

ZONING BOARD OF APPEALS

Village of Skaneateles

26 Fennell Street

Skaneateles, NY 13152

315-685-2118

Fax 315-685-0730

[ ] NOTICE OF APPEAL [ ] APPLICATION FOR SPECIAL USE PERMIT

Date of Application \_\_\_\_\_

To the Zoning Board of Appeals of the Village of Skaneateles, Onondaga County, New York

I/We \_\_\_\_\_ Printed or Typed Name of Appellant(s) and/or Applicant(s)

Address \_\_\_\_\_

(1) I hereby appeal the decision of the Village Code Enforcement Officer (Building Inspector)

\_\_\_\_\_ which was denial of a Zoning Permit

\_\_\_\_\_ which was denial of a Certificate of Occupancy

\_\_\_\_\_ to vary the strict application of the provisions of:

Article \_\_\_\_\_ Section 225 Subsection \_\_\_\_\_

Article \_\_\_\_\_ Section 225 Subsection \_\_\_\_\_

Article \_\_\_\_\_ Section 225 Subsection \_\_\_\_\_

(2) I hereby apply for: (check all applicable)

\_\_\_\_\_ A SPECIAL USE PERMIT required by the provisions of Article III, Section 225-10 B (1) & Section 225-11 B (2)

\_\_\_\_\_ A FLOODWAY PERMIT required by the provisions of Article III, Section 225-10 B (3) & Article VI, Section 225-18 B

This appeal or application relates to:

\_\_\_\_\_ Street Number \_\_\_\_\_ Street Name

Tax Map Number \_\_\_\_\_

Property Address \_\_\_\_\_

**Zoning District:** \_\_\_\_\_ **Tax Map #** \_\_\_\_\_

- Using the Density Control Schedule, fill in the minimum area requirements, in 'Required' column.
- Indicate the existing set-back dimensions and percentages in the 'Existing' column.
- In the column labeled 'Proposed', indicate the dimensions, area (in square feet) and percentages that will result from your proposed construction.
- In the column labeled pre-existing non-conforming, indicate the pre-existing variance from code.
- In the column labeled 'Variance', indicate the variance requested.

	<b>REQUIRED</b>	<b>Existing</b>	<b>PROPOSED</b>	<b>Pre-Exist Non-Conforming</b>	<b>VARIANCE</b>
<b>Residential Minimum Lot Area</b>					
<b>Residential Minimum Lot Width</b>					
<b>Minimum Open Space %</b>					
<b>Minimum Front Yard Setback</b>					
<b>Minimum Left Side Yard Setback</b>					
<b>Minimum Right Side Yard Setback</b>					
<b>Minimum Both Side Yards Setback</b>					
<b>Minimum Rear Yard Setback</b>					
<b>Max Width Structure (% lot width)</b>					
<b>Max Stories of Building</b>					
<b>Max Building Height</b>					
<b>Minimum Livable Floor Area</b>					

**ZONING BOARD OF APPEALS**  
Village of Skaneateles 26 Fennell Street  
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List below any OTHER variances, Special Permits requested  
(Section of the Zoning Law) (Description)

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Please state below all reasons to support your appeal or application *using the Criteria* on page 2 of 4. Attach other sheets as needed to support your appeal/application.

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**ACKNOWLEDGEMENTS:**

- I AM THE [ ] OWNER [ ] APPLICANT [ ] AGENT OF OWNER AND AM AUTHORIZED TO MAKE THIS APPLICATION.
- The applicant and/or agent declares that the information contained in this application, and the plans, specifications and other supporting materials submitted in support of this application is true.

NAME of APPLICANT \_\_\_\_\_ PHONE # \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
EMAIL \_\_\_\_\_  
SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

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To obtain an area variance, applicants must meet the specific requirements outlined in New York State law. A local zoning board of appeals may grant an area variance pursuant to this section where substantial evidence in the record supports the ZBA's conclusion that the benefit to the applicant if the variance is granted outweighs any detriment to the health, safety, and welfare of the neighborhood or community. In applying this balancing test, the ZBA must consider 5 statutory factors:

1. Undesirable Change: 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. Feasible Alternatives: 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. Substantiality: Whether the requested area variance is substantial.
4. Adverse Effects: whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Self-Created Difficulties: Whether the alleged difficulty necessitating the variance was self-created. While relevant to the board's decision, self-creation does not automatically preclude the granting of the area variance.

Finally, in granting area variances, the ZBA must ensure that it approves the minimum variance deemed necessary and adequate while also preserving the character of the neighborhood and safeguarding the health, safety, and welfare of the community.

After the Code Enforcement Officer has made a determination, but before the application is presented to the Planning Board or Zoning Board of Appeals, the applicant is required to sign a form that acknowledges the determinations of the Code Enforcement Officer and indicate whether they agree or not. If in agreement with the Code Enforcement Officer's determinations, the application may proceed to board review. If the applicant disagrees with the Code Enforcement Officer's determinations, they may either withdraw the application or pursue an interpretation by the Zoning Board of Appeals before resubmitting the application.

The Village can provide no assurance that variances will be approved. Approvals are only gained after careful deliberation, and there is a necessarily high hurdle for applicants. This is a function of both state law and Village code, that is meant as much for the preservation of the residential and historic nature of the Village as it is to streamline development and construction.

# *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.

<b>Part 1 – Project and Sponsor Information</b>			
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? 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.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
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:			
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)			
<input type="checkbox"/> Forest       Agriculture                   Aquatic           Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? 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?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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 type="checkbox"/>	
	<input type="checkbox"/>	<input 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 type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
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?  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?	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? 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 type="checkbox"/>	<input type="checkbox"/>	
	<input 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    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> 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
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input 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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
49. 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
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		

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?”

	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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)?		
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?		



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)