

Variance Application Guide

Items required for a variance request

1. A variance application
 2. Fee - \$50 (check made out to the Town of Westerlo)
 3. Completed variance application
 4. Copy of your deed
 5. Sketch/ site plan (to include items on check sheet)
 6. Short Environmental Assessment Form
 7. Agricultural Data Statement
 8. Site Visit consent form
- 9 copies of the documents above are required for a complete application

Document must be submitted 14 days prior to the ZBA meeting to be on that agenda

Applicants are encourage to contact the Building department first to go over your variance request before applying for a variance

ZONING BOARD

APPEAL REQUEST FORM

Date: / /

Submittal Fee Due With Application \$

Parcel Location: _____

Town Tax Id. #: - -

Owner: _____

Address: _____

Owner Phone # : () - - () - -

Owner(s) Signature of Consent: _____

Current Property Use: _____

Proposed Use: _____

Dept/Use

Var # : _____

Zng/Dst : _____

Article : _____

Section : _____

Date/Purpose

Submt/Dt: / /

Fee Amt : \$ _____

Fee/Pd : / /

ZB/Dt (s) : / /

_____ : / /

_____ : / /

_____ : / /

Applicant/Agent: (Complete if not the owner)

Name: _____

Address: _____

Phone #: () - -

Phone #: () - -

Interest in Property: _____

Appeal Type: Area Variance - Use Variance - Interpretation

Narrative of Appeal:

APPLICATION SUBMISSION REQUIREMENTS FOR ALL APPEALS:

1. ALL DOCUMENTS MUST BE SUBMITTED, AT A MINIMUM, 14 DAYS PRIOR TO THE ZONING BOARD MEETING AT WHICH THIS APPLICATION IS PLANNED TO BE REVIEWED
2. NINE COPIES ARE REQUIRED OF ALL DOCUMENTS SUBMITTED (PLEASE DO NOT STAPLE)

MINIMUM REQUIRED DOCUMENTS FOR ALL ZONING APPLICATIONS:

1. A COMPLETED APPLICATION FORM ACCOMPANIED BY THE APPROPRIATE FEE
2. A BRIEF WRITTEN NARRATIVE OF THE PURPOSE OF THE APPEAL
3. COPIES OF ANY APPLICATIONS OR REPORTS, AS REQUIRED TO COMPLY WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, AT A MINIMUM THE SHORT E.A.F. COMPLETED
4. NAMES AND MAILING ADDRESSES OF ALL PROPERTY OWNERS WITHIN FIVE HUNDRED (500) FEET OF THE SUBJECT PROPERTY BOUNDARY LINES

FOR INTERPRETATION AND ADMINISTRATIVE DECISION APPEALS:

- A. A WRITTEN DESCRIPTION OF THE SPECIFIC PROVISION OF THE LAW OR MAP SECTION IN QUESTION
- B. A SKETCH PLAN OF THE REAL PROPERTY TO BE AFFECTED SHOWING:
- 1. LOCATION OF THE LOT
 - 2. SIZE OF THE LOT
 - 3. TYPE AND MAGNITUDE OF THE IMPROVEMENTS PROPOSED

AREA / USE VARIANCES:

- A. A LEGAL DESCRIPTION OF THE PROPERTY (DEED)
- B. PLANS AND ELEVATIONS, AS NECESSARY, TO SHOW THE PROPOSED VARIANCE
- C. A SITE PLAN AT A SCALE OF ONE (1) INCH EQUAL TO, OR LESS THAN FIFTY (50) FEET DISPLAYING:
- 1. A NORTH ARROW
 - 2. PROPERTY BOUNDARY LINES
 - 3. MAP SCALE
 - 4. DATE
 - 5. EXISTING STRUCTURES, WATER BODIES, AND/OR ANY OTHER SENSITIVE ENVIRONMENTAL FEATURES WITHIN TWO (200) FEET OF THE SITE
 - 6. ALL PROPOSED BUILDINGS, FENCES, PAVING, SIDEWALKS, STORAGE AREAS, ACCESS DRIVE, EXTERIOR LIGHTING, OPEN SPACE AREAS, RECREATIONAL FACILITIES, LANDSCAPING, UTILITIES, DRAINAGE, SIGNS, STORM WATER FACILITIES, TYPICAL BUILDING ELEVATIONS, SITE CONTOURS AND GENERAL BUILDING LAYOUT OR FLOOR PLAN AND ANY OTHER IMPROVEMENTS
 - 7. WELLS AND EFFLUENT TREATMENT SYSTEM SERVING THE SITE, WITH APPROPRIATE DOCUMENTATION FROM THE AGENCY OF AUTHORITY OF THEIR PRELIMINARY APPROVAL
 - 8. THE FOLLOWING INFORMATION MAY BE PROVIDED ON THE SITE PLAN DRAWING OR ADDITIONAL DRAWINGS:
 - a. LOCATION OF TOPOGRAPHIC SLOPES IN EXCESS OF FIFTEEN (15) PERCENT
 - b. LOCATION OF BEDROCK AND OTHER SIGNIFICANT GEOLOGICAL FEATURES

*THIS CHECK SHEET IS PROVIDED AS A GUIDE FOR CONVENIENCE ONLY, APPLICANT SHOULD REFER TO THE APPLICABLE SECTION OF THE ZONING LAW OF THE TOWN OF WESTFIELD FOR VARIANCE REQUIREMENTS, AND ADDITIONAL INFORMATION MAY BE REQUIRED BY THE BOARD.

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:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
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	YES
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.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input type="checkbox"/>
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.			
<input 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 type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<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	YES	
	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input 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 type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

TOWN OF WESTERLO ZONING BOARD OF APPEALS/PLANNING BOARD
CR 401, P.O. BOX 148
WESTERLO, New York 12193

Site Visit Consent Form

The Town of Westerlo Zoning Board of Appeals/Planning Board requests your permission to conduct a site visit of this property to assist in the Board's application process, review and determinations. The Board seeks authority to walk the property and visit the site at the Board's unaccompanied convenience only, at any time during the duration of the application process, with consultants of our choosing.

The completed form must accompany your application for processing.

Name of Applicant: (Application Number if assigned) Application No. _____

Name of Property Owner (if other than applicant):

Location of Site:

Permission granted (by owner): yes _____ no _____

Owner's signature _____

Date _____

Agricultural Data Statement

Town of Westerlo Planning Board

Name of Applicant: _____

Address of Applicant: _____

Description of proposed project: _____

Location of proposed project: _____

Section Block & Lot Number: _____

Name & Address of any owner of land within the agricultural district, whose land contains farm operations and is located within five hundred (500) feet of the boundary of the property upon which the project is proposed (attach additional pages if necessary):

In the case of any proposed residential development that abuts agricultural uses, the Planning Board shall require the applicant to issue a disclosure, as per New York State Agriculture and Markets 25-aa, to potential purchasers of lots or dwelling units as follows: "This property adjoins land used for agricultural purposes. Farmers have the right to apply approved chemical and organic fertilizers, pesticides, and herbicides, and to engage in farm practices which may generate dust, odor, smoke, noise, and vibration." *This disclosure shall be required as a note on a subdivision plat or Site Plan.*