

General Municipal Law 239 (l) & (m) Zoning Referral Form

From: (Town) Village City of Canaan
Legislative Body _____ Z.B.A. X Planning Board _____

To: Columbia County Planning Board
401 State Street
Hudson, New York 12534

Appeal: Applicant's Name: David Freberg & Roberto Juarez
Mailing Address: 11 Bristol Rd., Canaan, NY 12029 Zip _____

Subject: Area Variance X Use Variance _____ Special Permit _____ Site Plan Review _____
Zoning Ordinance Amendment _____ Zoning Map Amendment _____
Other _____

Property Location (describe accurately) Intersection of Bristol & State Rt 295

For all referrals other than Zoning Ordinance & Map Amendments, the following information must be provided or the referral may be deemed incomplete:

1. Completed Building/Zoning Permit Application with reason for denial
2. Completed application form as required by the local Z.B.A. or Planning Board
3. A Plot Plan or plat containing all information required by your municipal Zoning Ordinance or Site Plan Review Local Law
4. The parcel's tax map number: 38.1-32.110
5. Zoning District in which the parcel is located: C1
6. The date the property was acquired by the applicant(s): / /
7. The date that the public hearing will be held: June 30, 2020
8. A completed Environmental Assessment Form Part 1 or Draft Environmental Impact Statement if required

This action has been referred to the County Planning Board because the property in question is within 500' of:

- _____ A municipal boundary
_____ County or State Park or recreation either existing or proposed
X _____ State or County road or right-of-way, either existing or proposed
_____ State or County owned building or institution
_____ Stream or drainage channel owned by the County or for which channel lines have been established
_____ Active farm operation within an Agricultural District see Note on Attached Sheet
_____ Other: DC

It is understood that if no action is taken on this referral within thirty days (or mutually agreed extension of time), of the receipt of a complete referral by the County Planning Board, we may proceed without its recommendation.

Date: 6/04/2020 Signature David J. Coom Title Chair

If you would like the Board's response to this referral forwarded via email, please provide your email address: On File

Please remember that all referrals must be postmarked or received twelve days prior to the Board's regular meeting day of the third Tuesday of each month.

The 11 Bristol Road is: Near 38-1 - 41 That is in Ag 9
However Area Variance do Not Require Ag Statement

**PROCESSING AN AGRICULTURAL DATA STATEMENT
(Pursuant to Section 305-a of the Agriculture and Markets Law)**

- Any application requiring:

Special use permit
Site plan approval
Use variance or
Subdivision approval

Which requires approval by:

A Planning Board
Zoning Board of Appeals
Town Board or
Village Board of Trustees

Must submit an Agricultural Data Statement (ADS) if the proposed project occurs on property within an agricultural district containing a farm operation or on property with boundaries within 500 feet of a farm operation located within an agricultural district.

- Content of an Agricultural Data Statement requires:

Name and address of applicant,

Description of the proposed project and its location,

Name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundaries of the property upon which the project is proposed

A tax map or other map showing the site of the proposed project relative to the location of the farm operations identified in the **ADS**.

- The Clerk of the appropriate governmental entity is required to mail a written notice containing a description of the proposed project and its location to owners of land as identified by the applicant in the **ADS**.
- The local reviewing board must evaluate and consider the ADS to determine the possible impacts of the proposed project may have on the functioning of farm operations within the subject agricultural district.

Procedural Considerations

- A map of the town's agricultural district(s) should be well displayed within the municipal office where land use applications are submitted. The map will benefit both the applicant and municipal review officer in determining the

TOWN OF CANAAN
Building Department
PO Box 459
Canaan, New York 12029
codeofficer@canaannewyork.org

Permit Denial and Zoning Board Referral

5/15/2026

Re: Addition to the residence

Owner: David Freberg & Roberto Juarez

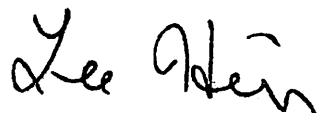
Property: 11 Bristol Road

SBL# 38.-1-32.110

Zoning District: C-1

Your proposed addition needs a Zoning Board approval (front yard setback variance), in accordance with Town Zoning Law; Article V, section D.

Tow of Canaan
Code Enforcement Officer
Lee Heim



**TOWN OF CANAAN
BUILDING PERMIT APPLICATION**

TAX MAP #

38.-1-32.110

Expiration Date: _____

Permit # _____

Permit fee _____

1. LOCATION:

House No. 11 Road Name Bristol Road

Subdivision Name & Lot No. (if any) _____

2. PROPERTY OWNER David Freberg & Roberto Juarez PHONE _____

CURRENT ADDRESS 11 Bristol Road

CITY & STATE Canaan, NY ZIP 12029

3. CONTRACT OR BUILDER CB Design Build PHONE 518-755-0329

CURRENT ADDRESS 41 Bender Blvd

CITY & STATE Ghent, NY ZIP 12075

4. ZONING DISTRICT ☐ R-A1 ☐ R-A2 ☐ R-A3 ☐ R-A4
☒ C-I General Business ☐ C-II General Commercial ☐ C-III Light Industrial

5. CURRENT EXISTING USE & OCCUPANCY:

Residence

6. INTENDED USE & OCCUPANCY: Residence

7. NATURE OF WORK: ☐ NEW BUILDING ☒ ADDITION ☐ ALTERATION ☐ DECK ☐ SHED ☐ SWIMMING POOL
☐ DEMOLITION ☐ ROOFING ☐ OTHER _____

8. ADDITIONAL DESCRIPTION _____

9. WILL THIS PROPOSAL: (Please answer yes or no to each question)

a. Involve new, or alterations to, electrical wiring? Yes

b. Involve new, or alterations to, or additional use of, a sewage disposal system? No

c. Require installation, or changes in location, of a driveway? No

d. Involve a change in use or occupancy? No

10. SIZE OF BUILDING - NUMBER OF STORIES 1 **DEPTH** 38' **WIDTH** 42' **HEIGHT** 13'

11. LOT DIMENSIONS 452' **WIDTH** 485' **DEPTH** _____

12. ESTIMATED COST \$ \$500,000

over

A large grid of graph paper, consisting of 20 columns and 20 rows of squares, intended for calculations.

13. Please sketch and locate structure or object within grid showing front, back and side setbacks.

Canaan Zoning Ordinance.
Signature of Applicant C. [Signature] Date 5/15/2026

Approved ☐ YES ☒ NO By Lee Ann Date 5/15/26 Title CEO

~~Permit Fee \$ _____ + C/O C/C Fee \$ _____ = Total Fee \$ _____ Check# _____~~

THIS IS TO CERTIFY THAT THE PROPOSED STRUCTURE IS IN COMPLIANCE WITH THE ZONING ORINANCE AND THE BUILDING CODE OF THE STATE OF NEW YORK AND THE TOWN OF CANAAN, NY

THIS IS TO CERTIFY THAT THE PROPOSED STRUCTURE IS IN COMPLIANCE WITH THE ZONING ORDINANCE OF THE STATE OF NEW YORK AND THE TOWN OF CANAAN, NY

DATE 5/15/20 DISTRICT C-1 SIGNED Lee Allen
Zoning Enforcement officer

REFERRED TO PLANNING BOARD _____ REFERRED TO ZONING BOARD LH 5/15/20

TOWN OF CANAAN, NEW YORK

APPLICATION TO ZONING BOARD OF APPEALS

APPEAL No.: _____

DATE: _____

FEE: _____

TO THE ZONING BOARD OF APPEALS:

I(We) David Freberg & Roberto Juarez OF 11 Bristol Road
(Name of Applicant) (Street & Number)

Canaan, New York 12029 HEREBY APPEAL TO
(Municipality) (State) (Zip)

THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE ZONING
ENFORCEMENT OFFICER ON APPLICATION FOR BUILDING PERMIT

DATED: _____

WHEREBY THE ZONING ENFORCEMENT OFFICER DID () GRANT (X) DENY

- (X) A BUILDING PERMIT
- () A PERMIT FOR USE
- () A PERMIT FOR OCCUPANCY
- () A TEMPORARY PERMIT OR EXTENSION THEREOF
- () A CERTIFICATE OF EXISTING USE

LOCATION OF THE PROPERTY: 11 Bristol Road - Tax ID: 38.-1-32.110 - Use District: C-1
(Street & Number) (Tax Map Number) (Use District)

PROVISIONS OF THE ZONING ORDINANCE APPEALED: (Indicate the Article, Section, Subsection & Paragraph of the Zoning Ordinance being appealed, by number. Do not quote the ordinance.) Article V - Regulations, Section D - Density Requirements

TYPE OF APPEAL: Appeal is made herewith for:

- () An interpretation of the Zoning Ordinance or Zoning Map
- () A Special Permit under the Zoning Ordinance
- (X) A variance to the Zoning Ordinance
- () A temporary permit

PREVIOUS APPEAL: A previous appeal () has (X) has not been made with respect to this decision of the Building Inspector or with respect to the property. Such appeal(s) was (were) in the form of

- () a request for interpretation
- () a request for a Special Permit
- (X) a request for a variance
- () a Temporary Permit

And was (were) made in Appeal No _____, Dated: _____

APPLICATION TO ZONING BOARD OF APPEALS (cont.)

5. **REASON FOR APPEAL:** (Complete relevant blanks. Use extra sheet if necessary.)

A. INTERPRETATION OF THE ZONING ORDINANCE IS REQUESTED because: _____

B. A SPECIAL PERMIT UNDER THE ZONING ORDINANCE IS REQUESTED
pursuant to: Article: _____, Section: _____, Subsection: _____,
Paragraph: _____ of the Zoning Ordinance, because: _____

C. A VARIANCE is requested for these reasons: () USE OR (X) AREA:

(1) STRICT APPLICATION of the Ordinance would produce UNDUE HARDSHIP
because: _____

(2) The Hardship created is UNIQUE and is not shared by all properties alike in the
immediate vicinity of this use district because: The required 100' setback from
Bristol Road makes the only viable location for an addition impossible. See attached.

(3) The variance would observe the spirit of the Ordinance and would not change the
character of the district because: There are existing structures not meeting the 100'
setback in the C-1 zone, this would not be a unique condition.

D. A TEMPORARY PERMIT IS REQUESTED because: _____

E. EXTENSION TO A TEMPORARY PERMIT IS REQUESTED because: _____

STATE OF NEW YORK }
COUNTY OF COLUMBIA } ss

Sworn to before me this 27th, day of May, 2006.

Lucy E. Keegan
Notary Public

Ch. Bill
Applicant's Signature

LUCY E. KEEGAN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01KE6266802
QUALIFIED IN COLUMBIA COUNTY
MY COMMISSION EXPIRES 08/06/2008

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: Addition to residence of David Freberg & Roberto Juarez			
Project Location (describe, and attach a location map): 11 Bristol Road Canaan NY 12029			
Brief Description of Proposed Action: Addition to and existing residence to provide storage for the owner's art collection			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			☒
			☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
Town of Canaan Building Department, Building Permit			☐
			☒
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ 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.			
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			

	NO	YES	N/A
5. Is the proposed action, 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 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 potable water: _____	☒	☐	☐
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 waterbodies regulated by a federal, state or local agency?	☒	☐	☐
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: _____	☒	☐	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ 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 the project site located in the 100 year flood plain?	☒	☐	☐
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? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☐ YES 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: _____	NO ☒	YES ☐
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 ☐
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 ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

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?	☐	☐
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, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	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?	☐	☐
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 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.

☐	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)	

PRINT



CB Design / Build

518.755.0329
info@cbdesignbuild.us
41 Bender Blvd, Ghent, NY 12075

Owner: David Freberg and Roberto Juarez

Property Location: 11 Bristol Road, Canaan, NY 12

Tax ID: 38.-1-32.110

Project Narrative:

David Fredberg and Roberto Juarez wish to construct two additions to their residence at 11 Bristol Road:

1. At the east end of the house a sunroom is planned. There are no zoning conflicts with this addition.
2. At the west end of the house an addition is planned which will provide a new entry to the house, a small home office, and personal storage. This addition has a conflict with the setbacks and requires an area variance.

The property is in the C-1 zoning district and has 100' setbacks from the centerlines of Route 295 and Bristol Road and 25' at the side and rear. The proposed addition at the west end will be within the established 100' setback from Bristol Road.

The proposed addition located on the west side of the structure is one story with a height of approximately 13', matching the height of the existing house, and has an approximate footprint of 42' wide X 38' deep.

We have explored other locations on the site, however:

- The existing septic field is in the yard between the house and Route 295, an addition in this area would disrupt the system, not provide an entry, and block the existing windows to the owner's studio.
- Locating the addition off the northwest end would block the existing windows in the primary bedroom and begins to encroach on an existing stream.
- The addition cannot connect directly along the length of the existing west wall because the existing well is located here. This requires the addition to be offset from the existing house in order to maintain clearance from the well and provide access to future service.

...due to the above listed existing constraints, we feel the proposed location suits the homeowner's needs best.

We propose to put the structure at approximately 60' from Bristol Road and are asking for an area variance of 40'-0" at the 100'-0" setback in the C-1 area of the property to allow the construction of the proposed addition in the identified location.

1 EXTENDED SITE PLAN

SCALE: 1/8" = 1'-0"

2 SITE PLAN

SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION

C-101

SITE PLAN

DATE: 1/15/2026

REVISIONS: 100% PERM CANON

DAVID FREBERG & ROBERTO JUAREZ
CASA CANAAN
11 BRISTOL ROAD, CANAAN, NY

CB DESIGN / BUILD

41 BENDER RD
CANON, NY 12025

