

**ZONING BOARD**

TOWN OF NEW SCOTLAND  
Slingerlands, N.Y. 12159

**APPEAL REQUEST FORM**

Date: 1/16/2021

**Submittal Fee Due With Application \$75.00**

Parcel Location: 28 Whitebeck Road

Town Tax Id. #: 84-1-9

Owner: James J Cramer

Address: 10 North Main Street  
Voorheesville NY 12186

Owner Phone # : (518) 858-2785 ( ) -

Owner(s) Signature of Consent:

Current Property Use: Vacant/Unsafe structure.

Proposed Use: Single family dwelling

Dept/Use	
Var #	: <u>545</u>
Zng/Dst	: <u>HDE</u>
Article	: <u>XVI</u>
Section	: <u>190-12</u> <u>Table 2</u>
Date/Purpose	
Submt/Dt	: <u>1/18/2021</u>
Fee Amt	: \$ <u>75</u>
Fee/Pd	: <u>/</u> / <u>/</u>
ZB/Dt(s)	: <u>/</u> / <u>/</u>
	: <u>/</u> / <u>/</u>
	: <u>/</u> / <u>/</u>
	: <u>/</u> / <u>/</u>

Applicant/Agent: (Complete if not the owner)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: ( ) - \_\_\_\_\_

Phone #: ( ) - \_\_\_\_\_

Interest in Property: \_\_\_\_\_

Appeal Type:  Area Variance -  Use Variance -  Interpretation  
 Temporary Use -  Appeal Decision of Official

**Narrative of Appeal:**

This application is a request of relief from the setback requirements listed in Article XVI, Section 190-12, Table 2 of the town of new Scotland zoning law. Table 2 requires the building setback to be located a minimum of five feet and a maximum of twenty feet from the back of a sidewalk or shaded path in the Hamlet District Extension zone. This request is for 20 feet of relief to allow for the building to be located within 40 feet of the property line. This request will keep the footprint of the new dwelling within the footprint of the structure that is to be taken down. This parcel received site plan approval by the planning board in January with a condition that a request to the ZBA for the setback is applied for.

## 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		
James J Cramer		
Name of Action or Project: Area Variance for dwelling location		
Project Location (describe, and attach a location map): 28 Whitbeck		
Brief Description of Proposed Action: Unsafe structure torn down after site plan approval from Town Planning Board. Area Variance application is to request for allowance to locate dwelling 40' from property line. Code allows dwelling to be constructed 5-20' from property line.		
Name of Applicant or Sponsor: James J Cramer	Telephone: 518-858-2785	E-Mail: jjcramerinc@aol.com
Address: 10 North Main St		
City/PO: Voorheesville	State: NY	Zip Code: 12186
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 <input type="checkbox"/>	YES <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?	1 acres	
b. Total acreage to be physically disturbed?	0.5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	1 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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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		

a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	NO	YES <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"/>	NO	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	NO	YES <input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	NO	YES <input 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: <u>Will be built to current energy codes.</u>	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>ACDOH Approved septic</u>	<input checked="" type="checkbox"/>	NO	YES <input 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"/>	NO	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	NO	YES <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?	<input type="checkbox"/>	NO	YES <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"/>	NO	YES <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: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" 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? <u>Northern long Eared bat.</u>	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	NO	YES <input 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 type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>New dwelling is less than half of the size of previous building footprint on site. Runoff should be reduced.</u>	<input type="checkbox"/>	NO	YES <input checked="" type="checkbox"/>

water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	<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? If Yes, describe: _____	<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? If Yes, describe: _____	<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: _____	Date: <u>1/18/2021</u>	
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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: <ul style="list-style-type: none"> <li>a. public / private water supplies?</li> <li>b. public / private wastewater treatment utilities?</li> </ul>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input 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 type="checkbox"/>	<input type="checkbox"/>