



Zoning Referral Form

Orleans County Planning Board

mail or deliver to:

Orleans County Department of Planning and Development
14016 Route 31 West
Albion, New York 14411



Referrals can also be e-mailed to planningboard@orleanscountyny.gov

Please type or print in space provided, attaching extra sheets if necessary. Incomplete or missing information will result in delays in processing and review.

I. Information Regarding the Town or Village: MUNICIPALITY: Town of Carlton

DATE: 11/10/21 PHONE: ⁽⁵⁸⁵⁾ 682-4358 ADDRESS: 14341 Waterport-Carlton Rd.

NAME & TITLE OF SUBMITTING OFFICIAL: Brenda Mufford, T/Carlton Planning Board Secretary
Albion, NY 14411

CONTACT E-MAIL ADDRESS: happypig14411@yahoo.com

- II. Type(s) of Proposed Action:**
- | | |
|--|--|
| <input type="checkbox"/> COMPREHENSIVE PLAN | <input type="checkbox"/> AMENDMENT TO ZONING TEXT |
| <input type="checkbox"/> AREA VARIANCE | <input checked="" type="checkbox"/> USE VARIANCE |
| <input checked="" type="checkbox"/> SPECIAL USE PERMIT | <input checked="" type="checkbox"/> SITE PLAN REVIEW |
| | <input type="checkbox"/> AMENDMENT TO ZONING MAP |
| | <input type="checkbox"/> NEW ZONING ORDINANCE/LAW |

III. Information Regarding the Site: TAX PARCEL NUMBER: 18.1-2-50

STREET/ROAD NAME & ADDRESS NUMBER: 14339 Roosevelt Hwy., Waterport, NY 14571

NEAREST INTERSECTING ROAD: Rt. 98 PRESENT ZONING DISTRICT: H (hamlet)

APPLICANT'S NAME AND PHONE: George Lacey (585) 682-3318 or (585) 205-5659

OWNER'S NAME AND ADDRESS (IF DIFFERENT FROM APPLICANT): 14263 Roosevelt Hwy., Waterport, NY 14571

RELEVANT SECTION(S) OF ZONING ORDINANCE: 34

DESCRIPTION OF REQUEST: To construct a 60x40 pole barn and to relocate store to new barn.

Signature of Submitting Official: Brenda Mufford

This cover form should be attached to all detailed information and documents that the municipal board would utilize to adequately consider impacts. This typically includes additional narrative and at least a site plan map drawn to scale with a north arrow, lot lines and waterways, locations of existing and proposed structures and existing and proposed easements or rights-of-way, the zoning classification of adjoining properties, distance (in feet) of structural setbacks from lot lines, and completed Agricultural Data Statement and Environmental Assessment Form, where applicable.

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			
CAPTAIN'S COVE MOTEL + MARINA			
Name of Action or Project: CAPTAIN'S COVE			
Project Location (describe, and attach a location map): 14339 Roosevelt Hwy., Waterport, NY 14571			
Brief Description of Proposed Action: To construct a 60x40 pole barn. Request Special Permit to relocate store to new building.			
Name of Applicant or Sponsor: George Lacey		Telephone: (585) 205-5659	E-Mail: captainscovemotel@gmail.com
Address: 14263 Roosevelt Hwy.			
City/PO: WATERPORT		State: NY	Zip Code: 14571
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO YES
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.			✓
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
			✓
3.a. Total acreage of the site of the proposed action?		3/4 acres	
b. Total acreage to be physically disturbed?		1/2 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5 1/2 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 checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?		X	
b. Consistent with the adopted comprehensive plan?		X	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?			X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		X	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?	X		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	X		
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: <u>update heat some solar</u>	NO	YES	X
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	X
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
b. Is the proposed action located in an archeological sensitive area?	X		
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? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	X		
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	NA		
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	
16. Is the project site located in the 100 year flood plain?	NO	YES	
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 b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

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
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
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
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>George Lachy</u>		Date: <u>11-10-2021</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?	X	
2. Will the proposed action result in a change in the use or intensity of use of land?	X	
3. Will the proposed action impair the character or quality of the existing community?	X	
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	X	
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?	X	
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?	X	
7. Will the proposed action impact existing:		
a. public / private water supplies?	X	
b. public / private wastewater treatment utilities?	X	
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	X	
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	X	

	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?	X	
11. Will the proposed action create a hazard to environmental resources or human health?	X	

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.

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.

Carlton Planning Board
Name of Lead Agency

11/9/2021
Date

Chris Beyrk
Print or Type Name of Responsible Officer in Lead Agency

Carlton Planning Board Chairman
Title of Responsible Officer

[Signature]
Signature of Responsible Officer in Lead Agency

[Signature]
Signature of Preparer (if different from Responsible Officer)

TOWN OF CARLTON
APPLICATION FOR BUILDING

CODE FEE PAID _____ PERMIT FEE 100⁰⁰ DATE 7/07/21 PERMIT# 2021/033

ZONING DISTRICT H FLOOD ZONE No TAX ID# 18,1-2-50

TO BE CONSIDERED A COMPLETE APPLICATION THE FOLLOWING MUST BE ATTACHED:

1. A COPY OF A DEED OR SURVEY MAP
2. SEWAGE DISPOSAL & WATER PERMITS FROM ORLEANS COUNTY HEALTH DEPARTMENT.
3. SCALE DRAWING OF EXISTING & PROPOSED BUILDING LOTS
4. VALID LICENSE FOR CURRENT OPERATION, IF EXPANSION IS PROPOSED.

5. ++++++
Captains Cove is going to construct operated Other at the following address

14339 R+18 on the E side of the road.

DISCRIPTION OF STRUCTURE, <u>60x40 Pole BARN</u>	TYPE OF CONSTRUCTION <u>FRAME</u>
STRUCTURE #1 <u>BARN GAS PUMPS</u>	FRONT SET BACK #1 <u>75</u> #2 _____
HEIGHT <u>18</u>	REAR SET BACK <u>20</u>
WIDTH <u>40</u>	LEFT SET BACK <u>15</u>
LENGTH <u>60</u>	RIGHT SET BACK <u>15</u>

NAME OF BUILDER / ARCHITECT _____

BE ADVISED THAT THE TOWN CLAIMS NO LIABILITY FOR ANY TYPE OF WORK DONE BY A BUILDER, APPLICANT, OR INSPECTOR.

TYPE OF HEAT: OIL GAS WOOD ELECT FIREPLACES: YES NO BASEMENT YES NO
WATER: WELL TOWN ROAD TYPE; STATE TOWN COUNTY ROW

REFERRAL TO PLANNING BOARD ZONING BOARD COUNTY

SIGNATURE OF APPLICANT: [Signature] DATE 7-7-2021
ADDRESS 14263 Rous. Rd Hwy PHONE 585-2055659

BEING DULY SWORN; DEPOSES AND SAYS; THAT HE IS THE OWNER OF THE ABOVE DESCRIBED PREMISES; THAT NO OTHER PERSON EXCEPT _____ HAS ANY OWNERSHIP INTEREST THEREIN; AND HAS READ THE FOREGOING APPLICATION FOR A PERMIT AND KNOWS THE CONTENTS THEREOF AND THAT THE SAME IS TRUE TO HIS OR HER KNOWLEDGE. THAT IF SAID APPLICATION IS APPROVED HE WILL COMPLY WITH ALL THE TERMS AND CONDITIONS ATTACHED TO THE PERMIT.

SWORN BEFORE ME THIS 07 DAY OF July 2021
(NOTARY PUBLIC) [Signature]

ALL ELECTRICAL WIRING MUST BE INSPECTED TWICE BEFORE CERTIFICATE OF OCCUPANCY WILL BE ISSUED.
NO STRUCTURE TO BE USED UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED.

NYS CODE INSPECTOR

**DENIAL OF BUILDING PERMIT
CARLTON, NEW YORK**

Building Application No. 2021/033

Application Date: 7/7/21

Tax Map # 18.1-2-50

George Hacey
The applicant(s) had applied for a Building Permit at the following location:
in the Town of Carlton.

14339 Rt. 18
The Zoning Enforcement Officer has denied the Permit.

The application does not meet the Town of Carlton Zoning Laws.

The Applicant(s) need(s) to apply for a Variance from the Zoning Board of Appeals.

Sincerely,



Zoning Enforcement Officer

Date: 7/7/21

ZONING REFERRAL FORM
SPECIAL PERMIT APPLICATION

PLANNING BOARD
TOWN OF CARLTON
14341 WATERPORT CARLTON ROAD
ALBION NEW YORK 14411

APPLICATION # 2021/004

BLDG. PERMIT# 2021/053

SUBMITTED BY: GEORGE LACEY DATE 7/7/2021
ADDRESS 14339 R+18 PHONE _____

REQUEST SPECIAL PERMIT TO: RELOCATE STORE TO NEW BUILDING

TO BE LOCATED AT 14339 R+18
PRESENT OWNER George Lacey DATE ACQUIRED 8/17/15
ADDRESS 14263 R+18

ZONING DISTRICT _____ IS THE PROPERTY LOCATED WITHIN 500 FEET OF ANY STATE OR COUNTY PROPERTY? YES NO _____ IF YES GIVE DETAILS.
County

NEEDED WITH THIS APPLICATION ARE THE FOLLOWING:

1. COPY OF DEED/OWNER OF PROPERTY.
 2. SURVEY MAP OR SCALE DRAWING OF PROPERTY SHOWING ALL EXISTING AND PROPOSED BUILDINGS PARKING LOTS, SIGNS ETC. TO SCALE SHOWING SET BACKS
 3. ALL BUILDINGS ON ADJOINING PROPERTY WITHIN 50 FT OF PROPERTY LINE.
 4. ALL PROPOSED AND INTENDED USES OF PROPERTY INVOLVED, INCLUDING HOURS OF OPERATIONS AND LOCATION OF LIGHTING AND SIGNS IF INCLUDED IN APPLICATION.
 5. TOPOGRAPHICAL MAP OF PROPERTY.
 6. LARGE AREA MAP.
- ADDITIONAL INFORMATION NEEDED/COMMENTS _____

////// APPLICANTS ARE REQUIRED TO ATTEND PUBLIC MEETING AT TOWN HALL ////

APPROVED _____
DISAPPROVED _____

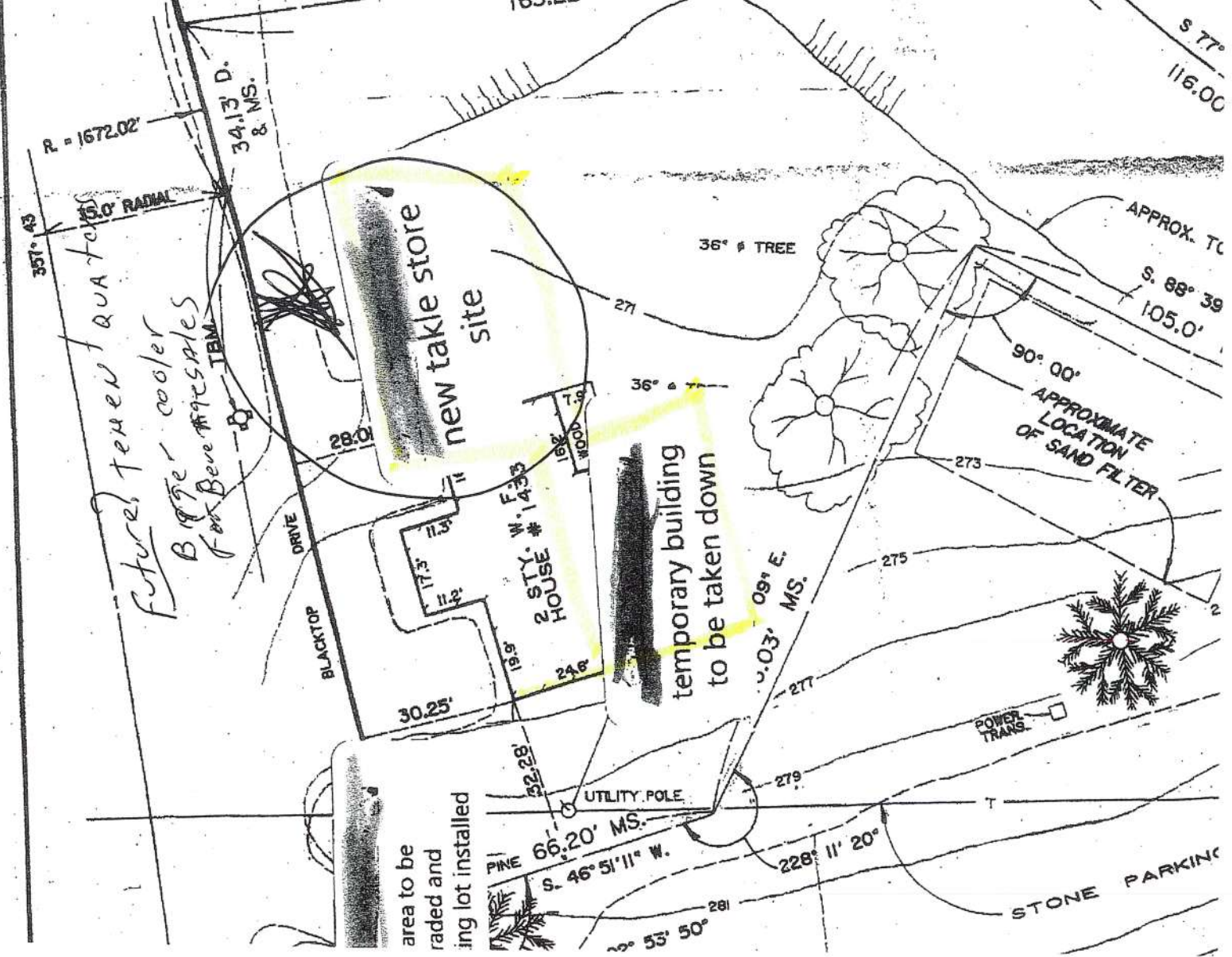
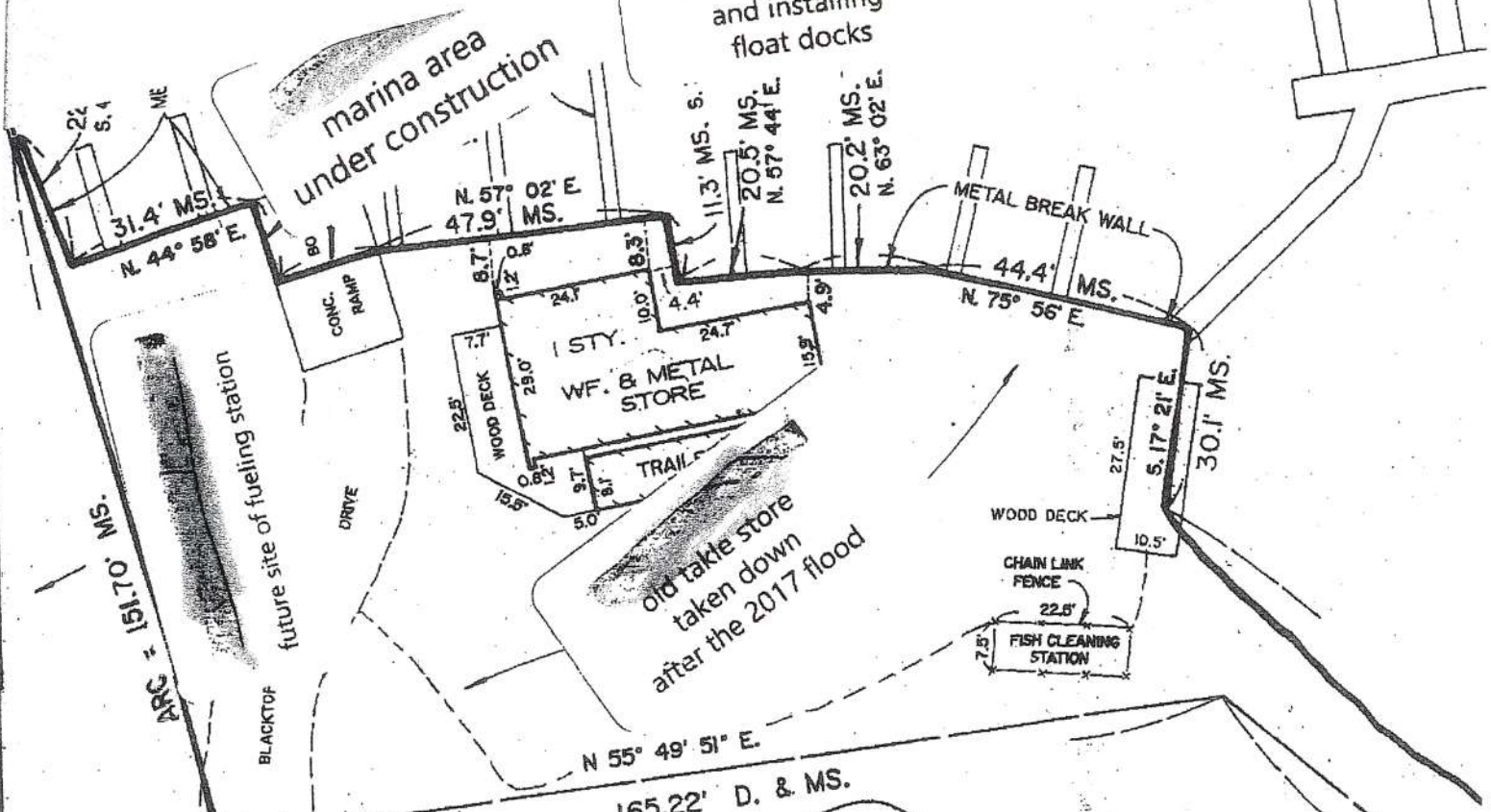
George Lacey
SIGNATURE OF APPLICANT

CHAIRMAN _____

SIGNATURE OF OWNER IF NOT APPLICANT

marina area
under construction

raising
and installing
float docks



*Future Tenent Quarters
Bottle cooler
For Beverage Sales
IBM*

area to be
graded and
paving lot installed

temporary building
to be taken down

new take store
site



Linea will most likely
 down size the open pavilion
 25x30

F. Any other conditions deemed necessary by the Planning Board after site plan approval.

SECTION 717 RETAIL GASOLINE OUTLET

A. Minimum lot size: 60,000 square feet: minimum lot width: 250 feet, all buildings, structures, or other accessory uses shall be at least seventy-five (75) feet from any property line.

B. Entrance and exit driveways shall have an un-restrictive width of not less than twenty-five (25) feet and not more than thirty (30) feet, and shall be located not nearer than fifteen (15) feet from any property line, and shall be designed to avoid the necessity of any vehicle backing out into any public right-of-way.

C. Entrance and exit points shall be from a major or secondary road.

D. All buildings shall be setback from the major or secondary street line in a distance of not less than thirty (30) feet.

E. Gasoline pumps shall be located not less than thirty (30') feet from the street line and not less than thirty (30') feet from all other property lines.

F. All buildings shall be setback from the major or secondary street line in a distance of not less than thirty (30) feet.

G. No such establishment shall be located within a distance of two hundred (200) feet of a school, church, hospital, nursing home, senior citizen housing or other place of public assembly designed for occupancy by more than fifty (50) persons, or within 500 feet of another gasoline station or repair garage on the same side of the street. Said distance shall be measured in a straight line between the nearest points of each of the lots or premises.

H. Landscaped areas shall be provided along property lines to lessen any visual unattractiveness.

I. The entire area of the site traveled by motor vehicles shall be hard surfaces.

J. Any repair of motor vehicles shall be performed in a fully enclosed building and no more than two (2) motor vehicles shall be offered for sale on the site at any one time. No motor vehicles parts, or partially dismantled motor vehicle shall be stored outside of an enclosed building.

717.5 MOTOR VEHICLE SALES/RENTAL

The Planning Board may approve a special use permit for the sales and rental of motor vehicles provided that the following standards and provisions are maintained:

A. Such sales may be conducted either in a fully enclosed building located on the same lot, or in an unenclosed area. If such sales are conducted in a fully enclosed building located on the same lot, such building shall have a building area of not less than 5,000 square feet devoted to the sale and service of automobiles.

B. Minimum Specifications:

Front Setback for building:	75 feet
Side Setback	30 feet
Rear Setback	30 feet
Lot Frontage	200 feet
Lot Size	60,000 square feet

C. No vehicle shall be displayed for sale or rent within 25 feet of any property line, including edge of any highway or roadway.

TOWN OF CARLTON
Planning Board
14341 Waterport-Carlton Road
Albion, New York 14411
Tel: (585) 682-4358

RESOLUTION

WHEREAS, at a Town of Carlton Planning Board meeting held on November 9th, 2021, a Resolution was made to forward the Application of Captain's Cove Motel & Marina, along with necessary documentation, to the Orleans County Planning Board for their review, comments and recommendations.

The Resolution was offered by David Bertsch and seconded by R. VanWuyckhuyse. A voice vote was recorded as shown below.

Applicant(s): Captain's Cove Motel & Marina

Type of Application Received: Building Permit to construct a 60 x 40 pole barn and to relocate the store to the new building.

Address of Proposed Action Noted on Application: 14339 Roosevelt Highway, Town of Carlton, County of Orleans, State of New York.

ROLL CALL VOTE:

Chris Beyrle	<input checked="" type="checkbox"/> [AYE] <input type="checkbox"/> [NAY]
David Bertsch	<input checked="" type="checkbox"/> [AYE] <input type="checkbox"/> [NAY]
William Camann	<input checked="" type="checkbox"/> [AYE] <input type="checkbox"/> [NAY]
Paul Schwenk	<input checked="" type="checkbox"/> [AYE] <input type="checkbox"/> [NAY]
Robert VanWuyckhuyse	<input checked="" type="checkbox"/> [AYE] <input type="checkbox"/> [NAY]

As all Board members voted AYES, the vote was unanimous.

I, Brenda Mufford, Secretary to the Town of Carlton Planning Board, do hereby attest to the accuracy of the above Resolution being acted upon and recorded in the minutes of the Town of Carlton Planning Board meeting held on November 9th, 2021.

Brenda Mufford
Brenda Mufford, Town of Carlton Planning Board Secretary

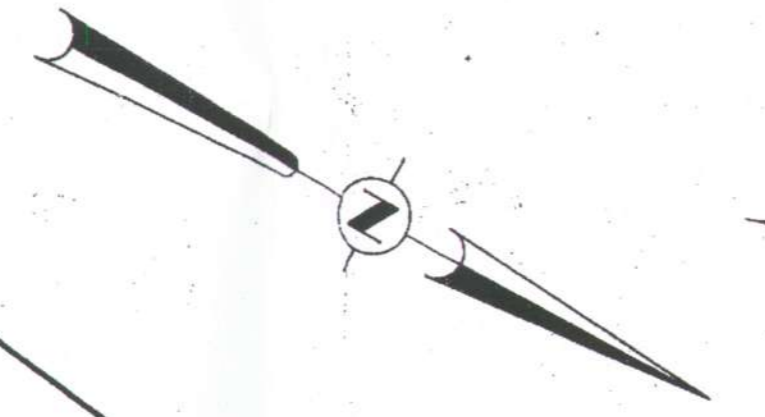
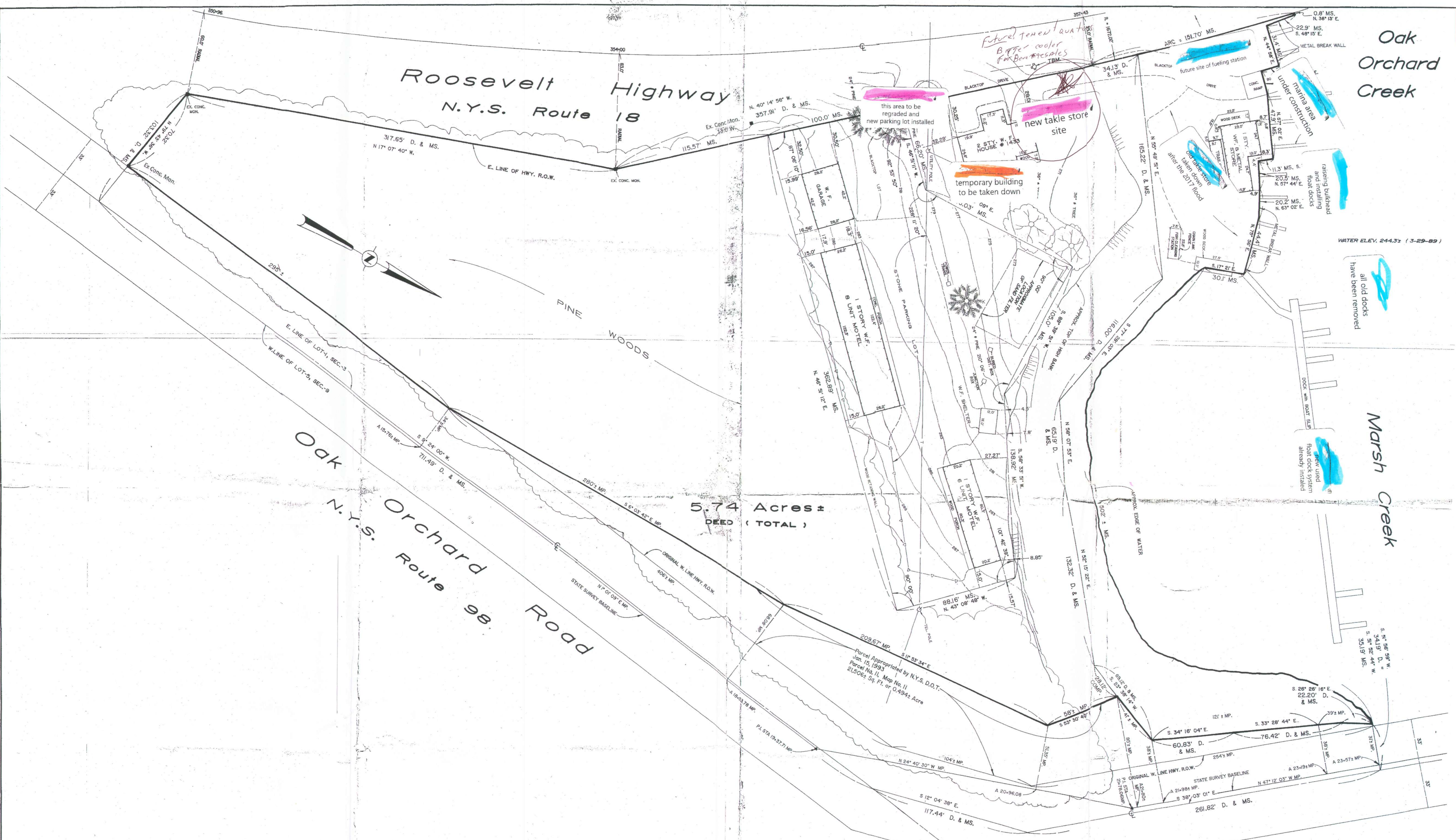
Oak Orchard Creek

Roosevelt Highway
N.Y.S. Route 18

Oak Orchard Road
N.Y.S. Route 98

5.74 Acres ±
DEED (TOTAL)

Marsh Creek



I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE CURRENT CODES OF PRACTICE FOR LAND SURVEYING AS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. THIS CERTIFICATION DOES NOT EXTEND TO THE EXISTENCE OF ANY ENCROACHMENTS OR TO THE ACCURACY OF ANY PREVIOUS SURVEYS. THIS SURVEY WAS MADE FOR THE PURPOSES SET FORTH BY THE SURVEYOR.

Christian J. Voss
Christian J. Voss, L.S. No. 12345

Note: Topographic Elevations not verified as part of this survey.

Resurveyed: July 25, 2015
 Revised Dec. 5, 2013, INCLUDED TO AC PARCEL
 RESURVEYED SEPT. 13, 2013
 REVISED MAR. 30, 1993 TO SHOW # TO EDGE OF WATER
 REVISED SEPT. 26, 1994 TO SHOW STATE APPROPRIATION
 REVISED TO SHOW 100 AC ± PARCEL DEC. 1, 1989.
 REVISED MAR. 30, 1989
 REVISED FEB. 7, 1919

TBM, SOUTH FLANGE BOLT ON HYDRANT 40' WEST OF NORTHWEST CORNER OF HOUSE # 14339 ELEV. = 270.89' (U.S.C. & G.S.)

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UPDATED ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

D. = DEED	MP. = MAP	● = EX. IRON
MS. = MEASURED	ENC. = ENCROACHMENT	○ = SET IRON

VOSS - MARTIN
 LAND SURVEYING, P.C.
 6140 COLEMAN ROAD, BARKER, N.Y. 14012
 PHONE # (716) 434-6531; FAX # (716) 650-5737
 VOSS.MARTIN.SURVEY@GMAIL.COM

BEING PART OF LOT 1, SEC. 3, TWP. 18, RG. 2 OF THE HOLLAND PURCHASE.

LOCATION: TOWN OF CARLTON, ORLEANS COUNTY, NEW YORK
 SCALE: 1" = 30'
 DATE: JAN. 12, 1989
 JOB # 8901002

NOTE: ONLY COPIES OF THIS SURVEY MADE FROM THE ORIGINAL AND COMPARED WITH THE SURVEYOR'S MAP. NO OTHER COPIES SHALL BE MADE.
 CHRISTIAN J. VOSS, L.S.