TOWN *of* NEW HARTFORD

COUNTY *of* ONEIDA

OFFICE OF CODES ENFORCEMENT

111 NEW HARTFORD STREET, NEW HARTFORD, NEW YORK 13413
OFFICE: (315) 724-4300 ext 2
FAX: (315) 724-4323
Emails: JoeB@town.new-hartford.ny.us
TRowlands@town.new-hartford.ny.us
TonyK@town.new-hartford.ny.us

Codes Officers:
Joseph A. Booth
Thomas Rowlands
Anthony J. Klimek

Town Supervisor
Patrick M. Tyksinski

INFORMATION FOR APPEALS AND PROCEDURES FOR AREA VARIANCES OF THE ZONING LAW

NOTE: IF THE FOLLOWING INSTRUCTIONS ARE NOT COMPLETED, YOUR PAPERWORK FOR A VARIANCE WILL NOT BE PROCESSED

INSTRUCTIONS FOR AN AREA VARIANCE IN REFERENCE TO A ONE/TWO-FAMILY OR MULTI-FAMILY DWELLING RESIDENTIAL, INCLUDING ACCESSORY STRUCTURES:

1) Complete "Notice of Appeal"
2) Complete "Application for Building and Zoning Permit"
3) Complete "Environmental Assessment"
4) Submit two (2) copies of plot plan showing all dimensions of buildings, yard (front, side and rear) setbacks, buildings (proposed and existing), lot size, area, Tax Map number and street. Submit any information that may be of value to the Zoning Board of Appeals in making a decision of your appeal
5) Submit variance fee for processing, check payable to Town of New Hartford

   One & two family: $100.00 **Multiple dwellings and other non-residential uses, including signs: $240**

6) Submit complete paperwork to Mr. Joseph A. Booth, Codes Enforcement Officer, 111 New Hartford Street, New Hartford, New York 13413 – **APPOINTMENT REQUESTED**

The Zoning Board of Appeals holds Public Hearings on the third Monday of every month at 6:30 P.M. (check with ZBA Secretary Dory Shaw for location. 724-4300 Ext. 2). Usually your appeal for the variance meeting will be held from four (4) to six (6) weeks after complete paperwork and fee is submitted.

APPLICANT MUST APPEAR AT THE PUBLIC HEARING

Applicants appearing before the Zoning Board of Appeals, upon payment of the designated fee, are entitled to only one (1) "no-show" at a Zoning Board of Appeals meeting, unless otherwise adjourned by said Zoning Board of Appeals; and after that, the applicant must reapply and pay the designated fee.

Note: If variance is granted, Building Permit must be obtained before the start of work.

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INTERPRETATION

To file for an interpretation before the Zoning Board of Appeals, application fee is $40.00.

BE SAFE ☑

Secure Building Permit
Request Inspection
Obtain Certificate of Occupancy

NOTICE OF APPEAL
AREA VARIANCE REQUEST

ZONING BOARD OF APPEALS
TOWN OF NEW HARTFORD, NEW HARTFORD, NEW YORK

TO THE ZONING BOARD OF APPEALS (PLEASE PRINT):

(This section to be completed by Codes Office):

PERMIT APPLICATION NO. _____
DATE OF APPLICATION _____
DATE APPLICATION DISAPPROVED _____

The undersigned, representing the owner/lessee of (identify property by lot and block or otherwise) _____ located at _____, hereby gives Notice of Appeal from the decision of the Codes Enforcement Officer made on _____ day of _____ 20____. In refusing to issue a Building Permit on the grounds that the same would be in violation of the provisions of Chapter _____, Sub-section ____, of the Codes of the Town of New Hartford, for the following stated reason(s):

_____

_____

_____

****

(This section to be completed by Applicant):

and the same having been disapproved, the following specified conditions and facts are hereby declared to the basis of an appeal from the order, requirement, decision or determination of the Building/Codes Department of the Town of New Hartford. Give specific reasons and facts why you feel the relief should be granted:

_____

_____

_____

_____

I hereby certify that the above statements and the accompanying data are true to the best of my knowledge and belief.

Date: _____

Signed: _____
Printed: _____
Address: _____
_____

Additional information and/or diagram may be shown on the reverse side.

Application Fee Residential:	One/two family	$ 100.00
	Multiple dwellings and other non-residential uses:	$ 240.00
	Interpretations:	$ 40.00

Checks are to be made payable to the TOWN OF NEW HARTFORD

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APPLICANT OR AUTHORIZED REPRESENTATIVE (WITH WRITTEN PERMISSION) IS TO APPEAR AT THE PUBLIC HEARING

Application for Building, Zoning, and Demolition Permit

Codes Department
(315) 724-4300, Ext. 2
FAX (315) 724-4323

VILLAGE/TOWN OF NEW HARTFORD

111 New Hartford Street • New Hartford, NY 13413

C/C / C/O No. _____
CPR No. _____
Plumbing No. _____
Septic No. _____

Date _____ 20 _____ Bldg. Permit No. _____

Application is hereby made to the Codes Department for the issuance of a Building and Zoning Permit pursuant to the NYS Uniform Fire Prevention & Building Code for the construction, addition or alterations, as herein described. The applicant/owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on the back of this application which are part of these requirements, and also will allow all inspectors to enter the premises for the required inspections. Work must be completed within one (1) year of issuance date. NOTE: The issuance of this Building Permit does not preclude any other approvals that may be required by county, state or federal agencies.

NOTE – READ INSTRUCTIONS ON REVERSE SIDE

Applicant's Name _____
Address: _____
_____ Zip _____
Phone: _____
Email: _____
Property Owner's Name: _____
Address: _____
_____ Zip _____
Phone: _____
Tax Map Number: _____
Property Location of Proposed Construction:
_____
Existing Use of Property: _____
Explanation Proposed Use: _____
_____
Contractor's Name: _____
Address: _____
_____ Zip _____
Phone: _____
Email: _____

Worker' Compensation, Disability & General Liability Carrier & Policy # _____
Zoning District _____
Lot Size _____ Area _____
Existing Building Size _____
New Building Size _____
NEW BUILDING YARDS: Zoning-Set Backs from property line. Fill-in plot diagram on back.
Front Yard Depth _____ Feet
Right Side Yard Width _____ Feet
Left Side Yard Width _____ Feet
Rear Yard Depth _____ Feet
Bldg. Height _____ Feet _____
Estimated Cost $ _____
Floor Area _____ Sq.Ft

Bldg. Permit Fee $ _____
Commercial Plan Review Fee $ _____
C/C /C/O Permit Fee $ _____
Demolition Permit Fee $ _____
Plumbing Permit Fee $ _____
Septic Permit Fee $ _____
TOTAL FEE $ _____

NOTE: Inspections by Codes Department are required at the following schedule. (You must call 24 hrs. in advance for Inspections).

1. Footings before pouring concrete.
2. Poured walls need inspection before pouring.
3. Foundation inspection before backfill.
4. Concrete slabs before placing concrete.
5. Plumbing, Heating, Framing, and Electrical Inspections before any closing in of the framework.
6. Insulation inspection.
7. When all work is completed, final inspection is required by Sewer, Electrical, Plumbing, and the Codes Department. No occupancy of building is permitted without a Certificate of Occupancy issued by the Codes Department.

_____ Signature of Owner, Applicant or Agent

_____ PRINTED OR TYPED COPY OF SIGNATURE

The application of _____ dated _____ 20____ is hereby approved (disapproved) and permission granted (refused) for the construction, reconstruction or alteration of a building and/or accessory structure as set forth above.

Reason for refusal of permit: _____
_____
_____

Dated _____ 20_____ _____ Codes Enforcement Officer

INSTRUCTIONS

1. This application must be completely filled in by typewriter or ink and submitted to the Codes Enforcement Office.
2. Plot plan showing location of lot and of buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
3. This application must be accompanied by one complete set of plans showing proposed construction.
4. The work covered by this application may not be commenced before the issuance of Building and Zoning Permit.
5. Upon approval of this application, the Codes Department will issue a Building and Zoning Permit to the applicant. Such permit and approval plans shall be kept on the premises available for inspection throughout the progress of the work.
6. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Codes Department.
7. Costs for the work described in the Application for Building Permit include the cost of all of the construction and other work done in connection therewith, exclusive of the cost of the land.
8. Any deviation from the approved plans must be authorized by the approval of revised plans subject to the same procedure established for the examination of the original plans. An additional permit fee may be charged predicated on the extent of the variation from the original plans.

PLOT DIAGRAM

Locate clearly and distinctly all buildings, whether existing or proposed, and include all setback dimensions from property lines. Give lot and block numbers or description according to deed, and show all easements and street names and indicate whether interior or corner lot, or supply an approved plot plan showing all the above requirements.

NOTE: TO PREVENT ANY DRAINAGE PROBLEM, SHOW ELEVATIONS, GRADING, SWALES, ETC.

C

D

ELEVATIONS OF FINISHED GRADES IN RELATION TO CROWN OF ROAD.

A. _____

B. _____

C. _____

D.

GROUND FLOOR _____

REMARKS

_____

_____

_____

_____

NOTE:

1. IF THIS IS A VACANT LOT PRINT IN DIMENSIONS OF NEW BUILDING.
2. IF THERE IS AN EXISTING BUILDING AND A PROPOSED ADDITION PRINT IN DIMENSIONS AND SHOW ADDITION.
3. FOR NEW BUILDINGS, SUBMIT AN INSTRUMENT SURVEY OF FOUNDATION LOCATION TO THE BUILDING DEPARTMENT FOR APPROVAL BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED.

FRONT PROPERTY LINE

A

B

_____

_____

_____

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:		
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 governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

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.
☐ 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?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
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: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
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 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? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	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)? If Yes, explain purpose and size: _____	☐	☐
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: _____	☐	☐

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

Applicant/sponsor name: _____ Date: _____

Signature: _____

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.

☐ 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)

PRINT

AREA VARIANCE CRITERIA

*AN UNDESIRABLE CHANGE WILL BE PRODUCED IN THE CHARACTER OF THE NEIGHBORHOOD OR A DETRIMENT TO NEARBY PROPERTIES WILL BE CREATED BY GRANTING THE VARIANCE.

*THE BENEFIT SOUGHT BY THE APPLICANT CAN BE ACHIEVED BY SOME METHOD FEASIBLE TO THE APPLICANT TO PURSUE, OTHER THAN A VARIANCE.

*THE REQUESTED VARIANCE IS SUBSTANTIAL.

*THE PROPOSED VARIANCE WILL HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.

*THE ALLEGED DIFFICULTY WAS SELF CREATED, WHICH CONSIDERATION SHALL BE RELEVANT TO THE DECISION, BUT SHALL NOT NECESSARILY PRECLUDE GRANTING THE VARIANCE.

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INFORMATION FOR APPLICANTS APPEALING TO ZONING BOARD OF APPEALS TOWN OF NEW HARTFORD

From: Joseph A. Booth
Codes Enforcement Officer

1) On applications for variances, if the applicant is not the actual owner of the subject premises, the applicant is required to provide the Zoning Board of Appeals with evidence of a sufficient legal interest in the premises (such as purchase agreement, option or lease).

2) If the applicant intends to rely upon restrictions or provisions in any lease, contract or any other legal agreement as evidence of hardship, the applicant should provide any such documentation to the Zoning Board of Appeals at or before the Public Hearing.

BE SAFE ☑
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Request Inspection
Obtain Certificate of Occupancy