

Village of Wellsville  
Zoning Department  
Phone: (585) 593-1755  
www.wellsvilleny.com

156 North Main Street  
Wellsville NY 14895 Fax:  
(585) 593-7260

## Zoning Board of Appeals Application

*To the Zoning Board of Appeals:*

### Statement of Ownership and Interest

I (we) \_\_\_\_\_  
of \_\_\_\_\_  
\_\_\_\_\_

Name of Applicant  
Street # and Name  
City, State, Zip

hereby makes application to the ZBA for:

- Special Exception Use
- Area Variance
- Use Variance
- Zoning Interpretation
- Zoning Change
- Other: \_\_\_\_\_

### Location of Property

1. The property in question is situated at the following address:  
\_\_\_\_\_
2. Current zoning classification \_\_\_\_\_ (Available from Zoning Officer)
3. Tax map # \_\_\_\_\_ (Available from Zoning or Assessor's Office)
4. Is the property in question located within five hundred (500) feet from the boundary of any city, village, or town, or from any county or state parkway, expressway, thruway, or other limited access highway, or from the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or from any county or state lands on which a public building or institution is situated?  
 Yes     No

**General Data**

1. Current Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

2. Number of dwelling units proposed: \_\_\_\_\_

3. Number of employees proposed: \_\_\_\_\_

4. Parking spaces required: \_\_\_\_\_

A. Proposed

C. Loading Zone Required:  Yes  No

B. Handicapped : \_\_\_\_\_

D. Curb Cut Permit Required:  Yes  No

5. Type of Non-Residential Use (if any)

\_\_\_\_\_

6 Lot Size A: Length: \_\_\_\_\_ Ft.

(A and B available from Assessor's Office)

B Depth \_\_\_\_\_ Ft.

C. Area: \_\_\_\_\_ Square Ft.

7. Building Information

A. Number of Stories: \_\_\_\_\_

B. Floor area per story in square feet: (Available from the Assessor's Office)

Basement: \_\_\_\_\_ 1st: \_\_\_\_\_ 2nd: \_\_\_\_\_ 3rd: \_\_\_\_\_

8. Applicant's relationship to the property:

A. Owner

B. Purchaser (must provide valid purchase offer)

C. Tenant (present)

D. Tenant (new) Lease Commitment:  Yes  No

E. Attorney for:  A  B  C  D

F. Other (explain) \_\_\_\_\_

9. Name and Address of Owner of Record:

\_\_\_\_\_

\_\_\_\_\_

10. Name and Address of Attorney:

\_\_\_\_\_

\_\_\_\_\_

**Request**

The complete zoning ordinance is available online at [www.wellsvillenyny.com](http://www.wellsvillenyny.com)

Provisions of the Zoning Ordinance:

Section: \_\_\_\_\_

Concerning: \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_

Has there been a previous appeal concerning this property?

Yes (date) \_\_\_\_\_

No

Result of that appeal:

\_\_\_\_\_

**Reason for Request to Zoning Board**

Interpretation of the Zoning Ordinance above is requested to determine whether:

A special exception use would be in harmony with the intent and purpose of the Zoning Ordinance because:

A Variance of the Zoning Ordinance is requested for these reasons:

*Please see the attachment entitled "Criteria Used in Examining Use and Area Variance Requests".  
You must address each concern listed on the attachment. Please attach a separate sheet.*

*If you wish to receive correspondence related to this ZBA application electronically, please provide your email address: \_\_\_\_\_*

*NOTE: Zoning Appeals are approved on a provisional basis, subject to the applicant obtaining all required permits and meeting all New York State Fire Prevention and Building Codes as well as complying with any applicable local laws.*

# 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 governmental 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, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

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?"

	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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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.

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 Name of Lead Agency

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 Date

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 Print or Type Name of Responsible Officer in Lead Agency

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 Title of Responsible Officer

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 Signature of Responsible Officer in Lead Agency

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 Signature of Preparer (if different from Responsible Officer)

**Notice of Hearing Information**

1. Publication of legal notice will be placed in the Wellsville Daily reporter by the Village of Wellsville.
2. The applicant must mail the Notice of Hearing letter attached hereto so that it arrives to residents within 500' of the property in question five (5) days prior to the Zoning Board of Appeals meeting. A list of the property owners within 500' will be provided to the applicant by the Zoning Officer.

**AFFIDAVIT REQUIRED**

The Appellant shall file with Zoning Officer one copy of the letter of notification to property owners together with a NOTARIZED affidavit setting forth a certification that the letter of notification to property owners was mailed to the individuals listed in affidavit, and a further certification that they are all owners of real property within five hundred (500) feet from the boundaries of the lot or lots for which the consideration and/or action of the Zoning Board of Appeals is requested.

**NOTE:** The Notice of Hearing mail should be done no later than one (1) week prior to the Zoning Board of Appeals meeting (required to be received five (5) days prior). In addition to the mailing, the applicant must return the "Affidavit of Mailing" prior to the Zoning Board of Appeals meeting. The Affidavit may be returned to:

Village of Wellsville  
Zoning Officer  
156 North Main Street  
Wellsville, NY 14895

**If you have any questions, please contact the Zoning Officer at (585) 596-1755.**



**Village of Wellsville**  
**ZONING BOARD OF APPEALS**  
www.wellsvilleny.com

A public hearing before the Zoning Board of Appeals of the Village of Wellsville New York, will be held in the Municipal Building, 156 North Main Street, Wellsville, New York, on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

The purpose of this hearing will be to consider comments from the public concerning the application of

\_\_\_\_\_ regarding property at \_\_\_\_\_ Wellsville, New York.

This applicant is requesting a \_\_\_\_\_ from the Zoning Ordinance\* to allow the following changes concerning the above mentioned property:

The above application and supporting papers are open to inspection in the Zoning Office, 156 North Main Street, Wellsville, New York. Persons wishing to appear at such hearing may do so in person or by attorney or other representative duly designated. Communications in writing which relate thereto may be filed with the Zoning Officer at this same address.

The full text of the Zoning Ordinance is available online at [www.wellsvilleny.com](http://www.wellsvilleny.com)