



**GENESEE COUNTY PLANNING BOARD
ZONING REFERRALS NOTICE OF FINAL
ACTION**

GCDP Referral ID **T-01-BETH-1-16**

Review Date **1/14/2016**

Municipality
Board Name
Applicant's Name

BETHANY, T.
ZONING BOARD OF APPEALS
Matthew Pribek - West Bethany Baptist Church

Referral Type
Variance(s)
Description:

Area Variance(s)
Area Variance to modify property lines for a church/cemetery.

Rear Yard Setback
Minimum required: 35 ft.
Proposed: 10 ft.

Location
Zoning District

10333 West Bethany Rd., Bethany
Agricultural-Residential (A-R) District

PLANNING BOARD DECISION

APPROVAL

EXPLANATION:

The proposed property lines produce lots that better conform to the standards of the Town of Bethany Zoning Law and the rear yard setback should pose no significant county-wide or inter-community impact as the building would back onto a cemetery.

Director

January 14, 2016

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

DEPARTMENT USE ONLY:
 G.C.D.P. Referral # T-01-BETH-1-16
 Date Received 1-5-2016



*** GENESEE COUNTY *
 PLANNING BOARD REFERRAL**

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
East Bethany NY 14054

2. APPLICANT INFORMATION Matthew Pribek

Name West Bethany Baptist Church
 Address 10333 West Bethany Road
 Phone 585-861-0211 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. Address 10333 West Bethany Road
 B. Nearest intersecting road Brown Road
 C. Tax Map Parcel Number 7-1-1
 D. Total area of the property .55 Area of property to be disturbed _____
 E. Present zoning district(s) A-R

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
Art. III, Sec. 301, SCH A.
- C. Please describe the nature of this request Create 2 lots (1 lot with a 10' rear yard setback (35' required))

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 type="checkbox"/> Location map or tax maps | |
| <input type="checkbox"/> Subdivision plot plans | <input type="checkbox"/> Elevation drawings | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> SEQR forms | <input type="checkbox"/> Agricultural data statement | |

*** If possible, please provide a reduced version or digital copy of any supporting documentation larger than 11 x 17 in.
 Digital copies may be sent via email to planning@co.genesee.ny.us ***

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

Name Thomas Douglas Title ZED/CEO Phone 585-356-0824
 Address 10510 Bethany Center Road, East Bethany Email ceobethanyny@yahoo.com
14054

TOWN
(circle one)

VILLAGE CITY OF Bethany

Application # AV1506

Agricultural Data Statement

Date 12/29/15

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>Mathew Priebel</u> Address: <u>4567 Brown Road</u> <u>East Bethany NY 14054</u>	Name: <u>West Bethany Baptist Church</u> Address: <u>10333 W. Bethany Road</u> <u>East Bethany NY 14054</u>

1. Type of Application: Special Use Permit; Site Plan Approval; ^{Area} Use Variance;
(circle one or more) Subdivision Approval
2. Description of proposed project: create 2 post with a 10' side yard setbacks (25' required)
3. Location of project: Address: 10333 W Bethany Road
Tax Map Number (TMP) 7.1-11
4. Is this parcel within an Agricultural District? NO YES (Check with your local assessor if you do not know)
5. If YES, Agricultural District Number _____
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>Dick Barje</u> Address: <u>10171 Bethany Center</u> <u>East Bethany NY 14054</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: <u>Dan McCormick</u> Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES
Name: <u>Don Norton</u> Address: <u>10269 West Bethany Rd</u> <u>East Bethany NY 14054</u> Is this parcel actively farmed? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	Name: _____ Address: _____ Is this parcel actively farmed? <input type="checkbox"/> NO <input type="checkbox"/> YES

Mathew Priebel
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

[Signature]
Signature of Municipal Official

12/29/15
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>West Bethany Baptist Church</i>			
<i>AVISOL</i>			
Project Location (describe, and attach a location map): <i>10333 West Bethany Road</i>			
Brief Description of Proposed Action: <i>Create 2 lots with one lot having a 10' rear yard setback (35' required)</i>			
Name of Applicant or Sponsor: <i>(Matthew Pribeke)</i>		Telephone: <i>585-861-0211</i>	
<i>West Bethany Baptist Church</i>		E-Mail:	
Address: <i>10333 West Bethany Road</i>			
City/PO: <i>East Bethany NY 14054</i>		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 <input checked="" type="checkbox"/>
			YES <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 <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>.55</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>.55</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial Residential (suburban)			
<input 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 type="checkbox"/>	<input type="checkbox"/>	N/A
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 type="checkbox"/> Forest <input checked="" 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 checked="" 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: _____	NO	YES
_____	<input checked="" 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 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>Matthew S Aribek</u>	Date: <u>12-29-15</u>	
Signature: <u>[Signature]</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"/>

TOWN OF BETHANY Zoning Schedule A

DISTRICT	USES	ONE FAMILY (MIN.)			TWO FAMILY (MIN.)			MIN. ADD. LOT AREA /FAMILY OVER TWO (SQ. FT.)	BUILDING LINE WIDTH MINIMUM	MINIMUM YARDS (FEET)			MAX. Coverage %	MAX. Height (FEET)	SITE PLAN APPR. REQ.
		LOT AREA (SQ. FT.)	FRONTAGE (FEET)	DEPTH (FEET)	LOT AREA (SQ. FT.)	FRONTAGE (FEET)	DEPT H (FEET)			FRONT ⑤	SIDE	REAR			
A-R	Residential ①	80,000	200	200	80,000	200	200	3,000	200	75	25	35	25	35	
	Non-Residential	80,000	200	200					200	85	50	35	15	35	YES
R	Residential ①	30,000	150	200	40,000	200	200	3,000	150	75	25	35	35	35	
	Non-Residential	40,000	200	200					200	85	35	40	25	35	YES

DISTRICT	USE	LOT AREA (SQ. FT.)	FRONTAGE (FEET)	BUFFER ZONE	MAXIMUM COVERAGE %	MAXIMUM HEIGHT (FEET)	MINIMUM YARDS (FEET)			SITE PLAN APPROVAL REQUIRED
							FRONT	SIDE	REAR	
C	Commercial	30,000	200	YES	30	35	80	40	35	YES
I	Industrial	80,000	200	YES	40	45	80	50	40	YES

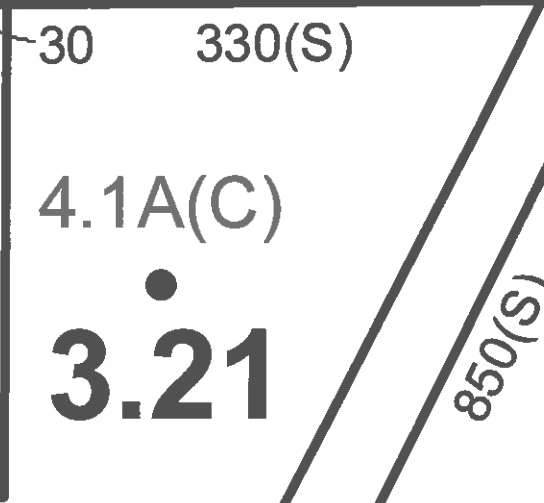
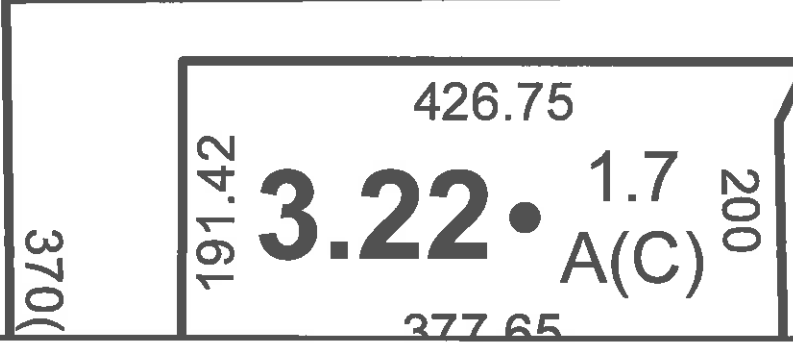
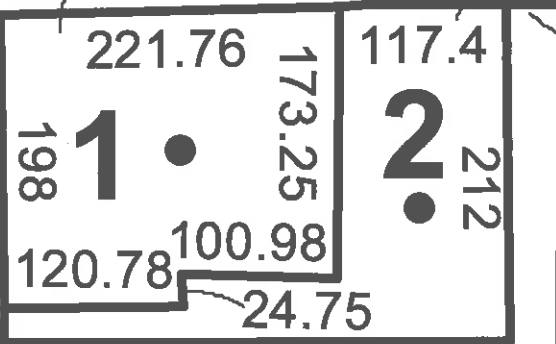
FPO FLOOD PLAIN OVERLAY - Refer to Section 503 (Informational Purposes Only)

PUD PLANNED UNIT DEVELOPMENT - Refer to Section 510

- NOTES:**
- ① Residential accessory buildings and structures refer to Section 501 .
 - ② The side yard at a corner lot adjacent to a street shall be considered as a front yard.
 - ③ Parking and loading space shall not cover more than an additional 40% of the lot.
 - ④ Towers and steeples may extend to a height of 80 feet maximum.
 - ⑤ See Exception to Front Yard Setback on the next page.

FREE WILL BAPTIST SOCIETY

WEST BETHANY RURAL CEMETERY



13

370(

198

99

1.

2.

3.1.

3.21

3.22.

1.7 A(C)

200

4.1A(C)

330(S)

850(S)

426.75

191.42

377.65

310.5

314.43

344.43

173.25

100.98

24.75

212

30

200



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Creation Date: Apr 10, 2010 15:38
Modification Date: Apr 20, 2010 14:34

Average Scale: 1 inch = 103.6 feet



WBC CURRENT

Print Date: 01/01/2016
Image Date: 04/06/2013
Level: Community



WBC NEW LINE

Print Date: 01/01/2016
Image Date: 04/06/2013
Level: Community

TOWN OF BETHANY

VARIANCE 500 FT CONTACT LIST

APPLICANT NAME: West Bethany Baptist Church (Mathew) Pickett

APPLICANT ADDRESS: 4567 Brown Road

PROPERTY LOCATION: 1033.3 West Bethany Road

APPLICATION NO.: AV1506 DATE: 12/30/15

TAX MAP #: 7.-1-1

TAX MAP #	PROPERTY OWNER	ADDRESS	CITY, STATE ZIP
7.-1-2	West Bethany Rural Comm	9934 Creek Road	Batavia 14020
7.-1-3.1	West Beth. Rural Cemetery	9934 Creek Road	Batavia 14020
7.-1-3.21	Zor-Rob Assoc. LLC II	10171 Bethany Ch. Rd	EB 14054
7.-1-3.22	Jeffrey Fladdis	10350 Japp Rd	EB 14054
7.-1-10	Zor-Rob Assoc. LLC II	10171 Beth. Ch. Rd	EB 14054
4.-1-33.111	Susan Blackburn	9778 Creek Rd	EB-Batavia 14020
6.-1-75	Jeffrey Rhodes	10312 West Beth Rd	Batavia 14020
6.-1-79	Jeffrey Miller	4680 Pompano Street	Placida FL 33946
6.-1-23.123	Daniel Hilhooley	11047 W. Centre St	Medina NY 14103
9.-1-16.1	Zor-Rob Assoc.	10171 Beth Ch Rd	EB 14054
9.-1-16.2	Walton, Margaret	4373 Brown's Mill Rd	Alex 14005
9.-1-17.2	Dennis Alwardt	10374 Beth T1 Rd	Alexander 14005
9.-1-17.11	Dennis Alwardt	10374 Beth T1 Rd	Alexander 14005
9.-1-17.12	Thomas Spencer	10368 Beth T1 Rd	Alex 14005
9.-1-18	W. Beth Bapt. Church	10333 W. Beth. Rd	EBeth. 14054
9.-1-19.1	Albert McKey	10342 Beth T1 Rd	Alex. 14005
9.-1-19.2	Jeffrey Rhodes	10312 W. Beth Rd	Batavia 14020

TOWN OF BETHANY

VARIANCE MEETING SCHEDULE

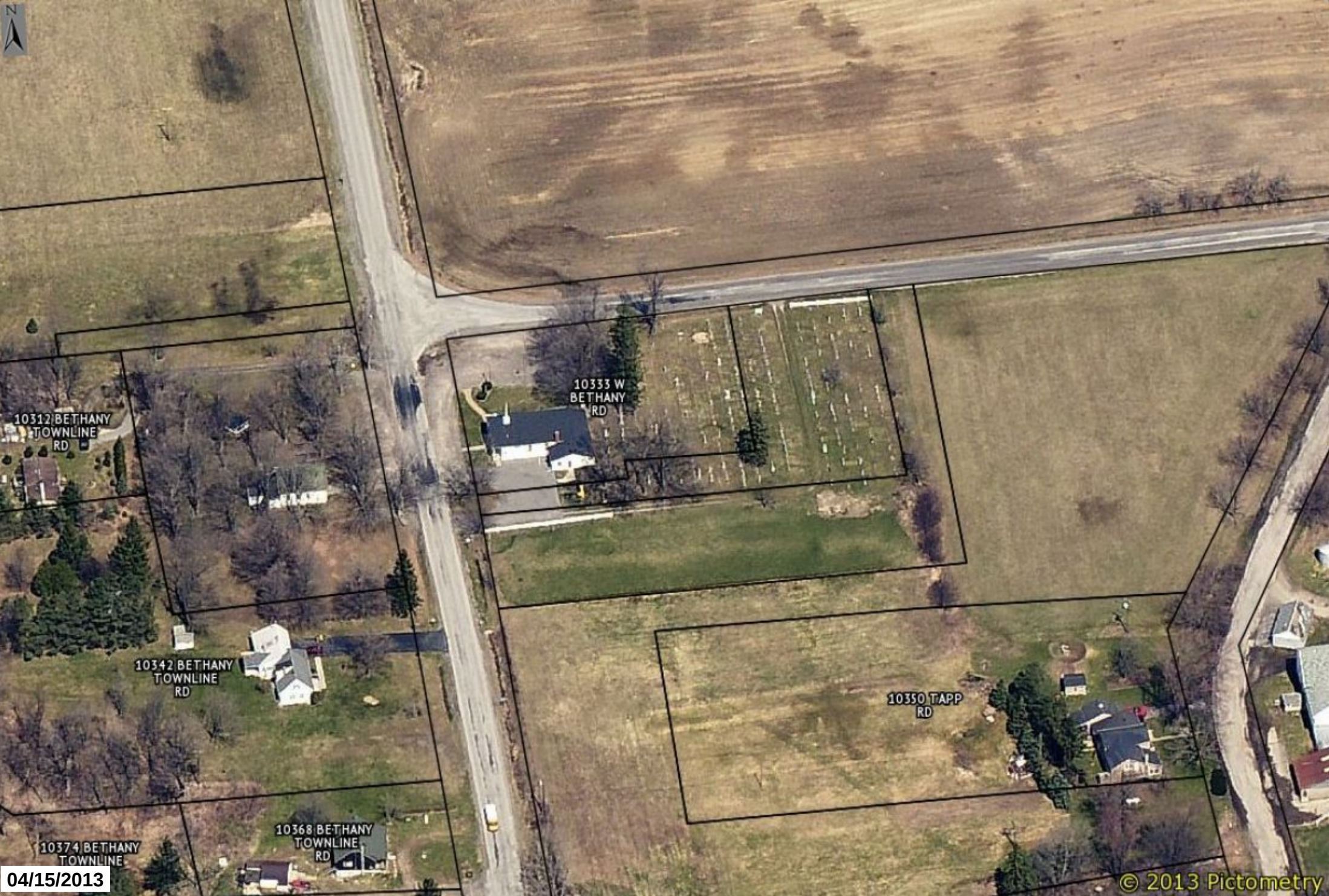
- > Town of Bethany Planning Board
10510 Bethany Center Road
East Bethany NY 14054
Date: 1/7/16
Day: Thursday
Time: 7:30 p.m.

- > Genesee County Planning Board
County Building #2
Batavia NY 14020
Date: 1/14/16
Day: Thursday
Time: 7:30 p.m.
(Arrive 15 min. early)

- > Town of Bethany Zoning Board of Appeals
10510 Bethany Center Road
East Bethany NY 10440
Date: 1/27/16
Day: Wednesday
Time: 7:30 p.m.

- > Public Hearing
10510 Bethany Center Road
East Bethany NY 14054
Date: 1/27/16
Day: Wednesday
Time: 7:30

T-01-BETH-1-16



04/15/2013

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