

AREA VARIANCE APPLICATION

Review Process

- 1) Required Pre-Submission meeting with staff to determine general completeness to be held no later than 1 week prior to deadline day. Call (518) 761-8238 for appointment.
- 2) Submittal of complete application: *1 original & 14 copies* of the application package by monthly deadline.
- 3) Determination of application completeness. All necessary information must be provided and appropriate fee(s) paid for consideration for placement on an agenda for that month.
- 4) Incomplete applications will not be considered for placement on any agenda until all missing information has been supplied.
- 5) Submittal to the Warren County Planning Department, if applicable.
- 6) Zoning Board meeting, generally the third and fourth Wednesday of each month. You will be advised in writing as to which meeting to attend.
- 7) Following the meeting, you will be provided with a copy of the resolution stating the Board's decision on your application. If your application was approved, the next likely step is a Building Permit. Final plans/drawings must be provided for the next phase of review. If your application was denied your project cannot proceed as submitted.

Documentation Requirements:

Please submit **1 original** and **14 copies** of the completed application package to include:

- o **Completed Application:** all pages completed, signed & dated
- o **Pre-Submission Meeting Notes:** signed by staff & applicant/agent
- o **Denial Letter:** from the Zoning Administrator
- o **Waiver Request:** request for a waiver from the applicant regarding submission requirements.
- o **Copy of Deed**
- o **Survey:** stamped, dated & signed
- o **Fee**

Zoning staff & Contact Information

Craig Brown, Director of Planning, Zoning & Code Compliance

craigb@queensbury.net

Laura Moore, Land Use Planner

lmoore@queensbury.net

Sue Hemingway, Office Specialist (518) 761-8238

sueh@queensbury.net

Visit our website at www.queensbury.net for further information and forms.

General Information

Tax Parcel ID Number: _____

Zoning District: _____

Detailed Description of Project [includes current & proposed use]:

Location of project:

Applicant Name:		Address:	
Home Phone		Cell:	
Work Phone		Fax	
E-Mail:			
Agent's Name:		Address:	
Home Phone		Cell:	
Work Phone		Fax	
E-mail			
Owner's Name		Address	
Home Phone		Cell	
Work Phone		Fax	
E-mail			

Site Development Data

Area / Type	Existing sq. ft.	Proposed Addition sq. ft.	Total sq. ft.
A. Building footprint			
B. Detached Garage			
C. Accessory Structure(s)			
D. Paved, gravel or other hard surfaced area			
E. Porches / Decks			
F. Other			
G. Total Non-Permeable [Add A-F]			
H. Parcel Area [43,560 sq. ft. / acre]			
I. Percentage of Impermeable Area of Site [I=G/H]			

Setback Requirements

Area	Required	Existing	Proposed
Front [1]			
Front [2]			
Shoreline			
Side Yard [1]			
Side Yard [2]			
Rear Yard [1]			
Rear Yard [2]			
Travel Corridor			
Height [max]			
Permeability			
No. of parking spaces			

Additional Project Information

1. Will the proposal require a Septic Variance from the Town Board of Health? _____
2. If the parcel has previous approvals, list application number(s): _____
3. Does this project require coverage under the NYS DEC Stormwater Pollution Prevention Program?
 Yes No
4. Estimated project duration: Start Date _____ End Date _____
5. Estimated total cost of project: _____
6. Total area of land disturbance for project: _____

Floor Area Ratio Worksheet

FLOOR AREA RATIO (FAR) -- The relationship of building size to lot size, derived by dividing the total building floor area by the lot size in square feet, yielding a percentage.

Zoning District	Symbol	Floor Area Ratio [FAR]
Waterfront Residential	WR	0.22
Commercial Moderate/Commercial Intensive	CM / CI	0.3
Main Street	MS	0.3

- A. The combined area of all square footage, as measure from exterior walls of all structures on the property, including all floors of the structures, garages, basements and attics with more than five (5) feet of ceiling height and covered porches. Building square footage does not include: Open deck, docks and that portion of covered docks extending over water and one storage shed of one hundred twenty (120) square feet or less. Any additional sheds will be included. (See "FLOOR AREA RATIO").
- B. Commercial or industrial: the total area in square feet as measured from the exterior of the outside walls of a building or structure, and when applicable, the sum total of all floor areas of the principal and accessory buildings or structures on the project site.

A. Parcel Area	_____ sq. ft.
B. Existing Floor Area	_____ sq. ft. [see above definition]
C. Proposed Additional Floor Area	_____ sq. ft.
D. Proposed Total Floor Area	_____ sq. ft.
E. Total Allowable Floor Area	_____ (Area x _____) [see above table]

***if E is larger than D, a variance or revisions to your plan may be needed. Please consult w/Staff.**

Compliance with Zoning Ordinance

Requesting relief from SECTION: _____

Need relief from the requirement(s) listed below which can not be met by the project as proposed.

[Check all that apply] Setback Buffer Zone Lot Width Other _____

The following questions reflect the criteria for granting this type of variance. Please complete them; use additional sheets if needed.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby property will be created by the granting of this area variance?

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance?

3. Whether the requested area 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 district?

5. Whether the alleged difficulty was self-created?

Submittal of a stamped and signed SURVEY MAP depicting existing and proposed conditions shall include the items as noted below.

A.	GENERAL	SHEET #
1	Title, Name, Address of applicant & person responsible for preparation of drawing	
2	Deed	
3	North arrow, Tax Map ID, date prepared and scale [minimum 1In. = 40 ft.]	
4	Boundaries of the property plotted to scale, zoning boundary	
5	Principal structures, accessory structures with exterior dimensions	
6	Site improvements incl. outdoor storage areas, driveways, parking areas, etc.: existing & proposed	
7	Setbacks for all structures and improvements: existing & proposed	
8	Elevations and floor plans of all proposed and affected structures	
B.	WATER & SEWER	SHEET #
1	Project sewage disposal facilities, design details, construction details, flow rates, and number of bedrooms proposed	
2	Water supply [i.e. well] & septic on adjoining lots with separation distances to existing or proposed on-site water supply and septic	
3	Separation distances for proposed sewage disposal system to well and water bodies	
4	Existing public or private water supply [well, lake, etc.]. Method of securing public or private water, location, design and construction of water supply including daily water usage	
5	Percolation test location and results	
C.	PARKING / PERMEABLE AREAS	SHEET #
1	Number of spaces required for project including calculations and justification: existing & proposed	
2	No. of existing parking spaces, number to be removed, number to maintain and type of surfacing material [e.g., gravel, paved]	
3	Provision for pedestrian and handicap access and parking: existing & proposed	
4	Design details of ingress, egress, loading areas and cutting: existing & proposed	
5	Location and character of green areas [existing and proposed], modification to green area, buffer zone to remain undisturbed	
6	Lighting, location and design of all existing and proposed outdoor lighting	
D.	ADDITIONAL SITE DEVELOPMENT AND MISCELLANEOUS	SHEET #
1	On-site & adjacent watercourses, streams, rivers, lake and wetlands	
2	Utility /energy distribution system [gas, electric, solar, telephone]: existing & proposed	
3	Location, design and construction details of all existing and proposed site improvements including: drains, culverts, retaining walls, fences, fire & emergency zones and hydrants, etc.	
4	Square footage of bldg. area proposed for office, manufacturing, retail sales or other commercial activities: existing & proposed	
e	Signage: Location, size, type, design and setback: existing & proposed	
f	Waiver Request: provide letter with application requesting any waivers: please reference specific items	
g	Commercial/Industrial Development requires submission of Landscaping, Stormwater Management, Grading & Lighting Plans	
h	Identification of Federal, State or County permits required for the project together with a record of application for all necessary permits	

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:	
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
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
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				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?			
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?	NO	YES	
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: _____ _____	NO	YES	
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 type="checkbox"/> NO <input type="checkbox"/> YES If No, describe method for providing potable water: _____ _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
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?	NO	YES	
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: <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 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	
16. Is the project site located in the 100 year flood plain?	NO	YES	
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 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 type="checkbox"/> NO <input type="checkbox"/> 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: _____ _____	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: _____ 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.

<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)

Signature Page

This page includes the 1.) Authorization to Act as Agent Form; 2.) Engineering Fee Disclosure; 3.) Authorization for Site Visits; 4.) Other Permit Responsibilities; 5.) Official Meeting Disclosure and 6.) Agreement to provide documentation required.

OWNER'S AGENT FORM:

Complete the following if the **OWNER** of the property is not the same as the applicant

Owner: _____
Designates: _____
As agent regarding: _____ Variance _____ Site Plan _____ Subdivision
For Tax Map No.: _____ Section _____ Block _____ Lot
Deed Reference: _____ Book _____ Page _____ Date

OWNER SIGNATURE: _____ **DATE:** _____

APPLICANT'S AGENT FORM:

Complete the following if the **APPLICANT** is unable to attend the meeting or wishes to be represented by another party:

Owner: _____
Designates: _____
As agent regarding: _____ Variance _____ Site Plan _____ Subdivision
For Tax Map No.: _____ Section _____ Block _____ Lot
Deed Reference: _____ Book _____ Page _____ Date

APPLICANT SIGNATURE: _____ **DATE:** _____

2.) **ENGINEERING FEE DISCLOSURE:** Applications may be referred to the Town consulting engineer for review of septic design, storm drainage, etc. as determined by the Zoning or Planning Department. Fees for engineering review services will be charged directly to the applicant. Fees for engineering review will not exceed \$ 1,000 without notification to the applicant.

3.) **AUTHORIZATION FOR SITE VISITS:** By signing this page and submitting the application materials attached herein, the Owner, Applicant, and his/her/their agent(s) hereby authorize the Zoning Board or Planning Board and Town Staff to enter the subject properties for the purpose of reviewing the application submitted.

4.) **OTHER PERMIT RESPONSIBILITIES:** Other permits may be required for construction or alteration activity subsequent to approval by the Zoning Board or Planning Board. It is the applicant's responsibility to obtain any additional permits.

5.) **OFFICIAL MEETING MINUTES DISCLOSURE:** It is the practice of the Community Development Department to have a designated stenographer tape record the proceedings of meetings resulting from application, and minutes transcribed from those tapes constitutes the official record of all proceedings.

6.) **AGREEMENT TO PROVIDE DOCUMENTATION REQUIRED:** I, the undersigned, have thoroughly read and understand the instructions for submission and agree to the submission requirements, I acknowledge no construction activities shall be commenced prior to issuance of a valid permit. I certify that the application, plans and supporting materials are a true and complete statement/description of the existing conditions and the work proposed, and that all work will be performed in accordance with the approved plans and in conformance with local zoning regulations. I acknowledge that prior to occupying the facilities proposed, I or my agents, will obtain a certificate of occupancy as necessary. I also understand that I/we may be required to provide an as-built survey by a licensed land surveyor of all newly constructed facilities prior to issuance of a certificate of occupancy

I have read and agree to the above.

Signature [Applicant] Print Name [Applicant] Date signed

Signature [Agent] Print Name [Agent] Date signed