

Building Department

Received _____

TOWN OF TAGHKANIC

ZBA APPLICATION

For a Variance, Special Use Permit and/or Appeal

Town Clerk

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TOWN OF TAGHKANIC ZBA OR PLANNING BOARD APPLICATION

INSTRUCTIONS FOR ALL APPLICATIONS

**ALL APPLICATION SHOULD BE SUBMITTED TO THE BUILDING DEPARTMENT ZONING ENFORCEMENT
OFFICER FOR REVIEW**

DATE RECEIVED: _____

TIME: _____

IMPORTANT INFORMATION FOR APPLICANTS/OWNERS

The Applicant(s) must submit three (3) complete original executed copies of this Application, including all required attachments and exhibits, at least ten (10) days before:

Planning Board meetings held (first Tuesday of every Month)

ZBA meetings held (fourth Monday of every month)

It is the Applicant's and Owner's responsibility to submit to the ZEO for review to make sure the that the Application is accurate and complete; all requested information must be provided.

Applicants are responsible for acquainting themselves with the applicable requirements of the Town's Zoning Ordinance, Subdivision regulations and Local Laws relating to land use that affect their applications. Copies may be obtained from the Town Clerk. Applicants should be sure also to review the Application Checklist as an aid to completing their applications.

If your application will require consideration of matters not reflected on this Application form or there is insufficient space on this Application form, please provide that information on additional sheets, clearly identifying the application to which they relate.

Please send to: Building Department
 ZEO Dennis Callahan 518-851-6958
 Town of Taghkanic
 909 Route 82
 Ancram, N Y 12502

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Variance _____

Special Use Permit _____

Appeal _____

OWNER INFORMATION:

Name: _____ Company: _____

Address: _____ State _____ Zip _____

Phone # _____

OWNER INFORMATION:

Name: _____ Company: _____

Address: _____ State _____ Zip _____

Phone # _____

Applicant is: _____ Owner _____ Builder _____ Lessee _____ Architect/Engineer _____ Agent

_____ Other If other, Explain: _____

If the Applicant appearing before the ZBA is not the owner(s) of the property the attached permission form notarizing signatures of owner(s) and the agent or representative of the owner(s) must be fully executed and accompany application.

AGENT OR REPRESENTATIVE OF OWNER(S) INFORMATION:

Name: _____

Address: _____ State _____ Zip _____

Phone # _____ Relationship to owner(s): _____

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LOT INFORMATION

Tax Map #: _____ **Zoning District:** _____

Property Address: _____

Irregular shape of lot _____ **YES** _____ **NO**

Corner Lot _____ **YES** _____ **NO**

Existing: Lot Area _____ Frontage _____ Depth _____

Setbacks: Front _____ Rear _____ Left _____ Right _____

Proposed: Lot Area _____ Frontage _____ Depth _____

Setbacks: Front _____ Rear _____ Left _____ Right _____

Type of Water Service: _____ **Type of Sanitary Disposal:** _____

USE INFORMATION

Describe Existing Use: _____

Describe Proposed Use: _____

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APPLICATION INFORMATION

Check All that Apply:

1. _____ An area variance is requested to appeal the decision of the Building Department;
which denied a permit for the above property. Dated _____
(submit copy of denial)
2. _____ A use variance is requested to appeal the decision of the Building Department,
which denied a permit for the above property. Dated _____
(Submit copy of denial)
3. _____ A special use permit is requested, as required by Town of Taghkanic Zoning
Ordinance Section _____ Paragraph _____
4. _____ A formal appeal to the Town of Taghkanic Zoning Board of Appeals.

Application Number: _____

Date Application Received: _____

Hearing Scheduled Date: _____

Application Fee: _____

Approved Date: _____

Conditions: ____ YES ____ NO

Denial Date: _____

Withdrawn Date: _____

Zoning Chairperson: _____

PROJECT DESCRIPTION

Briefly describe the proposal

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Form to be completed, attached to application and submitted to the Planning Board when the applicant is not the owner(s) of affected property.

SIGNATURES MUST BE NOTORIZED

Name of owner _____

Name of owner _____

Name of applicant representing owner as listed on application: _____

Address of property listed on application:

_____ State _____ Zip _____

Tax Map #: _____

Brief Description of Application: _____

I/We _____, owner(s) of the land

hereby give permission to _____

(applicant/representative) to submit the above identified application on my/our behalf and to represent me/us in all proceedings before the Town Taghkanic Planning Board concerning the above referenced application.

Owner's Signature _____ Date _____ Notary _____

Owner's Signature _____ Date _____ Notary _____

Applicant/Representative Signature _____

Notary _____ Date _____

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AGRICUTURAL DATA STATEMENT

(Please print or type)

1. Name and address of applicant:

2. Description of the proposed project:

3. Location of proposed project:

4. Is the location of the proposed project within an agricultural district?

5. Is the location of the proposed project within 500 feet of a farming operation that is within an agricultural district?

6. If the answer to either 4 or 5 was “YES”, then state the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundary of the property upon which the project is proposed: (use separate sheet of paper if necessary)

7. If the answer to either 4 or 5 was “YES”, then the applicant must attach a tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the agricultural statement to this statement.

Date: _____ Signature of Applicant: _____

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Adjoining Property owners form. Please list all abutting owners, those across adjoining streets and within 1000 feet of all boundaries of all property within subdivision.

Name and Tax Map # of application to which this is attached: _____

Tax Map # _____

Name and Address: _____

Tax Map # _____

Name and Address: _____

Tax Map # _____

Name and Address: _____

Tax Map # _____

Name and Address: _____

Tax Map # _____

Name and Address: _____

Please copy this form if additional space is needed.

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REQUIRED INFORMATION

1. _____ A plot plan showing all property lines, dimensions, adjacent streets, setback distances and location of proposed changes.
2. _____ Part 1 of the state Environmental Quality Review (SEQRA) Short Environmental Form.
3. _____ Appropriate fee, as determined by the code of the Town of Taghkanic and as calculated by the Building Department.

NOTE: additional information may be required by the Zoning Board of Appeals. Failure to submit all required documents may result in a delay in processing or denial of the application.

Have there been any other variances issued for this property? _____ YES _____ NO

If yes please explain: _____

CERTIFICATION AND AUTHORIZATION

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of Taghkanic Zoning Board of Appeals to process this application as provided by law.

Applicant/Property Owner Name: _____

Signature: _____ Date: _____

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AREA VARIANCE CRITERIA

1. Explain how no undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties created by granting the area variance.
2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.
3. Describe whether the requested Area Variance is substantial.
4. Explain how the proposed variance will not have a adverse effect on the physical or environmental conditions in the neighborhood or district.
5. Explain whether difficulty is self-created. (Consideration is relevant but shall not necessarily preclude the granting of the Area Variance)

USE VARIANCE CRITERIA

1. Explain why the applicant cannot realize a reasonable return without the Use Variance, as demonstrated by competent financial evidence.
2. Explain how the alleged hardship relating to the property is unique and does not apply to a substantial portion of the district or neighborhood.
3. Describe why granting the requested use variance will not alter the essential character of the neighborhood.
4. Explain whether the alleged hardship has been self-created.

SPECIAL PERMIT CRITERIA

Explain why granting the request is consistent with the public health, safety and general welfare of the community, including the public or commercial inconvenience of the applicant.

APPEAL CRITERIA

Explain the nature of the requested appeal including Town Code Section, Building Department decision and your objections.

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617.20

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:			
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			

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5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
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	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
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?			
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	
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	
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	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?			
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	
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: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ 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	
16. Is the project site located in the 100 year flood plain?	NO	YES	
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	NO	YES	

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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: _____		

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

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

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.

- ☐ 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)