



LIVINGSTON COUNTY PLANNING BOARD

Livingston County Government Center
6 Court Street, Room 305
Geneseo, New York 14454-1043
www.livingstoncounty.us
Telephone: (585) 243-7550 (585) 335-1734
Fax: (585) 243-7566
Email: LCPlanningBoard@co.livingston.ny.us

Referral Number

Date Received

ZONING REFERRAL FORM

Please complete all information on both pages Date Form Completed: 5.5.2023

REFERRING MUNICIPALITY: ___ Town Village of Lima

Referring Official: Sharon M. Knight, RMC/MMC Title: Sect.

Address: 7329 East Main Street, Lima, NY 14485

Phone Number: 585-721-9040

Municipal board with jurisdiction over application: Town/Village PLANNING BOARD

Referring Board (check appropriate boxes): Legislative Board ZBA Planning Board

APPLICANT(S): Jim Shelly Phone: 585-733-1526

Applicant mailing address: 7281 West Main Street

Location of Property: 7281 West Main Street

Tax Map # 37.10-2-65.1 Current Zoning District DB/

PROPOSED ACTION (check all that apply)

- Area Variance
- Subdivision Review
- Moratorium
- Use Variance
- Rezoning
- Comprehensive Plan Adoption/Amendment
- Special/Conditional Use Permit
- Zoning Text Amendment
- Site Plan Review
- Zoning Map Amendment
- Other _____
Historic Preservation Commission

Downtown Business District

Description of the proposed action (attach detailed narrative): _____

Shade structure over existing black top - Solid roof on 4 x 4 pressure treated posts - see application

Will the proposed connect to water and/or sewer facilities? Yes, Water Yes, Sewer

Yes, Both No

Located in the Conesus Lake Watershed? Yes No

Is this action in compliance with the following?

- Existing municipal plans
(Comprehensive Plan, Strategic Plan, Ag & Farmland Protection Plan, etc.) yes no n/a
- Local or State Subdivision regulations yes no n/a
- Uniform Fire Prevention & Building Code yes no n/a
- NYS Freshwater Wetlands Act yes no n/a
- Local Flood Damage Prevention Law yes no n/a
- Other federal, state, county, local laws yes no n/a

If non-compliance is identified, please describe. _____

Hearings/Meetings Schedule

| Board | Public Hearing Date | Meeting Dates (prior & future) |
|------------------------------|---------------------|--------------------------------|
| Town Board/Board of Trustees | | |
| Zoning Board of Appeals | | |
| Planning Board | JUNE 21, 2023 | MAY 17, 2023 |
| Other: | | |

Action taken on this application (reviewed, approved, discussed, etc.) PRE-APPLICATION MEETING HELD, SITE PLAN DISCUSSED. HPC REVIEW UNDERWAY.

"FULL STATEMENT" CHECKLIST

As defined in NYS General Municipal Law §239-m(1)(c)

Please make sure you have enclosed the following required information with your referral, as appropriate. Failure to submit a "full statement" may result in a delay in County Planning Board review.

For All Actions:

- County Planning Board Zoning Referral form
- All application materials required by local law/ordinance to be considered a "complete application" at the local level (digital preferred)
- Agricultural Data Statement (for Site Plan Review, Special/Conditional Use Permit, Use Variances, or Subdivision Review)
- Part 1 Environmental Assessment Form (EAF) or Environmental Impact Statement (EIS) for State Environmental Quality Review (SEQR). If Type II Action, provide a statement to that effect.
- Municipal board meeting minutes on the proposed action (digital preferred)

For Proposing or Amending Zoning Ordinances or Local Laws: The above requirements AND

- Report /minutes from Town Board, Village Board of Trustees or Planning Board (digital preferred)
- Zoning map
- Complete text of proposed law, comprehensive plan, or ordinance (digital preferred)

Deadline: All completed referrals must be received by close of business on Monday, TEN business days prior to the County Planning Board meeting. County Planning Board meetings are held the second Thursday of each month.

A regular meeting of the Town/Village of Lima Planning Board was held on Wednesday, May 17, 2023, at 7:00 PM at the Lima Town Hall 7329 E Main Street, New York 14485

PRESENT: Chairman Wayne Childs, Members Attorney Ericka Elliott, Jacob Button, Larry Kramer, Paul Osborne and George Gotscik

ABSENT: Vice Chairman Andrew Britton

OTHERS: Code Enforcement Officer Floeser and Secretary Sharon M. Knight, MMC/RMC

VISITORS: Jim Shelly, Tony Tondryk, Historical Preservation Commission Member Fran Gotscik, Zoning Board of Appeals Chairman Jim Van Dick, and Town Board Member Representative Mark Petroski

Chairman Childs called the meeting to order at 7:00 P.M. and led everyone in the Pledge of Allegiance.

RESOLUTION #3 APPROVAL OF MINUTES

On motion of Member Gotscik, second by Member Button following resolution was

ADOPTED AYES 5 NAYS 0 ABSTAIN 1 (Osborne) ABSENT 1 (Britton)

RESOLVE to approve the minutes of March 15, 2023 as emailed and posted on the Town of Lima website.

Vote of the Board: Ericka Elliott - Absent, George Gotscik – Aye, Larry Kramer, Aye, Paul Osborne- Absent, Jake Button- Absent, Vice Chairman Andrew Britton - Aye, Chairman Wayne Childs – Aye

RESOLUTION #4 ZORNOW'S LETTER OF SUPPORT

On motion of Member Elliott, second by Member Gotscik the following resolution was ADOPTED AYES 6 NAYS 0 ABSENT 1 (Britton)

RESOLVE to approve Chairman Childs sending a letter of support to the NYS Department of Agriculture and Markets acknowledging the development pressure that exists in the Town and to extend their support of Ted and Marcia Zornow's grant application.

Vote of the Board: Ericka Elliott - Aye, George Gotscik – Aye, Larry Kramer, Aye, Paul Osborne- Aye, Jake Button- Aye, Vice Chairman Andrew Britton - Absent, Chairman Wayne Childs – Aye

DISCUSSION – PRELIMINARY REVIEW OF INCOMPLETE SITE PLAN – JIM SHELLY 7281 WEST MAIN STREET

Chairman Childs reported he met with property owner Jim Shelly and Code Enforcement Officer Floeser to discuss an expansion to his business by an addition of a shaded structure. Chairman Childs welcomed Jim Shelly to the address the Board with his plans.

There was a lengthy discussion identifying the project. The required site plan submittal checklist was reviewed that acknowledged the application is not complete. The property is in a downtown business district and the Historic Preservation Area. A public hearing will be scheduled after the Code Enforcement Officer receives a complete application. The following items were identified as needed to be included with the final site plan:

Dimensions of the property (including the right-of-way), outdoor area to be affected by outdoor extension, covered structure, half-walls - barriers, floor plan, flow of entrance and exits, parking, lighting including height and shielding, (inside and outside) string lights, and outside lighting for parking lot. All items must be indicated on the final drawings. A report of hours of operation and SEQR has been started and will need to be completed with the site plan review.

Board member Jacob Button questioned whether a site plan review was required for this project and asked for a citation of the code that triggered the review. Chairman Childs could not immediately produce the citation but stated that after careful consideration he referred this decision to Village Attorney Matt Lenahan who concurred that this project warranted a site plan review per the Village Code. Chairman Childs said that he would follow up with the board to provide this citation following the meeting.

Chairman Childs will meet again with Mr. Shelly to check for a completed application prior to sending to the Historic Preservation Commission and County Planning Board for their recommendations.

DISCUSSION – PRELIMINARY REVIEW OF INCOMPLETE SITE PLAN – TONY TONDRYK – 1886 DALTON ROAN

Chairman Childs reported Code Enforcement Officer Floeser met with property owner Tony Tondryk to discuss an expansion to his business by adding a storage building and workshop. Chairman Childs welcomed Mr. Tondryk to the address the Board with his plans.

There was a lengthy discussion identifying the project. The required site plan submittal checklist was reviewed acknowledging the application is not complete. The following items were identified as needed to be included with the final site plan:

Clean-up the drawing identifying the location of the building addition(s) size (30 x 40 or 30 x 50), colors to be used, lighting, trees, berms, landscaping, additional parking. It was questioned if there is a town right of way for water retention pond drainage.

The complete application will be referred to the County Planning Board.

DISCUSSION – PROCEDURE REVIEW OPEN ITEMS

There was discussion:

Many Planning Boards do not hold pre-application review as they wait to set a public hearing until after a completed application is received. In this case, a pre-application meeting between the applicant, board chairman and CEO still did not result in a completed application as anticipated by the time of the board meeting.

An outstanding question is, "Who does the Historic Preservation Committee report to the Boards or applicants"? In response, the chairman of the board opined that the HPC makes recommendations to the applicant, the planning board is charged with duly considering the recommendations of the HPC in its decisions on site plan reviews.

The meeting adjourned by motion of Member Osborne and seconded by Member Elliott at 8:20 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC

Sharon M. Knight, MMC/RMC, Secretary

TOWN & VILLAGE OF LIMA

7329 East Main Street, Lima, New York 14485
Tel: 624-7911 Fax: 624-6169

APPLICATION FOR SITE PLAN APPROVAL

OFFICE USE ONLY

Date of Application: _____
(Postmarked or Hand Delivered)
Date of Public Hearing: _____
Date of Final Action: _____

SECTION I: APPLICANT INFORMATION (to be filled in by applicant)

| | APPLICANT(S)* | OWNER(S) (if not applicant) | ATTORNEY/AGENT |
|-----------|---|-----------------------------|----------------|
| NAME: | JAMES SULLIVAN | | |
| ADDRESS: | 64 Village Inn Horeon Falls NY 14472 | | |
| TEL./FAX: | (515) 573-2411 | / | / |
| E-MAIL: | fantherpub@gmail.com | | |

Applicant's interest in the premises: Owner Lessee Under option to lease or purchase

Applicant must be the property owner. If applicant is lessee or one with an option to lease or purchase the property in question then Owner's signed consent form must be attached.

SECTION II: PROPERTY INFORMATION (to be filled in by applicant)

- Property Address (No. & St.) 7281 W. MAIN ST.
- Tax Parcel No.: 37-10-2-65.1
- Current Zoning District: DB
- Is property located within (check all that apply)?
 Historic Preservation Overlay
 Stream Buffer Overlay
 NYS Wetlands
 Federal Wetlands
- Deed restrictions or covenants applying to property: NO
- Has a ZBA variance been granted for this property? Yes When: _____ For what: _____
 No
- State and Federal permits required if any: NO
- Is there a written violation for this parcel that is not the subject of this application? Yes No
- Description of project (include current and proposed use) SHADE STRUCTURE OVER EXISTING BLACKTOP, SOLID ROOF ON 4x4 PRESSURE TREATED POSTS.
- Has the work for which this approval relates already begun? Yes No

SECTION III: FEES

Application Fee (a check for the total amount, payable to: Village or Town of Lima, must accompany this application)

Site Plan Approval: \$225 In addition to these fees applicant is responsible for all Town or Village Engineer's review fees and expenses. A deposit in the amount of \$400 is may be due at time of application to be used to draw upon for the engineering fees.

Address: 7281 West Main St

SECTION IV: DISCLOSURE AND APPLICANT CERTIFICATION

DISCLOSURE

Does any Village officer, employee, or family member thereof have a financial interest in this application?

Yes No

If "yes", the name, address and nature and extent of this interest must be detailed below:

Name: _____

Address: _____

Nature/Extent of Interest: _____

APPLICANT CERTIFICATION

I/we, the property owner(s), or purchaser(s)/lessee(s) under contract, of the land in question, hereby request an appearance before the Planning Board.

By the signature(s) attached hereto, I/we certify that the information provided within this application and accompanying documentation is, to the best of my/our knowledge, true and accurate. I/we further understand that intentionally providing false or misleading information is grounds for immediate denial of this application.

[Signature]
(applicant signature)

(applicant signature)

(applicant signature)

Sworn to before me this date:

Date: 5/22/23
[Signature]
Notary Public



SECTION V: REQUIRED SITE PLAN SUBMITTAL CHECKLIST

Listed below are the minimum submittal requirements for site plan application before the Town/Village of Lima Combined Planning Board for a site plan approval. The Planning Board reserves the right to request additional information, as necessary, to support an application. The Planning Board also reserves the right to reject the application if these minimal requirements are not met.

Town/Village staff will review the application and related information as submitted and determine that the application is complete or if additional information is required in order for the Planning Board to adequately review the application. Applicant shall submit any supplementary information requested no later than one week prior to the Planning Board meeting date in order to afford time for review of information prior to the meeting.

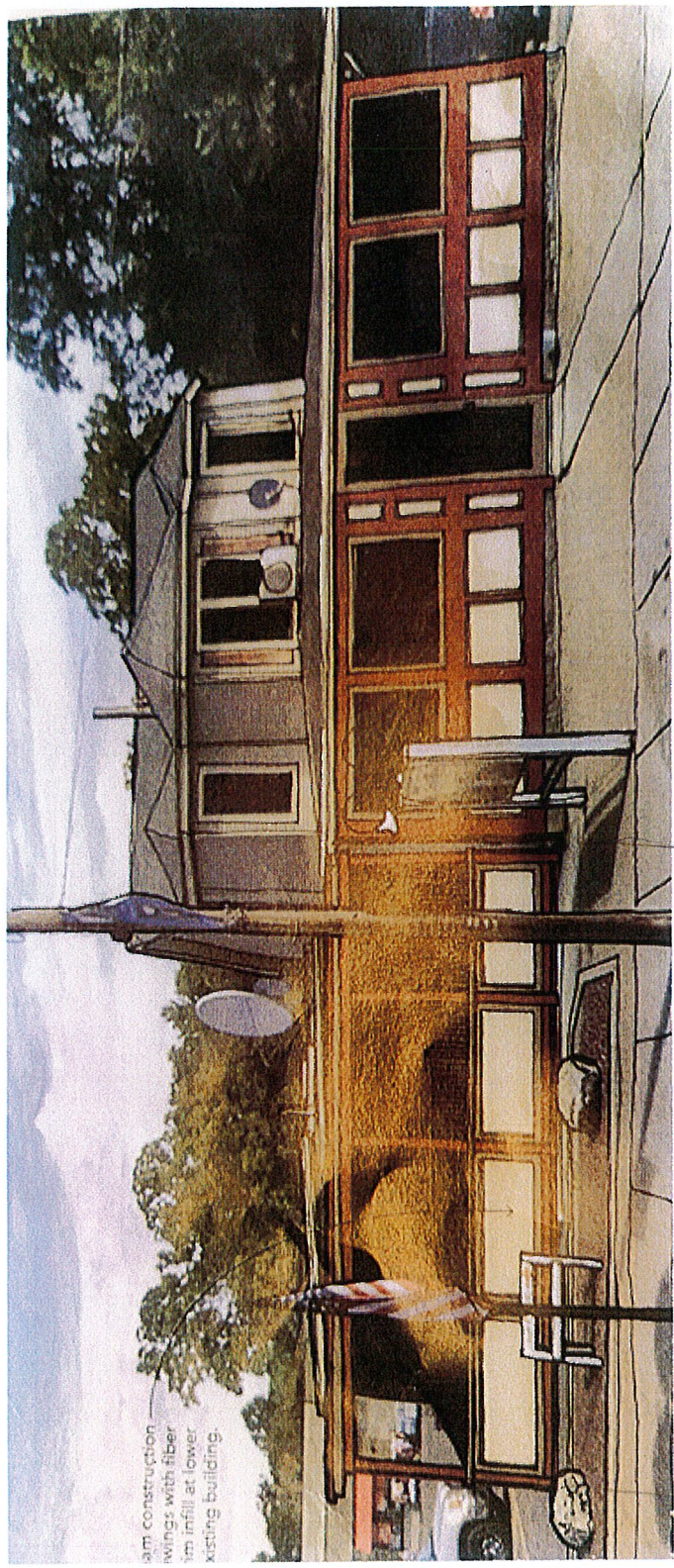
The applicant shall submit eight (8) complete sets of all materials.

| (for reviewers use) | | | MINIMAL SITE PLAN SUBMITTAL SHALL INCLUDE THE FOLLOWING ITEMS: |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| YES | NO | N/A. | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1. Title block with project name & street address of project, name and address of applicant, name and address of property owner of record (if different) and name and address of registered professional map preparer. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 2. Site Plan drawn to scale and include shall include a locus map showing site's location within the Village, zoning classification of property, north arrow, map scale and date prepared. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 3. Site Plan shall indicate parcel area in acres or square feet, all boundary lines and dimensions of parcel. Indicate all easements, roadways, rail lines and public right of way adjacent to or crossing parcel, Overlay Districts and abutting landowner names & addresses, and land usage. References to prior variances or special use permits. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Indicate significant (in excess of six inch trunk diameter) existing tree, existing natural features of the site including water courses, protected wetlands, existing contours at min. five foot interval when ground slope exceeds four feet vertical over 100 feet horizontal and all proposed changes with reference to proposed development. <i>NO TREES 7 6" DIA.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 5. Indicate any portion of the parcel that is within a flood plain. Label base flood elevation and floor elevations of all existing and proposed structures. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 6. Indicate the use, location, size and height of structures and property uses on all properties within 200 feet of subject parcel. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Indicate any portion of the parcel that is to be designated as open space. Label with dimensions or area. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Indicate plans to prevent the pollution of surface or ground water and erosion of soil or both during and after construction. Indicate existing and proposed storm water management facilities. Provide storm water management report as required <i>NO SOIL DISRUPTION</i> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | 9. A Landscape Plan indicating <u>all proposed changes</u> to the environment, including size and type of plant material locations, existing and proposed street trees, landscaped areas and fences. <i>-NO CHANGES</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 10. Location and use of all existing and proposed structures within the site or development, including all footprint dimensions, height and floor areas. Label all existing and proposed building setback distances from property boundaries and from primary building if proposed structure is a second building. Indicate percentage of lot coverage of buildings, paved areas, landscaped areas and open space. When buildings are multi-family indicate number and size of dwelling units and number of bedrooms. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 11. Location of all existing and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping, walls, snow storage and waste disposal containers including type and screening details for waste containers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 12. Indicate vehicular and pedestrian circulation with construction materials and details shown. Provide parking layout plan (number all spaces) and identification of all loading areas. Identification of access for physically impaired persons. Provide parking demand calculations. Label existing and proposed spaces. Show traffic flow patterns within property. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 13. Show proposed and existing curb cuts on the site and along the street, median openings, traffic signals and other transportation features within 100 feet of the property's boundaries. <i>SITE NOT MOD. CURB CUTS/SIGNALS</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 14. When proposing more than ten parking spaces indicate snow storage areas. <i>NO ADDED PARKING</i> |

Address: 7281 WEST MAIN ST

5

| | | | |
|-------------------------------------|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 15. Planning Board may require a detailed traffic study to include: the projected number of motor vehicle trips to or leaving the site; estimate for daily and peak hour traffic levels; projected traffic flow pattern including vehicular movement at all major intersections likely to be affected by the proposed use of the site; impact of this traffic upon existing abutting public and private ways in relation to existing road capacities; existing and proposed daily and peak hour traffic levels and road capacity levels. <i>NO STUDY NEEDED CAPACITY DOES NOT WARRANT</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 16. Show existing and proposed signage location including size, height, materials and design. <i>RENDERING SHOWS - NO NEW SIGNAGE</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 17. Location, height, intensity and bulb type of all external lighting fixtures. Adherence to Lighting Ordinance must be shown, including methods to eliminate glare onto adjoining properties. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 18. Submit completed Part 1 of Short Environmental Assessment Form. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Submit completed Agricultural Data Statement when required. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 20. Submit completed Historic Preservation Commission Review Application when required. |



am construction
wings with fiber
in mill at lower
xisting building.

NEW OPEN
AIR PATIO
SHADE STRUCTURE

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: | | |
| a. public / private water supplies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Agency Use Only [If applicable]

Project:
Date:

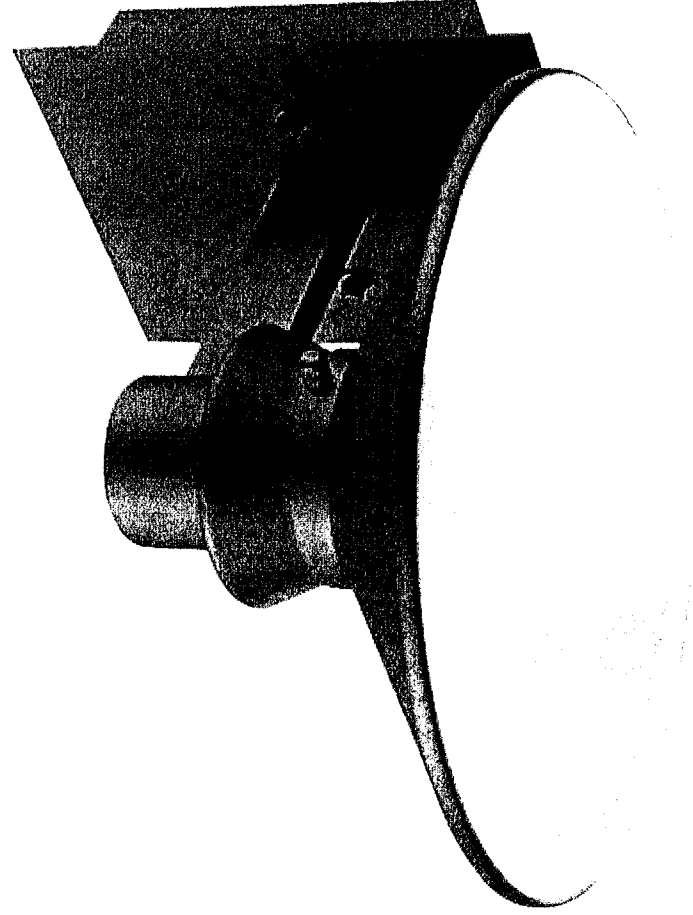
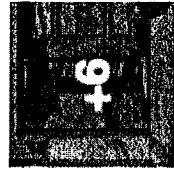
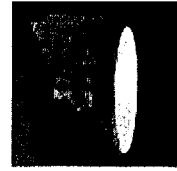
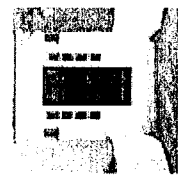
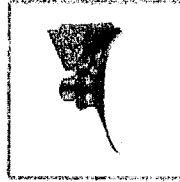
Short Environmental Assessment Form
Part 3 Determination of Significance

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 checked="" 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. |
| <u>T/V LIMA PLANNING BOARD</u> | <u>5/4/2023</u> |
| Name of Lead Agency | Date |
| <u>WAYNE CHILDS</u> | <u>CHAIRMAN PLANNING BOARD</u> |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| <u>[Signature]</u> | <u>[Signature]</u> |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

Harris 1-Light Matte Black LED Integrated Outdoor/Indoor Barn Light Wall Sconce

★★★★☆ 77 v. Questions & Answers (7)



THREE
LIGHTS
TO
BE
INSTALLED
ON
BRICKING FOR
SIDE of Building

Hover image to Zoom

SW 9173

Shiitake

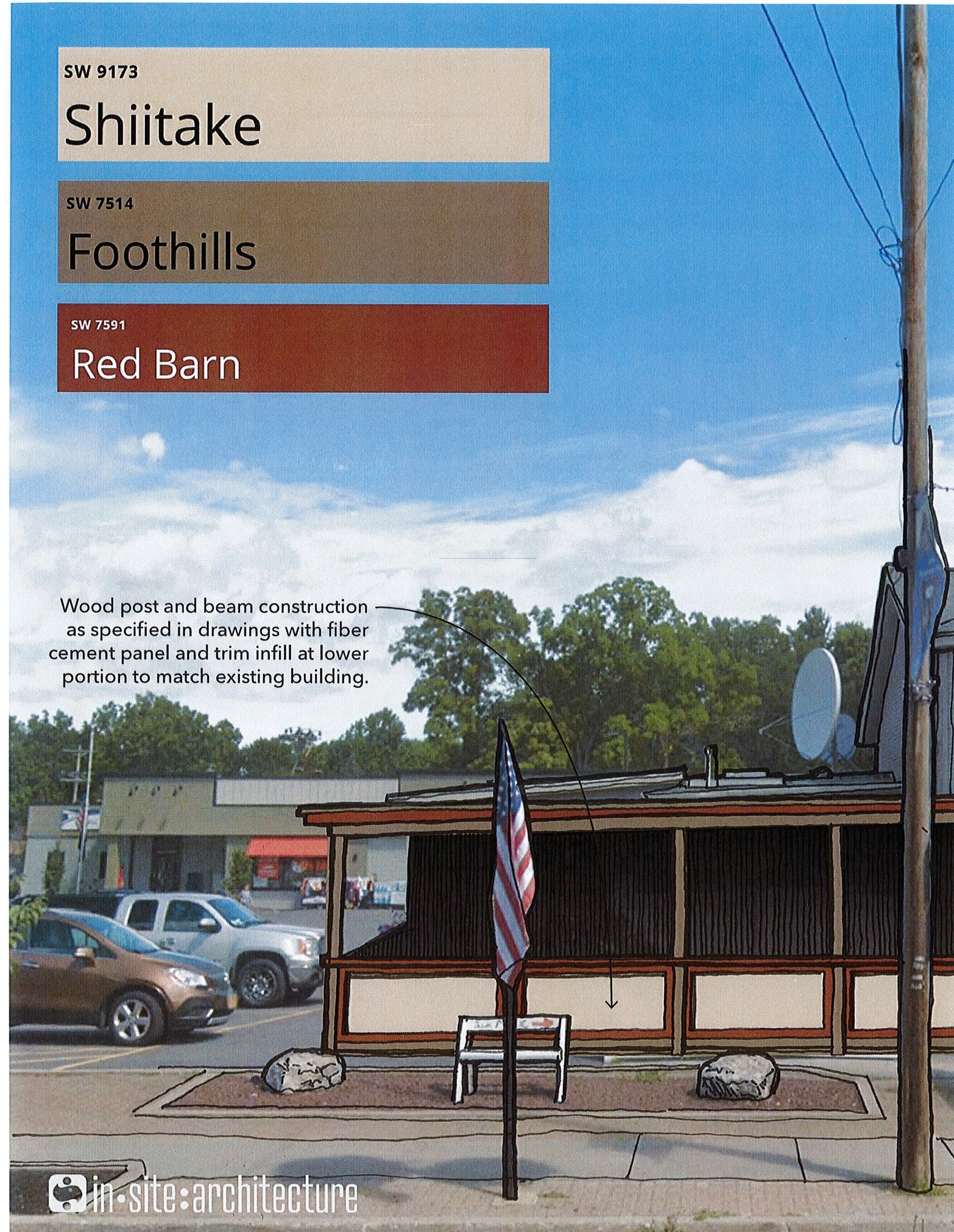
SW 7514

Foothills

SW 7591

Red Barn

Wood post and beam construction as specified in drawings with fiber cement panel and trim infill at lower portion to match existing building.





DASHED LINES INDICATE
LOCATION OF PROPOSED
SHADE STRUCTURE

2022
Addition
Completed

TOWN/VILLAGE OF LIMA

BUILDING PERMIT APPLICATION

Type of Permit: Com-~~Shade~~ STRUCTURE Permit Fee: _____ Permit Number: _____
 Address of Proposed Work: 7281 West Main Tax Parcel: 37.10-2-65.1 Date: 4.27.2023

Estimated Construction Value: \$ 24,000.00

Village Zoning district: (Check one) S R MR DB GB M LC

Town Zoning district: (Check one) A R B M PD Q LC

Property Owner: Jim SHELLY
 Address: 7281 West Main Lima, NY 14485
 Telephone: ⁵⁸⁵ 624-2080 Cell: _____ Email: FANATICSpub@gmail.com

Workers Compensation Form BP-1 stating Workers Compensation is not required received: YES NO

Contractor: STEVE MOORE
 Address: ONTARIO St Honeye Falls, NY 14472
 Telephone: ⁵⁸⁵ _____ Cell: 733-1526 Email: _____

Proof of valid Workers Compensation & Liability Insurance Policy received: YES NO

Architect or Engineer: MARK Mueller
 Address: Bloomfield, NY
 Telephone: ⁵⁸⁵ 747-2954 Cell: _____ Email: _____

Description of Work or Project: SHADE STRUCTURE Over Existing Black Top Area

Additional Information:

- Yes No Is the property located within 100 feet of a water course?
- Yes No Is the property located within a Historic District?
- Yes No Is the property located within 100 feet of a designated Historic Property boundary?
- Yes No Is the property located in a floodplain?
- Yes No Is any grading, excavating or clearing proposed other than for foundation work?

| Board Approvals: | Required | Review Date | Approved | Approved with Conditions |
|-----------------------|------------|-------------|----------|--------------------------|
| Planning Board | <u>YES</u> | <u>5-17</u> | _____ | _____ |
| Zoning Board | <u>NO</u> | _____ | _____ | _____ |
| Historic Preservation | <u>YES</u> | _____ | _____ | _____ |

Village Mayor: Carl Luft

Town Supervisor: Mike Falk

Village and Town of Lima

Building Department

Intake Date/ Initial 4/27/23

BUILDING PERMIT APPLICATION CHECKLIST

All codes not under NYS Mandated Codes are noted by Chapter from Lima Town or Village Code Books

ALL APPLICATIONS MUST BE SUBMITTED WITH THE FOLLOWING MATERIALS:

- Building Permit Application. All projects.
- One copy of the survey map by a licensed surveyor, illustrating proposed construction location.
- One set of plans, ~~2 sets of plans prepared by a licensed professional if project is over \$20,000.00.~~
- Workman's Compensation. All projects. Applicable Forms C 105.2, U26.3, CE 200 ACCORD FORM NOT ACCEPTED.
- Application to the Historic Preservation Committee if within 500 Feet of a Historic Property in the Town and 100 feet in the Village of Lima per Chapter 250-62 *Sent 3/28/23*
- ~~Top soil cannot be removed from the property that it is on. Chapter 250-96~~
- yes* Electrical Permit. Electrical Inspection Agency must be approved by the Town and Village.
- ~~Livingston County Department of Health septic application. Chapter 250-84 A.(1) New Homes~~
- ~~1 copy of H.E.R.S. Certificate (Home Energy Rating System) Certified by HERS Rater. New Homes~~
- ~~1 Copy of Manual J and Manual S. New Homes~~
- Copy of Energy compliance 3rd Party Testing. New Homes
- ~~1 copy of the RES Check (Residential Energy Score). New Homes~~
- ~~Storm water and driveway access determination from Engineer. Chapter 250-57 New Homes~~
- Building Permit Fees. All Permitted Projects. Chapter 112-14
- Fee (Based on Fee Chart) If new build then add Sewer, Water & Park Fees. New Homes. Chapter 112-5

ADDITIONAL DOCUMENTATION "MAY" BE REQUIRED AS IDENTIFIED BELOW

- Historic Preservation Committee Review if within 500 Feet of a Historic Property in the Town and 100 feet in the Village of Lima. Chapter 250-692 & 250-64
- Written Cost estimate on contractor letterhead. (ie. when plans don't show enough detail)
- Zoning Board of Appeals Approval: If proposed project requires a variance.
- yes* Verification of Ownership or Authorization
- Original Signed and Notarized Owners Endorsement: If applicant is other than owner.
- Proof of Corporation or Business Ownership

Chapters noted can be found on line in Town of Lima E-Code or by hard copy in our office.

INSTRUCTIONS FOR BUILDING PERMIT APPLICATION:

1. Submit one plot plan (instrument survey) at original scale (not reduced or enlarged) showing:
 - All setback dimensions of existing and proposed structures
 - All existing structures and improvements on the property
 - Location of water and sewer lines (new structure only)
 - Location of all easements, EPODS and watercourses
 - Location of private well if any
 - Location of on-site wastewater treatment system if any
2. Submit one set of building plans showing:
 - Floor Plans; Foundation Plan; Cross Sections; All Elevations
 - Design loads for: floor, snow, wind, seismic zone
 - Window schedule indicating egress units and glass area of each unit
3. Registered Architect's or Engineer's stamp & signature required under any of the following conditions:
 - Residential construction with cost exceeding \$20,000 dollars
 - Residential single family dwelling 1,500 square feet or larger
 - Any commercial construction
4. Submit one copy of NYS Energy Conservation Compliance Form with professional stamp & signature. Contact: www.energycodes.gov for downloadable version of "Res-check" or "Mec-check". Most current version available to be submitted.
5. Submit one copy of on-site wastewater treatment system permit issued by Livingston County Department of Health.
6. Submit proof of Contractor's valid Workers Compensation Insurance Policy must be submitted and approved or Form BP-1 stating that Workers Compensation is not required before issuance of any building permit.
7. Appropriate building permit fee with check made payable to Town or Village of Lima.
8. A permit must be obtained prior to beginning any construction work. Application is subject to review before permit is issued.

INSURANCE REQUIRED:

Workers Compensation Insurance and Disability Benefits Coverage: New York Workers Law 57 requires contractors and certain homeowners listed on the building permit to provide proof that such coverage is issued by an authorized insurance carrier (Form C-105.2 or U-26.3) or provide proof of exemption (Form CE-2000). Any residence that is not a 1, 2, 3, or 4 family **owner occupied** residence is considered a business and must provide proof of insurance.

Affidavit of Exemption Form BP-1 can only be filed if the Owner of the owner occupied residence follows the restrictions defined below:

1. Owner is performing all of the work themselves for which the building permit is issued.
2. Owner is not hiring, paying or compensating in any way the individuals that are performing or helping to perform any or all of the work or which the building permit is issued.
3. Owner has a home owner's insurance policy that is currently in effect and covers the property for which the building permit is issued and the owner is hiring or paying individuals a total of less than forty (40) hours per week (aggregate hours for all paid individuals) for the work for which the building permit is issued.

STORMWATER DISCHARGE PERMIT

A stormwater discharge permit issued from Department of Environmental Conservation is required when a project disturbs more than one acre of land. Before starting construction a Stormwater Pollution Prevention Plan must be submitted. This plan controls sediment and erosion during construction and provides for stormwater management after construction is complete. More information can be obtained at: www.dec.state.ny.us or by calling DEC Regional Office in Avon at: 402-8265.

HISTORIC PRESERVATION COMMISSION:

Village & Town of Lima has a joint Historic Preservation Committee (HPC) which provides advice to applicants when their property is located within the Historic Preservation Overlay District or is designated on the National Register of Historical Places or is located within 100 feet of a property's boundary that is in the Historic District or a designated historic landmark. All projects consisting of new construction or structural alterations or façade alterations shall require the HPC to provide an advisory opinion to the applicant prior to issuance of a building permit. The Building Inspector will coordinate with the HPC when their review is required. The HPC is available to provide assistance on any project to help preserve and enhance the historical appearance and character of your building. The HPC has up to thirty (30) days to issue their advisory opinion. A Town Zoning Map is available on the Town website to determine a property's location with regard to the Historic Protection Overlay District.

BUILDING PERMIT REQUIREMENTS:

1. The applicant shall notify the Building Inspector of any changes in the information contained in the building permit application during the period for which the building permit is in effect.
2. A permit will be issued when the application is determined to be complete and the proposed work is in compliance with all requirements of New York State Building Code.
3. A building permit may be revoked or suspended if it is determined that the work to which it pertains is not in accordance with the information contained in the building permit application; Or is not in conformance with the NYS Building Code; Or if there has been a misrepresentation or falsification of a material fact or condition connected with the application for a building permit.
4. Any deviation from the approved plans must be authorized by the licensed professional who affixed the NYS seal to the original plans prior to the issuance of a Certificate of Occupancy.
5. The applicant shall notify the Building Inspector 24 hours in advance for all required inspections and receive approval before any building element, equipment or system is covered or enclosed.
6. Prior to the issuance of a Certificate of Occupancy, the licensed professional who affixed the NYS seal to the original plans must certify that the completed construction is in compliance with the plans and specifications as submitted for the building permit.
7. A Town building permit shall expire one (1) year from the date of issuance or upon the issuance of a Certificate of Occupancy whichever comes first. A building permit that has expired prior to the issuance of a Certificate of Occupancy shall require the payment of a renewal fee. A Village Building Permit expires after six months.
8. The undersigned assumes responsibility for the cleanup of all debris generated by construction activities and the removal of same to a legal off site location.
9. By law, applicant, general contractor or demolition contractor is required to contact **Dig Safely New York 800-962-7962** prior to starting any digging. Allow two full working days for response.
10. All electrical work must be inspected by an authorized agent and produce a certificate of approval. It is the permit holder's responsibility to arrange for all required electrical inspections. The following are Village/Town of Lima approved electrical inspectors:
 - Commonwealth Electrical Inspection Service Office: 800-437-5799 Cell: 729-2779
 - New York Electrical Inspection Agency Office: 436-4460; Cell: 230-4186
 - Middle Department Inspection Agency Office: 454-5191

TOP SOIL:


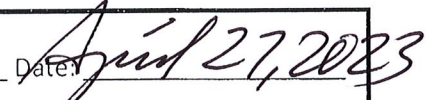
New construction in the Town of Lima shall comply with Town Code Section 250-96 which states the following:
"No topsoil shall be stripped in connection with any construction except from the smallest area necessary. All such topsoil shall be stockpiled and used to cover the disturbed areas. No topsoil shall be removed from any land or premises, except as provided for in an approved mining permit issued by the NYS Department of Environmental Conservation."

CERTIFICATION:

Application is hereby made to the Village/Town of Lima for the issuance of a Building Permit. I acknowledge that no construction activities shall be commenced prior to the issuance of a valid building permit. I affirm that I have read the instructions and that the application, plans and supporting documentation are true and a complete statement and description of the work proposed and that all work will be performed in accordance with the NYS Building Code, local laws and ordinances and regulations whether specified herein or not. I authorize access to the Building Inspector or designated representative during all phases of construction for the purpose of inspections. I agree to prominently display on the premises the building permit issued and abide by all Planning Board and Zoning Board of Appeals approvals and all plan amendments made by the Building Department. I further acknowledge and agree that prior to occupying the facilities governed by this building permit I or my agents will obtain a Certificate of Occupancy.

Applicant:  Date:  4/28/23

Make checks payable to: Village of Lima or Town of Lima depending on project location. Mail or deliver to: 7329 East Main Street, Lima, NY 14485

Permit Approved By:  Date:  April 27, 2023

COMMENTS:

| |
|--|
| |
| |
| |
| |

Town of Lima

Supervisor

Mike Falk
7329 East Main Street
Lima, New York 14485
Office (585) 624-1130

NOTICE TO ALL APPLICANTS

In compliance with Local Law #3 of 2019 adopted by the Town Board of the Town of Lima, all costs incurred by the Town for engineering , legal review or other professional consulting services relating to this application will be charged to the Applicant.

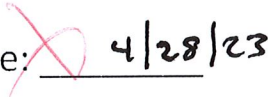
These fees are a direct pass thru of exact cost to the Town; therefore an exact amount is not available until the Town receives a bill from its engineer, attorney and/or other professional consultant.

The Town reserves the right to require an advanced payment of funds to be determined, which may be held in escrow to reimburse the Town for such costs.

Please note all such pass thru fees and expenses must be paid prior to final approval, signature by the Code Enforcement Officer and/or issuance of a permit.

Please note that all such reimbursement of fees and/or expenses are not refundable regardless of the outcome of the application.

I have read the above and agree to be bound by the provisions herein as a condition to my application being considered complete.

Sign here:  Date: 

TOWN & VILLAGE OF LIMA
HISTORIC PRESERVATION COMMISSION
REVIEW APPLICATION

Address of Proposed work: 7281 West Main St Date: March 28, 2024

The Village and Town of Lima Historic Preservation Commission (HPC) was established to provide helpful guidance to applicants whose properties are located within the Historic Preservation Overlay District. (the boundaries of the Historic Overlay District shall include the Downtown Business District and land located within 100 feet of the property line of any building or site listed in the National Register or Historic Places or in the Town of Lima any land located within 500 feet of the property line of any building or site listed in the National Register of Historic Places). A Town Zoning Map is available at the Town website (lima-ny.org) to determine a property's location in the Historic Protection Overlay District.

Any project consisting of new construction, structural or façade alterations, new or altered signage or building demolition requires advisory consultation with the HPC prior to issuance of a permit. The intent is to preserve and enhance the appearance and historical character of the building involved and those buildings near historical buildings.

A site visit and or meeting with the applicant may be requested by the HPC in order to completely understand the details of proposed project. The HPC has up to thirty (30) days from receipt of a completed application to issue their advisory opinion. A permit can not be issued until the HPC report has come back to the Building Department.

Store Owner: Jim Duddy Faratic

Residential Address: 7281 West Main St

Telephone: _____ Cell Phone: 624-2080 Email: _____

Applicant if not the same as store owner: _____

Address: _____

Telephone: _____ Cell Phone: _____ Email: _____

Property Owner: Jim Duddy

Address: 7281 West Main St

Telephone: 315 573-2411 Cell Phone: _____ Email: _____

Contractor: Steve Moore

Telephone: 985 733-1526 Cell Phone: 733-1526 Email: _____

Structure Type (Circle One): Residential Commercial Garage/Outbuilding Fence Sign

Type of Proposed Work (circle one): Restoration New Construction Addition Alteration Repair
Demolition Painting

Area to be Affected (Circle One): Window/Door Replacement Siding Porch/railings Sign Lighting
Sign Front of Building Rear of Building Landscaping

SUPPORTING DOCUMENTATION:

In order for an application to be determined complete, the following information shall be submitted.

Detailed Project Description: SOLID ROOF ON 4x4 PRESSURE TREATED POSTS PER NYS Alcohol. A 42" HIGH BARRIER IS INSTALLED IN BOARD FENCE

Submit adequate information that fully describes the proposed work and identifies the following:

Existing and proposed materials: PRESSURE TREATED Posts TO BE WRAPPED with colors (Complementary) Per Lima FACADE GUIDELINES

Location of proposed work on building or property: SOUTH WEST CORNER OF PROPERTY

Proposed colors to be used: Complementary Colors

Dimensions of work or scale drawings if relevant: 9' High low Point 13' @ High Point 32'x41'

Photographs of affected areas: Please attach Photos to this application.

Renderings of proposed work when appropriate: Please attach to this application.

HELPFUL RESOURCES

* National Register Designated Buildings (available on town website)

* Lima Façade Renovation Guidelines (available on town website)

* Downtown Business District Design Standards (available on town website)

* National Park Service Preservation Brief (available at Lima Library)

* Lima Historical Society House Files (available at www.limahistoricalsociety.com)

* Lima Historian's Files contact Doug Morgan at dmorgan21@rochester.rr.com

Architect
Mark
Muller
585-
747-2954

657-6905

QUESTIONS:

Any questions relating to the completion of this application may be directed to the Building Inspector at: 585-624-7911 or email: codes@townoflima.org.

CERTIFICATION:

Application is hereby made to the Village/Town of Lima's Historic Preservation Commission prior to the issuance of a Sign, Demolition, or Building Permit. I affirm that I have read the Instructions and that the application and supporting documentation are true and a complete statement and description of the proposed work is included herein.

Applicant: _____

[Handwritten Signature]

Date: _____

3/11/23

BUILDING INSPECTORS' CHECKLIST:

Date application received: _____

() Tax Map # *37.10-2-65.1*

() National Registered Property

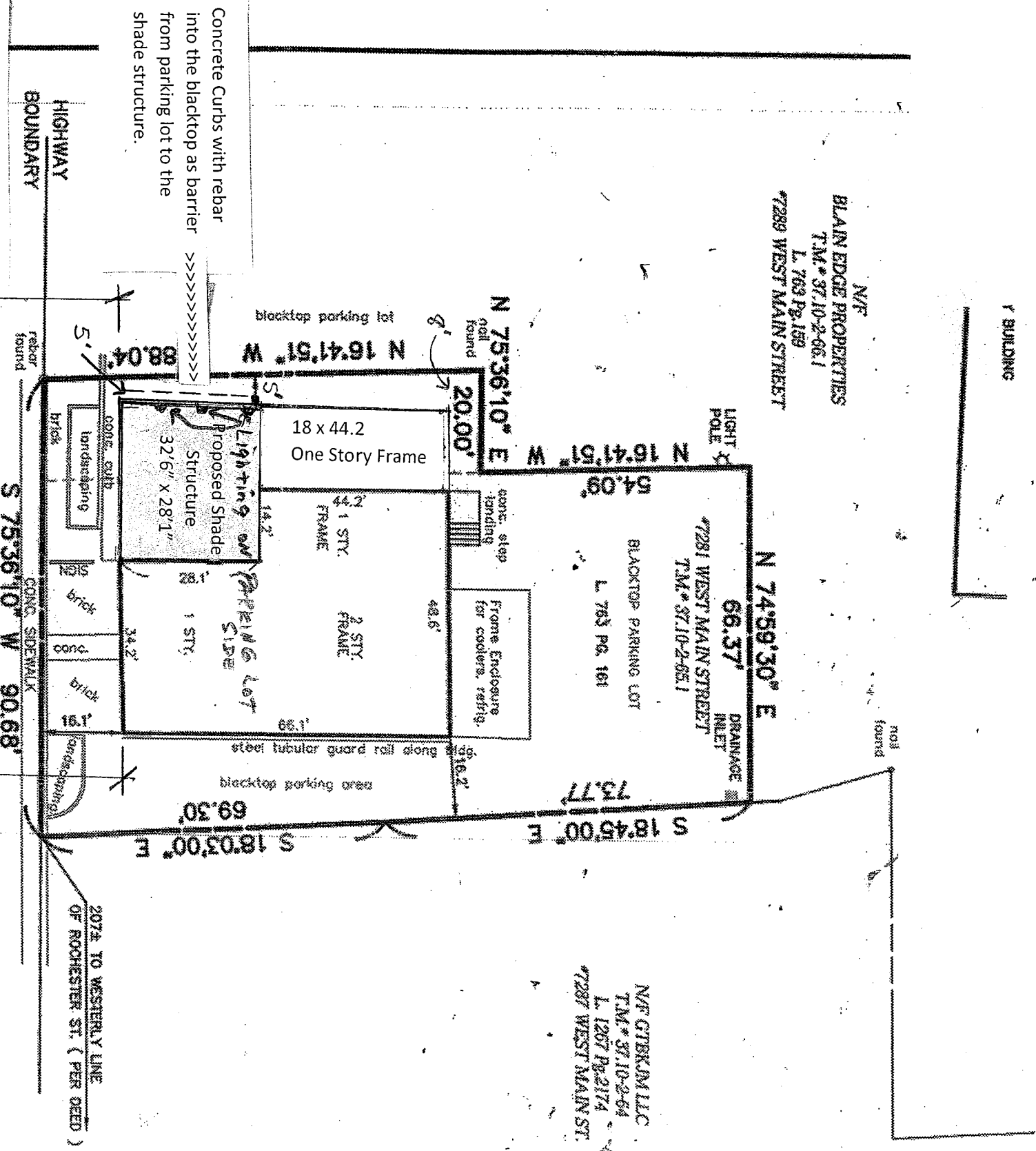
() Historic Preservation Overlay District

() Downtown Business District

*yes
(CF)*

EXISTING SITE PLAN

MAP OF A SURVEY
7281 WEST MAIN STREET
 VILLAGE OF LIMA, COUNTY OF LIVINGSTON
 SCALE 1" = 30'



51 feet to center line of State Route 5 and 20
 Set back is 33 feet from center of State Routes 5 and 20

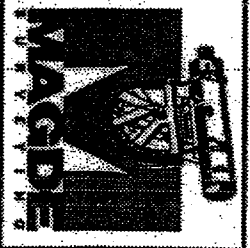
PARCEL SUBJECT TO PARKING AND ACCESS EASEMENT -
 LIBER 763 OF DEEDS PAGE 163

- REFERENCES:
1. G.A.C. REALTY CORP. TO DUANE R. REEDER BY DEED FILED OCT. 6, 1999 AS LIBER 763 PAGE 160
 2. SURVEY MAP PREPARED BY ENVIRONMENTAL DESIGN & RESEARCH, P.C. DATED APRIL 8, 1997 DRAWING #97-003-01.

- CERTIFY TO:
1. Canandaigua National Bank and Trust
 2. Metro Real Estate Services
 3. 7281 Associates, LLC
 4. Michael A. Rose, Attorney
 5. James R. Shelly
 6. The Insurance company which insures the title.
 7. Evans Fox LLP

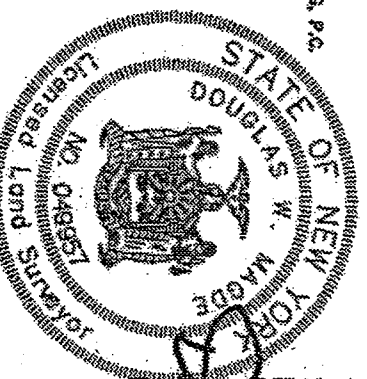
WE, MAGDE LAND SURVEYING, P.C., HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF A FIELD SURVEY COMPLETED ON MAY 19, 2021 AND FROM THE REFERENCES LISTED HEREON, SUBJECT TO ANY FACTS AN UPDATED ABSTRACT OF TITLE MAY REVEAL.

DOUGLAS W. MAGDE, L.S. LIC. #049957



Copyright 2021
 Magde Land Surveying, P.C.
 All rights reserved

ROCHESTER OFFICE
 39 CASCADE DRIVE
 ROCHESTER, N.Y. 14614
 (585) 584-5897
 dmagde@magdesurvey.com



Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, subdivision 2, of the New York State Education Law

Only boundary survey maps with the surveyor's embossed seal are genuine true and correct copies of the surveyor's original work and opinion

Certifications herein are not transferable. The location of underground improvements or encroachments are not always known and often must be estimated.