



Yates County Planning Board Referral Form

Referral # 2016-9
County Use Only

Date Received 03/01/2016

Revised 1/2014

Municipality and Referring Agency Village of Rushville Village Board

Project Address _____ Project Tax Map # _____

Zoning District _____

Applicant (Name & MAILING) Village Board of Rushville

Main St., P.O. Box 57, Rushville, NY, 14544 Email _____

Property Owner (Name & MAILING) _____

_____ Email _____

Reason for Referral (Prox. to Cty Rd., State Rd., Muni Boundary, etc.) _____

Application Type

Project Description

- Area Variance
- Use Variance
- Special Use Permit
- Site Plan
- Subdivision
- Text Amendment
- Map Amendment
- Other

Amending Article 7.2 C-2 Commercial
Section F5, see attached amendment.

Supporting Documents Required (IF N/A, include explanation)

- Municipal Application
- Tax Map or Plat
- SEQR
- Site Plan *
- Variance Criteria **
- Subdivision Plat For Subdivision Referrals Only
- Other

*If Site Plan Review, Site Plan **MUST** be detailed and meet the municipal requirements.

All Variance referrals (Area/Use) **MUST include detailed justifications associated with reason/s for appeal.

Certification: With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, Section 239-m, part c.

Reggie D. Hean CEO, Referring Official



Provision of required information is the responsibility of the referring agency. Failure to provide such information may result in a significant delay in processing.

Submit To: Yates County Planning Department, 417 Liberty St. Suite 1093, Penn Yan, NY 14527

G.M.L. §239 REFERRAL TO THE YATES COUNTY PLANNING BOARD

YCPD Referral # _____

Date Received _____

Referring Municipality: Village of Rushville

Referring Agency (check one): Municipal Board Planning Board Zoning Board of Appeals

Project Address: _____ Tax Map #: _____

Applicant (Name & MAILING Address): Village of Rushville Village Board
1 Main St., P.O. Box 51, Rushville, N.Y. 14544

Email _____

Property Owner (IF different than Applicant): _____

Email _____

Type of Application:

- Use Variance
- Area Variance
- Special Use Permit
- Subdivision Review
- Site Plan Review
- Zoning Text Amendment
- Zoning Map Amendment (Rezoning)
- Other _____

Project Description: _____

Reason for Referral: Amending Article 7.2 C-2 Commercial Section F 5. See attached amendment.

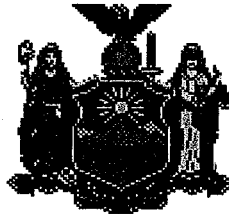
Detailed Description of Current Zoning & Explanation of Desired Relief: _____

Supporting Documentation Included with This Referral (please check all that apply):

- Municipal Application
- SEQR Documentation
- Project Narrative
- Site Plan
- Location Map
- Subdivision Pat
- Other TEXT AMENDMENT TO ARTICLE 7.2 SECTION F 5

Certification: With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS General Municipal Law Article 12b, section 239-m, part c. Provision of required information is the responsibility of the applicant and referring agency. Failure to provide such information may result in a significant delay in processing.

Signature: Reggie E. Neer CEO



**CODE ENFORCEMENT OFFICE
VILLAGE OF RUSHVILLE
ONE MAIN STREET
RUSHVILLE, NEW YORK, 14544**

**REGGIE O'HEARN
CODE ENFORCEMENT OFFICER**

**OFFICE: 585-554-3415
FAX 585-554-4885**

February 8, 2016

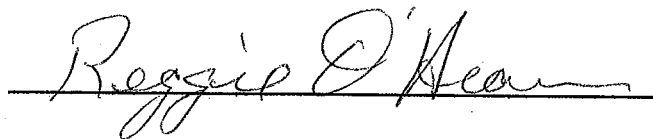
To: Mayor Jon Bagley and Village Trustees

Request for a zoning amendment to Article 7.2 C-2 commercial section F.5.

Please see attached regulation as it currently reads which can be too restrictive and was not the intent of that section. The intent was to create a buffer area when it was adjacent to a residential property. In addition, the lots in the Village are too small to meet a 75-foot setback.

Proposed amendment to read as follows:

The side and rear property lines adjacent to any residential district shall create a screened buffer which shall be located within 20 feet of the adjacent property line. The screening shall not be less than six feet in height and may be accomplished by evergreen plantings or by way of a solid type fence of acceptable design. All such buffers and screenings shall be properly installed and maintained by the owner or owners of the screened buffer area.



The conversion into an apartment shall meet the requirements of the applicable provisions of this Local Law and the New York State Uniform Fire Prevention and Building Codes. Each apartment shall Have a minimum 1,000 sq.ft..

E. PROHIBITED ACTIVITIES

No land, building, or premises may be used in any way, which will cause or result in:

1. Dissemination of dust, smoke, observable gas or fumes, odor, noise, vibration or excessive light beyond the immediate site of the building or buildings in which such use is conducted.
2. Menace to neighboring properties by reason of fire, explosion, or other physical hazard, including radiation.
3. Harmful discharge of waste materials, including refuse and airborne or waterborne wastes.
4. Unusual traffic hazards or congestion.

F. GENERAL PROVISIONS

1. All processing of materials, including fabrication, shall occur indoors. There shall be no outside parking of machinery, equipment or commercial vehicles, except during business hours.
2. There shall be no outside storage of material, raw, processed or partially processed, in bulk or packages, except during actual construction on the site. There shall be no outside stock piles or storage racks.
3. All equipment for the handling of material and processes shall be enclosed in a suitable building. Equipment as used in this section includes, but is no limited to, conveyors, elevators, storage silos, hoppers, storage tanks and unloading docks.
4. All waste, scrap, refuse, empty containers, drums, bottles and cartons shall be stored in suitable closed containers.
5. Notwithstanding any other provisions, side and rear set-backs adjacent to any Residential District shall be a minimum of 75 feet, of which 20 feet thereof shall be used to create a screened buffer zone. Such screening shall not be less than four feet in height and may be accomplished by deciduous and/or evergreen plantings or by a fence of acceptable design. All such buffers and screenings shall be property maintained by the owner or owners of the screened industrial property.
6. **DRIVE-IN RESTAURANTS**
Shall not be located closer than two hundred feet to a Residential District.
7. **AUTOMOBILE SERVICE STATIONS**
 - a. All oil drainage pits shall be located within an enclosed structure and shall not be located closer than 50 feet to any adjacent property line.