

SEND OR DELIVER TO:

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

DEPARTMENT USE ONLY:
GCDP Referral # T-06-BETH-9-18



*** GENESEE COUNTY *
PLANNING BOARD REFERRAL**

RECEIVED
Genesee County
Dept. of Planning
8/31/2018

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

2. APPLICANT INFORMATION

Name Phil LaFreniere
Address 4956 Linden Road, East Bethany, NY 14054
City, State, Zip _____
Phone (585) 330-3182 Email _____

MUNICIPALITY: City Town Village of _____

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

- | | | |
|--|--|--------------------------------------|
| <input type="checkbox"/> Area Variance | <input type="checkbox"/> Zoning Map Change | Subdivision Proposal |
| <input type="checkbox"/> Use Variance | <input type="checkbox"/> Zoning Text Amendments | <input type="checkbox"/> Preliminary |
| <input checked="" 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 4956 Linden Road, East Bethany, NY 14054
- B. Nearest intersecting road Marsh Road
- C. Tax Map Parcel Number 10.-1-26.1
- D. Total area of the property 25.1 Acres Area of property to be disturbed < 1 acre
- 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 II, Section 301, Subsection B, Paragraph 11
- C. Please describe the nature of this request excavate a pond 100' x 200', 12 feet in depth

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 checked="" type="checkbox"/> Site plan | <input checked="" type="checkbox"/> Location map or tax maps | <input type="checkbox"/> Photos |
| <input type="checkbox"/> Subdivision plot plans | <input type="checkbox"/> Elevation drawings | <input checked="" type="checkbox"/> Other: <u>GCSWCD Letter</u> |
| <input checked="" 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 J. Douglas Title ZEO/CEO Phone (585) 356-0824
Address, City, State, Zip 10510 Bethany Center Road, East Bethany NY 14054 Email ceobethanyny@yahoo.com



TOWN OF BETHANY
Special Use Permit Application

APPLICATION NO: SA18010

DATE: 8/29/18

PROPERTY OWNER: Phil J LaFreniere

ADDRESS: 4956 Linden Rd E. Bethany NY 14054 PHONE NO: 585 330 3182

APPLICANT (if other than owner): Same

ADDRESS: _____ PHONE NO: _____

LOCATION OF PROPERTY: 4956 Linden Rd E. Bethany NY 14054

ZONING DISTRICT: A-R TAX MAP PARCEL NO: 10.-1-26.1

PROVISION OF ZONING LAW INVOLVED:

ARTICLE: III SECTION: 301 SUBSEC: B PARA: 11

PURPOSE OF REQUEST: Build Pond 100' x 200' + 12' depth.

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: [Signature] Date: 8/29/18
 (only applications signed by the property owner may be considered)

OFFICE USE ONLY:

Amount/Date Fee Paid: 250⁰⁰ /

Check No/Cash: _____

G.C.P.B. Submission: _____

G.C.P.B. Recommend: _____

Date Received: _____

Planning Board 1st Hearing: _____

Planning Board 2nd Hearing: _____

Planning Board Recommend: _____

Signature: _____

Date: _____

500 ft. Notification: _____

1st Public Hearing: _____

Town Board Recommend: _____

Date of Meeting: _____

File Closed: _____



TOWN VILLAGE CITY OF Bethany

Application # SA18010

Agricultural Data Statement

Date 8/28/18

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>Phil J LaFreniere</u> Address: <u>4936 Linden Rd</u> <u>E. Bethany NY 14054</u>	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: Build 100' x 200' Pond 12' in depth

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: <u>Paul Harris</u> Address: <u>10926 Marsh Rd.</u> <u>E. Bethany NY 14054</u> 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	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

PLJ 29
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: [Signature]
Signature of Municipal Official

8/30/18
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.

617.20
Appendix B
Short Environmental Assessment Form

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: <i>Lafreniere Pond</i>		<i>SA18010</i>	
Project Location (describe, and attach a location map): <i>Pond</i>			
Project Location (describe, and attach a location map): <i>4956 Linden Rd, E. Bethany</i>			
Brief Description of Proposed Action: <i>Excavate pond 100' x 200' 12' deep</i>			
Name of Applicant or Sponsor: <i>Phil Lafreniere</i>		Telephone: <i>585-330-3182</i>	E-Mail:
Address: <i>4956 Linden Rd</i>			
City/PO: <i>E. Bethany</i>	State: <i>WV</i>	Zip Code: <i>14054</i>	
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:		NO	YES
<i>GCSWCD (Provided)</i>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>1/3</i>	acres
b. Total acreage to be physically disturbed?		<i>1/3</i>	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>1/3</i>	acres
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" 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 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" 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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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	YES	
	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<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	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

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)? If Yes, explain purpose and size: <u>100' X 200' X 12' for recreation & aesthetic purposes</u>	NO	YES
	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>PL 1190</u>		Date: <u>8/28/18</u>
Signature: <u>Phil J LaFreniere</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. 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:		
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"/>



GENESEE COUNTY
SOIL & WATER CONSERVATION DISTRICT
USDA Center, 29 Liberty Street, Suite 3, Batavia, NY 14020-3247
OFFICE (585) 343-2362 Ext. 5



August 28, 2018

Phil Lafreniere
4956 Linden Rd
East Bethany, NY 14054

Phil,

We recently inspected a proposed pond site on your property, the location for the pond appears to be adequate. The soils from the three excavated test pits all contained a fair amount of clay and silt, which corresponds with the soil survey for the area, these soils are suitable for pond construction. Each of the test pits contained some water, suggesting the presence of hydric soils and a possible source of water for the pond.

As far as affecting the surrounding land area, there does not seem to be any problems. A stream regulated by the US Army Corps of Engineers runs along the southern edge of the property. The pond site as proposed does not affect this regulated area.

This letter can be used as part of your application for a pond construction permit from the Town. Remember, you must follow all town zoning requirements for pond construction. Lastly, you should always call 811 before excavation of the pond occurs.

Any other questions- feel free to call.




Tim Welch, Technician

A handwritten signature in black ink that reads "Tim Welch".

Phil Lafreniere
Proposed Pond Site
5956 Linden Rd
East Bethany, NY 14054



Legend

-  Tax Parcel
-  Roads
-  Streams



1 inch = 200 feet



Woods

26 ACRES

Phil LaFreniere
4956 Linden Rd
E. Bethany NY
14034

450' off
Property line



1000' Plus
off Property
Line



Shop

House

Garage

120'
From
House

100

200

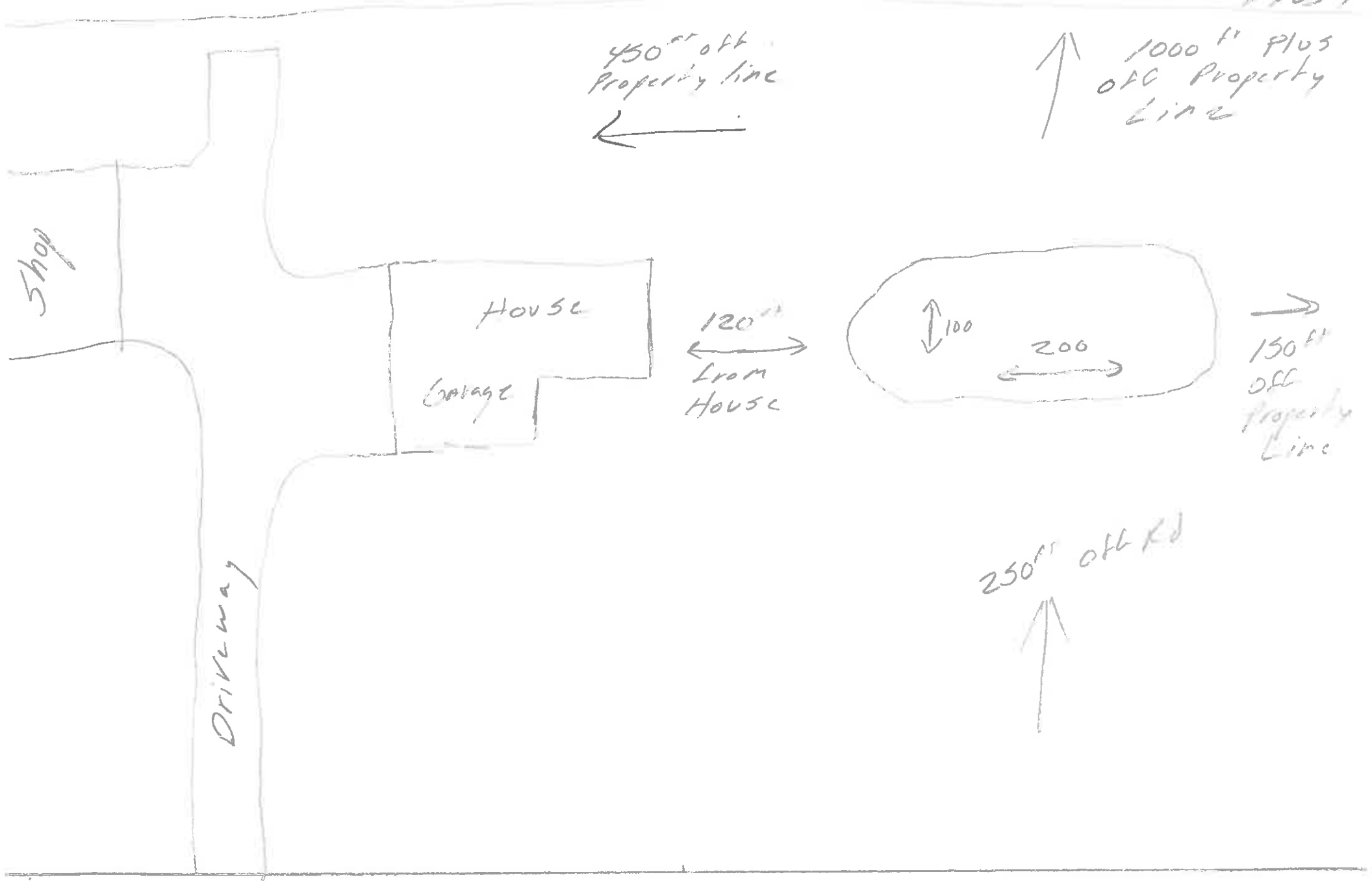
150'
off
Property
Line

Driveway

250' off Rd



Road





Phil Lafreniere
SA18010

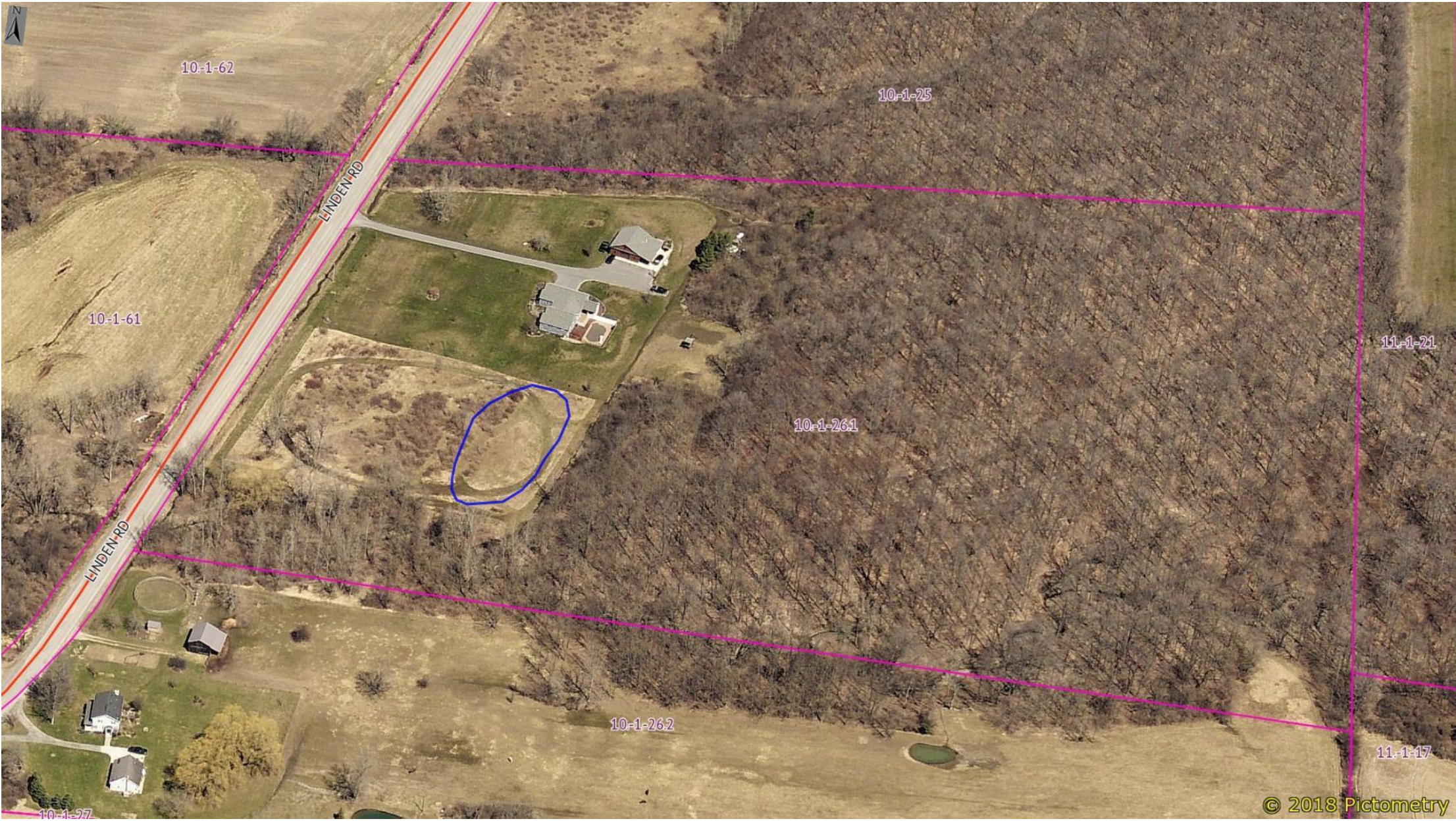
TOWN OF BETHANY

SPECIAL USE PERMIT MEETING SCHEDULE

These meetings are advisable for the applicant to attend on the listed dates:

- > Town of Bethany Planning Board Meeting
10510 Bethany Center Road
East Bethany NY 14054
Date: 9/6/18
Day: Thursday
Time: 7:30 p.m.
- > Town of Bethany Town Board
Preliminary Review and Setting of Public Hearing
10510 Bethany Center Road
East Bethany NY 14054
Date: 9/10/18
Day: Monday
Time: 7:00 p.m.
- > Genesee County Planning Board Meeting
County Building #2
3837 West Main Street Road
Batavia NY 14020
Date: 9/13/18
Day: Thursday
Time: 7:30 p.m.
(Arrive 15 min. early)
- > Bethany Town Board Meeting
10510 Bethany Center Road
East Bethany NY 14054
Date: 10/10/18
Day: Monday
Time: 7:00 p.m.
- > Public Hearing
10510 Bethany Center Road
East Bethany NY 14054
Date: 10/10/18
Day: Monday
Time: 7:00 p.m.
- > Town of Bethany Planning Board
10510 Bethany Center Road
East Bethany NY 14054
Date: _____
Day: _____
Time: _____
(If Necessary)
- > Bethany Town Board
10510 Bethany Center Road
East Bethany NY 14054
Date: _____
Day: _____
Time: _____
(If Necessary)

T-06-BETH-9-18



04/23/2018

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