

Rec'd
7/11/23 KC

**TOWN OF CHARLTON
ZONING BOARD OF APPEALS
APPLICATION AND APPEAL
(SPECIAL USE/VARIANCE)**

Case Number: 2023-05 Date: 6/6/23 Tax Map# 247.-2-7.1

Applicant:

Owner (If Different)

Name: Sandee & Eric Stevens

Name: _____

Address: 787 Charlton Rd.

Address: _____

Ballston Lake NY 12019

Phone: 518-373-5896

Phone: 518-365-6827 (cell)

LOCATION OF PROPERTY:

Address: 787 Charlton Rd. Ballston Lake NY 12019

CURRENT ZONING: RESIDENTIAL X RES/AGRI _____ AGRICULTURAL _____

TYPE OF APPLICATION: (CHECK ONE)

VARIANCE: USE X AREA _____ SET BACK VARIANCE _____

INTERPRETATION OF ZONING ORDINANCE OR MAP: _____
(CITE SECTIONS FOR INTERPRETATIONS)

SPECIAL USE PERMIT: Project 787 OTHER: _____

PROJECT DESCRIPTION: Hobby Farm offering sites for guests to camp.
Cleared & leveled locations of property to construct elevated
temporary structures. Bath House construction needed as well.

-REQUIRED MATERIALS: APPLICANT MUST PROVIDE 10 COPIES OF THE FOLLOWING FOR ZONING
OR IF NECESSARY 12 COPIES FOR THE PLANNING BOARD.

-COMPLETED APPLICATION

-SITE PLAN SHOWING AREA OF CONCERN; ADDITIONS; EXTENTIONS, ETC., INCLUDING DIMENSIONS

-SECTION OF TAX MAP SHOWING SURROUNDING LOTS

-NAMES & ADDRESSES OF NEIGHBORING PROPERTY OWNERS

FOR VARIANCE: TWO ON EACH SIDE, TO THE REAR, AND ACROSS THE STREET FOR SPECIAL USE PERMIT:
1500 OR 2500 FEET. (SEE ZONING REGULATIONS)

RETURN APPLICATION TO ZONING OFFICE FOR REVIEW

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			
Sondée Stevens			
Name of Action or Project: Project 727			
Project Location (describe, and attach a location map): 727 Charlton Rd. Ballston Lake, NY 12019 / see 2 site locations marked on property map included			
Brief Description of Proposed Action: To construct 6 temporary structures elevated on cleared & leveled locations of property. Also requesting to construct a bathhouse for guests at a location TBD to provide restrooms & bathing facilities. See additional information included in proposal information.			
Name of Applicant or Sponsor: Sondée Stevens		Telephone: 518-373-5896	
		E-Mail: estevens2001@comcast.com	
Address: 727 Charlton Rd.			
City/PO: Ballston Lake		State: NY	Zip Code: 12019
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 type="checkbox"/>	YES <input checked="" 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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		84.73 acres	
b. Total acreage to be physically disturbed?		approx: 1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input checked="" type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial
<input checked="" type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input checked="" type="checkbox"/> Residential (suburban)
<input type="checkbox"/> Parkland	<input checked="" type="checkbox"/> Other (specify): Charlton snowmobile trail		

5. Is the proposed action, a. A permitted use under the zoning regulations?	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 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Bathhouse Location TBD</u>	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: <u>Bathhouse Location TBD</u>	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 type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input 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 <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 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	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

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>Sander L Stevens</u> Date: <u>12/10/23</u> Signature: <u>Sander L Stevens</u>		

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; *current zoning regulations deny us the opportunity to even try the business even if only on a limited basis.*

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; *we are not aware of any other type of such business in our district. current zoning does not reference our type of request.*

3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and *we plan to limit changes to our land/property. Keeping disturbance to environment as well as our neighbors as minimal as possible.*

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

current zoning does not allow for our business idea

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 dispose 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]
(Signature of applicant)

10/10/23
(Date)

(ZBAAPL2)

Stevens Family Application for special use of property at 727 Charlton Rd / Parcel # 247.-2-7.1 on 24.73 acres

We purchased our land on Charlton Rd. in December of 2013, had our home built & moved in December 2014.

We enjoy every minute of living here in Charlton and being close to all that it and the surrounding area has to offer.

We would like to request a special use permit for our property to start a business that will offer an, "experience in nature", i.e.: high end "glamping" site.

With only a trail system in place thus far we would like to begin with two elevated temporary structures on separate cleared & leveled locations of our property but not to exceed 6 sites in total.

Please keep in mind we are proposing this project with an open mind & in the beginning stages of ideas.

Below is a list of some of the items we feel important to address up front

- Each of the sites will include 1 –elevated temporary structure meant primarily for sleeping and relaxing.
- We would also like to construct a restroom & bathing facility (bath house) at a separate location (to be determined) on our property
- None of the sites will be visible from neighboring resident's homes.
- All guests will be required to park in the specified parking area adjacent to our driveway and walk to sites
- All guests will be provided with trail maps as well as guest rules & property guidelines upon arrival.
- Trails & property lines will be properly marked as to where guests stay on our property within our boundaries. Boundaries will be clearly marked to prevent guests from trespassing on neighboring properties.
- Quiet hours are to be observed from 10pm to 8am – limiting noise & light pollution
- No unregistered guests (all visitors must be registered guests staying with us)
- No unruly guests will be tolerated
- Each site will have proper garbage & recycling receptacles

We have more thoughts and ideas and are also open to input that you may have that will help us move on to the next steps.

We in no way want to diminish our beautiful town or disrupt our neighbors in anyway.

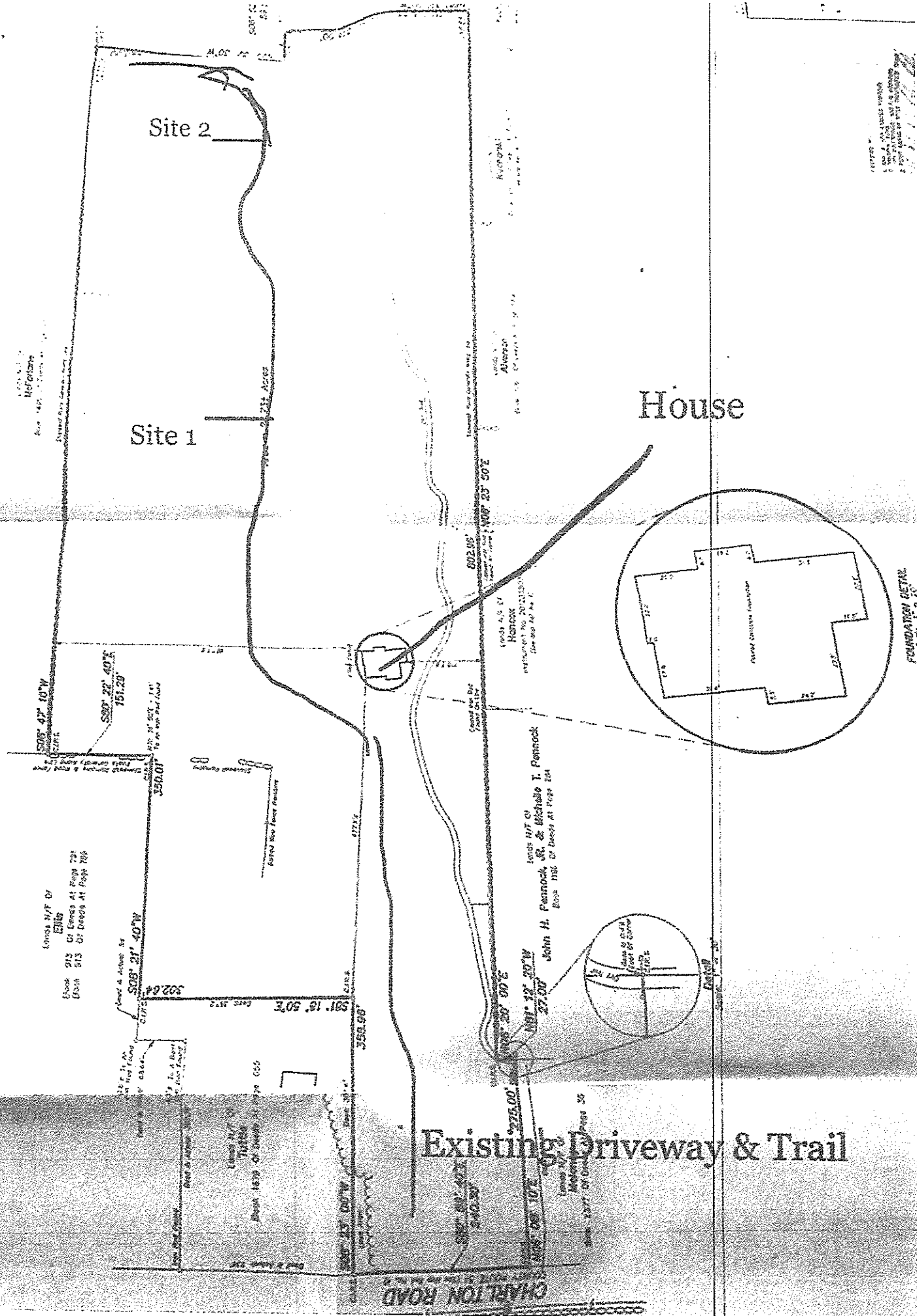
Our hope is to share our amazing area with others and in doing so, help educate them about farming/gardening, environmental conservation & the importance of spending time in nature and the role it plays in our mental health and overall well being.

Thank you for your time and consideration.

The Stevens Family

Sandee, Eric & EJ

518-373-5896 Home





List of Neighbors Boarding Property of 727 Charlton Road.

Robert & Debbie Tuttle
719 Charlton Rd.
Ballston Lake, NY 12019

Mrs. Ellis
713 Charlton Rd.
Ballston Lake, NY 12019

The McFarlane's
709 Charlton Rd.
Ballston Lake, NY 12019

The Loukes
392 Stage Rd.
Ballston Lake, NY 12019

Mr. Brett Kucharski
454 Stage Rd.
Ballston Lake, NY 12019

Mr. Michael Alverson
472 Stage Rd.
Ballston Lake, NY 12019

Ms. Jennifer Motel
486 Stage Rd.
Ballston Lake, NY 12019

Mr. Dave Taplin
492 Stage Rd.
Ballston Lake, NY 12019

Mike & Sue Maloney
737 Charlton Rd.
Ballston Lake, NY 12019

Mr. & Mrs. Stone
724 Charlton Rd.
Ballston Lake, NY 12019