The Town of MINA

FEE $ □ CASH □ CHECK RECEIPT NO.	APPLICATION FOR SPECIAL USE PERMIT	PERMIT NO. DATE

INSTRUCTIONS TO APPLICANT:
1. SUBMIT A COMPLETE COPY OF THIS APPLICATION AND ALL DOCUMENTS THAT MUST BE SUBMITTED HEREWITH.
2. TYPE OR PRINT YOUR ANSWERS.
3. A NON-REFUNDABLE FEE OF $ 75 SHALL ACCOMPANY THIS APPLICATION.
4. COMPLETE EACH QUESTION FULLY; IF THE QUESTION DOES NOT APPLY, PLEASE MARK "N/A."
5. ADD PAGES AS NEEDED.

Managing Director Owner: 2730 Sunnyside, LLC

APPLICANT INFORMATION	
APPLICANT'S NAME: Bethany MacLean	OWNER'S NAME (IF DIFFERENT): 2730 Sunnyside, LLC
ADDRESS: 5626 Homestead Rd. Hamburg, NY 14075	ADDRESS: 5626 Homestead Rd. Hamburg, NY 14075
TEL. NO.: 716-997-6385	TEL. NO.: 716-997-6385
APPLICANT'S INTEREST IN PROPERTY: ☒ Owner □ Lessee □ Other (explain)	

PROPERTY INFORMATION			
TAX MAP NUMBER	Section: 359.06	Block: 3	Lot: ~~15~~ 14+15.2
STREET ADDRESS: 2730 Sunnyside Findley Lake, NY		SIZE OF PARCEL: ~~100.65~~ .57 Acres	
		PRESENT USE: Dock - Seasonal Home	
		ZONING DISTRICT: Residential R1	

Lake Access ES.

Lots combined ES.

DESCRIBE SPECIFICALLY THE NATURE OF THE REQUESTED USE:

The request is to expand a dock from 23x8ft to 50x12ft. The docks use will be for leisure activity (ie boating/swiming in the lake)

DESCRIBE IN DETAIL THE SEPARATE ACTIVITIES TO BE CONDUCTED ON THE PROPERTY ALONG WITH THE PROPOSED HOURS AND SEASONS OF OPERATION FOR EACH:

No other seperate activities will be conducted on the property than is currently done. Everything is currently leisurely and that will continue. The current activity is conducted during warm weather months during the daylight.

DESCRIBE WHY YOU BELIEVE THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE CHARACTER OF THE NEIGHBORHOOD AND WILL BE IN HARMONY WITH THE INTENT OF THE TOWN OF Ripley ZONING LAW (in relation to existing noise, light, and traffic conditions, for example):

The only two items in Mina's zoning codes related to docks: Docks shall not extend into the lake-bed more than 25 feet from the normal high water mark and may be placed up to and along a line created by extending the property boundary line into the water provided that the dock does not interfere with the free and direct access to the water of a neighboring property owner. Our proposal doesn't extend more than 25 feet into the lake nor interferes with access and weve spoken to our neighbors who support what we are proposing. To maintain neighborhood character, the dock will be professional done to make sure its aesthetically pleasing. The size of our dock proposal is also similiar to others on the lake which is why we are requesting approval of this application.

4:55 PM, 7/12/24: Bethany MacLean is Managing Director of the LLC.

ADDITIONAL DOCUMENTS SUBMITTED WITH APPLICATION (Mark as applicable)
☐ If available, copies of detailed plans depicting site elevations, ponds, swamps, streams and other wetland areas, structures, accessory use areas, water supply and sewage disposal facilities.
☒ A plan for the proposed development of the site depicting the location of all streets, sidewalks, buildings, parking areas, means of traffic access and circulation drives
☒ A copy of the deed, lease, or other instrument describing the applicant's property interest.
☐ Short Environmental Assessment Form (EAF)
☒ Other (please list): Reference to zoning laws & communication with Melanie Eddy.

NOTICE: A SPECIAL USE PERMIT, IF GRANTED, DOES NOT PERMIT THE APPLICANT TO CONSTRUCT, ENGLARGE, ALTER, IMPROVE, CONVERT, OR CHANGE THE LOCATION OR NATURE OF OCCUPANCY OF ANY BUILDING OR STRUCTURE, FOR WHICH A BUILDING PERMIT WOULD OTHERWISE BE REQUIRED.

APPLICANT SIGNATURE	
I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed and the premises used as described herein, unless modified by the approving Board..	
Signature of Applicant: Bethany MacLean	Date 6/18/2024

OWNER SIGNATURE (if other than the Applicant)	
I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.	
Signature of Owner: Bethany MacLean	Date 6/18/2024

DO NOT WRITE BELOW THIS POINT

Is the parcel in a County Ag District?	
Referred to Town Board	
Referred to Town Planning Board	
Referred to Village Clerk	
Referred to County Planning Board	
Public Hearing Date	
Negative/Positive Declaration Adopted	
Publication of Legal Notice of Hearing	
Notification to Adjacent Landowners	
Date of Board Decision	

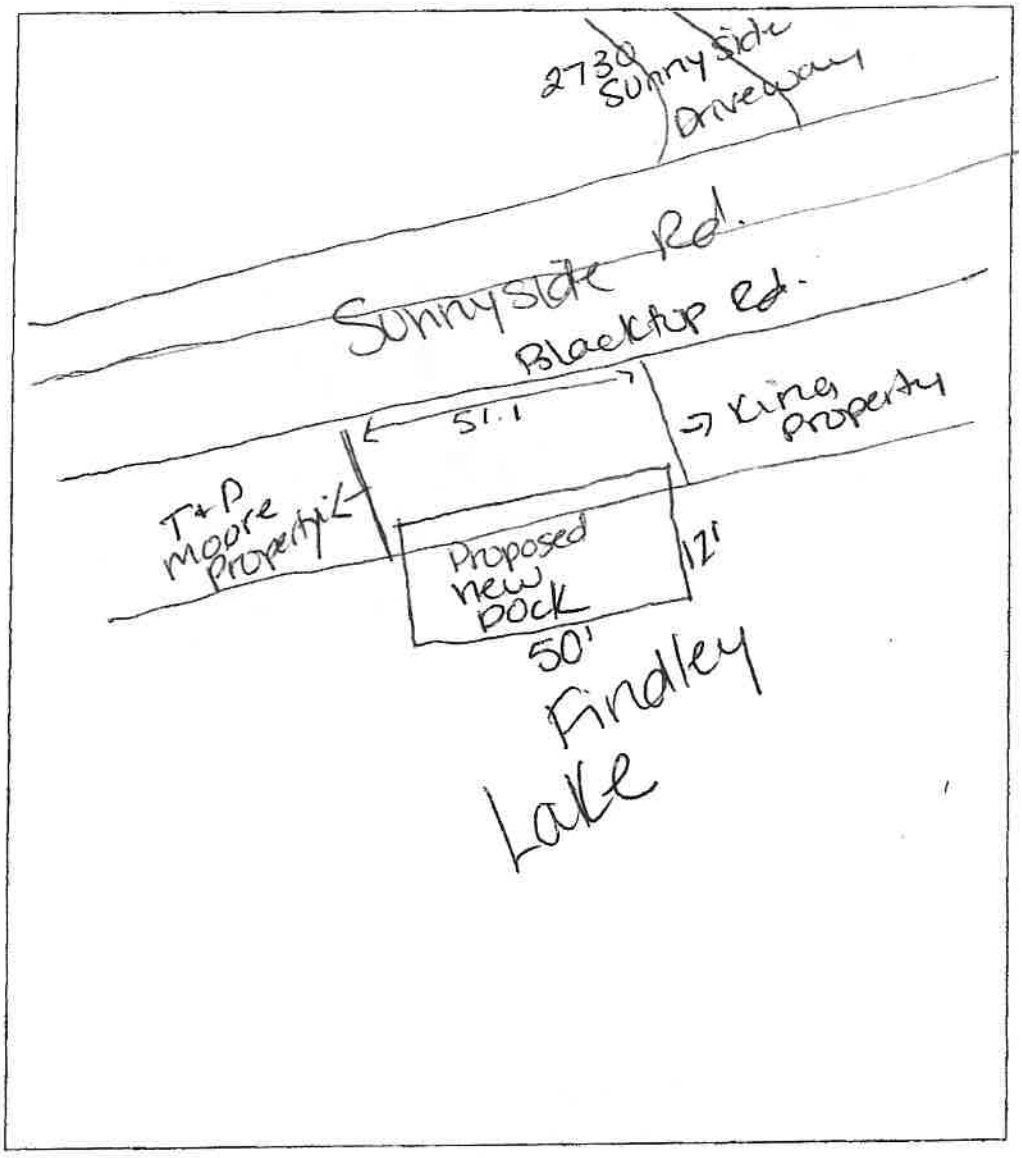
APPROVED ☐ DENIED ☐

Affix the following documents to and permanently file with this application:

- Minutes of the Planning Board and ZBA/Town Board Public Hearings
- Response to Municipal Zoning Referral (if any)
- Negative Declaration and/or Environmental Impact Statement
- Special Use Permit, if approved.
- Notification of Approval/Denial

PLOT PLAN

1. An application for a building permit, special use permit, or variance must be accompanied by a plot plan, drawn in ink, denoting property lines, all existing and proposed buildings and structures in relation to the property lines, paved or parking surfaces and appropriate measurements.
2. Show the location of water source or well, septic systems, streets, roads, driveway and any rights-of-way.
3. Show the relationship of the parcel to adjacent properties, the distance to the nearest buildings in all directions, and the use of adjacent buildings.
4. If professional drawings for construction work are available, please submit them.



Frontage of lot: 51 ft.

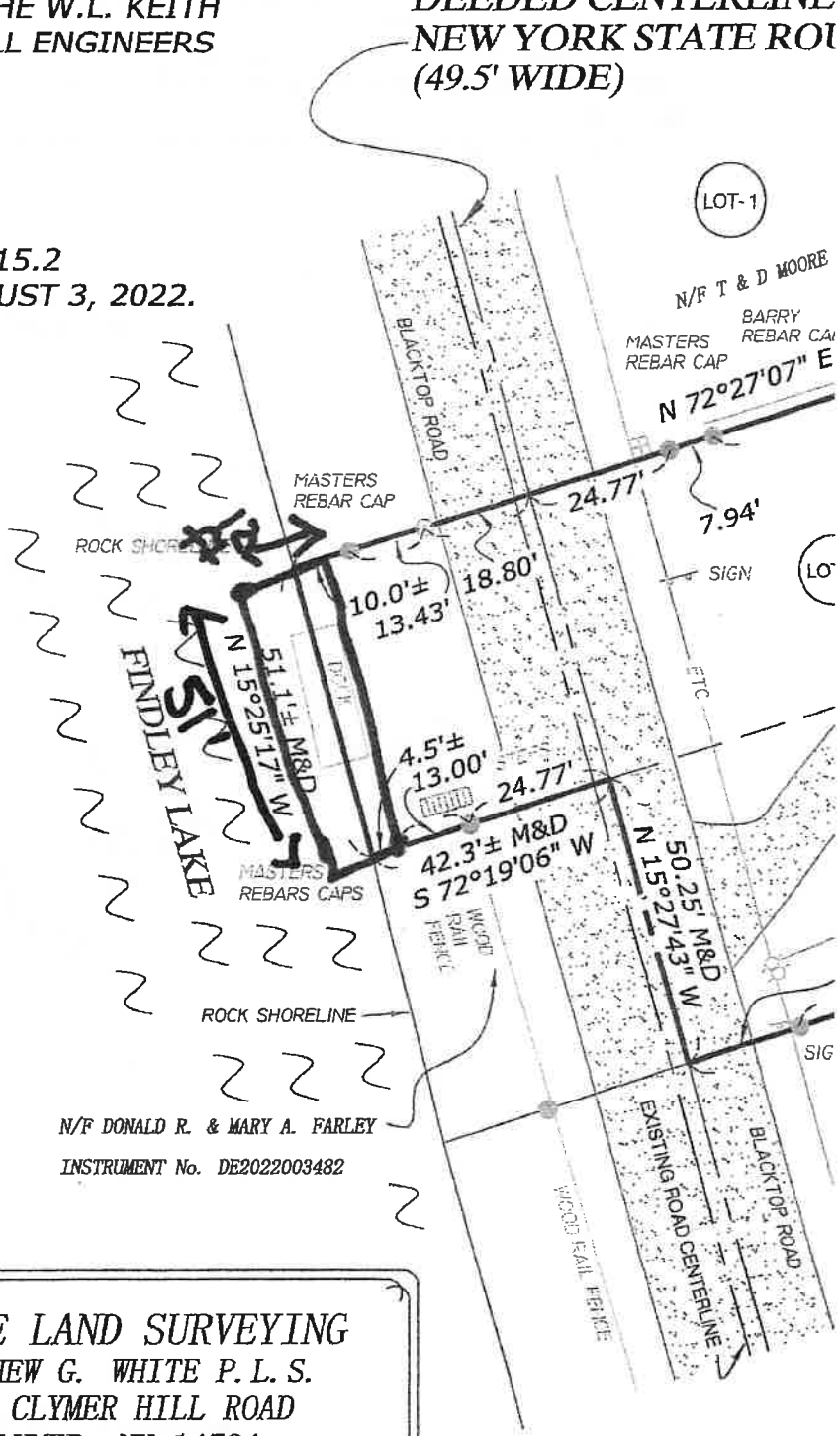
Street Name: Sunnyside

CROWN ROYAL PROPERTIES, LLC SURVEY

LOT- 43, TOWN- 2, RANGE- 15 OF THE
HOLLAND LAND COMPANY'S SURVEY
LOT- 2 & PART OF LOT- 3 OF THE W.L. KEITH
PROPERTY MADE BY HILL & HILL ENGINEERS
DATED: JULY 3, 1946.
TOWN OF MINA,
COUNTY OF CHAUTAUQUA,
STATE OF NEW YORK.
JOB No, NY-16-009
TAX MAP No.'S 359.06-3-14 & 15.2
DATE OF LAST REVISION: AUGUST 3, 2022.

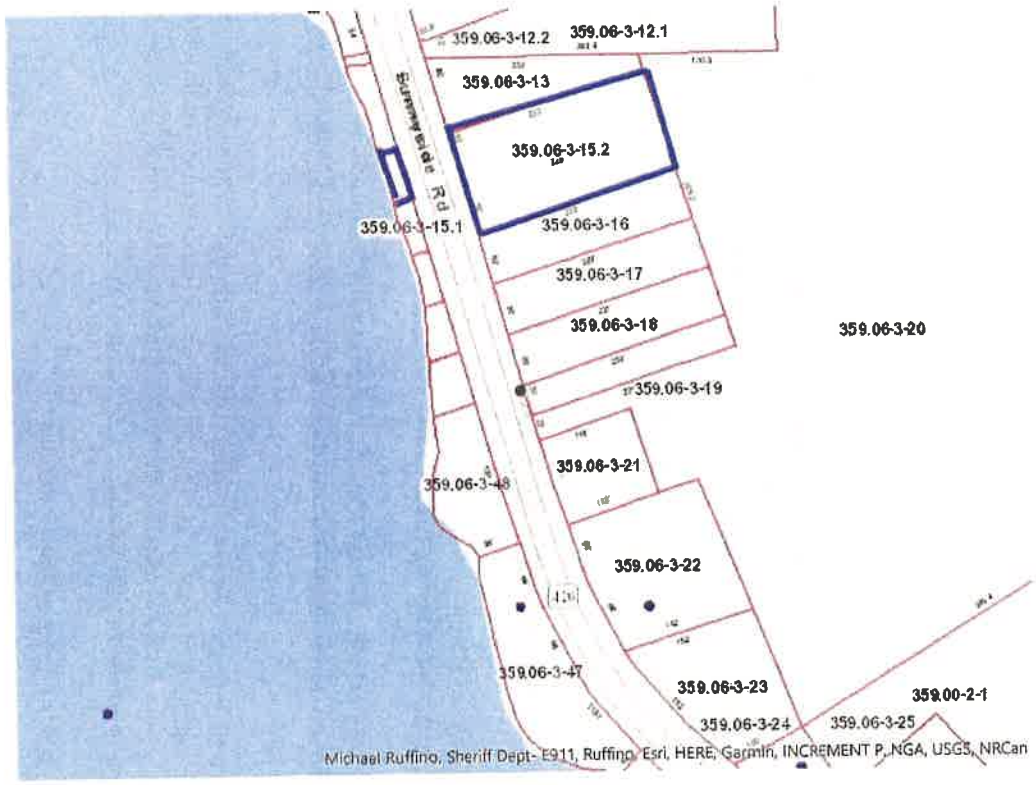
< LEGEND >

- ⊙ SET 1/2" REBAR WITH CAP
- ● EXISTING IRON STAKE, UNLESS NOTED
- N/F NOW OR FORMERLY OWNED BY
- ETC ELECTRIC, TELEPHONE AND CABLE LINES
- M&D MEASURED AND DEEDED INFORMATION
- (-) DEEDED INFORMATION



ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY, MARKED WITH A LAND SURVEYORS EMBOSSED SEAL AND SIGNED IN RED INK, SHALL BE CONSIDERED VALID AND TRUE COPIES.

WHITE LAND SURVEYING
MATTHEW G. WHITE P.L.S.
611 CLYMER HILL ROAD
CLYMER, NY 14724
(716) 499-8410
matt@mwhitepls.com
NY License No. 50886


359.06-3-12.2
359.06-3-12.1
359.06-3-13
359.06-3-15.2
359.06-3-15.1
359.06-3-16
359.06-3-17
359.06-3-18
359.06-3-20
359.06-3-19
359.06-3-21
359.06-3-48
359.06-3-22
359.06-3-47
359.06-3-23
359.00-2-1
359.06-3-24
359.06-3-25
Michael Ruffino, Sheriff Dept- E911, Ruffino, Esri, HERE, Garmin, INCREMENT P, NGA, USGS, NRCan

From Town of Mina Zoning Law
12 feet 6/26/2023

located near roadway and to reduce the probability of creating an attractive nuisance in densely populated areas, the following conditions shall apply.

B. Conditions -

1. Traffic Safety -
   a. Setback - All ponds constructed shall be set back a minimum of 50 feet from the right-of-way of any roadway.
   b. Location - New ponds shall be located in such a manner so as to minimize the likelihood of accidental vehicular access (e.g., avoid locating at the end of a dead end or "T" roadway).
   c. Area Requirements - All area requirements (except front yard) for the district in which the pond is proposed shall be met in locating the pond.

2. Water Safety – In Zoning Districts Residential (R1), or Lakeside Residential (R2) in areas where there are one (1) or more neighboring housing units within 100 feet of the proposed site for the pond, one of the following shall be accomplished:
   a. Fence - As a minimum a four (4) foot high security fence shall completely surround the pond, or
   b. Slope - The pond shall be designed such that the slope from the shore 10 feet towards the center of the pond shall be a maximum of 25% (three (3) feet of drop per 12 feet of run).

SECTION 611: LAKESHORE REGULATIONS

The following regulation shall apply to parcels located adjacent to Findley Lake. In cases of conflict with other regulations, the most stringent shall apply.

A. Setbacks - No principal structures intended for inhabitation shall be permitted within 50 feet of the shoreline based on high water levels. Refer to general provisions section on established front yards.

B. Accessory Buildings - Accessory Building not utilized for inhabitation shall be allowed "By Right" when set back 50 feet or more from the shoreline based on high water levels. Accessory buildings less than 50 feet from the shoreline shall be allowed by Special Use Permit with consideration given to the following:

1. Visibility from adjacent parcels.

2. Structure is sufficiently anchored to prevent movement due to wind, high waters, etc.

3. Structure does not extend beyond the natural high water shoreline.

4. Other reasonable conditions deemed necessary.

C. Break Walls - Any modifications of a shoreline shall be in accordance with Corps of

Engineers regulations and New York State Department of Environmental Conservation.

D. Fences - Any fence established within 50 feet of the shoreline (based on high water level) shall be by Special Use Permit only. No fence shall extend out into the lake. Consideration shall be given to the supplemental section on fences; and the following:

1. visibility from adjacent parcels,

2. height of fence,

3. type of fence, and

4. other reasonable conditions deemed necessary.

5. pre-existing fences over four (4) feet in height shall be subject to a Special Use Permit review to determine if there is a nuisance associated with the fence. If a nuisance exists, it shall be corrected within a reasonable time period as determined by the Permitting Board.

E. TV Dish Antennas - In addition to complying with the supplemental regulations on TV dish antennas, any TV dish antenna proposed to be located on a parcel of land contiguous to a lake must not be located between the lake and the primary structure. This requirement shall apply to primary and contiguous secondary vacant lots.

F. Docks – All docks shall require a building permit. Docks shall not extend into the lake-bed more than 25 feet from the normal high water mark and may be placed up to and along a line created by extending the property boundary line into the water provided that the dock does not interfere with the free and direct access to the water of a neighboring property owner.

G. Findley Lake Watershed Foundation - In addition to the regulations in this section, Findley Lake Watershed Foundation regulations with respect to water level and water level change dates and all Town of Mina ordinances shall apply.

SECTION 612: PARKING

A. Purpose - Off-street parking space(s) with a proper and safe access shall be provided within a structure or in the open to serve adequately the uses on each lot within the district. Any application for a building permit for a new or enlarged building structure or change in use shall include with it a plot plan drawn to scale and fully dimensioned, showing any parking in compliance with the regulations of this Law. However, in existing Business Districts, parking shall only be required to be provided for new development where it is reasonably possible.

B. Size Requirements - A required off-street parking space shall be an area of not less than 162 square feet, not less than nine (9) feet wide by 19 feet long, exclusive of access drives or aisles, ramps, columns, or office and work areas. Aisles between vehicular parking rows shall not be less than12 feet in width when serving automobiles parked at a 45 degree angle in one (1)

King, Gregory
From: kinggj2@upmc.edu
To: MELANIE eddy
Cc: tommaclean@ymail.com

Sounds good, we will look out for the email and promptly return paperwork and fee as requested.

From: MELANIE eddy <rosko3737@gmail com>
Sent: Tuesday, June 11, 2024 11:37 AM
To: King, Gregory <kinggj2@upmc.edu>
Subject: Re: Dock Drawings/Next Steps-Findley Lake

You will require a meeting and a Special Use Permit Request. I am not in the Town of Mina until Friday and will email the application to you. It must be completed with a $75 fee included by June 30th, 2024 no later than 11:00 am to be accepted.

Respectfully,

Melanie Eddy

On Tue, Jun 11, 2024 at 11:20 AM King, Gregory <kinggj2@upmc.edu> wrote:

> The confusion for Tom and myself is we are being told its not acceptable but there is nothing in the code to our knowledge that prohibits what we are proposing. The only two things in the code: Docks shall not extend into the lake-bed more than 25 feet from the normal high water mark and may be placed up to and along a line created by extending the property boundary line into the water provided that the dock does not interfere with the free and direct access to the water of a neighboring property owner. Our proposal doesn't extend more than 25 feet into the lake nor interferes with access and weve spoken to our neighbors who support what we are proposing. When I've questioned John, his response is hes been "told" its not acceptable; however, I see what we are proposing all over the lake which is why we are asking to work through the approval process and apply the codes as written.
>
> If the town feels our proposal is outside the norm which is the purpose of a special use permit, despite others on lake having similar docks, please send us the information to obtain this permit and we are happy to oblige.
>
> **From:** MELANIE eddy <rosko3737@gmail.com>
> **Sent:** Monday, June 10, 2024 6:35 PM
> **To:** King, Gregory <kinggj2@upmc.edu>
> **Cc:** Supervisor@townofmina.org; tommaclean@ymail.com
> **Subject:** Re: Dock Drawings/Next Steps-Findley Lake
>
> I believed you were coming in. My apologies. What you are proposing is not acceptable. 25 ft is the maximum size. You may apply for a special use permit as I thought we previously discussed.
>
> Respectfully,
>
> Melanie Eddy