



# 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)



### 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:** \_\_\_\_\_

### 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:** \_\_\_\_\_

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



# 2023 Webster Board Application Schedule:

<h2>Planning Board</h2>	<h2>Zoning Board</h2>
<p><b><u>Filing Deadline:</u></b> (Wednesday)</p> <p>December 14, 2022 January 18, 2023 February 15 March 15 April 12 May 17 June 21 July 12 August 16 September 13 October 18 November 15 December 13</p>	<p><b><u>Filing Deadline:</u></b> (Wednesday)</p> <p>December 21, 2022 January 25, 2023 February 22 March 22 April 19 May 24 June 28 July 19 August 23 September 20 October 25 November 22 December 20</p>
<p><b><u>Meeting Date:</u></b> (Tuesday)</p> <p>January 3, 2023 February 7 March 7 April 4 May 2 June 6 July 11 August 1 September 5 October 3 November 7 December 5 January 2, 2024</p>	<p><b><u>Meeting Date:</u></b> (Tuesday)</p> <p>January 10, 2023 February 14 March 14 April 11 May 9 June 13 July 18 August 8 September 12 October 10 November 14 December 12 January 9, 2024</p>

## **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. Proper notice of a public hearing before a board shall be given by legal notice published in the official newspaper of the Town of Webster, at least five days before the date set for a public hearing, as required by § 274-b of the Town Law. All applications before the Planning Board, Zoning Board of Appeals and all special permit and rezoning applications before the Town Board shall be required to post a Town provided sign, in a publicly conspicuous location on or in front of the front property line of the property affected. Said sign shall notify the public of a pending application and hearing and shall be posted not less than 10 days prior to and up to the date of the hearing. Such sign shall be provided by the Town and/or its designee and shall be removed by the Town and/or its designee within 5 days after the hearing. By signing this application, you are granting permission to have a sign placed at the project address.
5. Any revisions made to the plans necessitated by comment from the Project Review Committee must be resubmitted to the Department of Community Development **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.**
6. 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.
7. **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.**
8. 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
- 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 application(s) will be rescheduled to the next available meeting.

**Fees:**

Residential Variance	\$120.00 for 1 <sup>st</sup> request; \$10.00 each additional
Commercial Variance	\$195.00 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 Community Development is available to discuss any application prior to its submission. Please contact us if you have any questions regarding this process.

Joshua Artuso  
Director of Community Development  
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.



**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 Community Development if you have any questions regarding this process.

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