

CITY OF ROME ZONING BOARD OF APPEALS

Special Permit Application

IN THE MATTER OF THE APPEAL, OF _____ APPEAL # _____

for a special exception/special permit pursuant to Article VIII, Section 56 (c) of the Code of Ordinances of the City of Rome, Appendix A - Zoning.

TO THE ZONING BOARD OF APPEALS:

(SECTION I TO BE COMPLETED BY CODE ENFORCEMENT OFFICER):

1. The appellant (s) hereby appeals to the Zoning Board of Appeals of the City of Rome, New York from a determination of the Codes Enforcement Officer who, on the _____ day of _____, 20____, did deny the application for a zoning permit or certificate of occupancy, said application affecting property at _____ in a _____ Zoning District, in the City of Rome, and having been submitted to the Codes Enforcement Officer for the purpose of _____

that such application is herein made to the Zoning Board of Appeals insofar as the above use requires Zoning Board of Appeals approval of an appropriate special exception/special permit in accordance with Section _____ of the Code of Ordinances, Appendix A - Zoning.

2. Appellant recognizes that the Zoning Board of Appeals may grant a special exception/special permit for any use for which the approval of the Zoning Board of Appeals is required under the Code of Ordinances, Appendix A - Zoning. In granting such special exception/special permit, the Zoning Board of Appeals may specify appropriate conditions and safeguards in harmony with the following rules and standards:

- (a) The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting.
- (b) The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use. Examples of measures of potential

impacts due to the nature and intensity of development include, but are not limited to, traffic generation, hours of operation, size and scale, noise, odor, dust, vibration, glare, smoke and environmental hazards.

- (c) The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare.
- (d) The use will not unreasonably increase or introduce traffic congestion or safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes.
- (e) The use makes adequate provision for off-street parking in accordance with the Rome Zoning chapter.
- (f) The use and the proposed design of the building and other structures and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to, traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration.
- (g) The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community. In evaluating cumulative impacts the board will consider the proximity of other special permit uses, particularly those similar to the use proposed.
- (h) The use will not conflict in any way with the Rome Comprehensive Plan and other adopted city plans.

Furthermore, the appellant (s) recognizes that the Zoning Board of Appeals may deny any application for such special exception/special permit if the proposed use fails to meet the above specified conditions.

(SECTION 3 TO BE COMPLETED BY APPELLANT(S)):

3. Having fully reviewed the above rules and standards for the granting of a special exception/special permit, appellant affirmatively asserts compliance with such rules and standards for the following reasons:

(please complete each paragraph below)

The physical characteristics, topography and other features of the lot and the scale and physical design and other features of any new or existing buildings to be occupied by the use are suitable and adaptable for the proposed use without any modifications which would change the established character of the street or neighborhood setting because:

The nature and intensity of operations of the use will not be more objectionable to surrounding properties than those of a permitted use. Examples of measures of potential impacts due to the nature and intensity of development include, but are not limited to, traffic generation, hours of operation, size and scale, noise, odor, dust, vibration, glare, smoke and environmental hazards because:

The use is not in such proximity to a religious facility, school, community center, recreation place, or other prominent place of community activity and public assembly so as to regularly conflict with such other activity and thereby constitute a danger to health, safety or general welfare because:

The use will not unreasonably increase or introduce traffic congestion or safety hazards or impose traffic volumes on streets and street patterns which are deficient in width, design, sight distance, intersection configuration, or other typical standards necessary to accommodate such traffic changes because:

The use makes adequate provision for off-street parking in accordance with the Rome Zoning chapter. Describe parking plan.

The use and the proposed design of the building and other structures and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses, including but not limited to, traffic congestion and hazards, untimely scheduling of activities, removal of trees and other established natural features, and excessive stormwater runoff, noise, nuisance, odors, glare or vibration because:

The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community. In evaluating cumulative impacts the board will consider the proximity of other special permit uses, particularly those similar to the use proposed because:

The use will not conflict in any way with the Rome Comprehensive Plan and other adopted city plans because:

4. That the previous appeal for the variance requested herein has (not) been made.

Sworn to before me this _____

Day of _____, 20____.

Notary Public

Appellant

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:				
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 governmental 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, adjoining and 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				

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 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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

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"/>

	No, or small impact may occur	Moderate to large impact may occur
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"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. 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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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