



# TOWN OF WEBSTER

## ZONING BOARD OF APPEALS APPLICATION

Office (585) 872-7028 • Fax (585) 872-1352 • [planning-zoning@ci.webster.ny.us](mailto:planning-zoning@ci.webster.ny.us)



**\*\* Anyone wishing to apply must contact the Deputy Commissioner first, to complete a Mandatory Pre-Application Meeting. To schedule this meeting please call: (585) 872-7028 or email: [Planning-Zoning@ci.webster.ny.us](mailto:Planning-Zoning@ci.webster.ny.us).**

### Applicant/Contact Person:

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Property Owner Information (if different than above):

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Architect / Engineer (if applicable):

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

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

**Parcel Number (SBL):** \_\_\_\_\_ **Zoning District:** \_\_\_\_\_

### Project Description (additional information can be attached):

\_\_\_\_\_  **Use Variance**

\_\_\_\_\_  **Area Variance**

\_\_\_\_\_  **Interpretation**

\_\_\_\_\_  **Special Use Permit**

**Length of time to complete project:** \_\_\_\_\_ **Estimated Cost:** \_\_\_\_\_

**Work will be completed by (circle one):**    Owner    Sub-divider    Contractor    Sub Contractor

**APPLICANT:** By the signature below, on behalf of the applicant or owner, I hereby authorize representatives from the Town of Webster to enter the above referenced property, during normal hours, for the purpose of conducting inspections of the proposed construction/activity, as required by applicable law, rules, regulations ordinances and orders. I also certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



# 2020 Webster Board Application Schedule

Planning Board		Zoning Board	
<u>Filing Deadline:</u>	<u>Meeting Date:</u>	<u>Filing Deadline:</u>	<u>Meeting Date:</u>
December 10, 2019	January 7, 2020	December 17, 2019	January 14, 2020
December 24, 2019	January 21st	January 7, 2020	January 28th
January 14th	February 4th	January 21st	February 11th
January 28th	February 18th	February 4th	February 25th
February 11th	March 3rd	February 18th	March 10th
February 25th	March 17th	March 3rd	March 24th
March 17th	April 7th	March 10th	April 14th
March 31st	April 21st	April 7th	April 28th
April 14th	May 5th	April 21st	May 12 <sup>th</sup>
April 28th	May 19th		<i>* No Meeting May 26th</i>
May 12th	June 2nd	May 19th	June 9th
May 26th	June 16th	June 2nd	June 23rd
	<i>*No Meeting July 7th</i>		<i>* No Meeting July 14th</i>
June 30th	July 21st	July 7th	July 28th
July 14th	August 4th	July 21st	August 11th
July 28th	August 18th	August 4th	August 25th
August 11th	September 1st	August 18th	September 8th
August 25th	September 15th	September 1st	September 22nd
September 15th	October 6th	September 22nd	October 13th
September 29th	October 20th	October 6th	October 27th
	<i>*No Meeting Nov. 3rd</i>	October 20th	November 10th
October 27th	November 17th	November 3rd	November 24th
November 10th	December 1st	November 17th	December 8th
November 24th	December 15th		<i>* No Meeting December 22nd</i>
December 15th	January 5, 2021	December 22nd	January 12, 2021
December 29th	January 19, 2021	January 5, 2021	January 26, 2021

**All Planning and Zoning Board meetings take place at the Town of Webster Board Room, 1002 Ridge Road, at 7:00 P.M.**

**SUBMISSIONS TO INCLUDE:**

Planning Board	Zoning Board
1. Letters of Intent & Application - 19 copies 2. Fees per Schedule 3. Affidavit of Mailings with mailing list and one (1) copy of notification sample	1. Letters of Intent & Application - 10 copies 2. Instrument Survey- 10 copies 3. Fees per fee schedule 4. Affidavit of Mailings with mailing list and one (1) copy of notification sample
Sign Permits	Town Board
1. Letters of Intent & Application- 10 copies	1. Letters of Intent & Application - 10 copies

**\* Monroe County Referrals require 5 additional copies.**

**\* Applicant shall provide additional copies as requested by the Town.**

## **ZONING BOARD OF APPEALS APPLICATION REQUIREMENTS**

1. Cut off dates for all applications to be submitted to the Zoning Board of Appeals per the attached schedule which indicates deadlines for submittals for upcoming Board meetings. The Webster Town Zoning Board of Appeals meets on the 2nd and 4th Tuesdays of each month. All meetings start promptly at 7:00 PM. The Webster Town Zoning Board of Appeals, at its discretion, reserves the right not to hear new applications after 10:30 PM on any regularly scheduled meeting day. If the Board exercises this right, the remaining cases will be heard at the beginning of the next regularly scheduled Public Hearing.
2. Applicants shall submit a completed application form along with the following:
  - ❖ Letter of Intent describing the project in applicant's own words
  - ❖ Owner's Affidavit (from property owner, granting permission to apply for variance)
  - ❖ Plans/drawings (\*see page 4 for more detailed information)
  - ❖ Survey map
  - ❖ Environmental Assessment Form (EAF)
  - ❖ Payment of fees on or before the scheduled deadline and/or cut off dates.

Any incomplete application received will not be scheduled to be heard by the Board. It will be the applicant's or agent's responsibility to submit a complete application for the hearing date requested (see submission checklist on next page).

3. The applicant shall submit ten (10) copies of the plan to scale. Plans shall have the name, address, and phone number of the licensed professional preparing plans together with his seal and signature and the name, address and phone number of the applicant. Applications for a variance to a single-family residence may be accepted by the submission of an instrument survey map, no older than one (1) year old, prepared by a licensed surveyor and showing the proposed variance to scale. Note: As long as there are no changes on the survey map, maps older than one (1) year may be acceptable, if determined so by the Zoning Board of Appeals.
4. The applicant shall be responsible for notifying by first class mail all property owners of record within 100 hundred (100) feet of the outside perimeter or boundary line of property involved in the variance. This notification must contain the time, date, and place of such public hearing by mail at least ten (10) days prior to such hearing. Notice shall be deemed to have been given if mailed to the property owner at the tax billing address listed on the property records of the Town Assessor's Office or at the property address.
5. At least seven (7) days prior to such hearing the applicant shall file with the Zoning Board of Appeals, his/her affidavit of mailing such notices. Failure to receive such notice shall not be deemed a jurisdictional defect of the Zoning Board of Appeals.
6. Any revisions made to the plans necessitated by comment from the Project Review Committee or Engineering Division must be resubmitted to the Engineering Division **no later than 7 days prior to the meeting date. The Zoning Board of Appeals will not entertain any new or revised plans which have not been reviewed by the Project Review Committee.**
7. The Zoning Board of Appeals requires that applications meet the submission checklist (on the next page) and reserves the right not to hear a presentation if the application is deemed incomplete.
8. **For all projects requiring full-size plans sets, plans must be folded to 9" x 14 1/2" maximum size or they will not be accepted. In addition, please provide (1) electronic PDF copy on a flash drive, CD-ROM or link to an FTP site where the files can be downloaded.**
9. Applicants or their representatives must appear at the hearings. All withdrawals must be made in writing.

**Zoning Board Submission Checklist:**

**No. of copies:**

- Completed Zoning Board of Appeals Application 10
- Letter of intent (project description in applicant’s own words) 10
- Completed environmental assessment form (EAF) 10
- Plans / Survey Map (folded to 9" x 14 1/2" maximum size) 10
- Non-collusion disclosure signed 1
- Tax incentive disclosure 1
- Sample copy of public hearing mailing notification 1
- List of property owners within 100 feet for mailing notifications 1
- Affidavit for proof of mailing 1
- Owner’s Affidavit (if owner is different than applicant) 1
- Fees paid: \$\_\_\_\_\_ N/A
- Date of Planning Board meeting (if applicable): \_\_\_\_\_

❖ **Some projects may require a review referral to Monroe County Planning & Development. For these projects, an additional (5) complete application sets will be required at time of submittal.**

❖ **Please assemble the correct number of complete application sets prior to submittal for expedited distribution to staff.**

**❖ Incomplete Applications will NOT be accepted.**

**NOTE:** All meetings start at 7:00 PM at the Van Ingen Courts and Board Room. The Webster Zoning Board of Appeals, at its own discretion, reserves the right not to hear new applications after 10:30 PM on any regularly scheduled meeting day. In the event this occurs, the hearing(s) will be rescheduled to the next available meeting.

**Fees:**

Residential Variance	\$100.00 for 1 <sup>st</sup> request; \$10.00 each additional
Commercial Variance	\$175.00 for 1 <sup>st</sup> request; \$20.00 each additional
Interpretation	\$100.00
Special Use Permit	\$200.00

**\*All checks shall be made payable to Webster Town Clerk\***

## **REQUIREMENTS FOR PLANS / DRAWINGS**

Applications to the Town of Webster Zoning Board of Appeals shall include the information indicated below. The Department of Public Works reserves the right to request additional information at its discretion.

### **Applications for a **change of use** where no physical work to be performed outside of building shall include:**

- ❖ Instrument survey map or aerial photo showing subject property and adjacent owners
- ❖ Parking, landscaping and lighting (if applicable)
- ❖ Existing buildings and their uses
- ❖ Floor plan of existing buildings and proposed uses (depending on the size and scope of the project, these plans may be required to be prepared by a licensed professional architect, engineer, landscape architect or surveyor).

### **Applications for an **area variance** to a single-family residence shall submit an instrument survey map showing:**

- ❖ Existing property boundary lines
- ❖ Existing structure(s)
- ❖ Any proposed changes indicated as “new” on the drawing
- ❖ List of variances requested with specific dimensions listed and shown on the drawing

### **For all other applications, the plan/drawing shall include:**

- ❖ A professionally prepared site plan / drawing by a licensed professional
- ❖ Boundary data to include length, bearings or angles, tie distance to nearest intersection and adjacent property owner’s names
- ❖ Title block with project name and address
- ❖ North arrow
- ❖ Preliminary topographic data (taken from County maps) at a minimum of 5 feet intervals
- ❖ Location of physical features such as woods, creeks, ponds, roads, existing structures, etc.
- ❖ Site data showing proposed uses, subdivision layout, parking locations, landscaping, preliminary utility layout and other physical improvements important for the Board to properly evaluate the application.

The Department of Public Works is available to discuss any application prior to its submission. Please contact the Department of Public Works if you have any questions regarding this process.

Josh Artuso  
Deputy Commissioner  
585.872.7028  
[jartuso@ci.webster.ny.us](mailto:jartuso@ci.webster.ny.us)

## **ENVIRONMENTAL ASSESSMENT**

To permit the Town of Webster to assess the potential environmental impact of the proposed project, please complete the attached Environmental Assessment Form (EAF) in accordance with the list below.

For more information, or assistance on how to complete this form, visit:

<https://www.dec.ny.gov/permits/90132.html>

<b><u>TYPE OF APPLICATION</u></b>	<b><u>PART OF EAF TO BE COMPLETED</u></b>
1. Special Permit or Variance	Short Environmental Assessment Form
2. Change of Use	Short Environmental Assessment Form
3. Residential Development One (1) – three (3) lots	Short Environmental Assessment Form
4. Rezoning	Short Environmental Assessment Form
5. Commercial Development	Short Environmental Assessment Form
6. Residential Development Over four (4) lots or more, and Mobile Home Parks	Short Environmental Assessment Form
7. Industrial Developments	Short Environmental Assessment Form
8. Utilities and Roads	Short Environmental Assessment Form
9. Fill or excavation	Short Environmental Assessment Form

The Town reserves the right to request additional information or request the preparation of a Draft Environmental Impact Statement (D.E.I.S).

**NON-COLLUSION DISCLOSURE PURSUANT TO**  
**SECTION 225-111**  
**OF THE WESTER ZONING ORDINANCE**

**TO WHOM IT MAY CONCERN:**

No officer or employee of the State of New York, County of Monroe or Town of Webster has any financial interest in the land affected by or in the partnership making application for the project known as \_\_\_\_\_

**DATED:** \_\_\_\_\_

**BY:** \_\_\_\_\_  
**Authorized Representative**

**DISCLOSURE OF INTENT TO REQUEST  
TAX INCENTIVES, ABATEMENTS, OR EXEMPTIONS**

Have you currently applied for, or intend to apply for any tax incentives, abatements, or exemptions?

Yes \_\_\_\_\_

No \_\_\_\_\_

If **YES**, would you agree to enter into a Host Community Agreement\* (HCA) with the Town of Webster?

Yes \_\_\_\_\_

No \_\_\_\_\_

→ If **NO**: if you apply for or receive any tax incentives, abatements or exemptions in the future, would you agree to enter into a Host Community Agreement (HCA)?

Yes \_\_\_\_\_

No \_\_\_\_\_

\_\_\_\_\_  
**NAME OF PROPERTY / BUSINESS OWNER**

\_\_\_\_\_  
**SIGNATURE OF PROPERTY/BUSINESS OWNER**

\_\_\_\_\_  
**DATE**

\* A Host Community Agreement (HCA) is an agreement between the business/property owner, wherein the business/property owner recognizes that the Town provides services which benefit the business/property and the owner desires to compensate the Town for such services, by making payment to the Town (and to make the Town whole in regard to property taxes) by entering into this agreement to acknowledge the Town's cost of providing services to its residents and property owners.





**TOWN OF WEBSTER ZONING BOARD OF APPEALS**  
**PUBLIC HEARING NOTICE**

**Date:** \_\_\_\_\_

**Place: Webster Town Board Meeting Room,  
1002 Ridge Road, Webster, NY**

**Time: 7:00 PM**

**Applicant:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Project Address:** \_\_\_\_\_

Dear Neighbor,

Please be advised that the above project is scheduled for a Public Hearing on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ to obtain a variance for the above project location.

**Per Executive Order 202.15, this Board Meeting is closed to in-person attendance. Visit: [www.ci.webster.ny.us/550/Upcoming-Projects-Planning-Zoning](http://www.ci.webster.ny.us/550/Upcoming-Projects-Planning-Zoning) to view documents related to this project.**

Comments and concerns can be submitted in writing up to the day before the hearing to: [planning-zoning@ci.webster.ny.us](mailto:planning-zoning@ci.webster.ny.us). All comments received will be given to the Board members and added to the project folder. The live meeting can be viewed on Spectrum Channel 1303, or on the Town’s website. **To provide public comment during the live meeting, you can call 585-872-7011.**

Project summary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sincerely,

Applicant: \_\_\_\_\_

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

**AFFIDAVIT FOR PROOF OF MAILING**

\_\_\_\_\_, 20\_\_\_\_

To Whom It May Concern:

Please find enclosed a list of mailing notices that were sent out to property owners that live within one hundred (100) feet of the outside perimeter or boundary line of the property involved in the Town of Webster Zoning Board of Appeals application for the \_\_\_\_\_ project.

This affidavit hereby shows that these mailing notices were sent out by first class mail at least ten (10) days prior to the preliminary hearing and that this affidavit was received seven (7) days prior to said Zoning Board of Appeals meeting.

Sincerely,

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone # \_\_\_\_\_

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**OWNER'S AFFIDAVIT**

(Sign and return if property owner is different than applicant)

I, \_\_\_\_\_ do hereby certify that I am an owner and/or contract purchaser of property involved in this request and that the foregoing statements, answers and supporting documentation submitted are in all respects true and correct to the best of my knowledge and belief. If this application is granted approval, all actions shall be in accordance with the terms of that approval.

\_\_\_\_\_  
**NAME OF PROPERTY / BUSINESS OWNER**

\_\_\_\_\_  
**SIGNATURE OF PROPERTY/BUSINESS OWNER**

\_\_\_\_\_  
**DATE**

## **TIPS FOR APPLICANTS**

Requesting a variance for a project before the Zoning Board of Appeals requires the applicant to provide as much information as possible. It is recommended that the owner/contractor bring the appropriate representatives to answer questions from the Zoning Board of Appeals. The following are tips to help in your presentation.

1. Dress appropriately. Applicants shall meet business or business casual attire out of respect to the Zoning Board of Appeals.
2. Be on time! Meetings start at 7:00 PM.
3. Speak clearly and use the microphone. Get as close as possible to the microphone so all can hear you. Be sure introduce yourself, your company, and who you are representing. Be prepared to answer any questions from the Zoning Board of Appeals.
4. Provide visuals. The room is large. Visuals should be clear and easy to see, especially for the Board members and the public. Color drawings are encouraged.
5. Be respectful to the Zoning Board, staff, and citizens in attendance.

At the completion of the presentation, the Zoning Board will make their decision regarding the project. You will receive a letter in the mail outlining the Zoning Board's decision and conditions of approval.

The Town Code is available on the Town of Webster web page: [www.ci.webster.ny.us](http://www.ci.webster.ny.us). Click on "Town Code".

Please contact the Department of Public Works if you have any questions regarding this process.

Josh Artuso  
Deputy Commissioner  
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