

TOWN OF CHARLTON
ZONING BOARD OF APPEALS
APPLICATION AND APPEAL
(Special Use. / Variance)

Case Number: _____ Date of Application: 01 | 21 | 23 Tax Map No: 247.-1-1

1. APPLICANT

OWNER (if different)

Name: CARRIE SHEA Name: _____

Address: 2022 MAPLE AVE. Address: _____

CHARLTON, NY 12019 _____

Phone: (518) 791-3172 Phone: _____

2. LOCATION OF PROPERTY:

Address: 2022 MAPLE AVE., CHARLTON, NY 12019

CURRENT ZONING: Residential _____, Res/ Agri X Agricultural _____

3. TYPE OF APPLICATION: (Check One)

- Variance: Use _____, Area _____
- Interpretation of Zoning Ordinance or Map: _____
(Cite Sections for Interpretation)
- Special Use
Permit: X Other: _____

4. PROJECT DESCRIPTION: SMALL ANTIQUE AND HOME GOODS
STORE LOCATED IN HOME (NO ADDITIONAL BUILDING
OR MODIFICATION REQUIRED)

5. REQUIRED MATERIALS: Applicant must provide 12 copies of the following:

- Completed Application
- Site Plan showing area of concern; additions, extensions, etc., including dimensions.
- Section of Tax Map showing surrounding lots.
- Names and addresses of neighboring property owners.
For Variance: One lot on each side, the lot directly across, and one lot on each side of it,
and the lot to the rear, and one lot on each side of it.
For Special Use Permit: 1500 or 2500 feet. (See Zoning Regulations)

(ZBAAPL1)

6. USE VARIANCE- Note: The Zoning Board of Appeals is without authority to issue a USE VARIANCE unless the applicant can demonstrate that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

2. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

4. That the alleged hardship has not been self-created.

7. AREA VARIANCE - The Zoning Board Of Appeals is required to balance these two elements in granting of variances: (1) The benefit to the applicant from the variance and (2) the detriment to the health, safety and welfare of the community or neighborhood that would occur if the variance were to be granted. The provision sets forth five factors for the board to consider in balancing these interests:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.

2. Whether the benefit sought by the applicant can be achieved by some other feasible method other than the variance.

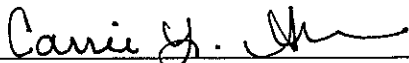
3. Whether the requested variance is substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

5. Whether the alleged difficulty was self created, (that it was will not necessarily preclude the granting of the area variance.)

8. INTERPRETATION SUBMISSION REQUIREMENTS - Explain the nature of the requested interpretation:

9. CERTIFICATION: I hereby affirm and say that all the above statements and the statements contained in the attached submission are true to the best of my knowledge and belief:



(Signature of applicant)

01/21/23

(Date)

(ZBAAPL2)

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">SUGARBUSH LANE MERCANTILE</div>							
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">EXISTING ROOM IN HOME</div>							
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">PROPOSAL TO OPEN AND OPERATE A SMALL ANTIQUES, VINTAGE AND HOME GOODS STORE IN EXISTING ROOM IN HOME. NO ADDITIONAL BUILDING OR MODIFICATION REQUIRED.</div>							
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">CARRIE SHEA</div>		Telephone: (518) 791-3172 E-Mail: CARRIE.SHEVLIN@GMAIL.COM					
Address: <div style="text-align: center; font-size: 1.2em;">2022 MAPLE AVE.</div>							
City/PO: <div style="text-align: center; font-size: 1.2em;">CHARLTON</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">12019</div>				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? 0 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? 20 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input type="checkbox"/> Rural (non-agriculture)</div> <div style="width: 50%;"><input type="checkbox"/> Industrial</div> <div style="width: 50%;"><input type="checkbox"/> Commercial</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Residential (suburban)</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Agriculture</div> <div style="width: 50%;"><input type="checkbox"/> Aquatic</div> <div style="width: 50%;"><input type="checkbox"/> Other (specify): _____</div> <div style="width: 50%;"><input type="checkbox"/> Parkland</div> </div>							

5. Is the proposed action, a. A permitted use under the zoning regulations? WITH SPECIAL USE PERMIT	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<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 <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input 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 <input type="checkbox"/>	YES <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: WATER NOT REQUIRED	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: WASTEWATER NOT REQUIRED	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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 <input checked="" type="checkbox"/>	YES <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: _____	<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 checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban (RESIDENTIAL)			
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <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 type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input 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"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>CARRIE SHEA</u> Date: <u>01/21/23</u> Signature: <u>Carrie Shea</u>		



ENLARGED SITE PLAN

Not To Scale

CONTACT INFORMATION

Carrie Shea
2022 Maple Ave
Charlton, NY 12019
(518) 791-3172



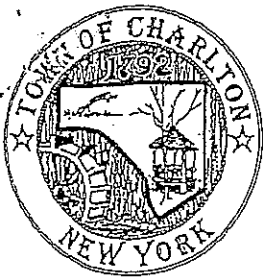
OVERALL SITE PLAN

Not To Scale

CONTACT INFORMATION

Carrie Shea
2022 Maple Ave
Charlton, NY 12019
(518) 791-3172

Tax Map Number	Owner	Address
246.-2-6	LANSING, MARK V S	2015 Maple Ave, Ballston Lake, NY 12019
246.-2-5	HOTALING, TRISTIN	2019 Maple Ave, Charlton, NY 12019
246.-2-27.2	SWETT, ANDREW K	2025 Maple Ave, Charlton, NY 12019
246.-2-27.1	KACZYNSKI, EDWARD F	2031 Maple Ave, Ballston Lake, NY 12019
246.-2-3.2	RAFFERTY, JUSTIN C	2037 Maple Ave, Ballston Lake, NY 12019
237.-1-51	STEVENS, SCOTT	2046 Maple Ave, Ballston Lake, NY 12019
236.-1-97	STRAIT, SEAN	2049 Maple Ave, Charlton, NY 12019
246.12-1-13	CHARLTON HISTORICAL	18 Cortland Dr, Charlton, NY 12019
246.12-1-12	CHARLTON HISTORICAL	RD #3, Ballston Lake, NY 12019
246.12-1-17	DUCHARME, RONALD	742 Charlton Rd, Ballston Lake, NY 12019
247.-1-2	DUCHARME, RONALD	742 Charlton Rd, Ballston Lake, NY 12019
247.-1-3	LOUKES, KERBY N	736 Charlton Rd, Ballston Lake, NY 12019
247.-1-82	STONE, KEVIN DAVID	724 Charlton Rd, Charlton, NY 12019
247.-1-72.11	PANDORI, MICHAEL	692 Charlton Rd, Charlton, NY 12019
247.-2-7.2	TUTTLE, ROBERT F	719 Charlton Rd, Ballston Lake, NY 12019
247.-2-7.1	STEVENS, ERIC K	PO Box 309, Clifton Park, NY 12065
247.-2-2	MALONEY, MICHAEL J	737 Charlton Rd, Ballston Lake, NY 12019
247.-2-1.1	NORTHRUP, MARY T	741 Charlton Rd, Charlton, NY 12019
247.-2-53	BLISS, GILBERT L	504 Stage Rd, Charlton, NY 12019
247.-2-4	NELSON, RONALD G	502 Stage Rd, Charlton, NY 12019
247.-2-5	TAPLIN, DAVID L	492 Stage Rd, Charlton, NY 12019
246.12-1-18	LAWRENCE, MICHAEL B	495 Stage Rd, Ballston Lake, NY 12019
246.12-1-19.2	FADEN, JOHN P	501 Stage Rd, Ballston Spa, NY 12019
246.12-1-44	FADEN, JOHN P	501 Stage Rd, Ballston Spa, NY 12019
246.12-1-20	GREEN, DAVID	743 Charlton Rd, Ballston Lake, NY 12019
246.12-1-21.1	CHARLTON TAVERN LLC	745 Charlton Rd, Charlton, NY 12019
246.-4-24	DOUGHERTY, KEVIN	4 Ventura Ct, Ballston Spa, NY 12020
246.12-1-22	CHARLTON TAVERN LLC	745 Charlton Rd, Charlton, NY 12019
246.12-1-23	RODEN, LELAND	749 Charlton Rd, Charlton, NY 12019
246.12-1-24	HAVILAND, DAVID R	750 Charlton Rd, Charlton, NY 12019
246.12-1-25	WILE, BLAISE	759 Charlton Rd, Ballston Lake, NY 12019
246.12-1-26	WILE, BLAISE	759 Charlton Rd, Ballston Lake, NY 12019
246.-4-1.1	GRANT, AMANDA ELIZABETH	763 Charlton Rd, Charlton, NY 12019
246.12-1-27.2	LAWRENCE, DIANE ZAK	763 Charlton Rd, Ballston Lake, NY 12019
246.-2-26.1	VALENTA, EDWARD	764 Charlton Rd, Ballston Lake, NY 12019
246.12-1-7	WARHOLIC, JOHN A	762 Charlton Rd, Charlton, NY 12019
246.-2-26.2	TOWN OF CHARLTON	758 Charlton Rd, Charlton, NY 12019
246.-2-21.12	LANSING, MARK V S	2015 Maple Ave, Ballston Lake, NY 12019
246.-2-21.112	LANSING, MARK V S	2015 Maple Ave, Ballston Lake, NY 12019
246.12-1-10	TOWN OF CHARLTON	RD #3 Charlton Vlg, Ballston Lake, NY 12019
246.12-1-11	SERAPILIO, RONALD W	754 Charlton Rd, Ballston Lake, NY 12019
246.-2-4	LANSING, MARK V S	2015 Maple Ave, Ballston Lake, NY 12019
246.12-1-12.1	MALONEY, WILLIAM T	748 Charlton Rd, Charlton, NY 12019
246.12-1-12.2	MALONEY, WILLIAM T	746 Charlton Rd, Charlton, NY 12019
246.12-1-15	MALONEY, WILLIAM T	746 Charlton Rd, Charlton, NY 12019



TOWN OF CHARLTON
758 Charlton Road
Charlton, New York 12019
Telephone: 518-384-0152
Fax: 518-384-0385

EXCEPTIONAL USE PERMIT (EUP) APPLICATION

1. APPLICANT

Name(s) CARRIE SHEA
Address 2022 MAPLE AVE., CHARLTON, NY 12019
Telephone (preferred no.) (518) 791-3172

2. PROPERTY OWNER

Name(s) JOHN T. SHEA + CARRIE L. SHEA (identical to current deed)
Address 2022 MAPLE AVE., CHARLTON, NY 12019
Telephone (preferred no.) (518) 791-3172

3. LOCATION: Street and Number 2022 MAPLE AVE

4. EUP PROCEDURES AND REQUIREMENTS: See Article VII, Sections 1-12, as applicable, pages 45-55 of the Zoning Ordinance for the Town of Charlton, adopted September 14, 2015.

5. PRESENT ZONE

Residential _____
Residential /Agricultural X
Agricultural _____

6. LOT INFORMATION

Acres 20.24 Sq. Ft. _____ Frontage 1,307'-43/4"
Wet Lands _____ Flood Plain _____
Within 500 ft of state/county highway _____

7. SIGNATURE OF OWNER(S) Carrie L. Shea DATE 01/30/23

[Signature] DATE 01/30/23
(If more than one owner, all should sign)

FOR TOWN USE ONLY:

DATE OF BOARD ACTION _____
BOARD DECISION _____