Town of Queensbury **Area Variance Application**

REVIEW PROCESS:

1) Required Pre-Submission meeting with staff to determine general completeness of application materials to be held no later than 1 week prior to deadline day. Call (518) 761-8238 or (518) 761-8265 for an appointment.

2) 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.

3) Incomplete applications will not be considered for placement on any agenda until all missing information has been supplied.

4) Submittal to the Warren County Planning Board, if applicable.

5) Zoning Board meetings, generally the third and fourth Wednesday of each month. You will be advised in writing as to which meeting to attend.

6) 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.

DOCUMENTS TO BE SUBMITTED: (HARD COPY & ELECTRONIC)

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

Completed Application: pages 1–9 completed, signed & dated

Pre-Submission Meeting Notes: signed by staff

Denial Letter: from the Zoning Administrator

Survey:

Current Survey: survey map depicting current conditions – sign, stamped, date by surveyor

Proposed Conditions Map: The proposed conditions map must be based on a current survey and may by prepared by Surveyor, Professional Engineer (Civil) or a Registered Architect.

Area / Sign Applications: must provide a final as-built survey depicting all site conditions and improvements

Survey Waiver: Applicant may request a waiver from the survey pre and post requirements.

Copy of Deed

Fee: $50 residential; $100 commercial

ZONING STAFF & CONTACT INFORMATION:

Craig Brown, Zoning Administrator	craigb@queensbury.net	
Laura Moore, Land Use Planner	lmoore@queensbury.net	
Sue Hemingway, Office Specialist	sueh@queensbury.net	(518) 761-8238

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

General Information

Tax Parcel ID Number: _____

Zoning District: _____

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

Current Use: _____

Proposed Use: _____

Location of Project: _____

Applicant Name:		Mailing Address	
Home Phone		City, State, Zip	
Work Phone		Cell Phone	
E-Mail:		FAX No.	
Agent's Name:		Mailing Address	
Home Phone		City, State, Zip	
Work Phone		Cell Phone	
E-mail		FAX No.	
Owner's Name		Mailing Address	
Home Phone		City, State, Zip	
Work Phone		Cell Phone	
E-mail		FAX No.	

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 Yard [1]			
Front Yard [2]			
Shoreline			
Side Yard [1]			
Side Yard [2]			
Rear Yard [1]			
Rear Yard [2]			
Travel Corridor			
Height [maximum]			
Permeability			
Number 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 New York State Pollutant Discharge Elimination System (SPDES) Permit 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

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.

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

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?

_____
_____
_____

Section 179-14-030 –Application materials

Application materials and site plan drawing is to include sufficient information for the Board to review and provide a decision. The applicant is to provide a site plan drawing(s) – a survey showing existing conditions, a proposed conditions map (see page 00 for specific criteria) and include any other attachments that address A - D as applicable to the proposed project.

A.	General	Shown on 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: 1 inch = 40 feet]	
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	Shown on 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	Shown on 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	Shown on 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	
5	Signage: Location, size, type, design and setback: existing & proposed	
6	Waiver Request: provide letter with application requesting any waivers: please reference specific items	
7	Commercial / Industrial Development requires submission of Landscaping, Stormwater Management, Grading & Lighting Plans	
8	Identification of Federal, State or County permits required for the project together with a record of application for all necessary permits	

Pre-Submission Conference Form / Section 179-9-040

1. **Applicant Name:** _____

2. **Tax Map ID** _____ **Location:** _____

3. **Zoning Classification** _____

4. **Reason for Review:** _____

5. **Zoning Section #:** _____

6. **Pre-Submission Meeting Notes:**

	Provided	Outstanding; Please provide by
Deed	____	_____
General Information complete	____	_____
Site Development Data Complete	____	_____
Setback Requirements Complete	____	_____
Additional Project Information Complete	____	_____
FAR addressed	____	_____
Compliance with Zoning Ordinance	____	_____
Checklist items addressed	____	_____
Environmental Form completed	____	_____
Signature Page completed	____	_____

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Staff Representative: _____

Applicant / Agent: _____ Date: _____

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 the following:

Variance ___ Site Plan ___ Subdivision ___

For Tax Map No.:_____ 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 the following:

Variance___ Site Plan ___ Subdivision ___

For Tax Map No.:_____ Deed Reference: Book____ Page ____ Date ____

OWNER 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

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.

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. ☐ 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: _____

PRINT FORM

Agency Use Only [If applicable]

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?	☐	☐
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)?	☐	☐
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?	☐	☐

PRINT FORM

Agency Use Only [If applicable]

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.

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 FORM