



Yates County Planning Board Referral Form

Referral #
County Use Only 2016-26

Date Received 05/17/2016

Revised 1/2014

Municipality and Referring Agency Town of Benton

Project Address 1074 Rt 14A Project Tax Map # 27.02-1-16

Zoning District AR1

Applicant (Name & MAILING) David Hoover

1045 Rt 14A Email _____

Property Owner (Name & MAILING) same

_____ Email _____

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) located on state road

Application Type

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

Project Description


relocate existing woodworking shop from 1045 rt 14a to 1074 rt 14a which requires special use permit and two variances. (1) accessory building located in front of primary residence and (2) does not meet required front setback

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, Sbonshak@yatescounty.org or 417 Liberty St. Suite 1093, Penn Yan, NY 14527

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.

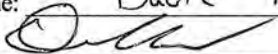
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: 44 SUPAU-16							
Project Location (describe, and attach a location map): 1074 RT14A							
Brief Description of Proposed Action: Special use permit and area variances							
Name of Applicant or Sponsor: David Hoover		Telephone:					
		E-Mail:					
Address: 1045 RT 14A							
City/PO: Penn Yan		State: N.Y.	Zip Code: 14527				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input 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: Town of Benton S.U.P.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?			5+ acres				
b. Total acreage to be physically disturbed?			Less than 1 acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			20+ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" 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 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	YES	
	<input type="checkbox"/>	<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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" 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 checked="" 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 checked="" 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 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 type="checkbox"/> Forest <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" 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 checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input checked="" 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"/> NO <input checked="" type="checkbox"/> YES		

<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)? If Yes, explain purpose and size: _____ _____ _____</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? If Yes, describe: _____ _____ _____</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? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: David Hoover Date: 5-16-16
 Signature: 

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project: _____
 Date: _____

**Short Environmental Assessment Form
 Part 3 Determination of Significance**

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 FORM

Reasons for appeal

- ① Topography - goes uphill as you move further west
- ② Large R.O.W - 50' instead of 33' or 25'
- ③ Next parcel to north is in Hamlet center which only requires 20' front setback.
- Would be typical of Neighbourhood

TOWN OF BENTON

PLANNING BOARD - ZONING BOARD OF APPEALS APPLICATION

Application No. 44SUPAV-16 Date 5-12-16 Fee 80⁰⁰

Name: David Hoover phone _____

Address: 1045 RT 14A email _____

Applicant is applying for the following:

- Area Variance Zoning Interpretation
 Use Variance Subdivision
 Special Use Permit Site Plan Review

Other _____

Location of Property 1074 RT 14A

Tax Map No. 27.02-1-16 Zoning District AR1

Describe Action requested:

Relocate existing wood working shop
from 1045 RT 14A to 1074 RTA.

Requires special use permit and (2) Two
variances (1) accessory building located in front
of primary residence and (2) Does not meet
required front setback

Area Variance Information:

	Required	Actual	Variance Request
Frontage:	_____	_____	_____
Front Setback:	<u>80</u>	<u>20</u>	<u>50</u>
Side Setback:	<u>15</u>	<u>16</u>	_____
Rear Setback:	<u>25</u>	<u>100+</u>	_____
Lot Size:	_____	_____	_____

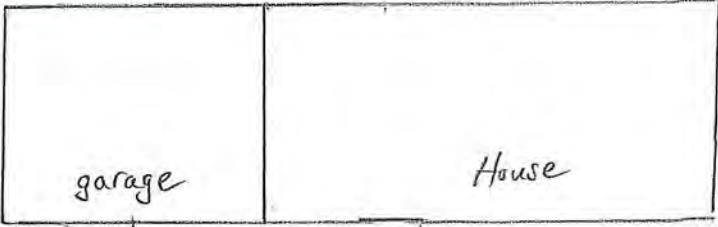
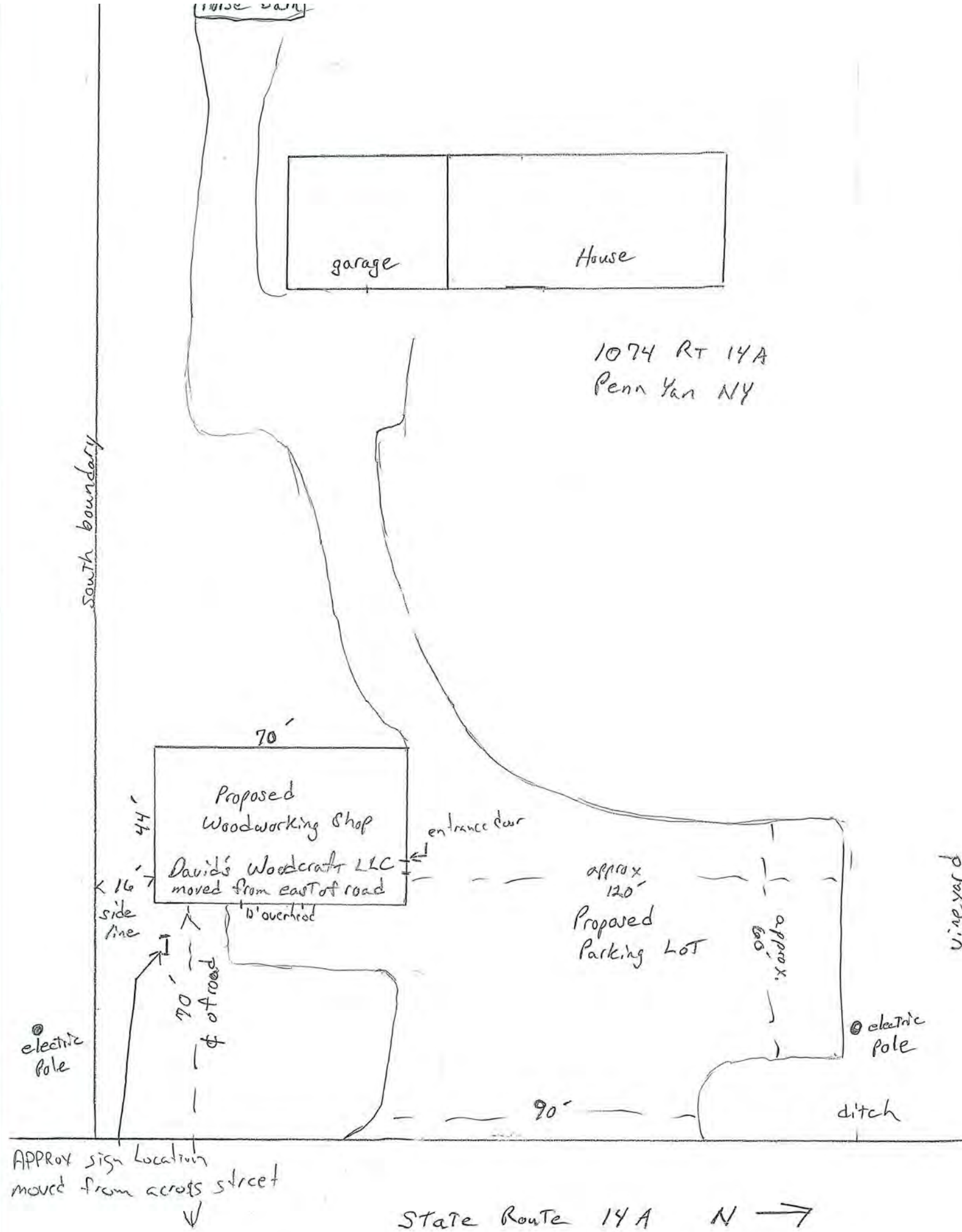
Attached to this application is the following documentation:

Site Plan Construction Plans SEQR Other _____

Property Owner _____ Telephone _____

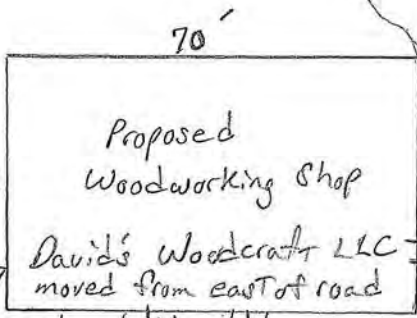
Address _____

Signature  Date 5-16-16



1074 RT 14A
Penn Yan NY

South boundary



approx 120'
Proposed
Parking Lot

vineyard

electric pole

ditch

electric pole

APPROX sign location
moved from across street
↓

State Route 14A N →

- (7) Temporary signs for the sale of seasonal fruits and vegetables during the growing season shall be allowed when a permitted or a special use occupation is involved and shall have an aggregate total face area of not more than a maximum of 16 square feet per side, not to exceed 32 square feet in total area.
- (8) Temporary signs shall be constructed of light-weight, nondurable materials and shall generally appear and be temporary in nature.
- (9) Temporary signs shall not be located within the limits of a public right-of-way and shall be located in such a manner as not to interfere with traffic or pedestrian visibility.
- (10) Temporary signs, event posters or banners, other than for the sale of seasonal fruits and vegetables, shall contain no more than two sides with a maximum area of 10 square feet per side for a total area of 20 square feet.
- (11) Temporary signs may be displayed for a maximum of six months per year.
- (12) Larger temporary signs may only be used with issuance of a special use permit.

C. Business signs.

- (1) The design, appearance and location of a sign and the material used in the fabrication of the sign shall be submitted to and approved by the Planning Board before a permit is issued to erect a sign.
- (2) Maximum signage, both attached and detached from the building, shall consist of no more than 10% of the area of the primary building facade.
- (3) One detached sign shall be permitted and shall contain no more than two sides with a maximum area of 32 square feet per side for a total area of 64 square feet. A second detached sign may be permitted with issuance of a special use permit.
- (4) A dwelling unit in which a home occupation is permitted may display a sign noting such an occupation. Such sign shall contain no more than two sides with a maximum area of 10 square feet per side for a total area of 20 square feet.
- (5) Subdivision signs are permitted. Such signs shall contain no more than two sides with a maximum area of 16 square feet per side for a total area of 32 square feet.

§ 110-52. Accessory buildings and uses. [Amended 6-17-1996 by L.L. No. 1-1996]

- A. Accessory buildings not attached to principal buildings shall comply with the following requirements:
- (1) No accessory building shall exceed 20 feet in total height, except agriculture structures.
 - (2) No accessory building shall be located closer than 15 feet to a side or rear lot line.
 - (3) No accessory building shall be located within the required front yard or closer to the front lot line than the existing principal residential building.