

TOWN OF ELBRIDGE

GUIDELINES & APPLICATION FOR

Zoning Board of Appeals

PART - 1

5 Route 31 – P.O. Box 568 – Jordan, N.Y. 13080

COMPLIANCE WITH THE FOLLOWING RULES WILL IN NO WAY GUARANTEE APPROVAL OF AN APPLICATION.

It may even be necessary for the board to request additional information to make its decision.

The Zoning Board of Appeals meets on the third Wednesday of each month at 7:00 P.M. local time at the Elbridge Town Hall, 5 Route 31, Jordan, New York. The Board adopts a schedule of meetings each year, which is available upon request.

The burden of proof for all applications is on the applicant, who should be prepared at the time of the public hearing to describe the application, state the necessity for the application, and show compliance with the applicable tests for approval (see attached sheets applicable specifically to area variance). The applicant, or the applicant's duly authorized agent, must appear at all public hearings held on the application. Failure to appear may result in automatic denial.

The requirements set out in this packet for the applications to the Zoning Board of Appeals are not to be considered all-inclusive. Depending on the nature and scope of a particular application, it is the prerogative of the Building Inspector, the Zoning Board secretary or the Zoning Board of Appeals to request more information of the applicant.

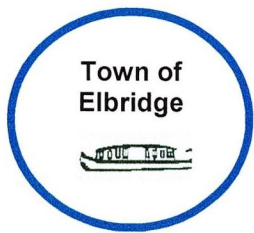
A complete package of application materials must be filed with the secretary of the Zoning Board of Appeals of the Town of Elbridge on or before the submission deadline for the required hearing date of the application. A schedule of public hearing dates, including submission deadlines, is available from the Zoning Board of Appeals secretary. An application to the Zoning Board of Appeals will not be accepted until all required materials have been deemed to be complete and accurate. The Board has adopted a policy of accepting only the first four (4) complete applications submitted for any one agenda. **All application materials will be available for public review.**

Approximately five (5) days prior to the public hearing, the Town will post a sign in a conspicuous location on the subject property. This sign should be maintained on the property until it is removed by the Town.

Any questions regarding the initial completion of this application may be directed to the Code Enforcement Office, phone (315) 689-9031 Ext#6 between 9:00am and 4:30pm, Monday through Friday. Once the application has been submitted and/or the Hearing Guide has been received questions may be directed to the ZBA Secretary, phone (315) 689-9031 Ext#6 in the Town Clerk's Office between 9:00 am and 4:30 pm, Monday through Friday.

(Part-1) THE FIRST 9-PAGES ARE INFORMATIONAL FOR THE APPLICANT.

(Part-2) PLEASE RETURN THE REMAINDER OF THE APPLICATION TO THE CODE ENFORCEMENT OFFICE



REQUIREMENTS FOR ALL APPLICATIONS

A complete application consists of the following forms and documentation. Except where otherwise specified, nine (9) copies of each form/item of documentation should be collated into packets no larger than 8½" by 11".

- 1) The one-page application form (pg. 2 of part 2) filled out completely and accurately, typed or printed (*9 copies*)
- 2) Referral Form – The Town Building Inspector must be shown the herein-described instrument survey and/or plans for any proposed changes to the site, or for any proposed changes to the use on the site. He/she will make a determination as to what variances you need to apply for and provide you with a referral form indicating the current zoning of the subject property and what type of application is relevant, once the application is submitted. The Zoning Officer will complete this form after an applicant has submitted an application. *[9 copies]*
- 3) Authorization to make application – When the applicant is not the owner of the subject property, the Authorization to Make Application form (pg.4) must be completed and signed by the owner and included as part of the application. *[9 copies]*
- 4) Proof of a contractual relationship with the owner of the property if the applicant is a renter or lessee. *[9 copies]*
- 5) A current Instrument Survey of the subject property – A signed and/or sealed INSTRUMENT SURVEY MAP, prepared by a professional engineer or licensed land surveyor, accurately depicting the CURRENT status of the subject property, and the setbacks of all such existing structures, i.e., the closest distance between the nearest property line and the structural wall closest to that property line. *[One (1) stamped original and eight (8) copies]*

NOTE: In a situation where average lot width at the required front setback, or percentage of impervious surface coverage, or the size of a structure is a possible issue, that information should be clearly indicated on the instrument survey.

All instrument surveys shall include the following information for the subject property:

- A Front, side and rear property lines with lengths indicated
- B ALL structures
- C Front, side and rear setbacks of all structures
- D Easements
- E Driveways
- F Any abutting roads and the name(s) of such road(s)
- G North arrow and scale
- H Distance of structural wall on most affected abutting property from common property line.

NOTE: The Building Inspector may waive the requirement of an instrument survey, by so writing on the referral form however; the Zoning Board may in its discretion require a survey or other certified documents.

- 6) A sketch, drawn to scale and signed, showing any proposed new structure or addition to an existing structure, showing setbacks. This is best accomplished by having a licensed land surveyor add this information to an instrument survey. When deemed acceptable by the Building Inspector, an applicant may alter an instrument survey to show a proposed addition to an existing

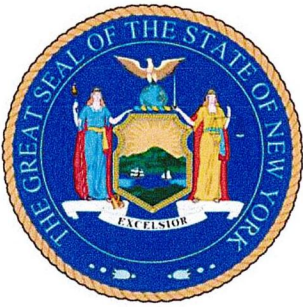
structure. Such altered survey must be labeled "SKETCH" in large letters to indicate it has been altered, and additions must be accurately drawn to scale. *[9 copies]*

- 7) Architectural elevations – If the variance requested concerns a new structure or an addition to an existing structure, architectural elevations, with scale indicated, are required. The height of the structure as defined in the Town Zoning Ordinance, i.e., "...the vertical distance as measured from the average elevation of the proposed finished grade at the front of a building or of a structure to the highest point of the building or the structure, which highest point shall include, but not be limited to, the highest or topmost point of the roof together with all towers, elevator penthouses, signs, tanks, elevator or stair bulkheads, mechanical equipment, light poles and light standards, except for poles or standards of a public utility company," must be clearly shown on the elevation. *[9 copies]*
- 8) Any other materials, such as photographs, maps, landscape plans, specifications, details, etc. which would further clarify the application. *[9 copies]*
- 9) Tests for Granting Area Variances as listed on page 3. Prepare response form (pg. 7) as completely as possible. *[9 copies]*
- 10) Disclosure Form E (pg. 5 of part 2) in compliance with Section §806 of the General Municipal Law. (pg. 6) *[9 copies]*
- 11) Submission of the appropriate application fee (\$200.00), in accordance with the current fee schedule. (pg. 11) This fee covers the cost of the legal ad, which appears in the Syracuse Post Standard, and part of the administrative costs involved. The check should be made payable to the "ElbridgeTown Clerk".
- 12) The applicant is **strongly advised** to communicate with adjacent property owners who might be affected by the granting of the variance. Public comment on an application will not in itself be the basis of a decision, but may factor into the board's decision process.

In making its determination, the Zoning Board of Appeals follows Article XI of the Town Municipal Code and will consider the following:

1. Lot area
2. Type of construction
3. Parking facility
4. Traffic hazards
5. Fire hazards
6. Offensive odors, smoke, fumes, noise and light
7. The general character of the neighborhood
8. The nature and use of other premises
9. The location and use of other buildings in the vicinity
10. Whether or not the proposed use will be detrimental to neighboring property

ADOPTED April 22nd, 2021



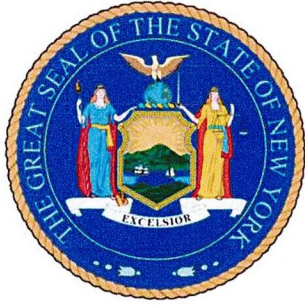
NEW YORK STATE

GENERAL MUNICIPAL LAW

SECTION § 809

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of them...
 - (a) is the applicant, or
 - (b) is an officer, director, partner or employee of the applicant, or
 - (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
 - (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

(See page 6 of part 2)



NEW YORK STATE

STANDARDS FOR THE GRANTING OF AREA VARIANCES, USE VARIANCES, SPECIAL PERMITS & INTERPRETATIONS

TOWN LAW SECTION § 267-b.

§ 267-b. Permitted action by board of appeals.

Power to Grant Area Variances

Area variances

(a) The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such Ordinance or local law, to grant area variances as defined herein.

Tests for Granting Area Variances

- (b) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:
- (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 granting of the area variance;
 - (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 - (3) Whether the requested area 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 district; and
 - (5) Whether the alleged difficulty was self- created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Minimum Variance Necessary

(c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Power to Impose Conditions

Imposition of conditions. The board of appeals shall, in the granting of both use variances and area variances; have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

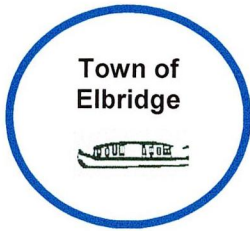
USE VARIANCES

- (1) That the applicant cannot realize a reasonable return provided that the lack of return is substantial as demonstrated by competent financial evidence. Town Law Section 267- b(2)(b)(1); Village Law Section 7-712-b(2)(b)(1); General Cities Law Section 81-b(3)(b)(i).
 - a) Must prove this for ALL permitted uses in the district, including Special Permit uses and non-conforming (if applicable) *Matter of Forrest vs. Evershed*, 7 NY2d 256.
 - b) Proof must be "dollars and cents" *Fayetteville vs. Jarrod*, 53 NY2d 254.
- (2) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
 - a) *Douglaston Civic Assn, Inc. vs. Klein*, 51 NY2d 963.
- (3) That the requested use variance, if granted, will not alter the essential character of the neighborhood.
 - a) The Comprehensive Plan and likelihood of inconsistent development in the future can be considered. *Sepulcher Cemetwy vs. BZA of Town of Greece*, 271 AD33.
 - b) Compatibility with existing developed uses can be considered *Rochester Transit Corp. vs. Crowley*, 205 Misc. 933; *Matter of Style Rite Homes, Inc. vs. ZBA of Town of Chili*, 54 Misc.2d 866.
- (4) That the alleged hardship has not been self-created.
 - a) The existence of self-created hardship is an absolute bar to the granting of a use variance.
 - b) If an applicant bought the land with actual or imputable knowledge of the zoning ordinance prohibition, self-created hardship is present.
 - c) A non-conforming use is not a self-created hardship. *Crossroads Recreation vs. Bros*, 4 NY2d 39.

INTERPRETATIONS.

- (1) Jurisdiction is dependent upon an actual determination of the zoning enforcement officer. Advisory opinions are not permissible.
- (2) Only the zoning board of appeals has authority to overrule the zoning enforcement officer, (Not the legislative body, except by code amendment).

The zoning enforcement officer's decision is final and binding UNLESS the zoning board of appeals votes to override within 62 days of the close of the hearing.



TOWN OF ELBRIDGE

AREA VARIANCE

FEE SCHEDULE

Zoning Board of Appeals – 5 Route 31 - Jordan, N.Y. 13080 – 315) 689-9031 Ext#6

Area Variances – Residential and Non-Profit

Single	\$200.00 each
--------	---------------

Area Variances – Non-Residential

Single	\$200.00 each
--------	---------------

ZBA Local Interpretation

	\$200.00 each
--	---------------

Re-advertisement

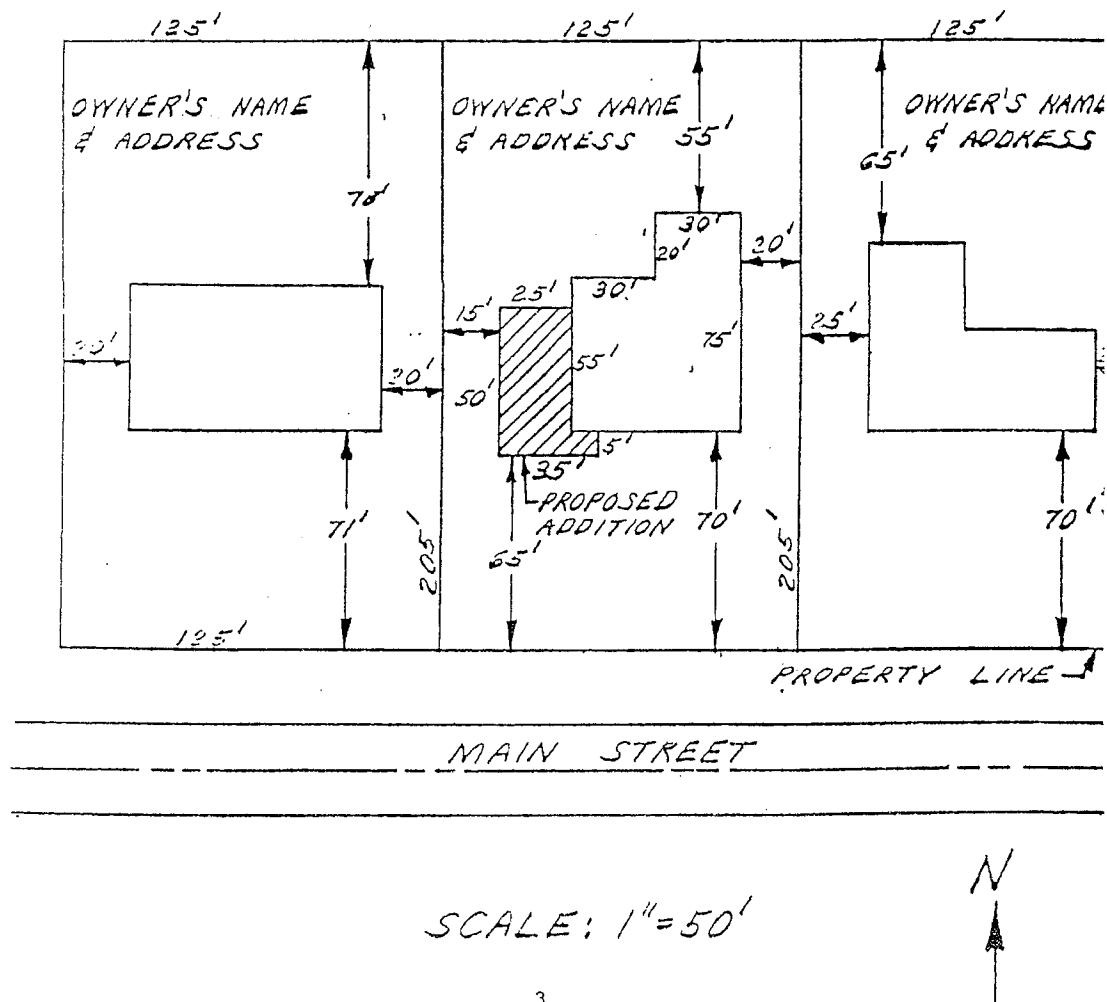
Every re-advertisement	\$100.00 each
------------------------	---------------

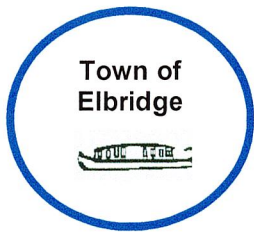
Applicant's request for postponement may require a re-advertisement fee

SAMPLE SCALED SKETCH FOR VARIANCE

All scaled sketches for the purpose of a variance application shall; contain the following information for the premises for which the variance is sought, and all abutting premises.

1. Front, side and rear property lines
2. All structures
3. Front, side and rear setbacks
4. Driveways
5. Easements
6. Any abutting roads
7. Proposed addition
8. North arrow and scale





TOWN OF ELBRIDGE

APPLICATION FORM

CHECK LIST

Zoning Board of Appeals – 5 Route 31 - Jordan, N.Y. 13080 – 315-689-9031 Ext#6

CHECKLIST: Please check your paperwork against the following list prior to submitting it to the Zoning Board of Appeals Secretary. These documents should be collated into packets no larger than 8 ½" by 11" in size so they are able to be mailed.

- ☐ Zoning Board of Appeals application form (pg. 2 of part 2) **9 copies**
- ☐ Referral Form prepared by the building inspector, **9 copies**
- ☐ The Zoning Officer will complete this form after the application has been submitted.
- ☐ Authorization to make application (pg. 3) **9 copies (when applicable)**
- ☐ Proof of contractual relationship, **9 copies (when applicable)**
- ☐ Instrument survey map, **9 copies**
- ☐ Scaled sketch, **9 copies**
- ☐ Elevations, **9 copies**
- ☐ Any other materials, such as photographs, maps, landscape plans, specifications, details, etc. which would further clarify the application, **9 copies**
- ☐ Tests (written response to each) for granting area variances (pg. 7) **9 copies**
- ☐ Disclosure Form E (pg. 8) **9 copies**
- ☐ Check made out to "Elbridge Town Clerk" for application fee.

GIVEN TO THE APPLICANT:

- ☐ Applicable Code Section
- ☐ Application Packet

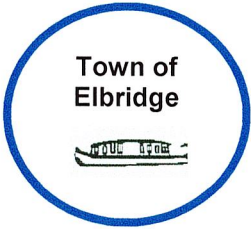
RECEIVED FROM APPLICANT

- ☐ 9 Complete Sets of application materials
- ☐ Fee Payment

Date of Public Hearing

Note: All application materials will be available for public review

Tax Map # _____



Town of Elbridge Zoning Board of Appeals

Date: _____

Subject: ☐ *Area Variance* ☐ *Use Variance* ☐ *Interpretation*

To the Zoning Board of Appeals of the Town of Elbridge:

I hereby request a meeting with the Town of Elbridge Zoning Board of Appeals at the earliest possible date to discuss the above mentioned subject.

Print: _____

Signed: _____

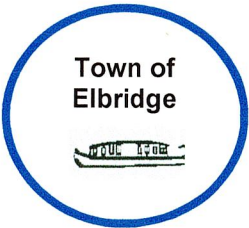
Address: _____

Phone: _____

E-mail: _____

Return to Town of Elbridge Codes Office
C.E.O Howard Tanner
Town of Elbridge
PO Box 568
Jordan, New York 13080-056
315-689-9031 Ext#6 – Office
315-730-7439 - Cell

Department of Codes & Zoning



APPLICATION
To
THE TOWN OF ELBRIDGE
ZONING BOARD OF APPEALS

Principal Office Location
5 State Route 31, PO Box 568, Jordan, NY 13080
Ph. 315/689-9031 Ext#6 Fax: 315/689-3122
Web Site: townofelbridge.com
E-mail: codesoffice@townofelbridge.com

Date _____

PROPERTY DESCRIPTION:

(Street Address, and/or Lot Block, Section, Tract)

Tax Parcel Number: _____ - _____ - _____ Current Zoning District: _____

Current Property Owner (Name, Address) _____

APPLICANT INFORMATION: (Contact Person; Name, Address)

Phone _____

DESCRIPTION:

Date when purchased _____ Acreage _____

Distance to the nearest major intersection _____

Is the property located within 500 ft. of a municipal boundary? _____

DOES HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FOR A (AN):

A) **INTERPRETATION:** Chapter _____ Article _____ Section # _____ Paragraph _____ Page _____

Specific reason for request? _____

B) **AREA VARIANCE:** Chapter _____ Article _____ Section # _____ Paragraph _____ Page _____

Minimum amount of variance required? _____

C) **USE VARIANCE:** Chapter _____ Article _____ Section # _____ Paragraph _____ Page _____

The property will not yield a reasonable return if developed in conformity with any permitted use allowed in the Zoning District.

I (we) hereby certify that I (we) am (are) the owner (s) and occupant of this property and that, to the best of my (our) knowledge, all the information is true and correct.

Signature: _____ **Date:** _____

Signature: _____ **Date:** _____

*At Times the ZBA may refer the applicant to the Planning Board for a review.

Zoning Board of Appeals (ZBA)

INSERT: AREA Variance

Applicant Name: _____

Property Tax Map# _____

The applicant understands that:

(please mark or check to acknowledge that you have read each)

- ☐ The area variances, if granted shall be the minimum variance necessary and adequate, while preserving and protecting the character of the neighborhood and the health, safety and welfare of the community.
- ☐ The ZBA shall consider the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community.

The applicant **shall respond in writing** to the following required criteria. (use additional sheets if needed)

AREA VARIANCES. Town Law Section 267-b(3)(b); Village Law Section 7-712-b(3)(b); General Cities Law Section 81-b(4).

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created.

Applicant response: -

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than by the variance.

Applicant response: -

3. Whether the requested area variance is substantial.

Applicant response: -

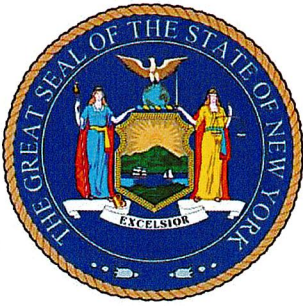
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Applicant response: -

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude the granting of the variance.

Applicant response: -

- a) The consideration of these five factors essentially creates a balancing test with the benefit/detriment to the applicant on the one hand and the benefit/detriment to the municipality on the other. Because the balancing test is somewhat subjective, a full explanation of the board's reasoning is advised.
- b) "Practical difficulties" is no longer required. *Sasso vs. Osgood*, 86 NY2d 374



NEW YORK STATE

STANDARDS FOR THE GRANTING OF AREA VARIANCES, USE VARIANCES, SPECIAL PERMITS & INTERPRETATIONS

TOWN LAW SECTION § 267-b.

§ 267-b. Permitted action by board of appeals.

Power to Grant Area Variances

Area variances

(a) The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such Ordinance or local law, to grant area variances as defined herein.

Tests for Granting Area Variances

- (b) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:
- (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 granting of the area variance;
 - (2) Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 - (3) Whether the requested area 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 district; and
 - (5) Whether the alleged difficulty was self- created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

Minimum Variance Necessary

(c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

Power to Impose Conditions

Imposition of conditions. The board of appeals shall, in the granting of both use variances and area variances; have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning ordinance or local law, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

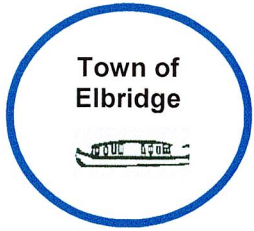
USE VARIANCES

- (1) That the applicant cannot realize a reasonable return provided that the lack of return is substantial as demonstrated by competent financial evidence. Town Law Section 267- b(2)(b)(1); Village Law Section 7-712-b(2)(b)(1); General Cities Law Section 81-b(3)(b)(i).
 - a) Must prove this for ALL permitted uses in the district, including Special Permit uses and non-conforming (if applicable) *Matter of Forrest vs. Evershed*, 7 NY2d 256.
 - b) Proof must be "dollars and cents" *Fayetteville vs. Jarrod*, 53 NY2d 254.
- (2) That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
 - a) *Douglaston Civic Assn, Inc. vs. Klein*, 51 NY2d 963.
- (3) That the requested use variance, if granted, will not alter the essential character of the neighborhood.
 - a) The Comprehensive Plan and likelihood of inconsistent development in the future can be considered. *Sepulcher Cemetary vs. BZA of Town of Greece*, 271 AD33.
 - b) Compatibility with existing developed uses can be considered *Rochester Transit Corp. vs. Crowley*, 205 Misc. 933; *Matter of Style Rite Homes, Inc. vs. ZBA of Town of Chili*, 54 Misc.2d 866.
- (4) That the alleged hardship has not been self created.
 - a) The existence of self-created hardship is an absolute bar to the granting of a use variance.
 - b) If an applicant bought the land with actual or imputable knowledge of the zoning ordinance prohibition, self-created hardship is present.
 - c) A non-conforming use is not a self-created hardship. *Crossroads Recreation vs. Bros*, 4 NY2d 39.

INTERPRETATIONS.

- (1) Jurisdiction is dependent upon an actual determination of the zoning enforcement officer. Advisory opinions are not permissible.
- (2) Only the zoning board of appeals has authority to overrule the zoning enforcement officer, (Not the legislative body, except by code amendment).

The zoning enforcement officer's decision is final and binding UNLESS the zoning board of appeals votes to override within 62 days of the close of the hearing.



TOWN OF ELBRIDGE

AUTHORIZATION TO MAKE APPLICATION

Zoning Board of Appeals
5 Route 31 - Jordan, N.Y. 13080

If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.

I, _____ the owner of the property located at:

(Street)

(Town)

(Zip)

Tax Parcel # _____

do hereby authorize and appoint _____ as my agent to make
application to the Town of Elbridge Zoning Board of Appeals, 5 Rte 31, P.O. Box 568, Jordan, NY 13080

For the purpose(s) of _____

Signature of Owner _____ Date _____

Signature of Agent _____ Date _____



TOWN OF ELBRIDGE

LISTING OF ABUTTERS

Zoning Board of Appeals – 5 Route 31 - Jordan, N.Y. 13080 – 315-689-9031 Ext#6

The undersigned, being an Applicant for approval of:

☐ *Area Variance*

☐ *Use Variance*

☐ *Interpretation*

for property at: _____

Tax Parcel # Tax Parcel Number: _____ - _____ - _____ submits the following list of names and addresses of all owners of properties which either directly abut or are located across the street from the property lines of the subject property.

If there are other properties in close proximity which might be affected by this proposal, please include the names and addresses of those properties as well.

North Boundary

Name _____

Address: _____

Adjacent or across street/highway (circle)

South Boundary

Name: _____

address: _____

Adjacent or across street/highway (circle)

East Boundary

Name _____

Address: _____

Adjacent or across street/highway (circle)

West Boundary

Name: _____

address: _____

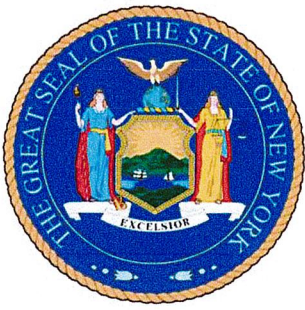
Adjacent or across street/highway (circle)

Signature of Applicant(s)

Date

Signature of Applicant(s)

Date



STATE OF NEW YORK
COUNTY OF ONONDAGA
TOWN OF ELBRIDGE

_____ being duly sworn deposes and says:

I have reviewed §809 of the General Municipal law, a copy of which has been furnished to me by the Elbridge Town Clerk and issued under the provisions of the Ordinances, Local Laws, Rules or Regulations of the Town of Elbridge, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Onondaga or of the Town of Elbridge or of any other municipality of which the Town of Elbridge is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)

Address(es)

_____	_____
_____	_____
_____	_____

Signature of Applicant(s)

Date

Sworn to before me this _____ day of _____, _____.

Notary Public

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: _____
Mailing address: _____

B. Description of the proposed project: _____

C. Project site address: _____ Town: _____

D. Project site tax map number: _____

E. The project is located on property:
☐ within an Agricultural District containing a farm operation, or
☐ with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: _____

G. Is any portion of the project site currently being farmed?
☐ Yes. If yes, how many acres _____ or square feet _____ ?
☐ No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

~~~~~

### **FARM NOTE**

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

~~~~~

Name and Title of Person Completing Form

Date

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
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.			YES
			☐
			☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
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.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			

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 ☐
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 ☐
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 ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		