



Yates County Planning Board Referral Form

Referral # 2018-6
County Use Only

Date Received 02/09/2018

Revised 4/2017

Municipality and Referring Agency Town of Jerusalem Planning Board

Project Address 2485 Route 54A Penn Yan, NY 14527 Project Tax Map # 61.24-1-27.1

Zoning District General Business Zone (B1) as amended (2-15-2017)

Applicant (Name & MAILING) Seneca Farms Inc. (Nitosha Fingar), Authorized Rep.
2482, Penn Yan, NY 14527 Email Senecafarms@aol.com

Property Owner (Name & MAILING) Joseph Trombley
1925 Highland Avenue, Penn Yan, NY 14527 Email phone - (315)536-4066

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) Within 500 ft. of State Rte 54A

Application Type

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan
- Subdivision
- Text Amendment
- Map Amendment
- Other

Project Description

Construction of a new 30 ft. by 50 ft. utility storage building on the site. All required zoning setbacks will be met for this site.

Supporting Documents Required (IF N/A, include explanation)

- Municipal Application
- Tax Map or Plat
- SEQR
- Site Plan *
- Variance Criteria **
- Subdivision Plat For Subdivision Referrals Only
- Other Plot Plan

Architectural Plans of new building as drawn by Lewis Childs, Architect. Pictometry Picture of Seneca Farms and surrounding properties

*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

All Variance referrals (Area/Use) **MUST include detailed justifications associated with reason/s for appeal.

Certification: *With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.*

Eraine Nesbit / ZAP Secretary, Referring Official



Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: Yates County Planning Department, dlong@yatescounty.org or 417 Liberty St. Suite 1093, Penn Yan, NY 14527

APPLICATION

TOWN OF JERUSALEM PLANNING BOARD AND/OR ZONING BOARD OF APPEALS

Date 2/5/18 Fee \$100 Application No. #01-2018

The undersigned, being the Applicant(s) hereby petitions the Zoning Board of Appeals for

- Area Variance Appeal of a Decision by Building Inspector
 Use Variance Interpretation Special Use Site Plan

according to the provisions of the Ordinance, Local Laws, Rules and Regulations constituting the Zoning and Planning Ordinances and Regulations of the Town of Jerusalem.

Location of Property 2485 Rt. 54A

Tax Map No. 061.29-1-271 Zone District Commercial

Description of proposed request Construct New 30.0' x 50.0' utility building
Storage Use
No variance required see attached plan

Building permit application denied by Building Inspector because _____

Date _____ Building Inspector _____

- Use Not Allowed; Doesn't meet front yd. setback; Doesn't meet rear yard setback;
 Doesn't meet one or both side yard setback(s); Exceeds allowable lot coverage; Exceeds allowable height.

Attached to this application is the following documentation:

- Site Plan Construction Plans Other _____

Applicant Lewis Childs, Arch (Dave Plumlee)

Address 1925 Highland Ave Rochester NY 14618

Telephone (315) 729-2142

Interest in Property architect

Property Owner, if other than applicant Joseph R. Thumbley

Owner's Signature Joseph R. Thumbley

Owner's Address 2245 ~~0000~~ Kimball Ave

Owner's Telephone (315) 530-4066

NOTE: As a result of your filing this application, notification is given to the Planning Board and/or Zoning Board who will then visit the property site prior to their review of this application. Your permission for this visit is implied by the filing of this application.

APPLICATION FOR AN AREA VARIANCE

To enable the Zoning Board of Appeals to grant an area variance, the applicant should address the five factors listed below. Attach additional sheets if necessary. The Zoning Board of Appeals will consider these five factors when balancing two elements: (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.

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 grant of the variance.

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

5. Whether the alleged difficulty was self-created.

Applicant Signature: _____

Date: _____

Application For a Use Variance

To enable the Zoning Board of Appeals to grant a use variance, the applicant must demonstrate to the Zoning Board of Appeals that the zoning has caused unnecessary hardship, which is defined to require a showing that the following four items are true. Attach additional sheets if necessary.

1. That under the applicable zoning regulations, the applicant is deprived of all economic use or benefit from the property, (the applicant must provide "dollars and cents" proof of this fact.)

2. That the hardship is unique, and does not apply to a substantial portion of the district neighborhood.

3. That the variance will not alter the essential character of the neighborhood.

4. That the hardship is not self created.

Applicant Signature _____

Dated _____

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: <i>Seneca Farms Inc</i>			
Project Location (describe, and attach a location map): <i>2485 RT. 54A</i>			
Brief Description of Proposed Action: <i>Construct 30x50 storage facility. Property already zoned R2017 and the property lines have been adjusted</i>			
Name of Applicant or Sponsor: <i>Nitesha Tugan</i>		Telephone: <i>(30) 8243-9484</i>	
		E-Mail: <i>senecafarms@aol.com</i>	
Address: <i>2482 RT. 54A</i>			
City/PO: <i>Penn Yan</i>		State: <i>NY</i>	Zip Code: <i>14527</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 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: <i>Town of Jerusalem, NY building permit</i>			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>1.305</u> acres	
b. Total acreage to be physically disturbed?		<u>.630</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.510</u> 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 checked="" type="checkbox"/> Commercial <input checked="" 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? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <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? 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?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <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 <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: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <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? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	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? 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 <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	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 checked="" 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 checked="" 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 checked="" type="checkbox"/> YES _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	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>NO</p> <p><input checked="" 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>NO</p> <p><input checked="" 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>NO</p> <p><input checked="" 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: <u>Nitesha Trigg</u></p>		<p>Date: <u>2/5/18</u></p>
<p>Signature: <u>NB Trigg</u></p>		

Michele Gee

From: Joseph R Trombley <jrtrombley54@yahoo.com>
Sent: Thursday, February 15, 2018 2:34 PM
To: Dan Long; Michele Gee
Subject: Seneca Farms

This is Joe Trombley from Seneca Farms saying that I allow my daughter Nitosha Fingar to speak on my behalf regarding the storage building that we are asking to have built. I just got home from Florida and will be able to be at the meeting on the 22nd.

Thanks, Joe Trombley