



TOWN OF WALES
ZONING BOARD OF APPEALS
APPLICATION

APPEAL NO. _____

DATE 8/14/2025

TAX MAP OR S.B.L.# 201.20-1-15

Applicant's Name: Andrea K. Neitch
Address: 11077 Darling Road, South Wales, NY 14139
Phone #: 574-286-3420

Location of Property if Different from Above:

If Applicant is not the owner, or if more than one owner, provide information for each:

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
Phone#: _____

Provision(s) of the Zoning Ordinance Appealed

Indicate the Article, Section, Subsection and Paragraph of the Zoning Ordinance you are requesting an appeal for: Zoning Section 200, Paragraph 200-65 from 1992. I am appealing the 20' rear & 20' side requirements for an accessory building on property with a one-family dwelling.

Type of Appeal:

- () INTERPRETATION OF THE Zoning Ordinance or Zoning Map
- () AREA VARIANCE -Does not involve a use prohibited by Zoning Regulations, but involves change of Dimensional or Physical Requirements of regulations
- (X) USE VARIANCE- Use of land for a purpose which is otherwise not allowed or Is prohibited by the Applicable Zoning Regulations
- () OTHER- Please describe: _____



TOWN OF WALES

AGRICULTURAL DATA STATEMENT

Changes in NYS Agricultural Markets Law requires submission of an agricultural data statement by an applicant to the municipality for a rezone, special use permit, site plan approval, use variance, or subdivision of parcel(s) in an agricultural district or within 500 feet of a farm operation located in an agricultural district.

Applicant's Name & Address:

Andrea K. Neitch
11077 Darling Road
South Wales, NY 14139

Owners Name & Address
(if different from applicant)

Type of Application: ☐ Re-Zone/Map Change
☒ Subdivision approval ☒ Use Variance

☐ Special Use Permit
☐ Site Plan Approval

Project Name/Location and Description of Proposed Project:

I would like to place a 12' x 28' prefabricated utility shed on the southwest side of my property, preferably no less than 5' from my south & southwest property lines.

Tax Map Number: 201.20-1-15

Number of total acres involved with the project: 0.3768

Current use of site: Residence & personal property

Will there be any toxic hazardous, chemicals substances or combination thereof, stored or used on the premises? If yes, indentify each and include all MSDS (Material Safety Data Sheets) No

Are there any drainage ways or features (ditches, tiles, streams, gullies) located on this site?

☐ YES ☒ NO

If yes, will this project alter existing drainage patterns? If yes, please describe

Applicant's Signature: Andrea K. Neitch

Owner's Signature: Andrea K. Neitch

Date: 8/14/2025

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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: <u>Placement of prefabricated utility shed on my property</u>			
Project Location (describe, and attach a location map): <u>11077 Darling Road, South Wales, NY 14139</u>			
Brief Description of Proposed Action: <u>I am requesting a variance to get approval to place a prefabricated utility shed on my property, no less than 5' from my south & southwest property lines.</u>			
Name of Applicant or Sponsor: <u>Andrea K. Neitch</u>		Telephone: <u>574-286-3420</u> E-Mail: <u>aneitch@gmail.com</u>	
Address: <u>11077 Darling Road</u>			
City/PO: <u>South Wales</u>		State: <u>NY</u>	Zip Code: <u>14139</u>
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. <i>See attached</i>			X
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:		X	
3.a. Total acreage of the site of the proposed action?		<u>0.3768</u> acres	
b. Total acreage to be physically disturbed?		<u>n/a</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>n/a</u> acres	
<i>*it is a 12' x 28' utility shed</i>			
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			

From Code of the Town of

Wales New York

1992

Zoning
Section 200

Town of Wales

Schedule of Area, Lot and Bulk Requirements

A-Agricultural District

[Amended 11-9-1994 by L.L. No. 2-1994; 4-9-1997 by L.L. No. 2-1997; 12-8-1998 by L.L. No. 2-1998]

Zone District	Permitted Uses	Minimum Yard Requirements											Maximum Building Height	Minimum Floor Area (square feet)
		Principal Building					Accessory Building		Side					
		Minimum Lot Size			Front (feet)	Rear (feet)	Side		Rear (feet)	Side (feet)	Stories	Feet		
		Area (acres)	Width (feet)	Depth (feet)			1 (feet)	Both (feet)						
A-Agricultural	1-family dwellings	3	250	300	75	50	20	40	20	20	2½	35	920	
	2-family dwellings	10	400	300	75	50	50	100	50	50	2½	35	720 per dwelling unit	
	Religious and quasi-public uses	3	250	250	75	50	40	80	40	40	2½	35	--	
	Nursing homes	5	300	300	75	50	50	100	50	50	1	20	--	
	Farms	10	400	300	75	100	50	100	50	50	2½	35	920 (residential)	
	Camping grounds¹	10	400	500	100	300	100	200	300	100	2½	35	--	
	Outdoor commercial recreation¹	10	400	500	100	300	100	200	300	100	2½	35	--	
	Veterinarian offices or animal kennels or hospitals	3	300	200	75	75	75	150	75	100	1	20	--	
	Excavation operations¹	10	400	400	100	100	100	200	100	100	2½	35	--	
	Mobile home courts¹	25						See Chapter 139, Mobile Homes						
	Multifamily dwellings¹	3	250	300	75	50	20	40	30	20	2½	35	--	
	Housing for elderly²													
	Above-grade public utility uses and telecommunications facilities¹													

See Chapter 100, Telecommunications Facilities

See Chapter 139, Mobile Homes

NOTES:

¹ Permitted with special permit only.

² Elderly housing requirements shall conform to federal regulations.

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5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	It requires a building permit which was issued on 8/6/25.	NO	YES	N/A
			X	
				X
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
			X	
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	
			X	
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	YES	
			X	
			X	
			X	
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	
			X	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? ☐ NO ☐ YES] If No, describe method for providing potable water: _____		NO	YES	
			X	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? ☐ NO ☐ YES] If No, describe method for providing wastewater treatment: _____		NO	YES	
			X	
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	YES	
			X	
			X	
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	YES	
			X	
			X	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: N/A ☐ 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?		NO	YES	
			X	
16. Is the project site located in the 100 year flood plain?		NO	YES	
			X	
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)? If Yes, briefly describe: _____		NO	YES	
			X	
			X	

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
	X	
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
	X	
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
	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Andrea K. Neitch</u>	Date: <u>8/14/2025</u>	
Signature: <u>Andrea K. Neitch</u>		

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?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
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?	X	
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?	X	
7. Will the proposed action impact existing:		
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	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?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

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.

N/A

☐ 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)