

Zoning Board Application

APPEAL # 2-2021-022

1	Application Date	10/8/21
2	Applicant(s) Name	MAX LABAGH
3	Address	#855 RTE 211W
4	Phone Number	845 239 3540
5	Email Address	LOCALCOUNSPY@yoham.com
6	Property Owners Name	MAX LABAGH
7	Property Address	#284 WISSE AVE
8	Phone Number	(845) 239-3540
9	Email Address	None
10	Date owner acquired the property	2012
11	Tax Map Location (Section-Block-Lot)	74-6-7
12	Street Address	284 - WISSE AVE
13	Zoning District (circle one)	RA / RA-1 / R1 / R2 / R-AH / RM-B / NC / TC / OR / <u>HC</u> / ENT-L / ENT
14	Lot Size and Acreage	19,600 sf (100x196)
15	Soil Type described in Town Code	
16	Application fee	(Check or Cash) Amount-\$ <u>900.⁰⁰</u>

Appeal Request:

Any Appeal is made or requested by the applicant for the following:

- Interpretation of the Zoning Law
- Commercial Variance
- Use Variance
- Sign Variance
- Area Variance
- Residential (Decks, Shed, Pool, Addition, Accessory bldg. /structure) (New Structure)
- Accessory building larger than 28ft x 28ft

Other:

Front Side / Rear / Yard setback from 15' to 10' Section _____
Front / Side / Rear / Yard setback from _____ to _____ Section _____
Front / Side / Rear / Yard setback from _____ to _____ Section _____
Front / Side / Rear / Yard setback from _____ to _____ Section _____
Lot area from _____ to _____ Section _____

State reason and purpose for Request:

Applicant must print and submit Environmental Assessment Form. This form must be filled out by going to the following link and following the steps given: www.dec.ny.gov/eafmapper

Has this proposal appeared before the Planning Board? YES NO
Property taxes up to date with the Town of Walkill? YES NO

Property owner must have their signature notarized on this application:

Owners Signature: [Signature]

Notary Public: Joan Salsola

Sworn to before me this date: 10/13/21

Applicant same as owner

State of New York
County of Orange

Building Inspector signature: [Signature]

Date: 10/13/21

Notes ① proposed addition on site plan does not depict 10' setback
② need to remove metal storage trailer
(72)

JOAN M. SOSLER
NOTARY PUBLIC-STATE OF NEW YORK
No. Q1508154594
Qualified in Orange County
My Commission Expires 10-23-2022

APPLICANT DISCLOSURE FORM – ORANGE COUNTY, NY REVIEW UNDER SECTION 239-M OF GENERAL MUNICIPAL LAW

The following is information relative to the below named project which is presently pending before the Town (City/Town/Village) of Wellkill (Planning/Zoning/City/Town/Village) Zoning Board.

Title of Project: MAX LABAGH 284 WISNER AVE

Municipality: Town/Village/City of
(underline one of above)

Nature of Owner or Owners (LLC, Corporation, Partnership, Joint Venture, natural person, professional corporation or other type of business entity or combination of the above): Professional Corporation

The names of the Members, Officers, Shareholders, Directors, Beneficial Owners owning at least five percent of the Stock or Membership or Partnership Interest or Beneficial interest in the project are:

MAX LABAGH

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			
Name of Action or Project: MAX LABAGH			
Project Location (describe, and attach a location map): MAX LABAGH 284 Wisner ave Minnetonka NY 10940 74-6-7			
Brief Description of Proposed Action: - Addition to Existing Building that is pre-existing with New Addition to remain within SAME SIDE YARD Footprint			
Name of Applicant or Sponsor: MAX LABAGH		Telephone: (845) 239-3540	
Address: # 855 RTE 211 West		E-Mail: LOCALLANDSCAPING@YEHAN.COM	
City/PO: Minnetonka		State: NY	Zip Code: 10940
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 YES <input checked="" type="checkbox"/> <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: SIDE YARD Requirement from 15' to 10' (ZBA)			NO YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> ML
3.a. Total acreage of the site of the proposed action?		<u>1.50</u> acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.50</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 checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): County Fairgrounds <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input 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: _____	NO <input type="checkbox"/>	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: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	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? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <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? 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: _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <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 type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	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 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 _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

<p>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)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>MAX LABAGH</u></p>		<p>Date: <u>10-6-21</u></p>
<p>Signature: _____</p>		