1 briar rose way</u>	<u>Residential</u>
Right	<u>Kohler</u>	<u>3 briar roase way</u>	<u>Residential</u>

Kc:/zba/zba application

\*\*The proposed location will not adversely affect neighboring properties, the existing residence does not have an attached garage, and the proposed structure will provide typical covered parking and storage

**Required Submittals**

- x   A plot plan showing all property lines, dimensions, adjacent streets, existing structures, setback distances, and location of proposed changes.
- x   Part 1 of the State Environmental Quality Review (SEQR) Short Environmental Form
- x   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)   N    
If yes, explain:

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**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:		
Width at set back:		
Front Setback:		21'
Rear Setback:		
Left Side Setback:		
Right Side Setback:		
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.

Granting the requested area variance will not produce an undesirable change in the character of the neighborhood nor create a detriment to nearby properties. The property is accessed by a shared driveway and is secluded, with limited visibility from surrounding properties. The proposed garage is consistent with residential use and typical accessory structures in the area. Its location has been chosen to maintain safe access and avoid steep slopes, and it will not interfere with neighboring properties' use or enjoyment of their land. Therefore, the character of the area will remain unchanged and no adverse impacts are anticipated

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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 benefit sought by the applicant cannot be achieved by any other feasible method without requiring a variance. The location of the proposed garage is constrained by the existing shared driveway, which dictates practical and safe access, and by the significant slope to the rear of the property, which limits suitable build-able area. As such, no reasonable alternative location exists that would eliminate the need for the requested variance

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3. Describe whether the requested Area Variance is substantial.

While the requested area variance has the structure on the front property line, it is not substantial in context. The proposed garage will remain well separated from neighboring properties, and the location is influenced by site constraints including the shared driveway and significant slope at the rear of the property. The reduced setback will not result in any adverse visual or functional impact on surrounding properties, and the overall character of the area will be maintained

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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 area variance will not have an adverse effect on the physical or environmental conditions of the neighborhood or district. The garage will be constructed in a location that avoids steep slopes, thereby minimizing the need for excessive grading or disturbance to the land. The project will not impact drainage patterns, natural features, or neighboring properties. In addition, the structure is a typical residential accessory use and will be consistent with the surrounding area. As such, no negative physical or environmental impacts are anticipated

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

The difficulty is not self-created. The need for the variance arises from existing site conditions, including the location of the shared driveway and the significant slope at the rear of the property, which limit the feasible buildable area. These constraints were not created by the applicant and necessitate the requested setback relief in order to construct a functional and safely accessible garage

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

Describe the request use: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

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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.

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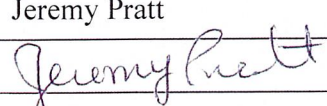
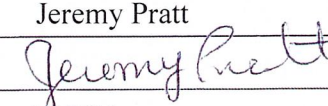
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**Certification and Authorization**

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:	Jeremy Pratt	Jeremy Pratt
Signature:		
Date:	4/17/26	4/17/26

<p><b><u>FEES as per Town Code Chapter 197:</u></b>  <i>Special Permits for a residential single parcel: \$50.00    Special Permit for non-residential parcel: \$150.00</i>  <i>Area Variance for a single residential parcel: \$100.00    Area Variance for a non-residential parcel: \$300.00</i>  <i>Use Variance for a single residential parcel: \$200.00    Use Variance for a non-residential parcel: \$500.00</i>  <i>Plus reimbursement of legal and engineering expenses per 95-4 for all variances &amp; special permit applications</i></p> <p style="text-align: center;">617.20</p>
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# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

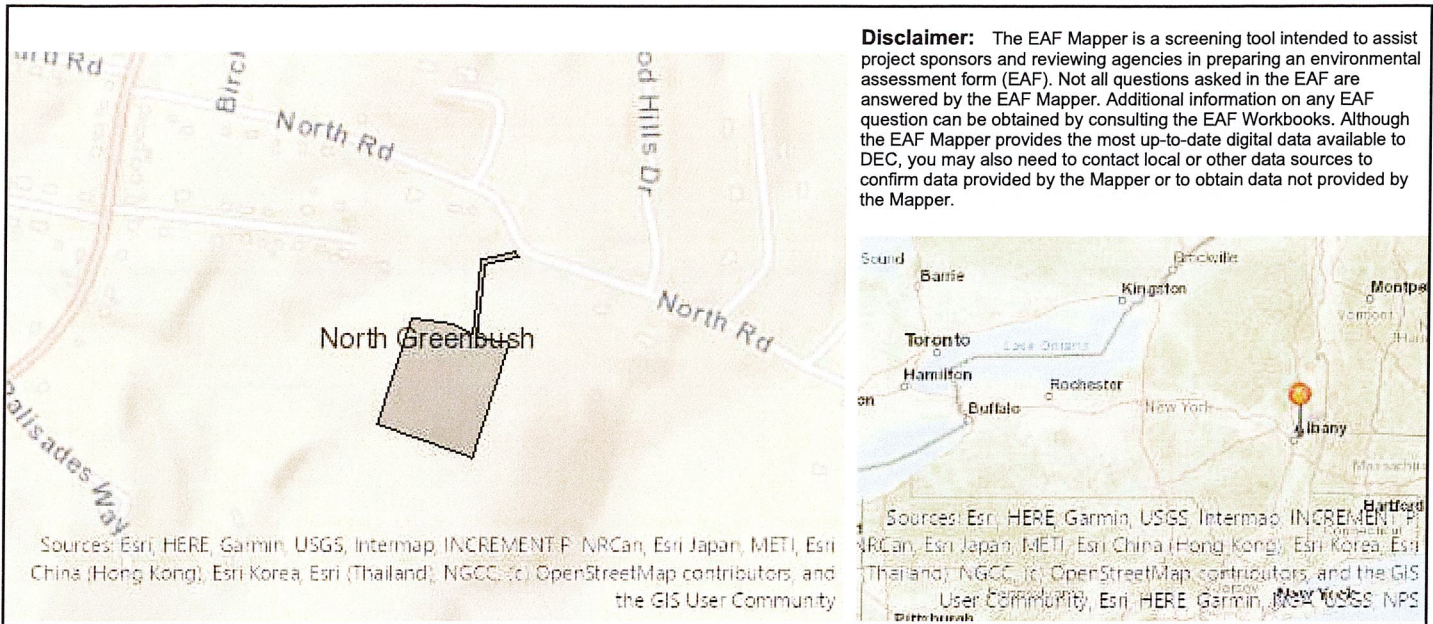
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: VARIANCE FOR ACCESSORY BUILDING			
Project Location (describe, and attach a location map): 2 BRIAR ROSE WAY TOWN OF NORTH GREENBUSH NY			
Brief Description of Proposed Action: CONSTRUCTION OF AN ACCESSORY BUILDING THAT WOULD BE CONSTRUCTED ON FRONT PROPERTY LINE			
Name of Applicant or Sponsor: JEREMY PRATT		Telephone: 518 362-6779	
		E-Mail: prattj0612@gmail.com	
Address: 2 BRIAR ROSE WAY			
City/PO: TROY		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 <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?		6.11 acres	
b. Total acreage to be physically disturbed?		0.03 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.11 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			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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?	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	YES
	<input type="checkbox"/>	<input type="checkbox"/>	YES
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES
	<input checked="" type="checkbox"/>	<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"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES
	<input type="checkbox"/>	<input checked="" 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? 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 type="checkbox"/>	<input checked="" type="checkbox"/>	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES





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]	Yes
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

**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)

TABLE OF COURSES  
AROUND SEWER EASEMENT

Course	Bearing	Distance
L1	S 21°55'35" W	314.86'
L2	N 82°01'16" W	391.34'
L3	N 65°20'00" W	119.74'
L4	N 82°01'16" W	742.43'
L5	S 82°01'16" E	713.94'
L6	S 65°20'00" E	119.74'
L7	S 82°01'16" E	358.84'
L8	N 21°55'35" E	235.94'
L9	S 70°36'35" E	35.03'

MAP REFERENCES:

- 1) "SURVEY & MAP OF 3.5 ACRES± OF LAND...SHOWING LOCATION OF BUILDINGS THEREON, BEING A PORTION OF BORNHORST DATED JULY 14, 1965. PREPARED BY RICHARD DANSON, L.S. FILED IN THE RENSSELAER COUNTY CLERKS OFFICE IN DRAWER 61 AS MAP 14
- 2) "PLAT OF 3 LOT MINOR SUBDIVISION OF LANDS OF MASSEY" DATED JUNE 4, 1993. PREPARED BY C. P. WOLMROW FILED IN THE RENSSELAER COUNTY CLERKS OFFICE IN DRAWER 1993 AS MAP 109
- 3) "PLAT OF SURVEY LANDS OF STEVEN A. MASSEY AND JENNIFER L. DEACON" DATED MARCH 15, 1994. PREPARED BY McGRATH LAND SURVEYORS
- 4) "GREENBUSH ESTATES DATED DECEMBER 31, 2018. PREPARED BY McGRATH LAND SURVEYORS FILED IN THE RENSSELAER COUNTY CLERKS OFFICE IN DRAWER 2020 AS MAP 63

MAP REF. 1  
TM#123.00-5-11  
LANDS N/F OF  
MARY FRANCES S480  
Vol. 488 P. 12

LOT 6  
MAP REF. 4  
TM#123.00-5-5.113  
LANDS N/F OF  
THOMAS SHARPE  
AND  
JOANNE KALSHER  
Vol. 10502 Pg. 330

TM#123.00-5-5.2  
LANDS N/F OF  
STEVEN A. MASSEY  
AND  
JENNIFER L. DEACON  
L. 1705 P. 336

LOT 2  
MAP REF. 2 & 3

LOT 7  
MAP REF. 4  
TM#123.00-5-5.114  
LANDS N/F OF  
ADAM KOHLER  
AND  
MEGHAN KOHLER  
Vol. 9274 Pg. 266

LOT 5  
MAP REF. 4  
TM#123.00-5-5.112  
LANDS OF  
JEREMY PRATT  
VOL. 9423 Pg. 69

AREA = 6.11± ACRES

TM#123.00-5-6.1  
LANDS N/F OF  
STEPHEN INGRAHAM  
Vol. 7504 Pg. 119

NOTES:

- 1) ARMY CORP. OF ENGINEERS WETLANDS DELINEATED AND LOCATED BY VAN GUILDER & ASSOCIATES SUBJECT TO ARMY CORP. OF ENGINEERS REVIEW
- 2) ADJOINING OWNERS SHOWN ARE AS PER COUNTY ASSESSMENT ROLLS AND MAY NOT BE ACCURATE

LEGEND:

- UNMONUMENTED ANGLE POINT - ○
- CAPPED IRON ROD FOUND - C.I.R.F. ●
- IRON ROD FOUND - I.R.F. ●
- IRON PIPE FOUND - I.P.F. ●
- CAPPED IRON ROD SET - C.I.R.S. ●
- UTILITY POLE W/ UTILITY LINES - ○
- LANDS NOW OR FORMERLY OF - LANDS N/F OF
- DEED LIBER & PAGE - L. 100 P. 100
- DEED VOLUME & PAGE - Vol. 100 P. 100
- STONE WALL REMAINS - ○
- MANHOLE - M.H. ○
- HYDRANT - HYD. ○
- A.C.O.E. WETLAND - [Symbol]

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE OF THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY PLAT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE N.Y.S. EDUCATION LAW. ONLY COPIES FROM THE ORIGINAL OF THIS PLAT, MARKED WITH THE LAND SURVEYORS EMBOSSED SEAL, SHALL BE CONSIDERED VALID AND TRUE COPIES.

L.S. 49508

PLAT OF SURVEY  
PREMISES KNOWN AS  
2 BRIAR ROSE WAY  
LOT #5 GREENBUSH ESTATES

TOWN: NORTH GREENBUSH	SURVEYED: MARCH 26, 2026
COUNTY: RENSSELAER	PLAT: MARCH 27, 2026
STATE: NEW YORK	SCALE: 1" = 60'



McGRATH  
LAND SURVEYORS

KEVIN J. McGRATH LICENSED LAND SURVEYOR  
P.O. Box 459, Eastern Union Turnpike, Averill Park, N.Y. 12018 (518) 674-2864

DRAWN BY: TDF CHECKED BY: KJM SCR. FILE: 201844L5B.DWG PLAT # 201844L5B