

**LEGAL NOTICE  
TOWN OF CORTLANDVILLE**

**NOTICE IS HEREBY GIVEN** that a public hearing before the Zoning Board of Appeals of the Town of Cortlandville will be held Tuesday, October 30, 2018 at 6:45 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, in the Town of Cortlandville, New York, to consider the following applications pursuant to the 1986 Zoning Law:

1. *In the matter of the application of Steve Wyant for property located at 2958 South Hill Road, Part of Tax Map No.108.00-020-14.100, for a variance in the terms and conditions of Section 178-11, to allow for a Storage Building.*

The above application is open to inspection at the office of Bruce A. Weber, Planning & Zoning Officer, Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, call (607)756-7052 or (607)423-7490. Persons wishing to appear at such hearing may do so in person, by Attorney, or other representative. Communications in writing in relation thereof may be filed with the Board or at such hearing.

DATED: October 17, 2018

John Finn, Chairman  
Zoning Board of Appeals  
Town of Cortlandville  
Raymond G. Thorpe Municipal Building  
3577 Terrace Road  
Cortland, New York 13045

TOWN OF CORTLANDVILLE  
3577 TERRACE ROAD  
CORTLAND, NY 13045

USE VARIANCE FINDINGS & DECISION

Applicant: Steven Wyant Phone #: 607-745-4150

Address: P.O. Box 83 McGraw NY 13101 Fee: 15 Ad. Ent. Fee

Property Owner: Steven Wyant

Appeals Concerns Property at the following address: \_\_\_\_\_

Tax Map Number: 108-00-02-14-100 Part of

Zoning District Classification: \_\_\_\_\_

Use for which Variance is requested: Pole Barn / Storage Building

Applicable Section of Zoning Code: 178-11

Signature: Steven Wyant Date: 10/10/18

TEST: No Use Variance will be granted without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. The following test must be met for each and every use allowed by zoning on the property, including uses allowed by special use permit.

1. Has the Applicant demonstrated that the Applicant cannot realize a reasonable return, and that the lack of return is substantial and has been demonstrated by competent financial evidence?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Proof: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Has the Applicant demonstrated that the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood?  
Yes \_\_\_\_\_ No \_\_\_\_\_

Proof: \_\_\_\_\_  
\_\_\_\_\_

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Use Variance Findings & Decision

3. Has the Applicant demonstrated that the requested use variance, if granted, will not alter the essential character of the neighborhood? Yes \_\_\_\_\_ No \_\_\_\_\_

Proof: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Has the Applicant demonstrated that the alleged hardship has not been self-created? Yes \_\_\_\_\_ No \_\_\_\_\_

Proof: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:**

The ZBA, after reviewing the above four proofs, finds:

That the applicant has failed to prove unnecessary hardship through the application of the four tests required by the state statues.

That the applicant has proven unnecessary hardship through the application of the four tests required by the state statues. In finding such hardship, the ZBA shall grant a variance to allow use of the property in the manner detailed below, which is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community:

(USE) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

|  |                                     |   |   |    |     |                          |                                     |
|--|-------------------------------------|---|---|----|-----|--------------------------|-------------------------------------|
| <b>Part 1 - Project and Sponsor Information</b>  |                                     |   |   |    |     |                          |                                     |
| Name of Action or Project:<br><p style="text-align: center; font-size: 1.2em;">Pole Barn</p>   |                                     |   |   |    |     |                          |                                     |
| Project Location (describe, and attach a location map):<br><p style="text-align: center; font-size: 1.2em;">2958 South Hill Rd. McGraw (previously part of 2968)</p>   |                                     |   |   |    |     |                          |                                     |
| Brief Description of Proposed Action:<br><p style="font-size: 1.1em;">Construction of storage barn to store small tractor and mowing equipment. weekend hobby mechanic (antique truck and motorcycle) tools, store motorcycle, snowmobile, ATV Personal use only. Small bathroom</p>   |                                     |   |   |    |     |                          |                                     |
| Name of Applicant or Sponsor:<br><p style="font-size: 1.2em;">Steven Wyant</p>   |                                     | Telephone: 607-745-4150                       |   |    |     |                          |                                     |
|  |                                     | E-Mail: cvillesteve@yahoo.com                 |   |    |     |                          |                                     |
| Address:<br><p style="font-size: 1.2em;">P.O. Box 83</p>   |                                     |   |   |    |     |                          |                                     |
| City/PO:<br><p style="font-size: 1.2em;">McGraw</p>  |                                     | State:<br><p style="font-size: 1.2em;">NY</p> | Zip Code:<br><p style="font-size: 1.2em;">13101</p>   |    |     |                          |                                     |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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. |                                     |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | NO | YES | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| NO   | YES                                 |   |   |    |     |                          |                                     |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> |   |   |    |     |                          |                                     |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:   |                                     |   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">NO</td> <td style="width: 50%; text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | NO | YES | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| NO   | YES                                 |   |   |    |     |                          |                                     |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> |   |   |    |     |                          |                                     |
| 3.a. Total acreage of the site of the proposed action?   |                                     | 31.48 acres                                   |   |    |     |                          |                                     |
| b. Total acreage to be physically disturbed?   |                                     | 1 acres                                       |   |    |     |                          |                                     |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?   |                                     | 31.48 acres                                   |   |    |     |                          |                                     |
| 4. Check all land uses that occur on, adjoining and near the proposed action.  |                                     |   |   |    |     |                          |                                     |
| <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)  |                                     |   |   |    |     |                          |                                     |
| <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____  |                                     |   |   |    |     |                          |                                     |
| <input type="checkbox"/> Parkland  |                                     |   |   |    |     |                          |                                     |

|  |  |                                     |                          |
|--|--|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?   | NO   | YES                                 | N/A                      |
|  | <input type="checkbox"/>                                 | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?   | NO   | YES                                 |                          |
|  | <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 checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____  | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| b. Are public transportation service(s) available at or near the site of the proposed action?  | NO   | YES                                 |                          |
|  | <input type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>_____   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br><br>If No, describe method for providing potable water: _____  | NO   | YES                                 |                          |
|  | <input type="checkbox"/>                                 | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br><br>If No, describe method for providing wastewater treatment: _____   | NO   | YES                                 |                          |
|  | <input type="checkbox"/>                                 | <input checked="" type="checkbox"/> |                          |
| 12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| b. Is the proposed action located in an archeological sensitive area?  | NO   | YES                                 |                          |
|  | <input checked="" 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?   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____  | NO   | YES                                 |                          |
|  | <input checked="" 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:<br><input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> 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 checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| 16. Is the project site located in the 100 year flood plain?   | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  | NO   | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                      | <input type="checkbox"/>            |                          |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe: _____   | NO   | YES                                 |                          |
|  | <input type="checkbox"/> NO <input type="checkbox"/> YES |                                     |                          |

|   |                                     |                          |
|---|-------------------------------------|--------------------------|
| 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)?<br>If Yes, explain purpose and size: _____ | NO                                  | YES                      |
| _____   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?<br>If Yes, describe: _____   | NO                                  | YES                      |
| _____   | <input checked="" 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?<br>If Yes, describe: _____   | NO                                  | YES                      |
| _____   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  |                                     |                          |
| Applicant/sponsor name: <u>Steven Wyant</u>   |                                     | Date: <u>10/17/18</u>    |
| Signature: <u>Steven Wyant</u>  |                                     |                          |

**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?"

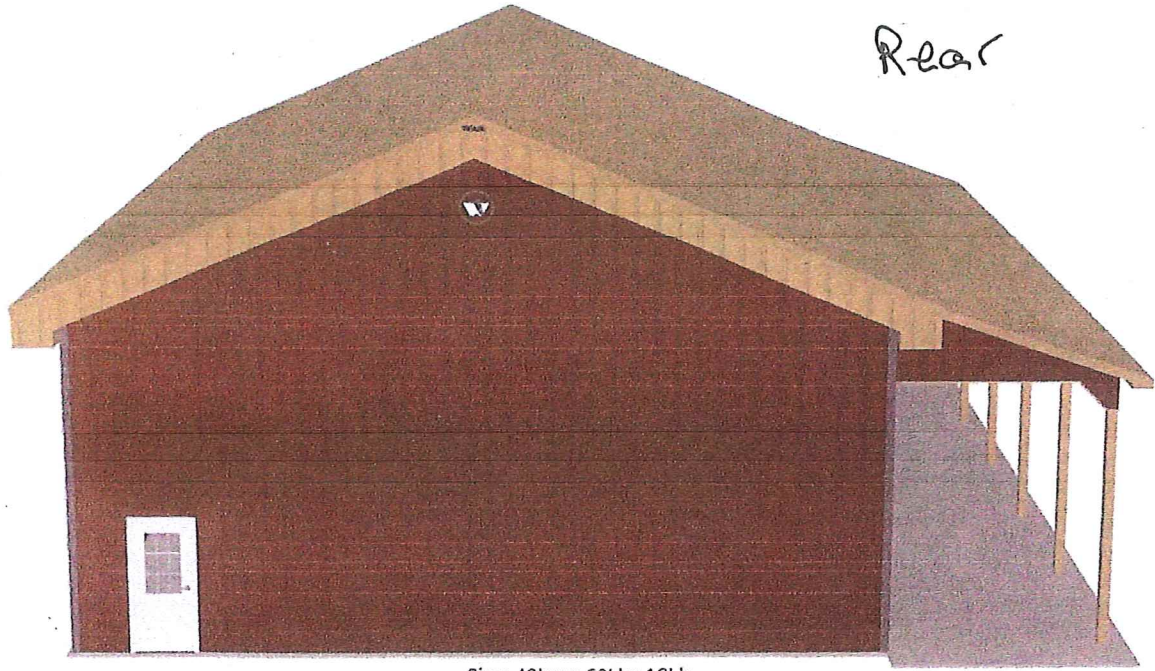
|  | No, or small impact may occur       | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 2. Will the proposed action result in a change in the use or intensity of use of land?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 3. Will the proposed action impair the character or quality of the existing community?   | <input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 7. Will the proposed action impact existing:<br>a. public / private water supplies?<br>b. public / private wastewater treatment utilities?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>           |

|   | 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |
| 11. Will the proposed action create a hazard to environmental resources or human health?                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>           |

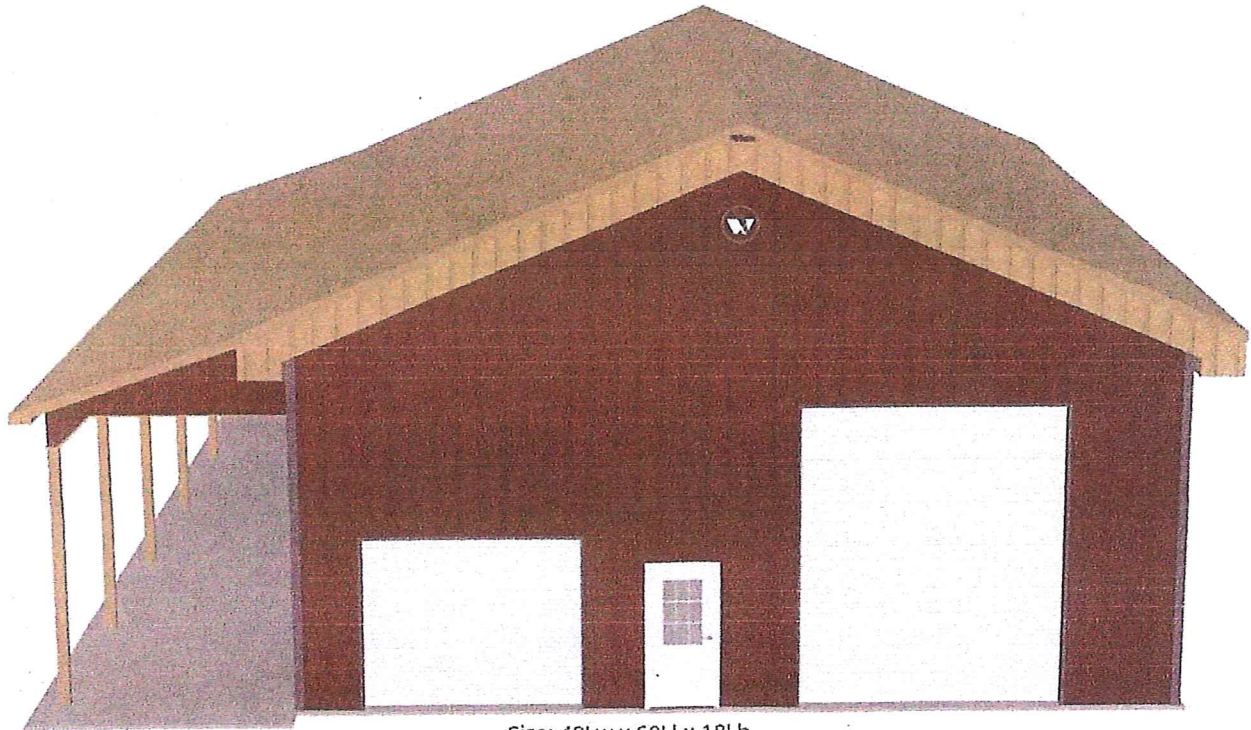
**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant 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.

|  |  |
|--|--|
| <input type="checkbox"/>                                 | 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. |
| <input type="checkbox"/>                                 | 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   |
| Steven Wyant   | 10/10/18   |
| Print or Type Name of Responsible Officer in Lead Agency | Owner  |
| _____  | _____  |
| Signature of Responsible Officer in Lead Agency          | Signature of Preparer (if different from Responsible Officer)  |
| Steven Wyant   |  |

**PRINT**



Size: 40' w x 60' l x 18' h

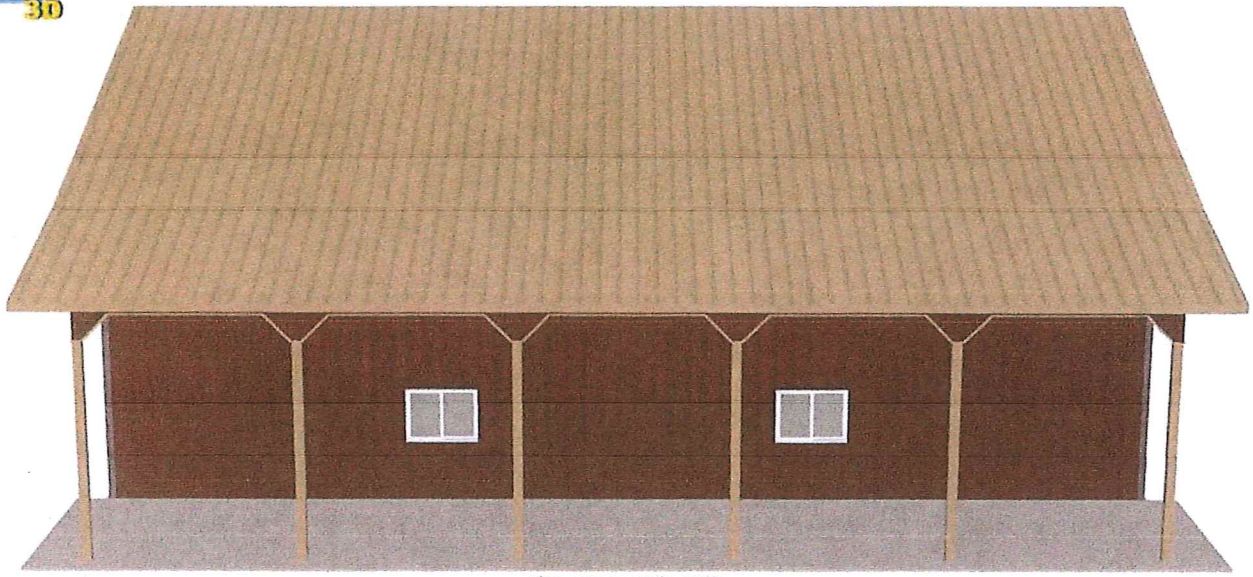


Size: 40' w x 60' l x 18' h

Front



SIGN  
30



Size: 40' w x 60' l x 18' h

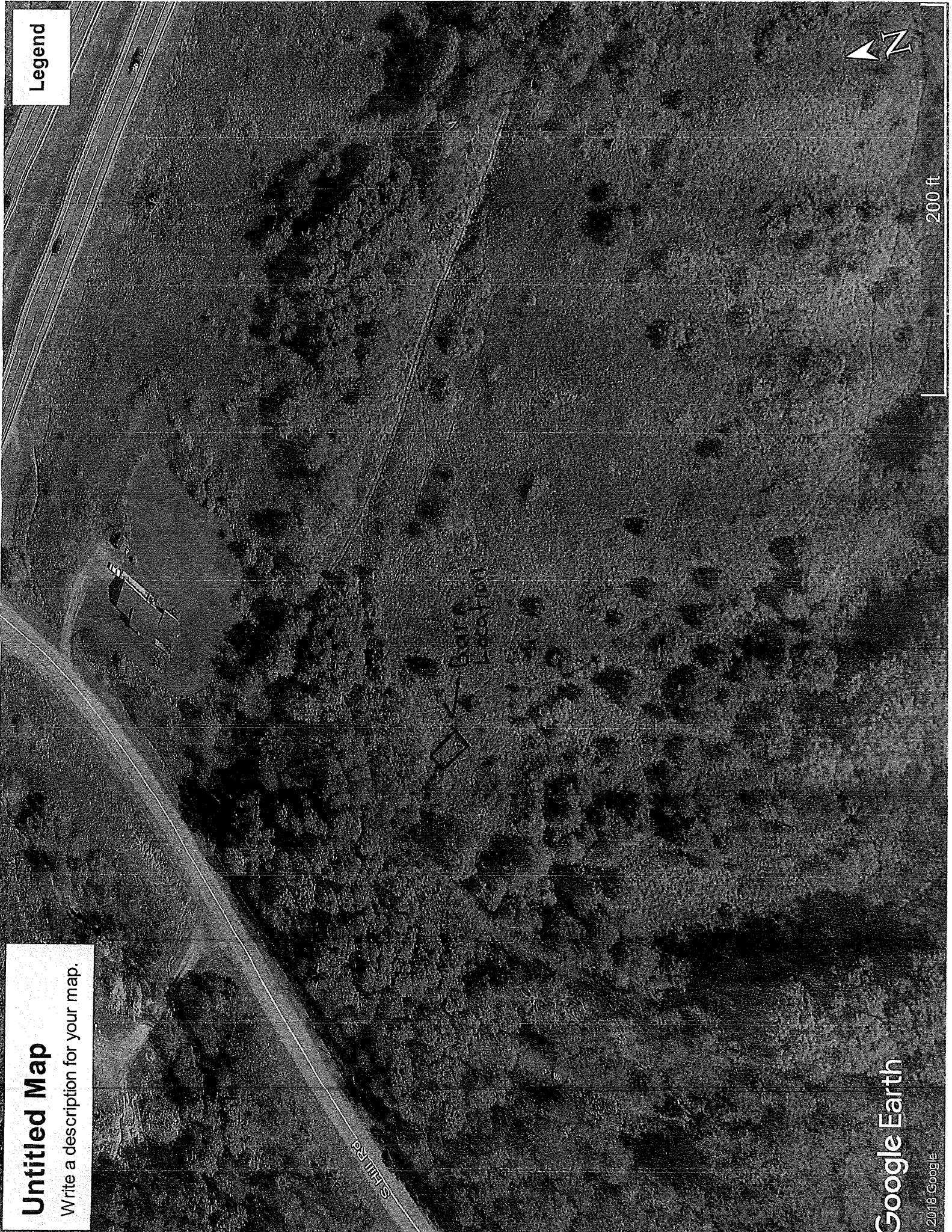
Sent from [Mail](#) for Windows 10

Side

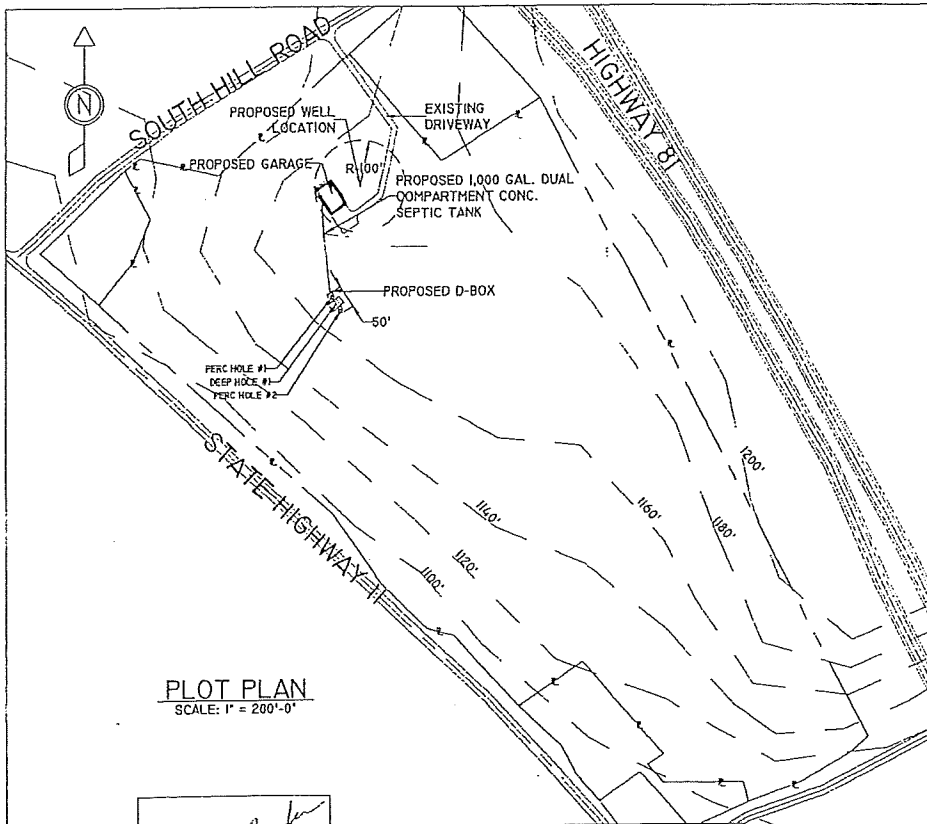
# Untitled Map

Write a description for your map.

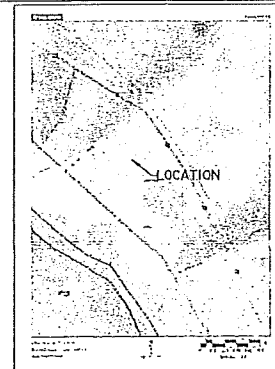
# Legend



200 ft



**PLOT PLAN**  
SCALE: 1" = 200'-0"



**LOCATION MAP**

NEW YORK STATE DEPARTMENT OF HEALTH  
BUREAU OF WATER SUPPLY PROTECTION

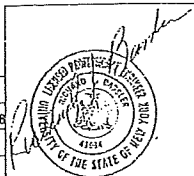
POPULATION TEST DATA  
DESIGN FACTORS ON 80% DSD

DEVELOPMENT WITH STEVEN WYANT COTLANDVILLE COUNTY CORTLAND  
DATE: 9/6/18 TEST COLLECTED BY: P. MEYERS, R. PRICE, & STEVEN WYANT

WEATHER CONDITIONS: SLIGHT BLD 69°

| TEST HOLE NO. | TEST HOLE DEPTH (FOOT) | SOIL PROFILE DESCRIPTION & OBSERVATIONS (SEE LIST OF NOTES)              | PRESIDING SURFACE        | POPULATION TEST |        |        |       |            |  |
|---------------|------------------------|--|--------------------------|-----------------|--------|--------|-------|------------|--|
|               |                        |  |                          | 1               | 2      | 3      | 4     | 5          |  |
| DEEP HOLE #1  | 50'                    | 8" TOPSOIL, 6" TO 12" SANDY SILT, 12" TO 18" SANDY SILT, 18" TO 24" SAND | 9/16" EXPOSED UPPER SOIL | DSD             |        |        |       |            |  |
|               |                        |  |                          | WCH             |        |        |       |            |  |
|               |                        |  |                          | RESULT          |        |        |       |            |  |
| PERC HOLE #1  | 30'                    | 8" TOPSOIL, 6" TO 12" SANDY SILT, 12" TO 18" SANDY SILT, 18" TO 24" SAND | 9/16" EXPOSED UPPER SOIL | DSD             | 9:12   | 9:17   | 9:22  |            |  |
|               |                        |  |                          | WCH             | 9:19   | 9:21   | 9:27  |            |  |
|               |                        |  |                          | RESULT          | 3 PERC | 3 PERC | 5 MIN | PERC @ 2L" |  |
| PERC HOLE #2  | 30'                    | 8" TOPSOIL, 6" TO 12" SANDY SILT, 12" TO 18" SANDY SILT, 18" TO 24" SAND | 9/16" EXPOSED UPPER SOIL | DSD             | 9:32   | 9:37   | 9:43  |            |  |
|               |                        |  |                          | WCH             | 9:28   | 9:32   | 9:34  |            |  |
|               |                        |  |                          | RESULT          | 6 PERC | 3 PERC | 5 MIN | PERC @ 2L" |  |

NOTE: DSD, DSD TIME, AND RESULT IS REPORTED FOR A WATER SELECTION DRAIN FROM 1" TO 1/2" ABOVE THE BOTTOM OF THE TEST HOLE.



**RICHARD BASSLER P.E. #41984**  
832 MARTIN HILL ROAD, HARPURSVILLE NY 13787  
(607) 693-1642 DATE: \_\_\_\_\_

**MEYERS DESIGN AND DRAFTING**  
E-MAIL: MEYERSDANDD@GMAIL.COM  
265 BATES-WILSON ROAD SO. PLYMOUTH, NY. 13844  
(607) 334-7429 FAX 334-2018

PROJECT: **STEVEN WYANT**  
**PROPOSED NEW RESIDENTIAL SANITARY SYSTEM**  
TAX MAP # 108.00-02-14.100  
2958 SOUTH HILL ROAD  
TOWN OF CORTLANDVILLE  
CORTLAND COUNTY

DWT. NAME: **PLOT PLAN, PERC SHEET AND LOCATION MAP**

SHEET NO. **1**

DESIGNED BY: **PETE MEYERS**  
DATE: **SEPTEMBER 2018**  
PROJECT: **STEVE WYANT**  
SCALE: **1" = 8'-0"**

**SOUTH HILL ROAD**

CENTERLINE

ELECTRIC MARKER

N60°48'07"E  
624.44' TOTAL

PARCEL

PORTION OF  
(R.O.) 49  
PORTION OF  
PARCEL 108.6  
1.77 ACRES ±

FOUND  
MON.

HOUSE  
#2968

291.43'  
33.8'  
89.6'

OVERHEAD  
UTILITY  
LINES

310'  
Front  
Center  
Line

333.01'

Well Location

Pole Barn

100' to neighbor  
property line

SET  
IRON  
ROD

Driveway

390' to  
neighbor  
property line

Septic  
system

575' from Rt. 11  
centerline

31.48 Acres

1000'  
next nearest  
neighbor  
property  
line

U.S. Route 11

N33°00'14"E  
766.9'

SET  
IRON  
ROD

571.94  
141.30'

212.98'

SET  
IRON  
ROD

SET  
IRON  
ROD

117.33'

SET  
IRON  
ROD

103.41'

SET  
IRON  
ROD

125.31'

ELECTRIC  
MARKER

OVERHEAD  
UTILITY  
LINES

101.10'

103.36'

SET  
IRON  
ROD