



Yates County Planning Board Referral Form

Referral #
County Use Only 2021-15

Date Received 3-11-2021

Revised 4/2017

Municipality and Referring Agency Town of Jerusalem

Project Address _____ Project Tax Map # _____

Zoning District _____

Applicant (**Name & MAILING**) Town Board

3816 Italy Hill Road, Branchport 14418 Email _____

Property Owner (**Name & MAILING**) _____

_____ Email _____

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) _____

Local Law zoning amendment

Application Type

Project Description

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

Amendment specifying Zoning Board of Appeals public hearing notice

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 _____

*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.*

_____ 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

Local Law No. C of the year 2020

A Local Law Amending the Town of Jerusalem Zoning Ordinance

Be it enacted by the **Town Board**

Town of Jerusalem

as follows:

Section 1. Subsection (6) of paragraph A. (Use variances) of Section 160-70.1 (Variances; procedure) of Article XV (Zoning Board of Appeals) of The Town of Jerusalem Zoning Ordinance is hereby amended with the insertion of a new subparagraph (p) to read as follows:

(p) Impacted Agency and utility recommendations. A written recommendation from every “involved agency” and “interested agency”, as those terms are defined in 6 CRR-NY 617.2 (t) and (u), respectively, as amended, and from every federal, state, county, town and other agency, as well as any utility, determined by the Zoning Board of Appeals to be affected by the proposed project setting forth whether they support or do not support the proposed project and their reasons therefore.

Section 2. Paragraph B. (Area variances) of Section 160-70.1 (Variances; procedure) of Article XV (Zoning Board of Appeals) of The Town of Jerusalem Zoning Ordinance is hereby amended with the insertion of a new subsection (5) to read as follows:

(5) In addition to the application requirements from time to time established pursuant to law and this chapter, applications for an area variance shall contain a written recommendation from every “involved agency” and “interested agency”, as those terms are defined in 6 CRR-NY 617.2 (t) and (u), respectively, as amended, and from every federal, state, county, town and other agency, as well as any utility, determined by the Zoning Board of Appeals to be affected by the proposed project setting forth whether they support or do not support the requested area variance and their reasons therefore.

Section 3. Subparagraph (c) of subsection (3) of paragraph B. of Section 160-73 (Hearings; notices; decisions; costs) of Article XV (Zoning Board of Appeals) of The Town of Jerusalem Zoning Ordinance is hereby repealed and a new subparagraph (c) is inserted in its place to read as follows:

(c) The relief requested in specific detail to inform the public of the actual relief, if granted. For area variance applications, this notice shall state, at a minimum, the dimensional or physical requirements of this Chapter the applicant wants to vary along with a statement of how, specifically, the applicant wants to vary such requirements. For use variance applications, this notice shall state, at a minimum, the specific use the applicant wants to conduct on the property that is not permitted by this Chapter.

Section 4. Severability

If any clause, sentence, paragraph, section or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law or in its application to the person, individual, firm or corporation or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Superseding Effect.

Pursuant to New York Municipal Home Rule Law, Section 22, the provisions of this law are to supersede any inconsistent provision of state or local law.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.