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

Applicant Number	26-30
Date Application Received	10/29/26
Hearing Scheduled Date	11/18/26
Application Fee	200-
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Denial Date _____	Withdrawn Date_____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:	Hossein Hooshyar	**Name:**	Hossein Hooshyar
EMAIL:	h.hoosh@gmail.com	**EMAIL:**	h.hoosh@gmail.com
Company:		**Company:**	
Address:	27 Woodland Hill Rd, Wynantskill, NY 12198	**Address:**	27 Woodland Hill Rd, Wynantskill, NY 12198
Phone:	518 912 1924	**Phone:**	518 912 1924

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

Lot Information

Street Address of Lot: 27 Woodland Hill Rd, Wynantskill, NY 12198

Parcel ID Number: 123.12-8-1.22 Zoning District: R2
Irregular Shape of Lot (Y or N) N Corner Lot (Y or N) Y
Existing: Lot Area 0.48 Frontage 201 Depth 148
Set Backs: Front _____ Rear _____ Left _____ Right _____
Proposed : Lot Area 0.48 Frontage 201 Depth 148
Setbacks: Front _____ Rear _____ Left _____ Right _____
Type of Water Service: PUBLIC Type of Sanitary Disposal PUBLIC

Describe Existing Use:
SINGLE-FAMILY DWELLING

Type of Request:
X Area Variance (2) ____Use Variance
____Special Permit ____Code Interpretation

Briefly describe the proposal:
We would like to fence our property and install a shed in our lot. For details, please see the description of the proposal attached.

Abutters- Adjacent Property Owners

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

	Name:	Address:	Property Use:
Front			
Rear	NGB Builders LLC	130 Hidley Rd, Wynantskill, NY 12198	Single Residence
Left			
Right	PINZER	25 Woodland Hill Rd, Wynantskill, NY 12198	Single Residence

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:

_____

_____

_____

For any Area Variance Request, please complete the following:

Proposed use/construction: _____

(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 FT	6 FT

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 Undesirable Change to the Character of the Neighborhood or Detriment to Nearby Properties

Proposed Fence: The proposed two-tone fence will complement the architecture and colors of our house and blend naturally with the surrounding residential setting. It will clearly define our property boundaries without adversely affecting neighboring properties or their use and enjoyment of their yards.

Proposed Shed: The shed will be placed in the most suitable area of our property, taking advantage of the natural topography and minimizing the need for grading or landscape alterations. Its size, placement, and appearance will be compatible with the residential character of the neighborhood and will not adversely affect neighboring properties.

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.

Proposed Fence: the proposed fencing is needed to ensure our son's safety, contain our pets, improve privacy, and secure the property.

Proposed Shed: There is no practical alternative location on our property that would allow us to install the shed while meeting all required setbacks. The side yard is too narrow, and the backyard's steep slope makes preparing a suitable level area unreasonably difficult and costly. Placing the shed in the proposed location, in the flattest area of the property near the rear property line, is the most practical solution.

3. Describe whether the requested Area Variance is substantial.

We are not asking for any substantial area variance in this application.

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

Proposed Fence: The fence will be installed within our property boundaries and will not require significant grading, excavation, or alteration of the existing landscape. It will not interfere with drainage, vegetation, or neighboring properties.

Proposed Shed: The shed will be placed in the flattest and most suitable area of our property, minimizing the need for grading or changes to the natural topography. Its installation will not adversely affect existing drainage patterns, vegetation, or the physical and environmental conditions of the surrounding properties.

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

The circumstances necessitating these variances are not the result of any changes or alterations made by us to the property. The property's corner-lot configuration, narrow side yard, and steep backyard are pre-existing natural and physical characteristics of the lot.
Our requests are intended to accommodate these conditions while making reasonable use of our property.
Neither the proposed fence nor the proposed shed involves creating or worsening any existing physical or environmental condition.

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:	Hossein Hooshyar	Hossein Hooshyar
Signature:	H.Hooshyar	H.Hooshyar
Date:	10/29/2026	10/29/2026

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:
Fencing and installing a shed

Project Location (Describe, and attach a location map):
27 Woodland Hill Rd, Wynantskill, NY 12198

Brief Description of Proposed Action:
We would like to fence our property and install a shed in our lot. For details, please see the description of the proposal attached.

Name of Applicant or Sponsor:
Hossein Hooshyar

Telephone: 518 912 1924
E-Mail: h.hoosh@gmail.com

Address:
27 Woodland Hill 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.		✓
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? 0.483 Acres
b. Total acreage to be physically disturbed? 0.003 Acres
c. Total acreage (Project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.483 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.	✓	

Kc:/zba/zba application

	YES	NO
a. A permitted use under the Zoning regulations? b. Consistent with the adopted comprehensive plan?	✓	
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: _____		✓
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: 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?		✓
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: Hossein Hooshyar Date: 10/26/2026 Signature: H.Hooshyar		

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.

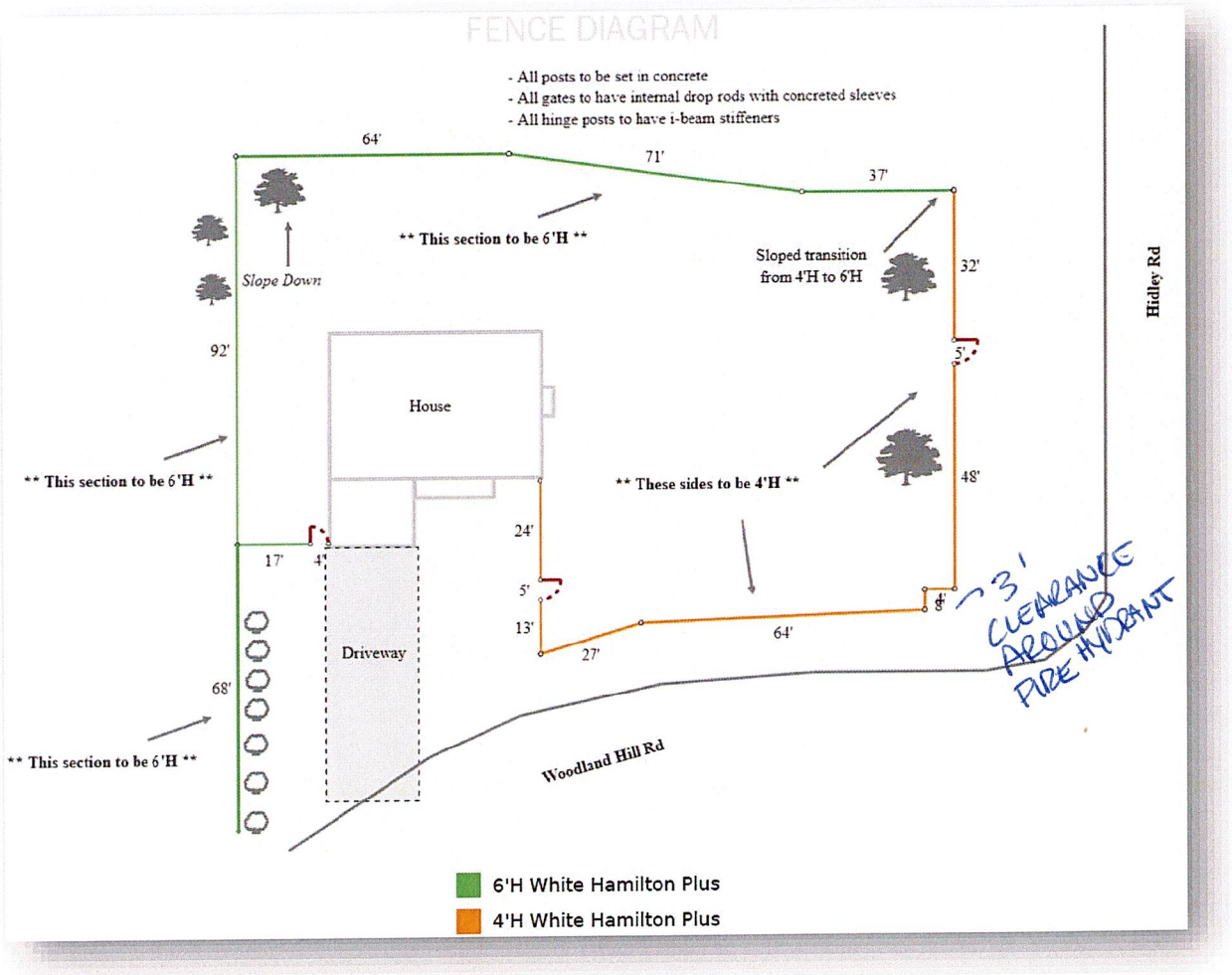
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Proposal Description

This application includes two proposals.

Proposal 1. Fencing The Property

We propose to install a fence around our property in accordance with the layout diagram shown below.



We are working with Superior Fence & Rail, a leading national fencing brand and the largest fencing franchise companies in the United States, to complete this project. To ensure that the fence complements the appearance of our home and contributes to the overall aesthetics of the neighborhood, we intend to install a two-tone fence that coordinates with the colors of our house, as illustrated in the image below.



We understand that our deed, under the *Declaration of Covenants and Restrictions*, restricts the installation of fences in the “front yard.” Before signing the purchase contract, we asked the builder to clarify this restriction. On at least two occasions, the builder’s representative explained that the builder’s interpretation of “front” refers to the area encompassing the driveway, walkway, and main entrance to the house. We do not intend to install fencing in any of these areas.

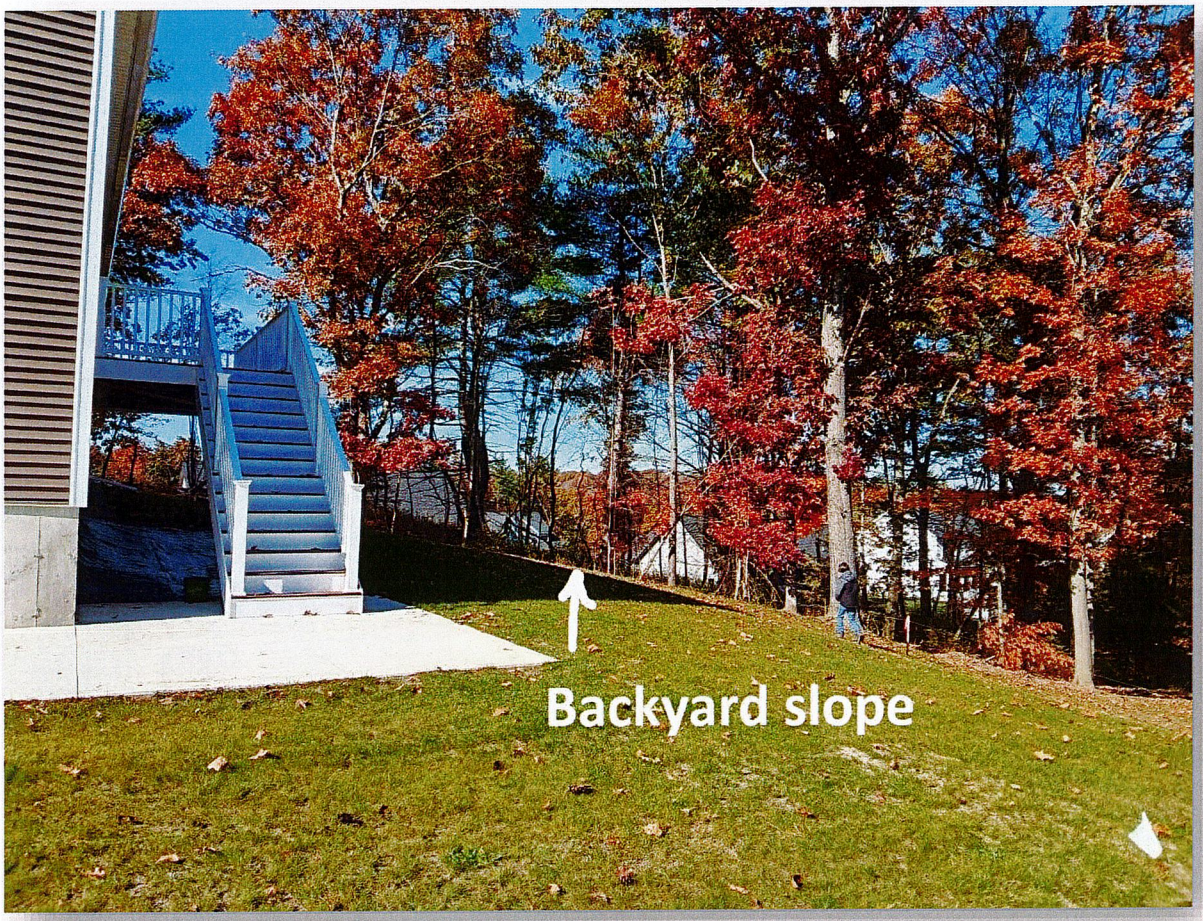
We sought this clarification because we intended to fence our property to address the following practical needs:

- **Child Safety and Family Security:** Our 10-year-old son is homeschooled and spends much of his time on our property, where he participates in outdoor activities as part of his daily routine and education. A fence would provide a clearly defined and secure outdoor area, preventing accidental access to nearby roads and reducing the risk of traffic-related accidents. It would also help deter unauthorized access to our property and enhance our family's security. This is particularly important given our ranch-style home's ground-level windows and walkout basement, which provide easier access to the interior of the house.

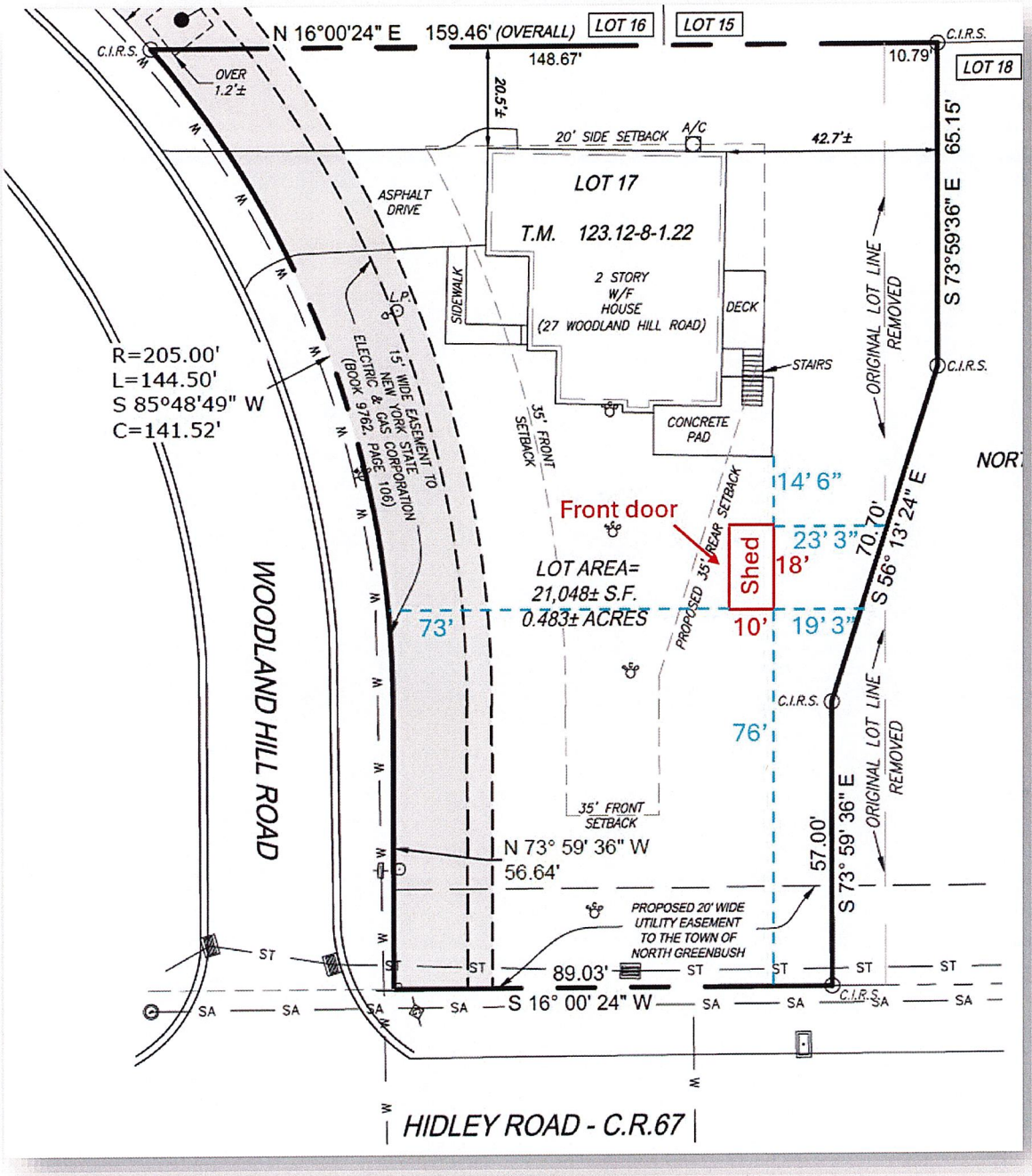
- **Pet Safety and Containment:** A fence would provide a secure, enclosed area for our pets, preventing them from wandering onto roads, into neighboring properties, or into other potentially unsafe areas.
- **Privacy and Property Boundary Protection:** The fence would improve our family's privacy by reducing direct visibility from nearby sidewalks, public pathways, and neighboring properties. It would also clearly mark our property boundaries and help prevent encroachments or misunderstandings about the use of yard space. This has been a concern since we signed the contract, when we experienced a property-boundary encroachment issue by our neighbor at 25 Woodland Hill Road. Resolving the matter required us to hire a certified surveyor to identify and mark our property lines. Even after the survey, the neighbor did not remove the encroachment until the North Greenbush Builders LLC intervened and required its removal.

Proposal 2. Shed Placement

We would like to install a shed on our property. Because our home is situated on a corner lot, it has two front yards. Our side yard is too narrow to accommodate a shed while meeting the required setbacks from both the house and the property line. In addition, our backyard is extremely steep, making it unreasonably difficult to prepare a level area for the shed, as illustrated below.



Therefore, we propose placing the shed in the flattest area of our property, which is in one of the two front yards, near the rear property line, as illustrated in the survey and photographs below.


N 16°00'24" E 159.46' (OVERALL)
LOT 16
LOT 15
LOT 18
C.I.R.S.
148.67'
10.79'
OVER 1.2'±
20.5'±
20' SIDE SETBACK
A/C
42.7'±
S 73°59'36" E 65.15'
LOT 17
T.M. 123.12-8-1.22
2 STORY W/F HOUSE (27 WOODLAND HILL ROAD)
ASPHALT DRIVE
SIDEWALK
DECK
STAIRS
CONCRETE PAD
ORIGINAL LOT LINE REMOVED
R=205.00'
L=144.50'
S 85°48'49" W
C=141.52'
15' WIDE EASEMENT TO NEW YORK STATE ELECTRIC & GAS CORPORATION (BOOK 9762 PAGE 106)
35' FRONT SETBACK
35' REAR SETBACK
Front door
14' 6"
23' 3"
18'
Shed
10'
19' 3"
70.70'
S 56° 13' 24" E
LOT AREA=
21,048± S.F.
0.483± ACRES
73'
76'
WOODLAND HILL ROAD
N 73° 59' 36" W
56.64'
57.00'
S 73° 59' 36" E
PROPOSED 20' WIDE UTILITY EASEMENT TO THE TOWN OF NORTH GREENBUSH
89.03'
S 16° 00' 24" W
HIDLEY ROAD - C.R.67


Shed Placement


Shed Placement