

OFFICE USE ONLY

Case#
Application filed Hearing Date
Decision filed



APPLICATION TO THE CITY OF HUDSON, NEW YORK  
ZONING BOARD OF APPEALS  
FOR AREA VARIANCE

Name of Applicant: (David) Jarvis Johnson & Natasha Stevens

Mailing Address: 315 State Street

City State Zip Hudson, N.Y. ~ 12534

Telephone # (718) 710-5183

Location of Property same

Tax Map Number 109.44-2-44

Zoning District R-4 (3-story multiple residence)

A. Article and Section Number of Zoning Ordinance being appealed: 325 Attachment 1 -  
Schedule of Bulk & Area Regulations for Residential Districts

(Attach Decision of Code Enforcement Officer)

B. Nature of Variance Requested. Describe Project in Detail.  
(Attach additional sheets as needed)

Detached accessory garage & studio building proposed behind  
existing townhouse residence. Due to small parcel pre-existing  
zoning ordinance some yard setbacks and coverage % require relief.

**Important:** A site plan must accompany this application. It should be drawn to scale by a licensed engineer, landscape, architect or surveyor. The professional's name, address, and phone number noted on drawing. The plan shall show the location of all existing and proposed buildings, parking areas and any other pertinent information.

**C. Justification of Variance. (Attach additional sheets as needed):**

(1) An undesirable change will not be produced in the CHARACTER of the neighborhood or a detriment to nearby properties, if granted, because:

New building concept is very similar to many accessory buildings located on service alleys w/in the City and represent smart density.

(2) The benefit sought by the applicant CANNOT be achieved by some method Feasible for the applicant to pursue, other than an area variance, because:

Existing lot is too narrow (25') to allow for a usable single car garage bay width if 7.5' side yard setbacks are imposed.

(3) The amount of relief is not substantial because:

New building is still held off each side yard lot line to allow for some open space and future maintenance from within the parcel

(4) The variance will NOT have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because:

Every effort has been made to create a building that is very compact while still being functional. It will provide a currently missing off-street berth.

(5) Has the requested variance been self created (X) Yes or ( ) No.

(6) Additional information about the surrounding topography and building areas that Relate to the difficulty in meeting the code requirements:

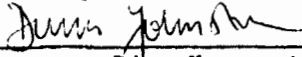
Rear yard has sloping grade and a small, mostly unusable area behind the dwelling. New project would provide an improved neighborhood facade and private court.

**D. County Referrals.** General Municipal Law Section 239-m requires certain zoning actions be referred to the County Planning Board before any action is taken. (The Hudson Zoning Board of Appeals by Resolution dated July 8, 1992 and in agreement with the County Planning Board have exempted certain actions that would not be subject to referral.)

(1) Is the property for which the variance is requested within 500 feet of any of the following?

	Yes	No	If yes, please describe
<b>Boundary Line of the City of Hudson</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
<b>Boundary of any existing or proposed County or State Park or recreation area</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
<b>Right of Way of any existing or proposed County or State Parkway, Thruway, Expressway, road, or highway</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
<b>Any existing or proposed right of way of any stream or drainage channel owned by the County</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____
<b>The existing or proposed boundary of any County or state land on which public building or institution is situated.</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____ _____ _____

This is the MINIMUM that is necessary and adequate, and at the same time preserves and protects the character of the neighborhood and the health, safety, and welfare of the community.



\_\_\_\_\_  
Signature of Appellant or Authorized Agent  
(Agent must submit Authorization from Owner)

Sworn to me this 2 day of JULY,

2020  
200.

\_\_\_\_\_  
Notary Public

617.20  
Appendix B  
Short Environmental Assessment Form

**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: <i>Accessory garage structure for Stevens &amp; Johnston</i>			
Project Location (describe, and attach a location map): <i>315 State Street, Hudson. 2000 from Hudson River (4) blocks east of Warren St.</i>			
Brief Description of Proposed Action: <i>Detached accessory 1-car garage with studio work space above, located behind existing townhouse dwelling, w/ open court between buildings.</i>			
Name of Applicant or Sponsor: <i>Jarvis Johnston (David)</i>		Telephone: <i>(710) 710-5183</i>	
Address: <i>315 State St.</i>		E-Mail: <i>jarvis.johnston72@gmail.com</i>	
City/PO: <i>Hudson</i>	State: <i>N.Y.</i>	Zip Code: <i>12534</i>	
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: <i>Zoning area variance &amp; standard building permit.</i>			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>0.069</i> acres	
b. Total acreage to be physically disturbed?		<i>0.022</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>0.069</i> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input 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			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/> NO <input checked="" 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	YES
_____	<input checked="" type="checkbox"/>	<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	YES
_____	<input checked="" type="checkbox"/>	<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	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>DAVID JOHNSTON (Jarvis)</u> Date: <u>7/2/20</u>		
Signature: <u>David Johnston</u>		

**Part 2 - Impact Assessment.** The Lead 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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**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 significant 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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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)