



Memorandum

To: Jeff Fern, Chairman

Cc: ZBA members, Town Clerk, Town Attorney,

From: Planning Department

Subject: Front yard setback/encroachment – 143 Sapsucker Woods Road, tax parcel #42.-1-4.1

Date: September 13, 2018

Christopher O'Connor, 143 Sapsucker Woods Road, has been denied a Zoning Permit for the placement of a 392 square foot shed in his front yard, 29' from the Town right-of-way (ROW). As you are well aware, the minimum setback from the highway line is 50' and accessory structures are prohibited in front yards.

Mr. O'Connor wishes to site the shed adjacent to the existing garage, utilizing what is currently a parking space for his pickup truck. The driveway and parking space were recently improved with new stone in anticipation of installing the shed. A single-family dwelling, owned by Mr. O'Connor, is adjacent to the property, to the north, from approximately 150 from the proposed shed. The Lab of Ornithology is approximately 500' to the north. The next nearest neighbor is a Lab of Ornithology storage/research facility, 1200' or more from the site.

Mr. O'Connor seeks relief from the front yard setback requirement set forth in Section 600 – Area and Bulk Table of the Zoning Law and the accessory structure prohibition as articulated in Article III: Definitions - Use, Accessory.

The property is located in a Conservation zoning district, surrounded by Cornell Lab of Ornithology's Sapsucker Woods Bird Sanctuary, identified as UNA-106. Sapsucker Woods Road is the municipal boundary between the Town of Dryden and the Village of Lansing. Although large (4.08 acres), the parcel is constrained by steep slopes to the east.

SEQR, County Review, Ag & Market

The construction, expansion or placement of accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density are Type II exempt actions (SEQR - 617.5c10). Because the parcel abuts a municipal boundary, this project is subject to Tompkins County Planning GML 239 review. Tompkins County Planning is in receipt of the application.

APPEAL TO

**ZONING BOARD OF APPEALS
TOWN OF DRYDEN
(Area Variance)**

Having been denied permission to place a shed 29' from the ROW
in front yard.

At _____ Dryden, N.Y. as shown on the accompanying Application and/or plans
or other supporting documents, for the stated reason that the issuance of such permit would be in violation
of

Section or Section (s) 600 Area 1/2 Bulk Table
of the Town of Dryden Zoning Ordinance

the UNDERSIGNED affirms that the benefit to the undersigned if the variance is granted outweighs the det-
riment to the health, safety and welfare of the neighborhood or community by such grant in that:

I have lived on this property all my life &
have been parking on this site for over 30 years.

If you have additional supporting details of information, please attach such details to this application and make
reference to such attachment.

Applicant Signature: [Signature]

Applicant address: 143 Sapsucker woods

Phone Number: [Redacted] Date: 9/13/18

AREA VARIANCE

AREA VARIANCE REQUEST

Applicant: Christopher Olaner Project: 1
Date: 8/21/18 Address: 143 Sapsucker Woods Rd.

It is important that you clearly establish the grounds for relief from the requirements of the Town Zoning Law. NY State Law requires that you demonstrate that the benefit you stand to receive will outweigh any burden to the health, safety and welfare that may be suffered by the community.

The following questions are the same questions the Zoning Board must answer when considering your variance request. Respond to the questions in order to establish the grounds for relief. Respond to each question individually or prepare a brief narrative that addresses each of the questions.

A. WILL AN UNDESIRABLE CHANGE BE PRODUCED IN THE CHARACTER NEIGHBORHOOD OR WILL A DETRIMENT TO NEARBY PROPERTIES BE CREATED OF THE BY GRANTING OF THE AREA VARIANCE? No. No nearby neighbors, only other house is more, can't be seen except when passing by on road. Largely surrounded by trees.

B. IS AN AREA VARIANCE THE ONLY METHOD THAT THE BENEFITS SOUGHT CAN BE ACHIEVED? ARE THERE OTHER FEASIBLE METHODS TO ACHIEVE THE BENEFIT?

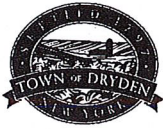
This area is the only place that a shed can be placed. It is the only area that is accessible for a truck to deliver to & set up a shed.

C. IS THE REQUESTED VARIANCE SUBSTANTIAL? No; nearest corner will be only 21' into the 50' zone to ~~establish~~ ROW.

D. WILL THE PROPOSED VARIANCE HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT?

No; shed will be placed on a parking area. Town of Dryden Highway Dept. has assisted in this project by adding to the culvert for the driveway in front of the proposed shed site.

E. IS THE ALLEGED DIFFICULTY SELF-CREATED? No



Planning Department

Director of Planning Ray Burger
 Code Enforcement Officer Kevin Ezell
 Code Enforcement Officer David Sprout
 Zoning Officer David Sprout
 Stormwater Manager David Sprout
 Administrative Coordinator Joy Foster

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 F 607 844-8008
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General Permit Application – Sheet 1 General Information

DO NOT FILL IN SHADED SECTIONS

Date: 8/21/18 Tax Parcel #: 42.-1-4.1 Zoning District: Conservation
 (COMPLETE) Project Address: 143 Sapsucker Woods Rd.
 Project Description: Install a small or medium sized shed on driveway/parking area.
 Estimated project cost: \$12,000

Principal Use: Residential Commercial: _____ Other: _____

Permit(s) Required: Building Zoning Special Use Site Plan Review Subdivision Pool
 Heating Demolition Pre-built Shed

Permit Application - Contact Information

Owner - Print name: Christopher J. O'Connor
 Owner Signature required & dated: [Signature] 8/21/18
 COMPLETE MAILING address: 143 Sapsucker Woods Rd. Ithaca, NY 14850

E-mail: _____

Agent / Applicant - Print : _____
 Address: _____ City: _____ State: _____ Zip Code: _____
 E-mail: _____ Telephone No: _____

General Contractor: _____
 Address: _____ City: _____ State: _____ Zip Code: _____
 E-mail: _____ Telephone No: _____

Building Permit Information

Type of Construction: Wood Steel _____ Masonry _____ Other _____

Number of Stories 1

Type of Heat & Fuel Source N/A

Number of dwelling units: circle Single Duplex Multi Commercial N/A

Number of Baths: 0 Number of Bedrooms: 0

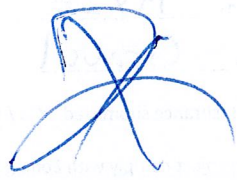
Site-built: _____ Modular: _____ Manufactured:

Square Footage: First Floor: 392 Second Floor: 0

Basement: 0 Garage: 0

Project Cost: \$12,000

Fee: _____



Basic Building Information

Is this an Existing Building? NO Current Occupancy: _____ New Occupancy _____

Is this a New Building? YES Zoning Permit Needed? _____

Number of Dwelling Units: N/A Proposed Change: _____



Zoning Permit Information

Zoning District: Commercial, Subdivision Plat: 42-1-41, Lot Area: _____, Height of Building: 15'

Zoning Use: Accessory to Bus., Site Plan Review and/or Special Use Permit on file: _____

Other Permit(s) Required: Special Use, Site Plan Review, Sign: _____

ZONING COMPLIANCE

Site Plan: Please complete the Site Plan Worksheet

Principal Use: Residential

New or Change of Use: Zoning Permit Required (New use and building)? _____

Required Setbacks: Front 50 Side 15 Rear 25 Frontage _____

Does this project comply with Zoning Regulations? Y/N _____ Project cost: _____

Building Permit Approved _____ Building Permit Denied _____

Under Section _____ (of the NYS Building Code)

Signature of Code Enforcement Officer [Signature] Date 7/13/18

Zoning Permit Approved _____ Zoning Permit Denied 9/13/18

Building Permit # _____ Zoning Permit # _____

Pre-built Shed

Dimensions 14x28 Electric Yes / No Plumbing Yes / No Heat Yes / No
Placed on Gravel
Installers Insurance submitted Yes / No **OR** Homeowners Insurance waiver signed Yes / No
Does this project comply with Zoning Regulations? Yes / No Project cost: \$12,000

Heating Appliance

Type of Appliance: Boiler _____ Forced Air _____ Freestanding _____ Insert _____ Fireplace _____
Type of Fuel Source: Oil _____ Propane _____ Nat. Gas _____ Coal _____ Wood _____ Biomass _____ Other _____
Chimney or vent type: Masonry _____ Metal _____ Other _____

Manufacturer and number _____
Provide manufactures specifications and location of appliance in the structure including location of vent or chimney. _____

Installers Insurance submitted Yes / No **OR** Homeowners Insurance waiver signed Yes / No
Does this project comply with Zoning Regulations? Yes / No Project cost: _____

Demolition

Demolition of _____ Location _____
Debris buried and where _____ Debris removed and where _____
Required Disconnects Obtained - Date: Tompkins Co. Health Dept. _____ Electric Co. _____
Demolisher's Insurance submitted Yes / No **OR** Homeowners Insurance waiver signed Yes / No

- Site Plan: where the demolished structure is now situated and where it is to be buried.
- **Copy of the receipts or the tipping fees** from the land fill if debris is removed from site.
- Asbestos survey of the structure to be demolished has to be submitted with this application. Single-family residence and farm building are exempt from this requirement if the owner is performing the work.
- Delineation of any DEC or Federal Wetlands, any streams or watercourses and any other water shall be noted on the site-plan submitted with this application

Swimming Pool

Aboveground pool Yes / No In-ground pool Yes / No Pool dimensions _____
Location site _____
Installers Insurance submitted Yes / No **OR** Homeowners Insurance waiver signed Yes / No Safety handout given Yes / No
Does this project comply with Zoning Regulations? Yes / No Project cost: _____


- Renters / Tenants must provide proof of owner approval for this project
- Barriers & Alarms are required. Pools with a deck need a building permit
- Inspection sheet will be mailed with permit
- A **final** inspection from the Town of Dryden Code Enforcement is **Mandatory** to close out permit and allow pool use

Escrow

Reimbursable Costs, fees and disbursements. The reasonable and necessary costs, fees or disbursements incurred by the Town or its officials for consultation or review by professionals including architects, landscape architect, engineers, surveyors, attorneys or others, on any Application for a Zoning Permit, Certificate of Occupancy, Appeal to the Zoning Board of Appeals, Application for Subdivision Approval, Application for a Planned Unit Development or application for a Special Permit or a Special Permit for a mobile home park shall be paid by the applicant.

Signature required

By signing you agree that you have read and understand and will be responsible for issued permits.

Owner or responsible party signature:  Date: 9/13/18
Print name: Christopher O'Connor

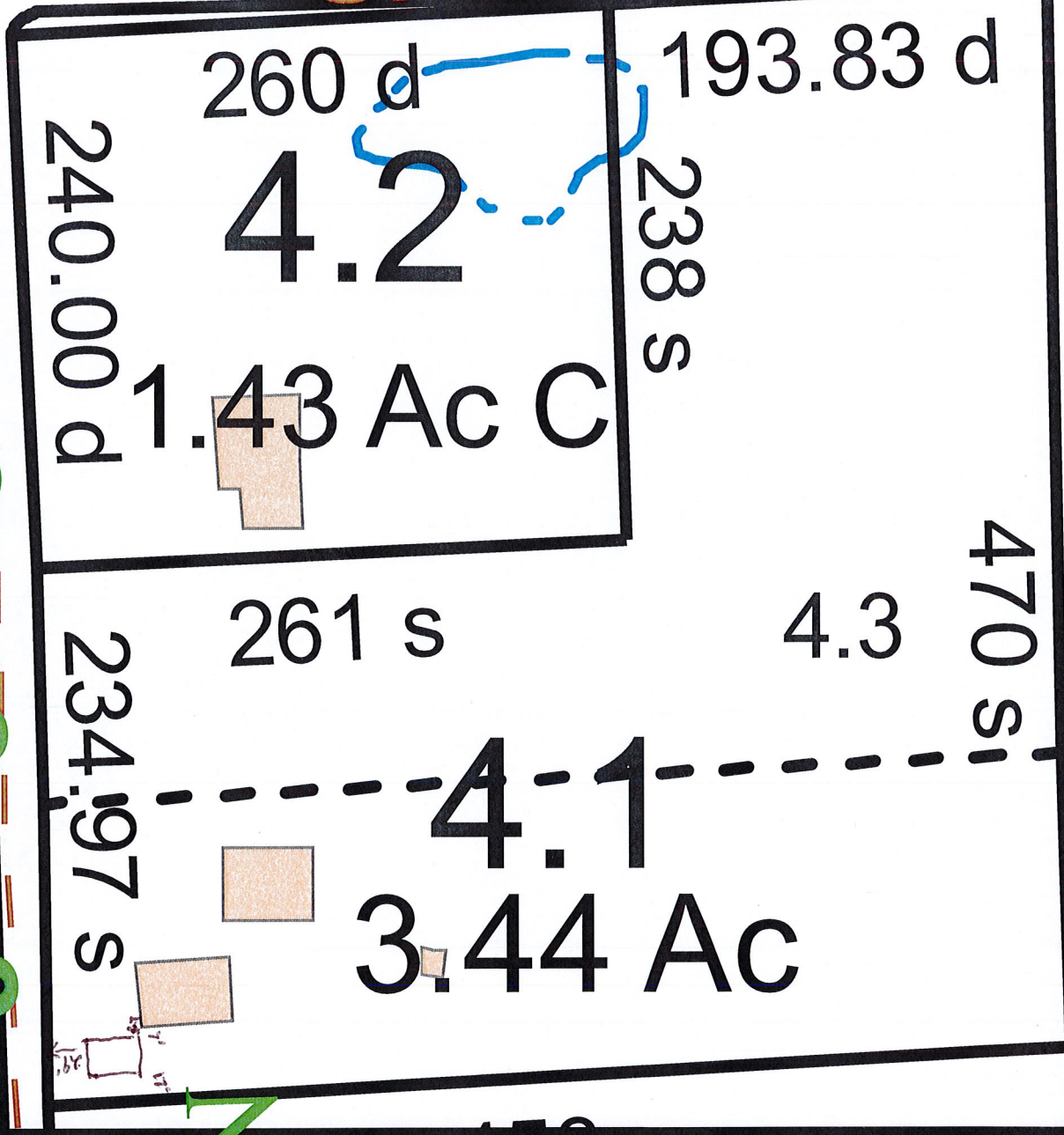
Permit Application Worksheet - Road Cuts

- For all New York State Routes call NYS DOT in Cortland at 756-7072, 8:00 am -4:00 pm daily.
- For Tompkins County Routes, call Tompkins County Highway Dept. in Ithaca, NY at 274-0300 8:00 am – 4:00 pm daily.
- For Dryden Town Routes call Dryden Town Highway at 844-8888 ext.402, 7:00 am – 4:00 pm Monday – Thursday.

SAT SUU

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50' Front yard
 25' Rear yard
 15' Side yard

6' from garage

Notice of Ground Disturbance / Area Tally Form

Please complete this form and submit to the Town of Dryden **Stormwater Management Officer, David Sprout**. "Land Development Activity" resulting in Ground Disturbance is defined as all areas where soil will be disturbed as a result of clearing, grubbing, grading, excavating, stockpiling, placement of fill, paving, installation of utilities, and construction of buildings or structures. This form will enable Town of Dryden staff to assist applicants in meeting local stormwater standards, and it is helpful to submit this form prior to finalizing your SWPPP.

Owner's Name: Christopher J. O'Connor Date: 8/21/18
Phone: [REDACTED] Mailing Address: 143 Sapsucker Woods Rd. Ithaca, NY 14850
Project Site Address: 143 Sapsucker Woods T/of Dryden Tax Parcel # _____
Project Sponsor Name (If Different than Owner): _____ Phone: _____
Address: _____

Brief Description of the Project:

(Attach additional sheets of paper as necessary and include a project sketch)

Project and Site Characteristics (Check yes or no as appropriate)

- Will the project involve multiple phases? YES NO If YES, how many phases? _____
- What is the shortest distance from the project area of disturbance to the edge of any stream, pond, lake, or wetland in the vicinity of the project? 100 feet.
- Does the site show any field or map indicators of potential wetland presence? YES NO
Check all that are applicable:
 Mapped NWI Wetlands Mapped DEC Wetlands Mapped Hydric Soils
 Field indicators of Hydric Soils Vegetation indicative of wetlands Wetland Delineation
(ADDA count YES)
- Please describe the slope on site (e.g. steep or flat areas, stream banks, gullies, bluffs etc.).
Flat Existing drive/parking area
- Will the project include a linear excavation that is more than 500 feet long and 3 feet wide?
 YES NO
- Will the project involve excavation or fill resulting in the movement of more than 250 cubic yards of soil, sand, or similar material? YES NO
- Does the project require any state or federal environmental permits? YES NO
Permit(s): _____
- Do connected Impervious Areas exceed 1/2 acre. YES NO
(If YES a Full SWPPP is required)

Town of Dryden Notice of Ground Disturbance / Area Tally Form

9. Area Tally

9A) Fill in the approximate area to be disturbed by the following, in square feet, as applicable. If it has been determined that a Full SWPPP is necessary from the Notice of Ground Disturbance, then please present this information when the final draft is complete.

Driveway _____

Parking Area _____

House / Main Building _____

Other Buildings 392 + shed porch (see)

~4000 sq ft exist

Septic System _____

Other Grading / Clearing / Lawn _____

Wells and Ditches _____

Drainage Structures _____

Utility Laying _____

Additional Area _____ (for construction access, stockpiling, etc.)

Total (do not total overlapping areas): _____

9B) For subdivisions only:

Total from Above: _____ x _____ (# of lots) + _____ (road area) = _____

9C) As estimated above, the total Area of Disturbance is: _____

10. Is more than half of the project site area over soils in Hydrologic Soil Group A, B, or C according to the Tompkins County Soil Survey? YES NO *on existing impervious surface*

11. Is the project redevelopment, as defined by Chapter 9 of the DEC's design manual? YES NO

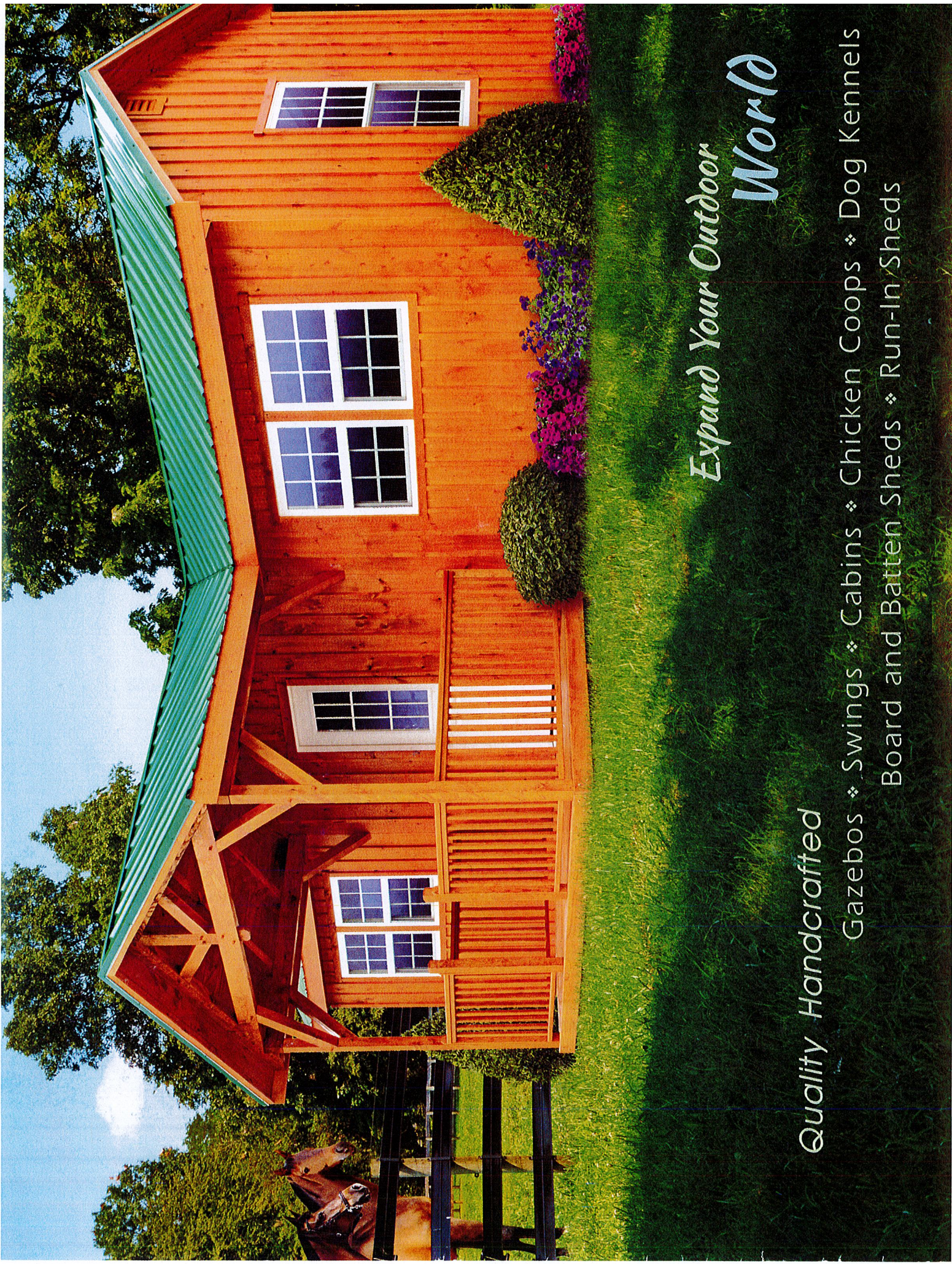
12. Total Parcel Acreage: 3.44

13. Area of existing impervious surface prior to development: ~4000

14. Total Impervious Area expected after project completion: ~4500

Signature: *dm*

Date: 9/13/18



Quality Handcrafted

*Expand Your Outdoor
World*

Gazebos ♦ Swings ♦ Cabins ♦ Chicken Coops ♦ Dog Kennels
Board and Batten Sheds ♦ Run-In Sheds