Town of North Greenbush
Zoning Board of Appeals
2 Douglas Street, Wynantskill NY 12198

Applicant Number 26-32
Date Application Received 11/4/26
Hearing Scheduled Date 11/18/26
Application Fee 500-
Approved Date_____ Conditions (y/n)_____
Denial Date _____ Withdrawn Date_____
Zoning Chairperson R. FRENCH

Application for a Variance, Special Permit, and/or Appeal

Zoning Board Fees as per Chapter 197 Section I

General Information

	Applicant:		**Property Owner:**
Name:	Isaiah Swart	**Name:**	Hard Target, LLC
EMAIL:	isaiah.swart@gmail.com	**EMAIL:**	isaiah.swart@gmail.com
Company:	Hard Target, LLC	**Company:**	
Address:	125-127 West Sand Lake Rd Wynantskill, NY 12198	**Address:**	125-127 West Sand Lake Rd Wynantskill, NY 12198
Phone:	(646)- 544 - 0332	**Phone:**	(646) - 544 - 0332

Applicant is: Owner X Builder____ Lessee____ Architect/Engineer____ Agent____ Other____
If Other, Explain: _____

Lot Information
Street Address of Lot: 125 - 127 West Sand Lake, NY 12198

Parcel ID Number: 124.00 - 5 - 8.3 Zoning District: R2 - Residential
Irregular Shape of Lot (Y or N) Y Corner Lot (Y or N) N
Existing: Lot Area 1.786 ac Frontage 355.51' Depth varies
Set Backs: Front 40/35 Rear 40 Left 30/40 Right 30/40
Proposed : Lot Area 1.08/.71 Frontage 143.3/212.2 Depth varies
Setbacks: Front _____ Rear _____ Left _____ Right _____
Type of Water Service: municipal Type of Sanitary Disposal existing septic system

Describe Existing Use:
Property currently used as a small commercial flower shop and a rented residential property.

Type of Request: X Area Variance ____Use Variance
____Special Permit ____Code Interpretation

Briefly describe the proposal:
Owner would like to subdivide the property and sell the rented residential home to the existing tenant.

Abutters- Adjacent Property Owners
List the name and address for each adjacent property owners. Use additional paper if needed.

	Name:	**Address:**	**Property Use:**
Front	West Sand Lake Rd.		
Rear	The Seasons of N. Greenbush	Worthington Terrace	Residential Condominium
Left	Nicholas & Anthony Testo	123 West Sand Lake Rd	Residential
Right	The Seasons of N. Greenbush	Worthington Terrace	Residential Condominium

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: Single family home

(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:	30,000 sf	47,071 sf
Width at set back:	150 ft	243.33 ft
Front Setback:	40 ft	24.6 ft
Rear Setback:	40 ft	> 40 ft
Left Side Setback:	30 ft	19.3 ft
Right Side Setback:	30 ft	> 30 ft
Maximum Lot Coverage:	10 %	< 10 %
Maximum Height:		

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

	REQUIRED	PROPOSED
Number of Parking Spaces:		
Buffer:		
Units per Acre:		

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: Existing commercial building

(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc)

	REQUIRED	PROPOSED
Lot Size:	40,000 sf	30,734 sf *
Width at set back:	200 ft	119.5 ft *
Front Setback:	35 ft	17.1ft (Existing)
Rear Setback:	40 ft	> 40 ft (Existing)
Left Side Setback:	40 ft	19.5 ft (Existing)
Right Side Setback:	40 ft	25.2 ft *
Maximum Lot Coverage:	15 %	< 15 %
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 produces in the character of the neighborhood; nor a detriment to nearby properties created by granting the area variance.

   The properties will not change, as they will continue to operate as a small commercial business and a residential dwelling.

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 locations of the existing buildings on the property and the shape of the existing lot create a difficult subdivision. We have worked with the Town to create the best possibly solution for the subdivision.

3. Describe whether the requested Area Variance is substantial.

   No. The deficiencies are all greater than 50% of the requirements.

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

   There are no proposed changes to the existing property, other than creating a new lot to separate the 1 family residential home from the small commercial business.

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

   Difficulty was not self-created. Hard Target, LLC purchased the property in 2021 and the improvements on the property were pre-existing.

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

Describe the request use: N/A

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:	Isaiah Swart, Hard Target LLC	Isaiah Swart, Hard Target LLC
Signature:		
Date:	11/4/2026	

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

Appendix B

Short Environmental Assessment Form

Instructions 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:
Proposed 2 lot subdivision

Project Location (Describe, and attach a location map):
125-127 West Sand Lake Rd.,

Brief Description of Proposed Action:
The owner of 125-127 West Sand Lake Rd. wishes to subdivide the property into 2 lots. One lot would include the existing small business, the other lot would include the existing residential home.

Name of Applicant or Sponsor:
Isaiah Swart

Telephone: 646-544-0332
E-Mail: isaiah.swart@gmail.com

Address: 125 West Sand Lake Rd

City/PO:
Wynantskill

State:
NY

Zip Code:
12198

	YES	NO
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.		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: ZBA - area variance	x	

3. a. Total acreage of the site of the proposed action? 1.786 Acres
b. Total acreage to be physically disturbed? 0 Acres
c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.786 Acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural ☐ Industrial ☒ Commercial ☒ Residential (suburban)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (Specify): _____

☐ Parkland

	YES	NO
5. Is the proposed action,		

	YES	NO
a. A permitted use under the Zoning regulations? b. Consistent with the adopted comprehensive plan?	x	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	x	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If yes, identify:		x
8. 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:		x
10. Will the proposed action connect to an existing public/private water supply? If no, describe method for providing wastewater treatment: Both buildings are currently connected to municipal water		x
11. Will the proposed action connect to existing wastewater utilities? If no, describe method for providing wastewater treatment: Both buildings are currently connected to an existing septic system		x
12. 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. 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 altercations 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:		
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?		x
16. Is this project site located in the 100 year flood plan?		x
17. Will the proposed action create storm weather discharge, either from point or non- point sources? If yes, 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:_____	YES	NO x
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/ Sponsor name: Isaiah Swart Date:_____ Signature:_____		

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)