

**TOWN OF POMFRET, NEW YORK
ZONING BOARD OF APPEALS APPLICATION**

INTERPRETATION APPEAL

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

APPLICANT INFORMATION

NAME _____ ADDRESS _____

PHONE _____
City State ZIP

FAX _____ E-MAIL _____

OWNER INFORMATION (complete only if applicant is not the owner of the property)

NAME _____ ADDRESS _____

PHONE _____
City State ZIP

FAX _____ E-MAIL _____

RELATIONSHIP OF APPLICANT TO PROPERTY:

____ CONTRACT PURCHASER
____ ARCHITECT/ENGINEER

____ CONTRACTOR
____ LESSEE

XX

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER #: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

HEARING DATE: _____ DEADLINE DATE: _____

Any person aggrieved by a decision or determination of the officer responsible for enforcement of Chapter 300-7 of the Town of Pomfret Zoning Code may appeal to the Zoning Board of Appeals within 30 days of the decision. The Board shall hear and decide all matters referred to it or upon which it is required to pass in accordance with the provisions of Chapter 300-7. In considering an appeal, the Zoning Board of Appeals shall be guided by the circumstances of the situation and the intent of the appellant and shall act as to protect the best interests of the community.

Identify below the decision that you are appealing. Please be complete and specific. Attach additional sheets if needed. A copy of the decision should be attached to your application.

[illegible]

Identify below each reason you believe that the Code Enforcement/Zoning Enforcement Officer's decision should be overturned by the Zoning Board of Appeals. If you are relying on provisions of the Town of Pomfret's Zoning Code, you should identify those specific provisions as part of your explanation. Attach additional sheets if needed.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

APPLICATION ATTACHMENTS:

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review or Hearing by the Zoning Board of Appeals.

- ___ \$150.00 application fee (cash or check/money order payable to Town of Pomfret)
- ___ Code Enforcement/Zoning Enforcement Determination Letter
- ___ Pertinent sections of Town of Pomfret Zoning Code used as evidence
- ___ Photographs, maps, and/or site plans used as evidence
- ___ SEQR Part I Environmental Assessment form (included in application)

APPLICANT /OWNER AFFIRMATION:

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE HEARING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.

Signature (Applicant)

Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR THE SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNDER(S) IN FURTHERANCE OF THE REQUEST.

Signature (Owner)

Date

Signature (Owner)

Date

SEQR REQUIREMENTS

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an "Action"

If an action is determined not to have significant adverse environmental impacts, a determination of no significance or Negative Declaration is prepared. If an action is determined to have potential significant adverse environmental impacts, an Environmental Impact Statement (EIS) is required.

The SEQR process uses the EIS to examine ways to avoid or reduce adverse environmental impacts related to a proposed action. This includes an analysis of all reasonable alternatives to the action. The SEQR "decision making process" encourages communication among government agencies, project sponsors and the general public.

Actions are classified into 3 different categories. The classification of the action will determine the level of initial environmental review that the project will receive, which could consist of: No further review; Full (Long form) EAF or Short Form and To Coordinate or not to coordinate with other agencies.

Type I Classification Actions - *are most likely to have significant adverse impact or environment, so are more likely to require EIS. (Not all Type I Actions are an automatic EIS requirement.)*

Some Examples:

- Large Residential facilities (in context of existing community size)
- In or "substantially contiguous to" Historical Register listed or eligible sites or parks
- Affecting agricultural districts
- Purchase, sale or other transfer of more than 100 acres

***Type I classifications require that the SEQR process continue**

Type II Classification Actions - *have been determined not to have a significant adverse impact on the environment and therefore do not require an EIS*

Some Examples:

- Most Maintenance or repairs - including upgrading building to meet building and fire codes
- 1, 2 or 3 family homes on approved lots
- New non-residential uses under 4,000 square feet (requiring no zoning change or use variance)
- Purchase or sale of supplies or equipment - land transactions not covered
- Minor structures, such as garages, barns, or home swimming pools, routine permit and license renewal with no substantial change in permitted activities
- Rebuilding or replacement of facilities, in kind, on the same site

***Type II classifications conclude at SEQR**

Unlisted Classification Actions - are any proposals or actions not specifically included on either the statewide Type I or Type II lists. This is the largest category of actions subject to SEOR review. Specific items are not listed since it is impossible to identify in advance every potential project or decision which an agency may need to consider.

Some Examples:

- New 20 unit apartment building
- New non-residential use of 10 acres or less
- Parking for less than 1,000 cars
- Sale, purchase, lease or other transfer of fewer than 100 acres of land by government entity

NOTE: The SEQR regulations allow an agency to choose to apply the Type I initial review process to any unlisted action. Therefore it is reasonable to treat any large or complex project that has been classified as Unlisted, as a Type I action.

***Required that SEQR continue**

Please complete Part I of the attached *Short Environmental Assessment Form* as a required part of the Zoning Board of Appeals Application process. Thank you.

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 government 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, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
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?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
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 plan?	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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
☐	☐	☐
☐	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		