

TOWN OF NEW BALTIMORE ZONING BOARD OF APPEALS
Rudolph Hildebrandt – Area Variance Application
August 1, 2018 – Page 1

Patrick Linger, Chair, opened the Public Hearing at 7:30 p.m. Other Board Members in attendance were Craig Albano, Jeff Carlson and Denise Taber. Mike Meredith was absent. Mr. and Mrs. Hildebrandt were present.

Green cards were presented from certified letters sent to:

Harry and Marcia Medert
Edward McCarty
Dana & Pamela Doutey

All requiring notification had been so notified.

With no members of the public present wishing to address the Board on this application, Mr. Linger proceeded to go through Part 1 of the Environmental Assessment Form as follows:

Part 1 – Project and Sponsor Information

Name of Applicant or Sponsor: **Rudolph D. Hildebrandt**

Address: **1223 County Rte. 26, Climax, NY 12042**

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? - **NO**
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? - **YES**

Answer changed from No to YES since a Building Permit will be needed.

- 3a. Total acreage of the site of the proposed action? **20' x 18'**
- b. Total acreage to be physically disturbed?
- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor.

4. Check all land uses that occur on, adjoining and near the proposed action.

XX - Rural (non-agriculture)
XX - Agriculture

5. Is the proposed action,
 - a. A permitted use under the zoning regulations? - **YES**
 - b. Consistent with the adopted comprehensive plan? - **YES**
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? - **YES**
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? - **NO**
- 8a. Will the proposed action result in a substantial increase in traffic above present levels? - **NO**
- b. Are public transportation service(s) available at or near the site of the proposed action? - **NO**
- c. Are any pedestrian accommodations or bicycle routes available on or near site of proposed action? - **NO**
9. Does the proposed action meet or exceed the state energy code requirements? - **NO**
10. Will the proposed action connect to an existing public/private water supply? - **NO**
This is a garage construction.
11. Will the proposed action connect to existing wastewater utilities? - **NO**

Answer changed from Yes to NO. There will not be water or a bathroom in the garage nor a residential apartment upstairs.

- 12a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? -

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Mr. Hildebrandt advised the State knows about it. It is recorded but I haven't joined the Historical Society.

- b. Is the proposed action located in an archaeological sensitive area? - **NO**
- 13a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other water bodies regulated by a federal, state or local agency? - **NO**
- 13b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? - **NO**
- 14. Identify the typical habitat types that occur on, or are likely to be found on the project site.

XX - Agricultural/grasslands

- 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**
- 16. Is the project site located in the 100-year flood plain? - **NO**
- 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? - **YES**

Technically, you are putting a roof over ground. It is going to be a metal roof. Any storm rainwater will not be coming directly to the ground. It will come to a roof and then shed. That is what is considered stormwater runoff. It is not significant but it will occur. Even with gutters, it will occur.

- b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? - **NO**
- 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)? - **NO**
- 19. Has the site of the proposed action or any adjoining property been the location of an active or closed solid waste management facility? - **NO**
- 20. Has the site of the proposed action or any adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? - **NO**

The required 15 minutes had now lapsed and there was no one present wishing to be heard on the application.

At 7:48 p.m., it was moved by Albano and seconded by Carlson to close the Public Hearing.

AYES: 4 NAYS: 0 ABSTAINED: 0 ABSENT: 1

mbl