

Town of Horicon

Planning Board

Boundary Line Adjustment Application and Instructions

1. Fill out and return **Ten (10) copies** of this application and all materials to the Town of Horicon Zoning & Planning Office.

A) Deadline for applications is a **minimum of 14 days prior** to the regularly scheduled meeting. Planning Board meetings are held on the third Wednesday of each month at 7:30 PM. (Subject to change without notice).

B) Attach location map showing the present boundary lines and the proposed boundary lines.

2. Attach **five (5) copies** of a current **survey map** showing all existing boundary lines and the proposed boundary lines.

A. Name and address of the parcel in question; North Arrow and scale.

B. The specific boundaries of the area to be adjusted.

C. Zoning district boundaries (if applicable) and the surrounding land use.

D. Existing drainage features.

E. Location of streams, ponds, rivers, marshes and culverts.

F. Present site conditions, (i.e) easements, existing utilities, structures, trees, streets and street names.

G. Present utilities, means of sewage disposal, method of water supply and storm drainage.

H. Proposed lot layout.

I. Any proposed right of ways for access to the new lot.

3. Attach Ten (10) copies of your deed as proof of ownership.

4. If application is represented by someone other than the owner of record, the **AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER** must be completed, notarized and attached to this application. (10 copies)

5. Enclose a check for the appropriate fee payable to the Town of Horicon.

Check List:

Application _____

Location map _____

Survey map _____

Deed _____

Authorization form (If needed) _____

Payment _____

Note: This application **DOES NOT** require an Environmental Assessment Form.

Town of Horicon Planning Board

PO Box 90 Brant Lake, NY 12815

Application # _____

(518) 494-4245

Fax (518) 494-5240

email: zoningplanning@horiconny.gov

Website: horiconny.gov

Boundary Line Adjustment Application

The purpose of this application is to allow the property owner to adjust the boundary lines of said parcels:

Tax Map Number(s) #1 _____ #2 _____

these numbers will refer to specific questions relating to each parcel

#1 Property Owner's Name : _____

Mailing Address: _____

Phone Number(s) _____

#2 Property Owner's Name : _____

Mailing Address: _____

Phone Number(s) _____

Contractor's/Agent/Representative's Name (if Applicable) _____

Address: _____

Phone Number(s) _____

Parcel Size(s) (acreage or sq. ft): #1: _____ #2: _____

Location of Property(s) (911 address) #1: _____

#2: _____

Zone Classification & Acres: #1: _____ #2: _____

If parcel(s) is in multiple zones, indicate all zones.

CR-20,000 sq. ft, CR-3.2 acres,
R1-20,000 sq. ft, R1-1.3 acres, R1-2 acres, R1-3.2 acres, R1-10 acres,
R1A-3.2. acres, R1A-5 acres,
R2-2 acres, R2-3.2 acres, R2-5 acres, R2-10 acres,
LC-10 acres, LC-42.6 acres,
RRD-3.2 acres, RRD-5 acres, RRD-10 acres.

Are the lots presently conforming lots? YES NO

IF NO, What lot(s) are not conforming: _____

Proposed lot size(s): #1 _____ #2 _____

Will the boundary line adjustment leave all proposed lots conforming? YES NO

IF NO, What lot(s) will not be conforming: _____

Current use of property: (What is present on this parcel today) list all structures:

#1: _____

#2: _____

Proposed use(what are you proposing to accomplish with this application): (i.e. merge/sell lot(s) build home etc.)

Description of how to find Property/Properties: _____

Are there wetlands on the property? YES NO UNKNOWN

IF YES, _____ Acres/Sq.Ft. On what parcel? _____

If wetlands are present, are the wetlands being retained on the original, remaining parcel? YES NO

IF UNKNOWN, have you contacted the APA to visit the site and flag possible wetlands? YES NO

Is an Adirondack Park Agency (APA) permit required? YES NO UNKNOWN

IF YES, Have you applied for an APA permit? YES NO If yes, please attach correspondence.

IF UNKNOWN, Have you applied for an APA Jurisdictional determination? YES NO

IF YES, please attach correspondence.

Are additional documents presented as part of this application? YES NO

* if yes, then mark all additional documents as Exhibit A, Exhibit B, etc.

Additional data on proposed boundary line adjustment. _____

Notice is hereby given that in the event the Town of Horicon determines that technical assistance is needed to review the project, the reasonable and necessary expenses associated with such review shall be borne by the project applicant

I, We hereby authorize the Town of Horicon, it's employees and authorized agents access to the property for purpose of inspection.

Applicant's Signature

Date

Applicant's Signature

Date

2010-01-29

AUTHORITY TO ACT AS AGENT FOR PROPERTY OWNER

I, _____, the owner of record of the
property described in this application hereby empower, _____

to act as my agent and representative in conducting presentations to the necessary board(s) and in
deliberations with the board(s) pertaining to my application.

As my agent, He/She is empowered to act on my behalf in full. In so doing I, the owner applicant,
understand that I am bound by any conditions imposed on my project and agreed to by my agent or
by conditions or restrictions imposed by my agent as part of the presentation.

Signature of Owner/Applicant

Signature of Owner/Applicant

Date

Date

Notary

Notary

Signature of Agent/Representative

Signature of Agent/Representative

Date

Date

BOUNDARY LINE ADJUSTMENTS

RESOLUTION NO. 34 OF 1994

Councilmen Hill and Baker introduced Res. 34 and moved it's adoption:
**RESOLUTION TO ADOPT PROPOSED AMENDMENTS
TO THE SUBDIVISION REGULATIONS OF THE
TOWN OF HORICON PERTAINING TO BOUNDARY LINE ADJUSTMENTS**

RESOLVED, that the Town Board, after holding a Public Hearing on January 20th, and upon recommendation of the Planning Board, does hereby adopt the Proposed Amendments To The Subdivision Regulations of the Town of Horicon Pertaining To Boundary Line Adjustments. There will be a fee of \$25.00 for this determination.

1. The Subdivision regulations shall be amended so as to add a new definition on Page 2 as follows:

Boundary Line Adjustment: A boundary line adjustment is the transfer of a parcel or real property between individuals, corporations or businesses consisting of less than the minimum lot size required in the zoning district wherein the property is located. A boundary line adjustment can only occur between adjacent property owners.

2. The definition of subdivision is amended to add at the end of the current definition the following:

The subdivision of land shall not include boundary line adjustments as defined herein.

3. The last paragraph of Section 4: Administration is amended to read as follows:

At such a meeting, the proposed subdivision will be classified as either a major or minor subdivision or as a boundary line adjustment and as either a Class A or Class B Regional subdivision, as defined in these regulations. If there is no meeting then the proposed subdivision will be classified by the Planning Board at the time of formal application submission.

4. A new Section 5 A entitled Boundary Line Adjustments shall be added to the subdivision regulations and shall provide as follows:

A boundary line adjustment is the transfer of real property consisting of less than the minimum lot size for the zoning district wherein the parcel is situated between adjacent property owners as defined herein. Whenever the Planning Board shall determine that a boundary line adjustment exists, the following general procedures and submission requirements shall apply:

1. The Planning Board shall determine the completeness of the application at its next regularly scheduled meeting after the date on which the application is filed with the clerk of the Planning Board.

2. Where appropriate, the applicant shall comply with the submission requirements required for minor subdivisions as provided for in Section 5.

3. It shall be within the sole discretion of the Town Planning Board to determine whether an application constitutes a boundary line adjustment. A boundary line adjustment may not include the transfer of real property which, by itself, would satisfy the minimum lot requirements in the zoned district where the property is situated

4. Whenever an applicant proposes to transfer real property to an adjacent property owner pursuant to a boundary line adjustment, the remaining acreage must, in all cases, satisfy the minimum lot area requirements of the zoned district wherein the property is situated. A boundary line adjustment may not result in the creation of a non-conforming parcel and a boundary line adjustment may not occur between adjoining property owners whenever the property owner reducing his acreage maintains a non-conforming parcel prior to the proposed adjustment.

5. All property transferred between adjoining property owners as a result of the boundary line adjustment shall be merged with the existing parcel and become a part thereof.

6. In its absolute discretion, the Planning Board may waive a public hearing regarding a boundary line adjustment application.

AYES: 5

NAYS: 0

ABSENT:

Mr. Bennett: Aye
Mr. Baker: Aye

Mr. Bentley: Aye
Mr. Monroe: Aye

Mr. Hill: Aye

STATE OF NEW YORK)
COUNTY OF WARREN)

I, ARLENE SCHLAEG, TOWN CLERK OF THE TOWN OF HORICON, COUNTY OF WARREN, do hereby certify that the forgoing is a true and correct copy and the whole thereof of a Resolution duly adopted by the Town Board of the Town of Horicon on the 17th day of February, 1994.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Town of Horicon this 17th day of February, 1994.


Arlene Schlaeg, Town Clerk

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 <input 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 type="checkbox"/>	YES <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			

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