



GENESEE COUNTY PLANNING BOARD REFERRALS NOTICE OF FINAL ACTION

GCDP Referral ID **T-02-BETH-3-20**
Review Date **3/12/2020**

Municipality
Board Name
Applicant's Name
Referral Type
Variance(s)
Description:

BETHANY, T.
ZONING BOARD OF APPEALS
Bethany Volunteer Fire Co.
Area Variance(s)
Area Variances to erect an electronic message board sign for a fire department.
Electronic message board signs not allowed
Sign Area
Maximum allowed: 6 sq. ft.
Proposed: 40 sq. ft.

Location
Zoning District

5251 Old Telephone Rd., Bethany
Agricultural-Residential (A-R) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed sign should pose no significant county-wide or inter-community impact, however there may be local impacts due to the sign being visible from residences. It is recommended that the Town's Zoning Board of Appeals (ZBA) place limits on how often the sign may change messages and prohibit animation or motion simulation. In addition, the ZBA may want to inquire about illumination settings that would allow for the brightness of the sign to be lower at night.

Director

March 12, 2020

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:

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

DEPARTMENT USE ONLY:
GCDP Referral # T-02-BETH-3-20



*** GENESSEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
02/11/2020

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) INFORMATION

Board(s) Zoning Board of Appeals
Address 10510 Bethany Center Road
City, State, Zip East Bethany NY 14054
Phone (585) 343-1399

2. APPLICANT INFORMATION

Name Bethany Volunteer Fire Company
Address 5251 Old Telephone Road
City, State, Zip East Bethany NY 14054
Phone (585) 356-7824 Email _____

MUNICIPALITY: City Town Village of Bethany

3. TYPE OF REFERRAL: (Check all applicable items)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Area Variance | <input type="checkbox"/> Zoning Map Change | <input type="checkbox"/> Subdivision Proposal |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendments | <input type="checkbox"/> Preliminary |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Comprehensive Plan/Update | <input type="checkbox"/> Final |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Other: _____ | |

4. LOCATION OF THE REAL PROPERTY PERTAINING TO THIS REFERRAL:

- A. Full Address 5251 Old Telephone Road, East Bethany, NY 14054
- B. Nearest intersecting road Rt. 20 and Bethany Center Road
- C. Tax Map Parcel Number 8.-1-13.12
- D. Total area of the property .71 A Area of property to be disturbed 0
- E. Present zoning district(s) AR

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 VI, Section 607, A; Article VI, Section 607, D2
- C. Please describe the nature of this request Erect a lighted changing sign 40 sq ft on front of Fire Company Truck Garage

6. ENCLOSURES – Please enclose copy(s) of all appropriate items in regard to this referral

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Local application | <input type="checkbox"/> Zoning text/map amendments | <input type="checkbox"/> New or updated comprehensive plan |
| <input type="checkbox"/> Site plan | <input checked="" type="checkbox"/> Location map or tax maps | <input checked="" type="checkbox"/> Photos |
| <input type="checkbox"/> Subdivision plot plans | <input type="checkbox"/> Elevation drawings | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> SEQR forms | <input checked="" type="checkbox"/> Agricultural data statement | |

7. CONTACT INFORMATION of the person representing the community in filling out this form (required information)

Name Thomas Douglas Title CEO/ZEO Phone (585) 356-0824
Address, City, State, Zip 10510 Bethany Center Road, E Bethany NY 14054 Email ceobethanyny@yahoo.com



TOWN OF BETHANY

X Area Use Interpretation Variance

APPLICATION NO: SA 20005

DATE: 2/4/2020

PROPERTY OWNER: Bethany Fire Dept

ADDRESS: 5251 Old Telephone Rd PHONE NO: 585-356-7824 Vicki Wolack

APPLICANT (if other than owner): N/A

ADDRESS: PHONE NO:

LOCATION OF PROPERTY: 5251 Old Telephone Rd

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 8.-1.-13.12

PROVISION OF ZONING LAW INVOLVED:

ARTICLE: VI SECTION: 607 SUBSEC: A PARA: 2

PURPOSE OF REQUEST: Erect a lighted changing sign 40' on front of FD Truck Garage

The owner must submit appropriate supporting materials including site plans, elevations, landscaping diagrams, traffic circulation diagrams, neighborhood land use maps and any other materials that will assist the Board in understanding the request.

CERTIFICATION: I hereby certify that I have read the instructions and examined this application and supporting attachments and know the same to be true and correct. All provisions of laws and of work or use will be complied with whether specific herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinance or performance of construction.

Signature of Property Owner: Candice Beard member Date: 2/4/2020 (only applications signed by the property owner may be considered)

OFFICE USE ONLY:

Amount/Date Fee Paid: WAIVED

Check No/Cash: N/A

Planning Board Submission:

Planning Board Recommend:

G.C.P.B. Submission:

G.C.P.B Recommend:

Date Received:

500 ft Notification:

1st Public Hearing:

2nd Public Hearing:

ZBA Recommend:

Signature:

File Closed:



TOWN OF BETHANY
10510 Bethany Center Road
East Bethany, NY 14054
(P) 585-343-1399 (F) 585-343-3605

Denial Letter

Date: 02/04/2020

Bethany Volunteer Fire Company
10452 Bethany Center Rd
East Bethany, NY 14054

The following application was submitted to our office for review and has been denied.

Application # Z-20004

Application Date: 02/04/2020

Description of Work:

Erect a 2 ft x 20 ft. (40 sq.ft.) lighted, changeable sign on front of Fire Department Truck Garage

At the location: 5251 Old Telephone Rd

Tax Map No: 8.-1-13.12

Applicant: Bethany Volunteer Fire Company

Denial Date: 02/04/2020

I regret to inform you that your application for your permit has been DENIED for the following reason(s):

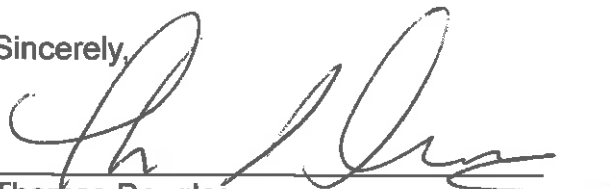
Denied :

#1)- Exceeds allowable sign area, 6 sq.ft., for non-commercial sign VI,607,D,2

#2)- Sign is flashing (changeable, moving messages) VI,607,A.

Please contact this office to discuss this denial of this permit or to schedule an appointment..

Sincerely,



Thomas Douglas
02/04/2020

TOWN VILLAGE CITY OF Bethany
(circle one)
Agricultural Data Statement

Application # SA 20005

Date 2/4/2020

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: <u>Bethany FD</u> Address: <u>5251 old Telephone Rd</u> <u>Bethany NY 14054</u>	Name: <u>N/A</u> Address: _____

- Type of Application: Special Use Permit; Site Plan Approval; ^{AREA} Variance; Subdivision Approval
(circle one or more)
- Description of proposed project: Erect a 2'x20' (40^{sq}) Lighted
Changing sign on front of FD
Truck Garage
- Location of project: Address: 5251 Old Telephone Rd
Tax Map Number (TMP) 81-1-13.12
- Is this parcel within an Agricultural District? NO YES (Check with your local assessor if you do not know)
- If YES, Agricultural District Number _____
- Is this parcel actively farmed? NO YES
- List all farm operations within 500 feet of your parcel. Attach additional sheets if necessary.

Name: <u>Joe Barniale</u> Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: <u>Richard Barne</u> Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

Carl Hyder Jr Board member
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

[Signature]
Signature of Municipal Official

02/04/2020
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.



Memo

To: Zoning Board of Appeals
From: Thomas J. Douglas
Code Enforcement Officer
Re: SEQR

This action, ~~AV~~-SA 20005, is an Area Variance only.

Therefore this action is covered under NYS Dept. of Environmental Conservation, Rules and Regulations, 6 NYCRR Part 617. State Environmental Quality Review (SEQR)

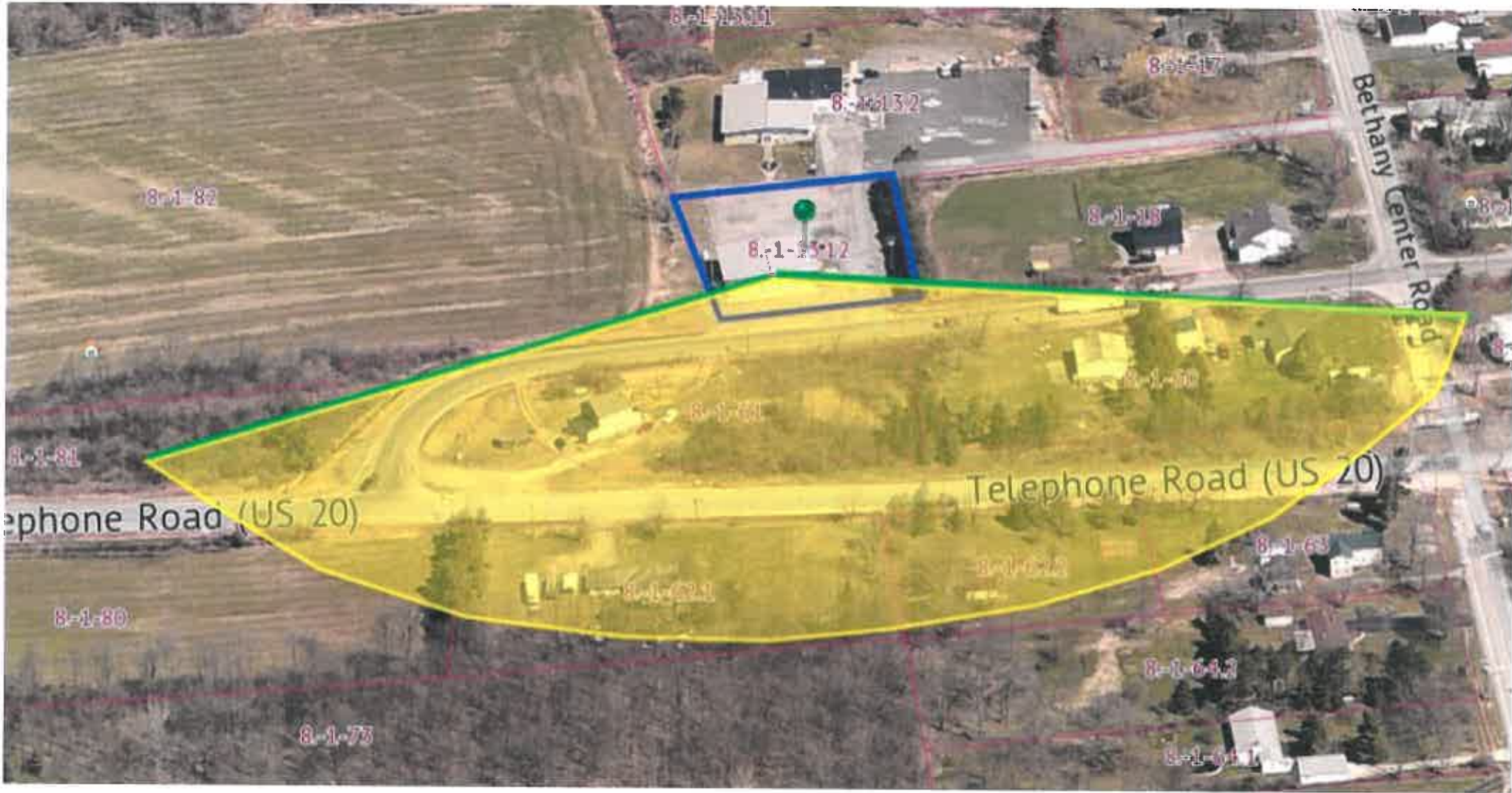
Section 617.5(C) (12) granting of individual setback and lot line variances; and Section 617.5(C) (13) granting of an area variance (s) for a single-family, two-family, or three-family residence, are listed as Type II actions not subject to review.

Hence no SEQR review is required as part of this action

5251 Old Telephone Rd
BFD Sign Variance
SA 2000 5



5251 Old Telephone Rd
BFD Sign Variance
SA 20005



500 ft radius / 140° viewing angle

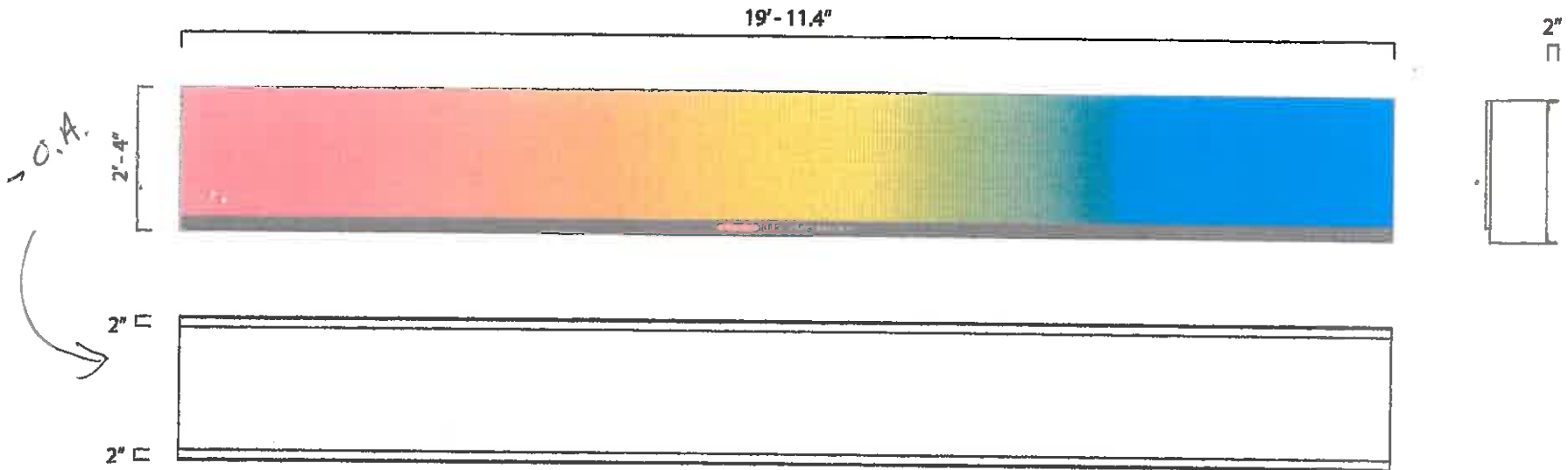
BATAVIA SIGN COMPANY

Single faced full color HCL-LED EMC
Overall Size: 2'-4" x 19'-11.4"

REVISION #1 (9-30-19)
ADDED BACK & SIDE VIEW

2.0'
20'

40 sq ft total area



FROM STEVE
BATAVIA SIGN COMPANY
585-344-1234



TOWN OF BETHANY

VARIANCE 500 FT CONTACT LIST

APPLICANT NAME: Bethany Volunteer Fire Company

APPLICANT ADDRESS: 5251 Old Telephone Rd, E Bethany 14054

PROPERTY LOCATION: 5251 Old Telephone Rd

APPLICATION NO.: SA20005 DATE: 2/4/2020

TAX MAP #: 8.-1-13.12

TAX MAP #	PROPERTY OWNER	ADDRESS	CITY, STATE ZIP
8.-1-18	Shawn Staskiewicz	10524 Bethany Ctr Rd	E Bethany 14054
8.-1-13.2	Town of Bethany	10510 Bethany Ctr Rd	E Bethany 14054
8.-1-17	Patrick Reynolds ^(New Owner)	10504 Bethany Ctr Rd	E Bethany 14054
8.-1-60	Erik Kendall	10534 Bethany Ctr Rd	E Bethany 14054
8.-1-41	Nathan Luce	5221 Broadway Rd	E Bethany 14054
8.-1-63	David Canterbury	10554 Bethany Ctr Rd	E Bethany 14054
8.-1-59.1	Vance Richenberg	1592 Bank Rd	Wyoming 14591
8.-1-62.2	David Canterbury	10554 Bethany Ctr Rd	E Bethany 14054
8.-1-82	Sprint Spectrum LP.	PO Box 8430	Kansas City MO 64114
8.-1-13.11	Bethany Vol. Fire Co.	5251 Old Telephone Rd	E Bethany 14054
8.-1-16	Jackson Woika	10490 Bethany Ctr Rd	E Bethany 14054
8.-1-24.1	Melissa Doran	10497 Bethany Ctr Rd	E Bethany 14054
8.-1-23	Gary Donnelly	10509 Bethany Ctr Rd	E Bethany 14054
8.-1-22	Jeannie Kirch	9935 Roanoke Rd	Pavilion 14054
8.-1-19	Rachel Brown	5278 Old Telephone Rd	E Bethany 14054
8.-1-62.1	Jeffrey Fluker	5222 Broadway Rd	E Bethany 14054
8.-1-80	Kenneth Barniak	10667 East Rd	Pavilion 14525
8.-1-81	Kenneth Barniak	10667 East Rd	Pavilion 14525

TOWN OF BETHANY

VARIANCE MEETING SCHEDULE

- > Town of Bethany Planning Board
10510 Bethany Center Road
East Bethany NY 14054
Date: 3/5/2020
Day: Thursday
Time: 7:00 p.m.

- > Genesee County Planning Board
County Building #2
Batavia NY 14020
Date: 3/12/2020
Day: Thursday
Time: 7:00 p.m.
(Arrive 15 min. early)

- > Town of Bethany Zoning Board of Appeals
10510 Bethany Center Road
East Bethany NY 10440
Date: 3/25/2020
Day: Wednesday
Time: 7:30 p.m.

- > Public Hearing
10510 Bethany Center Road
East Bethany NY 14054
Date: 3/25/2020
Day: Wednesday
Time: 7:30 pm