



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID

T-02-ALA-01-25

Review Date

1/9/2025

Municipality

ALABAMA, T.

Board Name

ZONING BOARD OF APPEALS

Applicant's Name

Sweet Haven Farms

Referral Type

Variance(s)

Area Variance(s)

Description:

Area Variance to transfer land to an existing building lot without frontage.

Lot Frontage

Minimum required: 200 ft.

Existing: 0 ft.

Proposed: 110 ft.

Location

Sumner Rd., Alabama

Zoning District

Agricultural-Residential (A-R) District

PLANNING BOARD RECOMMENDS:

APPROVAL

EXPLANATION:

Given that land will be conveyed to the Town as a right-of-way to provide frontage to parcel 14.-1-33, the proposed variance should pose no significant county-wide or inter-community impact.

Director

January 9, 2025

Date

If the County Planning Board disapproved the proposal, or recommends modifications, the referring agency shall NOT act contrary to the recommendations except by a vote of a majority plus one of all the members and after the adoption of a resolution setting forth the reasons for such contrary action. Within 30 days after the final action the referring agency shall file a report of final action with the County Planning Board. An action taken form is provided for this purpose and may be obtained from the Genesee County Planning Department.

SEND OR DELIVER TO:

GENESEE COUNTY DEPARTMENT OF PLANNING
3837 West Main Street Road
Batavia, NY 14020-9404
Phone: (585) 815-7901

DEPARTMENT USE ONLY:

GCDP Referral # T-02-ALA-01-25

RECEIVED

By the Genesee County Dept. of Planning at 11:12 am, Dec 19, 2024



*** GENESEE COUNTY ***
PLANNING BOARD REFERRAL

Required According to:

GENERAL MUNICIPAL LAW ARTICLE 12B, SECTION 239 L, M, N

(Please answer ALL questions as fully as possible)

1. REFERRING BOARD(S) INFORMATIONBoard(s) Town of Alabama ZBAAddress 2218 Judge Rd.City, State, Zip Oakfield, NY 14125Phone (585) 948 - 9341 Ext. _____**2. APPLICANT INFORMATION**Name Sweet Haven FarmsAddress 7342 Alleghany Rd.City, State, Zip Basom, NY 14013Phone (716) 560 - 1979 Ext. _____ Email _____MUNICIPALITY: ☐ City ☒ Town ☐ Village of Alabama**3. TYPE OF REFERRAL:** (Check all applicable items)☒ Area Variance☐ Use Variance☐ Special Use Permit☐ Site Plan Review☐ Zoning Map Change☐ Zoning Text Amendments☐ Comprehensive Plan/Update☐ Other: _____

Subdivision Proposal

☐ Preliminary☐ Final**4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:**A. Full Address VL Sumner Road, Basom, NY 14013B. Nearest intersecting road Alleghany RoadC. Tax Map Parcel Number 14.-1-33

D. Total area of the property _____ Area of property to be disturbed _____

E. Present zoning district(s) A/R**5. REFERRAL CASE INFORMATION:**

A. Has this referral been previously reviewed by the Genesee County Planning Board?

☒ NO ☐ YES If yes, give date and action taken _____

B. Special Use Permit and/or Variances refer to the following section(s) of the present zoning ordinance and/or law

Article 3, Section 306, row AC. Please describe the nature of this request variance requested for 90 ft of road frontage to be able to merge land from14.-1-32.2 split and have a new lot that will conform with current zoning**6. ENCLOSURES** – Please enclose copy(s) of all appropriate items in regard to this referral☐ Local application☐ Site plan☐ Subdivision plot plans☒ SEQR forms☐ Zoning text/map amendments☐ Location map or tax maps☐ Elevation drawings☐ Agricultural data statement☐ New or updated comprehensive plan☐ Photos☒ Other: Zoning/Building Permit**7. CONTACT INFORMATION** of the person representing the community in filling out this form (required information)Name David Bencic Title ZBA Board Member Phone (585) 948 - 9341 Ext. 2Address, City, State, Zip 2218 Judge Rd., Oakfield, NY 14125 Email alabamaclerk@rochester.rr.com

TOWN OF ALABAMA
Genesee County New York

APPLICATION FOR AN AREA VARIANCE

If the Applicant is **NOT** the owner of the property for which the request is being made, a letter signed by the property owner giving authorization for the applicant to apply for the request **MUST** accompany the application or no action can be taken

PLEASE PRINT OR TYPE

Date:

Applicant's Name Sweet Haven Farms LLC Phone: 716-560-1979

Applicant's Mailing Address: 7342 Alleghany Rd., Basom, NY 14013

Area Variance requested for property located at: VL Sumner Road

Tax Map # 14.-1-33 Zoning District of property: Residential

Lot was created – Prior to Zoning Law

Explain why you are requesting a variance: existing lot with only 110 ft. of road frontage, 90 ft. of road frontage variance requested to be able to merge other land to this property and create a new lot that will conform with the current Zoning Law.

**A detailed plot diagram clearly showing lot lines, lot size and all buildings and structures located on the property is required. It must also clearly and accurately show the distances from any proposed buildings or structures to all lot lines.*


Applicant's Signature

Fees for application must be paid before a public hearing will be scheduled

For official use only

The above request is for an Area Variance from the Town of Alabama Zoning Board of Appeals according to Article VIII Section 807-I-3 of the Town of Alabama zoning law

Article _____ Section _____ requires _____

An Area Variance is needed for:

Date ____/____/____ request was sent to the County (County recommendations attached).

Request has been – ☐ Approved ☐ Disapproved Date ____/____/____ (see attached resolution)

Board Chairman _____

Board Members _____

Application Fee ** \$200.00

Received By: 

Date Received _____

****Section 813 – Public hearing and Notice Requirements. Town of Alabama Zoning Law.** When a public hearing is required by the Town of Alabama Zoning Law, the requirements set forth in this section, as well as the applicable requirements of the NYS Town Law, shall be followed. All costs for the public hearing including, but not limited to the legal ad(s), required mail notifications and posting of signs, shall be paid by the applicant.

**** And any additional cost incurred by the town to process this application as per town fee schedule**



not to be
merged is variances
Approved

Short Environmental Assessment Form

Part 1 - Project Information

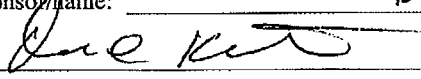
Instructions for Completing

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.

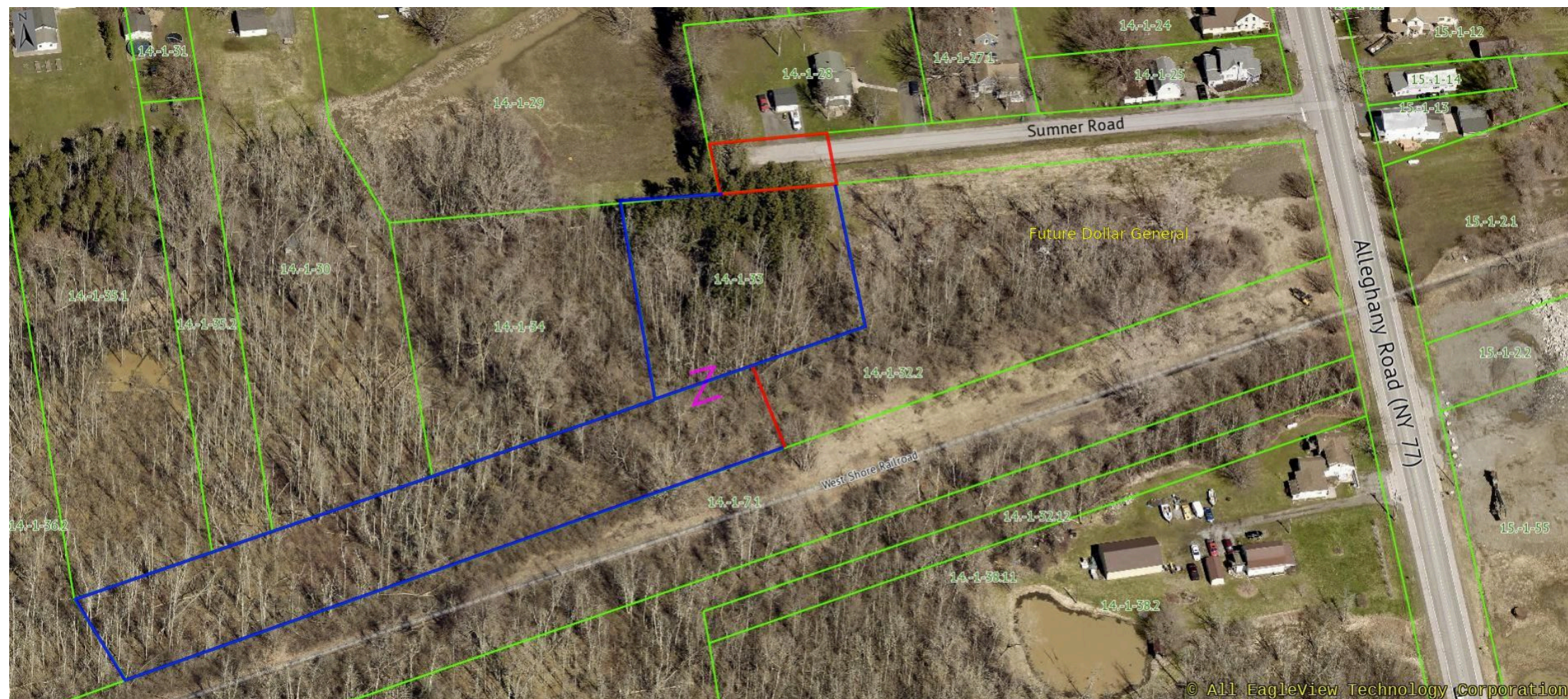
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Sweet Haven Farms LLC							
Name of Action or Project: Area variance for existing lot							
Project Location (describe, and attach a location map): Sumner Rd Basom NY 14013							
Brief Description of Proposed Action: Lot has 110lf of road frontage and zoning requires 200lf . A 90 lf area variance is needed in order to make this lot meet code. The purpose of the application is so we can merge a portion of the lot to the east that will be left after a partial sale of that lot.							
Name of Applicant or Sponsor: Sweet Haven Farm LLC		Telephone: 7165601979					
		E-Mail: drew@alleghanyfs.com					
Address: 7342 Alleghany Rd							
City/PO: Basom		State: NEW YORK	Zip Code: 14013				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		2 acres					
b. Total acreage to be physically disturbed?		0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input 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							

5. Is the proposed action,	NO	YES	N/A
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?	NO	YES	
	<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?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input 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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Sweet Haven Farms LLC</u> <u>DREW Klotzner</u> Date: <u>12/18/2024</u> Signature: <u></u> Title: <u>Managing Partner</u>		

T-02-ALA-01-25



04/02/2023