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 26-31
Date Application Received 10/27/26
Hearing Scheduled Date 11/18/26
Application Fee 100-
Approved Date_____ **Conditions (y/n)**_____
Denial Date _____ **Withdrawn Date**_____
Zoning Chairperson R. FRENCH

	Applicant:		**Property Owner:**
Name:	Robert Moore	**Name:**	Robert Moore
EMAIL:	RobbyMoore5510@gmail.com	**EMAIL:**	RobbyMoore5510@gmail.com
Company:	N/A	**Company:**	N/A
Address:	19 Elmwood Ct, Wynantskill, NY, 12198	**Address:**	19 Elmwood Ct, Wynantskill, NY, 12198
Phone:	5187030707	**Phone:**	5187030707

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

Lot Information

Street Address of Lot: 19 Elmwood Ct, Wynantskill, NY, 12198

Parcel ID Number: 383200 124.5-5-8 Zoning District: Residential (R-1 / Single Residence)
Irregular Shape of Lot (Y or N) N Corner Lot (Y or N) Y

Existing: Lot Area 10,018 sqft Frontage 75 Depth 135
Set Backs: Front _____ Rear _____ Left _____ Right _____
Proposed : Lot Area 10,018 sqft Frontage 75 Depth 135
Setbacks: Front _____ Rear _____ Left _____ Right _____

Type of Water Service: Public Type of Sanitary Disposal Public

Describe Existing Use:
Single-Family Residential

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

Briefly describe the proposal:
Construct a 6-foot high decorative privacy fence within the front yard setback facing Lenox Ave, where code restricts front yard fence height to 4 feet.

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

	Name:	**Address:**	**Property Use:**
Front	MARIA CULKIN-SCHAMBERGER	20 ELMWOOD CT.	SINGLE-FAMILY
Rear	DEVIN MCLAUGHLIN	22 DOUGLAS ST	TWO-FAMILY
Left	LENOX AVE		
Right	CHRISTOPHER KORSAK	23 ELMWOOD CT.	SINGLE-FAMILY

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) N

If yes, explain:

_____

_____

_____

For any Area Variance Request, please complete the following:

Proposed use/construction: 6-foot front yard privacy/decorative fence.

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

	REQUIRED	PROPOSED
Lot Size:		
Width at set back:		
Front Setback:		
Rear Setback:		
Left Side Setback:		
Right Side Setback:		
Maximum Lot Coverage:		
Maximum Height: (FENCE)	4 feet	6 feet

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.
No. The proposed 6-foot fence will utilize professional, high-quality residential materials Vinyl and vinyl/metal posts that complement the neighborhood. It is intended solely for family privacy and safety. By securely containing our large dog, it actually serves as a benefit to the safety and peace of mind of neighbors walking along the street.

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 primary goal is secure containment and safety for our German Shepherd dog, as well as privacy for our family. A 4-foot fence is not tall enough to reliably or safely contain a dog of this size and athletic ability, who can easily clear a 4-foot barrier. A 6-foot physical barrier is the minimum height required to guarantee safe containment.

3. Describe whether the requested Area Variance is substantial.
A 2-foot increase over the front yard limit is not physically or visually substantial . Fences up to 6 feet are standard and permitted by in side and rear yards in this district. The fence does not extend to the corner of the property and therefore have no impact on traffic.

4. Explain how the proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.
The fence has an extremely nominal physical footprint. It will not alter lot grading, storm runoff, or drainage. It is an environmentally neutral, standard residential structure that will be professionally installed.

5. Explain whether difficulty is self- created. (Consideration is relevant, but should not necessarily preclude the granting of the Area Variance.
While the desire to use the front yard space and the decision to own a dog are technically self-created, the need to keep a large, athletic pet like a German Shepherd safely and securely contained is a responsible safety measure that protects both the pet and the public. This necessity does not cause any harm to the public interest.

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.

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:	Robert Moore	Robert Moore
Signature:	Robert Moore	Robert Moore
Date:	10/27/2026	10/27/2026

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: Moore Residential Fence Variance

Project Location (Describe, and attach a location map):
Front yard facing Lenox ave. Fence will extend from the property corner to garage

Brief Description of Proposed Action:
Installation of a 6-foot residential fence within the front yard setback for pet containment and safety.

Name of Applicant or Sponsor: Robert Moore
Telephone: 5187030707
E-Mail: robby moore5510@gmail.com

Address: 19 Elmwood Ct

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.		✓
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:		✓

3. a. Total acreage of the site of the proposed action? 0.23 Acres
b. Total acreage to be physically disturbed? 0.01 Acres
c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.23 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

5. Is the proposed action, (YES) NO

	YES	NO
a. A permitted use under the Zoning regulations? b. Consistent with the adopted comprehensive plan?	(YES)	NO
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	✓	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If yes, identify: _____		✓
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		✓
b. Are public transportation service(s) 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?		✓
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: _____	N/A	
10. Will the proposed action connect to an existing public/private water supply? If no, describe method for providing wastewater treatment: _____		✓
11. Will the proposed action connect to existing wastewater utilities? If no, describe method for providing wastewater treatment:_____		✓
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic places?		✓
b. Is the proposed action located in an archeological sensitive area?		✓
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?		✓
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: _____		✓
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?		✓
16. Is this project site located in the 100 year flood plan?		✓
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?		✓

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 ✓
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 ✓
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 ✓
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/ Sponsor name: Robert Moore Date: 10/27/2026 Signature: Robert Moore		

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)

ROBERT MOORE

19 Elmwood Ct, Wynantskill, NY 12198 | (518) 703-0707 | RobbyMoore5510@gmail.com

October 27, 2026

To the Honorable Members of the Town of North Greenbush Zoning Board of Appeals
2 Douglas Street
Wynantskill, NY 12198

Subject: Letter of Support for Area Variance Application at 19 Elmwood Court (Parcel ID: 383200 124.558)

Dear Chairman and Members of the Zoning Board of Appeals,

Please accept this letter as a formal supplement to our Area Variance application for the property located at 19 Elmwood Court. We are requesting a variance from Town Code § 197-17(D)(2) to allow for the construction of a 6-foot-high fence in the front yard, where the code currently limits such fences to a maximum of 4 feet.

The primary and most critical reason for this request is for the safe and secure containment of our family pet, a large and athletic German Shepherd. A standard 4-foot fence is insufficient to safely prevent a dog of this size and breed from jumping over. A 6-foot fence is the widely recognized minimum height necessary for responsible ownership and to ensure he remains safely within our property, providing peace of mind for our family and the community.

We believe our request aligns with the five statutory factors for granting an area variance:

1. **No Undesirable Change:** The proposed fence will be constructed from high-quality, professional materials that are aesthetically consistent with our home and the residential character of Elmwood Court. By ensuring our dog is safely contained, the fence serves as a benefit to the neighborhood.
2. **No Other Feasible Method:** The benefit of safely securing a large dog cannot be achieved by any other method. A physical barrier of at least 6 feet is the only feasible way to guarantee containment.
3. **Not a Substantial Variance:** While the variance is 2 feet, the proposed 6-foot height is already the standard permitted in all side and rear yards throughout the town. This makes the scale of our project consistent with common residential standards, not a substantial departure.
4. **No Adverse Environmental Impact:** The fence is a simple, non-invasive structure with a negligible physical and environmental footprint.
5. **Difficulty & Self-Created Hardship:** While owning a pet is a choice, the need to provide safe and responsible containment is not. This request is rooted in a desire to be proactive and responsible pet owners, a goal that benefits the entire community.

Our sole intention is to create a safe and secure space for our family and pet while respecting the character and safety of our neighborhood.

We thank you for your time and consideration and welcome the opportunity to discuss this application with you further.

Sincerely,

Robert Moore

Proposed 6ft Fence Location



