

TOWN OF CORTLANDVILLE
3577 TERRACE ROAD
CORTLAND, NY 13045

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS & DECISION

Applicant: Harriet Higgins Phone#: 607-218-6020

Address: P.O. Box 214, Homer NY ^(mailing) Fee: 10

Property Owner: Harriet Higgins, 4366 Cosmos Hill Rd. Cort.
(residences)

Appeal Concerns Property at the following address: 4366 Cosmos Hill Rd

Tax Map #: 76.13-01-12

Zoning District Classification: residential

Use for which Variance is requested: less than 5 acres parcel (2.012 acres)
less than 100' from neighbor's property

Applicable Section(s) of Zoning code: _____

Signature: HP Higgins Date: 4/19/19

TEST: No area variance will be granted without a consideration by the board of the following factors:

1. Whether an undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes _____ No X

Reason: _____

2. Whether benefit sought by applicant can be achieved by feasible alternative to the variance: Yes _____ No X

Reason: _____

Zoning Board of Appeals Area Variance Findings & Decision

3. Whether the requested variance is substantial: Yes ___ No X

Reason: _____

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No X

Reason: _____

5. Whether the alleged difficulty was self-created: Yes X No ___

Reason: less than 5 acres (2.012 acres) property
proposed chicken coop less than 100' from
property line

DETERMINATION OF ZBA BASED ON THE ABOVE FIVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

___ The Benefit to the Applicant DOES NOT outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

___ The benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reason: _____

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.

Part 1 - Project and Sponsor Information

Name of Action or Project: raise 12 chicks

Project Location (describe, and attach a location map):
4366 Cosmos Hill Rd

Brief Description of Proposed Action:
use part of shed for chicken coop, enclose an outdoor pen 10' x 10'

Name of Applicant or Sponsor:
Harriet Higgins

Address: same Telephone: 218-6020
 E-Mail: maryflowercapital@aol.com

City/PO: Cortland

State: NY Zip Code: 13048

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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.a. Total acreage of the site of the proposed action? .25 acres
 b. Total acreage to be physically disturbed? .25 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.012 acres

4. Check all land uses that occur on, adjoining and 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?	<input checked="" type="checkbox"/>		
b. Consistent with the adopted comprehensive plan?			<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?			<input checked="" 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: _____	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>		
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" 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: _____	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>		
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: <u>checks to have a 1 gal. water feeder suspended from ceiling</u>	<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?	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" 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?	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
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: _____	<input checked="" 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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" 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?	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>		<input checked="" 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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

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)? If Yes, explain purpose and size: _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Harriet Higgins</u> Date: <u>3/19/19</u>		
Signature: <u>[Signature]</u>		

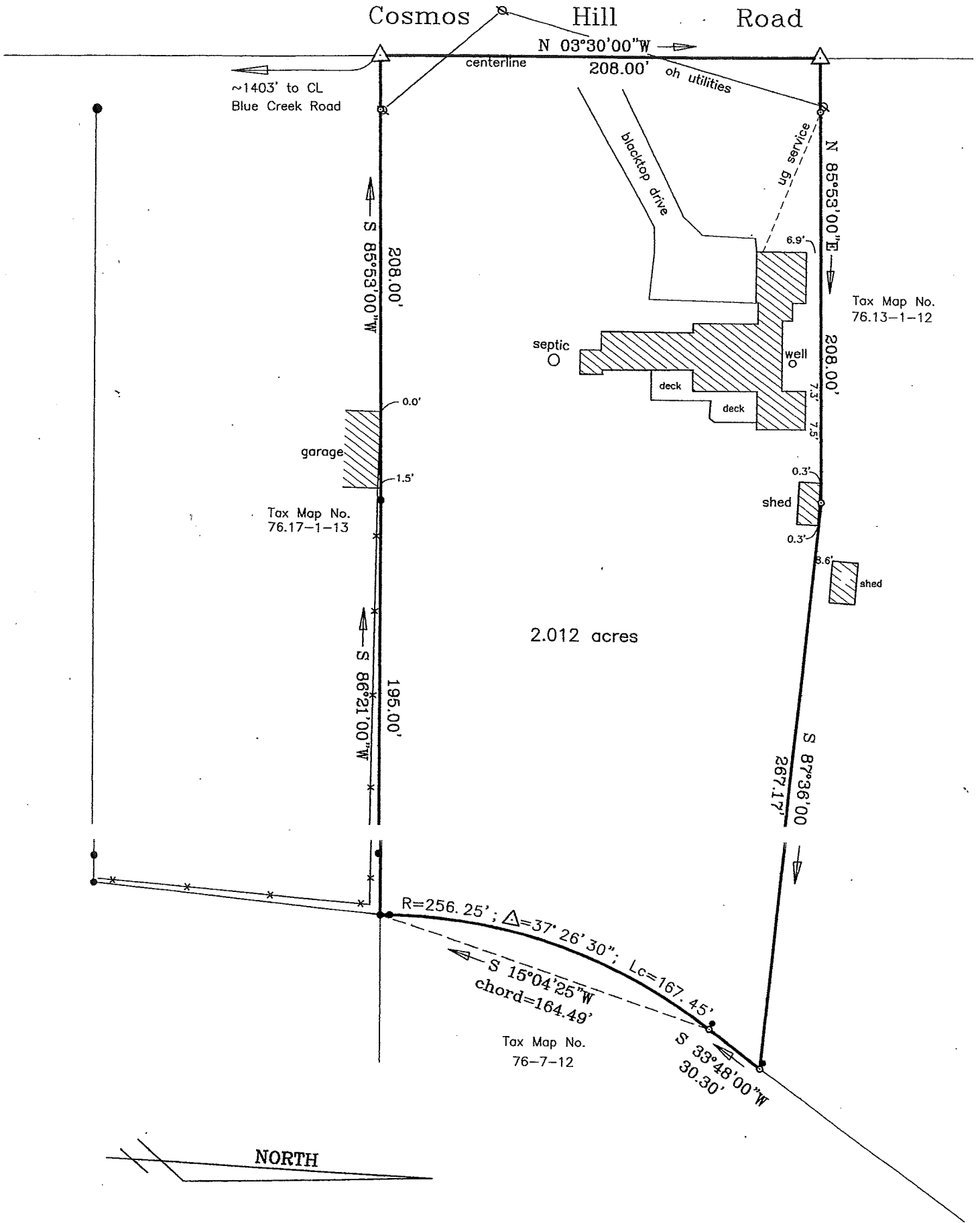
Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions 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?		
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)?		

	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?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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
_____ 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)



LEGEND:

- FOUND IRON PIPE
- SET 5/8" REBAR W/SURVEY CAP
- △ SURVEY REFERENCE POINT
- ✕ POWER POLE

