

Department of Planning and Development

Mark Territo, Commissioner

4401 State Route 31
Clay, NY 13041
Website: www.townofclay.org



TOWN of CLAY
A great place to live, work, and raise a family.

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JAN 05 2023

**TOWN CLERK
TOWN OF LYSANDER**

Phone: (315) 622-3800
Fax: (315) 622-7259
E-mail: planning@townofclay.org

January 5, 2023

Dina M. Falcone, Town Clerk
Town of Lysander
8220 Loop Road
Baldwinsville, NY 13027

Re: Zoning Board of Appeals Case #1905
Applicant: Scott Merle
Project: Area Variance
Location: 8717 Oswego Road
Meeting/Hearing: February

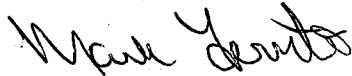
Dear Ms. Falcone,

The above project is located on the river across from the Town of Lysander. Pursuant to the General Municipal Law, the Town of Clay is providing you the applicant's request for your review.

Enclosed please a copy of the application, EAF, survey and our 200 foot notice.

Should you have any questions, please feel free to call me.

Very truly yours,



Mark V. Territo
Commissioner of Planning & Development

MVT/vm
Encl.



TOWN OF CLAY

Case # 1905
Tax Map # 018-01-090

ZONING BOARD OF APPEALS RESIDENTIAL or COMMERCIAL

LYSANDER

Application for an Area Variance:

NAME OF APPLICANT (Principal contact): SCOTT MERLE

Mailing Address 8692 OSWEGORD BALDWINVILLE, N.Y. 13027

Email SCOTT@MERLEBUILDERS.COM Phone 315-952-6498

ADDRESS OF SUBJECT PROPERTY: 8717 ST. RT, 57 (OSWEGO RD.)

PROPERTY OWNER (owner of record, if not applicant) STEVEN & SHANNON HOUSTON

Mailing Address 8717 ST. RT, 57 BALDWINVILLE 13027 Phone _____

PERSON/FIRM REPRESENTING APPLICANT STEPHEN SELWERT, LAND SURVEYOR
(Architect, Engineer, Attorney, etc.)

Mailing Address 8 CANTON STREET BALDWINVILLE N.Y. 13027

Email sselwert@appliedearthtech.com Phone 315-635-5197

PROPERTY'S ZONING DISTRICT: RA-100 R-40 R-15 R-10 R-7.5 R-2F R-TH R-APT R-MHC LuR
R-SR REC-1 O-1 O-2 NC-1 HC-1 RC-1 LuC-1 LuC-2 I-1 I-2 S-1 PDD (circle one)

CURRENT USE: RESIDENCE LENGTH OF TIME SO USED: 65 ± Months/Years (circle one)

Is any portion of the land located in: _____ Regulated Wetlands Flood Plain
_____ Town Local Waterfront Revitalization Area

RELIEF SOUGHT:

AREA VARIANCE reducing:

Lot area from _____ square feet to _____ square feet, Section _____
Lot width from _____ feet to _____ feet, Section _____
Front yard setback from _____ feet to _____ feet, Section _____
Side yard setback from _____ feet to _____ feet, Section _____
Side yard (2nd) setback from _____ feet to _____ feet, Section _____
Rear yard setback from _____ feet to _____ feet, Section _____
Height of a _____ from _____ feet to _____ feet, Section _____
Height of a fence in a front yard from the allowed 2 1/2 feet to _____ feet (maximum 7 feet) 230-20 B.(2)(b)

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PLANNING AND DEVELOPMENT

Section 230-19- Highway Overlay Zone District reducing:

Lot area from _____ square feet to _____ square feet, Section _____
Lot frontage from _____ square feet to _____ square feet, Section _____
Designated highway from 140 feet to 82 feet, Section 230-19-A(5)

Other _____

For the purpose of ADDITION ENCROACHES CLOSER TO THE DESIGNATED HIGHWAY THAN THE EXISTING STRUCTURE BY 6 FT.
8/21

Highway Overlay District - Designated Highway Setback

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: AREA VARIANCE @ 8717 OSWEGO RD.			
Project Location (describe, and attach a location map): MAP ATTACHED			
Brief Description of Proposed Action: ADD 8FT X 33.5 FT ADDITION TO FRONT OF EXISTING HOUSE AT 8717 OSWEGO RD. (RT57) BALDWINVILLE, NY			
Name of Applicant or Sponsor: SCOTT MERLE		Telephone: 315-952-6498	
		E-Mail: SCOTT@MERLEBUILDERS.COM	
Address: 8692 OSWEGO RD			
City/PO: BALDWINVILLE		State: NY	Zip Code: 13027
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 checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>0.74</u> acres	
b. Total acreage to be physically disturbed?		<u>< 1</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>0.74</u> 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 checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, 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 type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<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 type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>SUBSURFACE SEWAGE DISPOSAL</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>	<input 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"/>	<input type="checkbox"/>	<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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input type="checkbox"/>	<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 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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
_____	<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: _____	NO	YES
_____	<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: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>STEPHEN SEHNERT, L.S.</u>		Date: <u>11/16/22</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?	<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: a. public / private water supplies? b. public / private wastewater treatment utilities?	<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"/>

	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?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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