

TOWN OF POMFRET, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

APPLICANT INFORMATION

NAME _____ ADDRESS _____

PHONE _____
City State ZIP

FAX _____ E-MAIL _____

OWNER INFORMATION *(complete only if applicant is not the owner of the property)*

NAME _____ ADDRESS _____

PHONE _____
City State ZIP

FAX _____ E-MAIL _____

RELATIONSHIP OF APPLICANT TO PROPERTY:

___ CONTRACT PURCHASER ___ CONTRACTOR
___ ARCHITECT/ENGINEER ___ LESSEE

XX

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER #: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

HEARING DATE: _____ DEADLINE DATE: _____

BRIEF DESCRIPTION OF PROPERTY (historic use of property, property ownership, current use)

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, # of employees, hrs, etc)

USE VARIANCE STANDARDS:

Application for use variances must be based on alleviating a clearly demonstrated hardship, as opposed to a special privilege of convenience sought by the owner (hardship can not be self-created). Furthermore, the hardship must be unique to the land or building in question and must not generally apply to a substantial portion of the land throughout the district or neighborhood or alter the essential character of the neighborhood.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations. Please demonstrate that there is a lack of substantial reasonable return i.e.; competent financial evidence)

COMPATIBILITY WITH NEIGHBORHOOD (describe the manner in which the proposed use is unique to the property, will be consistent with adjoining development, will not cause substantial injury to neighboring properties or alter the essential character of the neighborhood in any way)

APPLICATION ATTACHMENTS:

To insure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review or Hearing by the Zoning Board of Appeals.

- ___ \$150.00 application fee (check or money order only payable to Town of Pomfret)
- ___ Detailed site plan (see sample on following page)
- ___ Detailed drawings for parking layout, landscaping and signage
- ___ Photographs of existing conditions
- ___ SEQR Assessment form - Environmental Assessment - included in application
- ___ Mandatory Referral to Chautauqua County Planning Board - included

APPLICANT /OWNER AFFIRMATION:

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE HEARING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.

Signature (Applicant)	Date
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IF APPLICANT IS NOT THE OWNER OF RECORD FOR THE SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNDER(S) IN FURTHERANCE OF THE REQUEST.

Signature (Owner)	Date
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Signature (Owner)	Date
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- (1) Area variances provide relief of a dimensional nature, (e.g., lot shape or grade) and must be based on practical difficulty. The burden of proof is on the applicant and if relief is warranted, it should be the minimum necessary.
- (2) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider:
 - (a) Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties would be created by the granting of the area variance.
 - (b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance.
 - (c) Whether the requested area variance is substantial.
 - (d) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
 - (e) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

D. Basis for granting use variances.

- (1) Use variances provide relief to an applicant who is denied through application of the Zoning Chapter by the permitting board the right to use land or structure in a certain manner since the use is not listed as an allowable use in the Zoning Chapter. In order to be granted the use variance the applicant must prove that unnecessary hardship exists, and this is accomplished by showing all of the following:
 - (a) The applicant cannot realize a reasonable return for a permitted use under the zoning regulations, provided that lack of a return is substantial as demonstrated by competent financial evidence.
 - (b) That the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood.
 - (c) That the requested use variance if granted will not alter the essential character of the neighborhood.
 - (d) That the alleged hardship has not been self-created.

- E. In granting any variance, be it a use variance or area variance, the Zoning Board of Appeals shall prescribe any conditions that it deems to be necessary or desirable and are in compliance with the intent of the Zoning Chapter. The decisions must be written in the form of a resolution and must state in detail the reasons for granting or denying the variance and the conditions imposed.

**MANDATORY REFERRAL
TO
CHAUTAUQUA COUNTY
PLANNING BOARD**

In accordance with General Municipal Law 239-1 and 239-m, before issuing a special use permit or granting a variance affecting any real property lying within a distance of 500 feet of the boundary of this municipality or from the boundary of any existing or proposed county or state park or other recreation area, or from the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway, or from the channel owned by the county or for which the county has established channel lines, or from the existing or proposed boundary of any county or state owned land on which a public building or institution is situated, the matter shall be referred to the Chautauqua County Planning Board.

Within 30 days after receipt of the full statement of such referred matter, the Chautauqua County Planning Board to which the referral is made, or an authorized agent of said agency, shall report its recommendations thereon to the Board of Appeals, accompanied by a full statement of the reasons for such recommendations. If the Chautauqua County Planning Board fails to report within such period of 30 days, the Board of Appeals may act without such report. If the Chautauqua County Planning Board disapproved the proposal, or recommends modification thereof, the Board of Appeals shall not act contrary to such disapproval or recommendations except by a vote of a majority plus one of all members thereof and after the adoption of a resolution fully setting forth the reasons for such contrary action.

Within seven (7) days after final action by the Board of Appeals, modifications or disapproval of a referred matter, the Board of Appeals shall file a report of the final action it has taken with the Chautauqua County Planning Board which had made the recommendations, modifications or disapproval.

Matters to be referred to Chautauqua County Planning Board:

- adoption or amendment of a zoning map or regulations
- adoption or amendment of a comprehensive plan
- issuance of special use permits
- approval of site plans
- granting or use or area variances
- other authorization which a referring body may issue under the provisions of any zoning or local law

Through a legal agreement with Chautauqua County Planning Board the Town of Pomfret Zoning Board of Appeals have had the following actions exempt from referral for County review:

Residential Area Variances:

- Rear & Side Building Setbacks
- Fences
- Decks
- Minimum Building Size
- Minimum Building Lot Size
- Size & Height of Garages
- Number of Storage Sheds
- Subdivision of Lots

Special Use Permits:

*Renewals (only)



**Chautauque County Division of
Planning and Community
Development**

FOR COUNTY USE
ONLY

Referral Number	
Receipt Date	Response Date
Hearing Date	Completed By

239 Planning/Zoning Referral Form

Municipality: _____

Type of Action:

- Local Law (Adopt / Amend)
- Comprehensive Plan
- Site Plan
- Special Use Permit
- Use Variance
- Area Variance
- Other: _____

Parcel(s) within 500 feet of:

- State Road _____
- County Road _____
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Applicant: _____

Address of Property: _____

Tax Parcel Number(s): _____

Zoning District: _____

Description of Project: _____

Present Use of Property: _____

- Supporting Documents: Municipal Application Form Copy of Applicable Zoning Law Section
- (Please submit required Site Plan Completed SEQR EAF Form(s) (check box if project is Type II action)
- documents with this form) Agricultural Data Statement Other: _____

Referring Agency: Planning Board Zoning Board of Appeals Municipal Board

Name of Referring Official: _____

Title: _____

Phone: _____

email: _____

Hearing Date: _____

Municipal Staff Contact: _____

Title: _____

Phone: _____

email: _____

*please return completed form and
supporting materials to:*

Chautauque County Planning Board
214 Central Ave.
Dunkirk, NY 14048

and/or email to
chautauquaplanning@chqgov.com

In accordance with General Municipal Law, all referrals must be accompanied by a "full statement" of the proposed action, which means all materials required by and submitted to the referring body as an application on the proposed action. These materials include a completed environmental assessment form and all other materials required by the referring body to make its determination of significance pursuant to the New York State Environmental Quality Review Act. A completed Part I of the SEQR Environmental Assessment Form, or Environmental Impact Statement, Negative Declaration, or indication of SEQR Type II Status must be included with all referrals.

By law, the Chautauque County Planning board has 30 days after the receipt of a complete referral to review an application and offer recommendations. Therefore, 30 day notice is recommended to ensure proper review. This 30 day period begins after staff determines the referral submittal to be complete.

Please complete these sections

TOWN VILLAGE CITY OF _____

Application # _____

(circle one)

Agricultural Data Statement

Date _____

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant

Owner if Different from Applicant

Name: _____
 Address: _____

Name: _____
 Address: _____

1. Type of Application: Special Use Permit; Site Plan Approval ; Use Variance;
(circle one or more) Subdivision Approval

2. Description of proposed project: _____

3. Location of project: Address: _____
 Tax Map Number (TMP) _____

4. Is this parcel within an Agricultural District? NO YES (Check with your local assessor if

5. If YES, Agricultural District Number _____ you do not know)

6. Is this parcel actively farmed? NO YES

7. List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: _____
 Address: _____
 Is this parcel actively farmed? NO YES

Name: _____
 Address: _____
 Is this parcel actively farmed? NO YES

Name: _____
 Address: _____
 Is this parcel actively farmed? NO YES

Name: _____
 Address: _____
 Is this parcel actively farmed? NO YES

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
 Signature of Municipal Official

_____ Date

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

SEQR REQUIREMENTS

New York's State Environmental Quality Review Act (SEQR) requires all state and local government agencies to consider environmental impacts equally with social and economic factors during discretionary decision-making. This means these agencies must assess the environmental significance of all actions they have discretion to approve, fund or directly undertake. SEQR requires the agencies to balance the environmental impacts with social and economic factors when deciding to approve or undertake an "Action"

If an action is determined not to have significant adverse environmental impacts, a determination of no significance or Negative Declaration is prepared. If an action is determined to have potential significant adverse environmental impacts, an Environmental Impact Statement (EIS) is required.

The SEQR process uses the EIS to examine ways to avoid or reduce adverse environmental impacts related to a proposed action. This includes an analysis of all reasonable alternatives to the action. The SEQR "decision making process" encourages communication among government agencies, project sponsors and the general public.

Actions are classified into 3 different categories. The classification of the action will determine the level of initial environmental review that the project will receive, which could consist of: No further review; Full (Long form) EAF or Short Form and To Coordinate or not to coordinate with other agencies.

Type I Classification Actions - are most likely to have significant adverse impact on environment, so are more likely to require EIS. (Not all Type I Actions are an automatic EIS requirement.)

Some Examples:

- Large Residential facilities (in context of existing community size)
- In or "substantially contiguous to" Historical Register listed or eligible sites or parks
- Affecting agricultural districts
- Purchase, sale or other transfer of more than 100 acres

***Type I classifications require that the SEQR process continue**

Type II Classification Actions - have been determined not to have a significant adverse impact on the environment and therefore do not require an EIS

Some Examples:

- Most Maintenance or repairs - including upgrading building to meet building and fire codes
- 1, 2 or 3 family homes on approved lots
- New non-residential uses under 4,000 square feet (requiring no zoning change or use variance)
- Purchase or sale of supplies or equipment - land transactions not covered
- Minor structures, such as garages, barns, or home swimming pools, routine permit and license renewal with no substantial change in permitted activities
- Rebuilding or replacement of facilities, in kind, on the same site

***Type II classifications conclude at SEQR**

Unlisted Classification Actions - are any proposals or actions not specifically included on either the statewide Type I or Type II lists. This is the largest category of actions subject to SEQR review. Specific items are not listed since it is impossible to identify in advance every potential project or decision which an agency may need to consider.

Some Examples:

- New 20 unit apartment building
- New non-residential use of 10 acres or less
- Parking for less than 1,000 cars
- Sale, purchase, lease or other transfer of fewer than 100 acres of land by government entity

NOTE: The SEQR regulations allow an agency to choose to apply the Type I initial review process to any unlisted action. Therefore it is reasonable to treat any large or complex project that has been classified as Unlisted, as a Type I action.

***Required that SEQR continue**

Please complete Part I of the attached *Short Environmental Assessment Form* as a required part of the Zoning Board of Appeals Application process. Thank you.

FACTORS IN ZBA VARIANCE DECISIONS

USE VARIANCE

"...one which permits a use of land which is proscribed by the zoning regulations. Use Variance shall mean the authorization by the ZBA for the use of land for the purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations"

The overall statutory test for the issuance of the use variances remains "unnecessary hardship". The statutes defines "unnecessary hardship" using 3 criteria known as the Otto Rules" AND a fourth requirement that was added by the court after the Otto case. They are as follows:

1. The land in question can not yield a reasonable return if used only for a purpose allowed in that zone
2. The plight of the owner is due to unique circumstances and not to the general conditions of the neighborhood which may reflect the unreasonableness of the zoning ordinance itself
3. The use to be authorized by the variance will not alter the essential character of the locality (neighborhood)
4. The alleged hardship has not been self-created

NOTE: These rules laid down in the statutes and in applicable cases are REQUIREMENTS. They must be used by ZBAs in reviewing applications for use variances. Furthermore, the board must find that EACH of the 4 elements of the test has been met by the applicant

AREA VARIANCE

"...shall mean the authorization by the ZBA for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations."

In making its determination on the application for the area variance the ZBA must balance the benefit to be realized by the applicant against the potential detriment to the health, safety and general welfare of the neighborhood or community if the variance were to be granted. In balancing these interests, the ZBA must consider the following 5 factors:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.
3. Whether the requested area variance is substantial
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

NOTE: The most important point to be made is that self-created difficulty, as it relates to an area variance application, is NOT the same as self-created hardship, as set forth above with respect to the use variance.

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:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
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 type="checkbox"/>	<input 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:		NO	YES
		<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 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? _____ 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 type="checkbox"/> Commercial <input 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 type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input 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 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 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 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	
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 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	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input 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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input 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 type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input 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 type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input 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 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 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 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: _____ Date: _____ Signature: _____ Title: _____		

PRINT FORM

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM