APPLICATION
TOWN OF GORHAM – ZONING BOARD OF APPEALS

DATE:_____ FEE:_____ APPLICATION #_____

The undersigned, being the Applicant(s) hereby petition the Zoning Board of Appeals for:

___ Area Variance ___Use Variance ___Appeal of a decision by Zoning Officer ___Interpretation

According to the provisions of the Ordinance, Local Laws, Rules and Regulations constituting the Zoning and Planning Ordinances and Regulations of the Town of Gorham.

Location of Property:_____

Tax Map #:_____ Zoning District:_____

Description of proposed request:_____

_____

_____

_____

Reason Building Permit was denied by the Zoning Officer:_____

_____

_____

Date:_____ Zoning Officer:_____

Attached to this application is the following documentation:

___Site Plan ___Construction Plans ___Other:_____

Applicant(s):_____

Address:_____

Phone:_____ Email:_____

Interest in Property:_____

Property Owner, if other than applicant:_____

Owner's Signature:_____

Owner's Address:_____

Phone:_____ Email:_____

APPLICATION FOR AREA VARIANCE

To enable the Zoning Board of Appeals to grant an area variance, the applicant should address the five factors listed below. Attach additional sheets if necessary. The Zoning Board of Appeals will consider these five factors when balancing two elements: (1) the benefit to the applicant from the variance and (2) the detriment to the health, safety and welfare of the community or neighborhood that would occur if the variance were to be granted.

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 variance._____

2. Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.

3. Whether the requested 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 the district._____

5. Whether the alleged difficulty was self-created._____

Applicant's Signature:_____ Date:_____

TOWN OF GORHAM ZONING OFFICE
JAMES MORSE, CODE ENCORCEMENT OFFICER
P. O. BOX 224
GORHAM, NEW YORK 14461
Phone (585) 526-6317
TDD # 202-720-2600

Variance

THE ZONING BOARD OF APPEALS MEETS: The third Thursday of every month at 7:00 PM in the Gorham Town Hall.

The applicant or applicant's agent must be present.

NEED:

1. Application for a building permit (denied by the Zoning Officer)
2. Application to the Zoning Board of Appeals.
3. Survey map with the placement of setbacks from the proposed building (including overhangs) to all lot lines and the calculation of lot coverage and height of proposed building. This must be done by a licensed surveyor or engineer.
4. Copy of the deed.
5. Short Environmental Assessment Form (SEQR)
6. **10 copies of the complete application in packet form.**
7. Application Fee: $150.00 + $50.00 per each additional variance.

DEADLINES:

All applications will be processed on a first come first serve bases and the applicant will be notified of the meeting date after the application is reviewed and found that it is complete.

The County Planning Board is required to review all cases under certain circumstances: most referrals involve property within 500 feet of Canandaigua Lake or within 500 feet of a state or county highway.

County referrals will be completed and submitted by the Zoning Office staff.

The applicant may attend the County Planning Board meeting, but it is not necessary.

MISCELLANEOUS:

All cases are advertised in the Finger Lakes Times. Immediate neighbors are notified, next to and across from the applicant, but a variance does not depend on a neighbor's presence or consent.

Members of the Zoning Board of Appeals receive application materials and personally view the site of each case prior to the hearing.

There are 7 members and 2 alternate members of the Board of Appeals. A quorum is 4. A variance may be granted only by a majority of the members of the full board (4) or, when the County Planning Board has recommended denial, it may only be granted by a concurring vote of a majority plus one (5).

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 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:

	NO	YES
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.	☐	☐
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 ☐	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

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
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?	☐	☐
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
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 No, describe method for providing potable water: _____	☐	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☐

	NO	YES
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
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: _____		

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

	NO	YES
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?	☐	☐
16. Is the project site located in the 100-year or 500-year flood plain?	☐	☐
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: _____		
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: _____	☐	☐
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: _____	☐	☐
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: _____	☐	☐
21. Is the project located within, or within ½ mile of, a disadvantaged community?	☐	☐
If No, could impacts from the project affect a disadvantaged community?	☐	☐
If Yes to either question in 21, answer the following question.		
a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: _____ Date: _____

Signature: _____ Title: _____

TOWN OF GORHAM ZONING OFFICE
James Morse, CODE ENCORCEMENT OFFICER
P. O. BOX 224
GORHAM, NEW YORK 14461
Phone (585) 526-6317 ext. 6
TDD # 1-800-662-1220

AFFIDAVIT FOR ENGINEERING AND ATTORNEY FEES

Signature on this affidavit is required to verify that you are aware that you are responsible for any engineering and/or attorney fees that are incurred during the approval process with your project.

Date_____

Signature_____