

Part 3

Section §75-40.

Planning Board: site plan review; special permits; advisory opinions

TOWN REVIEW COPY

The following pages include proposed edits to section §75-40 of the zoning code.

The purpose of these proposed edits is:

- To require a “pre planning meeting” early in the site plan review process.
- To integrate the consideration of natural resources on a site early in the site plan design.
- To identify constrained land areas and promote better site design.
- To include straightforward checklists in the site plan review process.
- To coordinate with new Ulster County Planning referral requirements.
- To enhance the public notification of special permit reviews.

Note: Text shown as regular black is existing code.

Text shown as green underline is proposed to be added as new.

Text shown as ~~red-strikeout~~ is proposed to be deleted.

§ 75-40. Planning Board: site plan review; special permits; advisory opinions.

A. Powers and duties.

(1) In addition to those other powers and duties assigned to it by law, the Planning Board is hereby empowered to perform the following functions:

- (a) Issue special permits for those uses specifically listed as eligible for such a permit in accord with the provisions of § 75-28 and the procedures set forth in Subsection B below.
- (b) Review the site development plan for those uses requiring such review in accord with the provisions of Subsection C below.
- (c) Review and submit advisory opinions concerning applications for variances and amendments to the zoning regulations as required by this chapter.
- (d) Modify applicable provisions of this chapter simultaneously with the approval of a subdivision plat, subject to the provisions and procedures set forth in § 75-51.

(2) All resolutions or official actions of the Planning Board shall require the concurring vote of a majority of the Board.

B. Special permits. Pursuant to an application, the Planning Board is hereby authorized to issue special permits for uses specifically listed as eligible for such a permit in Article III, Use Regulations, in the district in which it is proposed, subject to the following regulations and procedures:

(1) Application. Each application for a special permit shall be submitted in duplicate to the Planning Board, either directly or via the ~~Building Inspector~~ Code Enforcement Officer, on a form provided by the Board and accompanied by the fee established therefor. A site plan, including all data set forth in Subsection C below, shall also accompany the application.

(2) Public notice and hearing.

(a) Public hearing schedule. The Planning Board shall schedule a public hearing to be held within 62 days of receipt of a complete application for a special permit. Refer to §75.40 C(5) for a listing of all application requirements.

(b) Hearing notice. Notice of the public hearing shall be published in the official newspaper of the Town at least 10 days prior to the date of such hearing. In addition, the Planning Board shall cause notice of such hearing to be mailed to the applicant and to all property owners within 200 feet of the subject property at least 10 days prior to the public hearing. Such notices shall be sent to the owner's last known address as shown on the most recent Town tax records. Also, the Code Enforcement Officer shall erect and maintain a Public Hearing Notification Sign on the subject property at least 10 days prior to the date of such hearing which shall remain visible until after the public hearing has been held.

(c) Referral to County Planning Board. Special permits may also be required to be referred to the Ulster County Planning Board for review in accord with §239 of the General Municipal Law and Ulster County Charter §C-51. The county planning agency or regional planning council may enter into an

agreement with the referring body or other duly authorized body to provide that certain proposed actions set forth in this section are of local, rather than inter-community or county-wide concern, and are not subject to referral under this section. ~~The application for a special permit shall also be referred at least 10 days before the public hearing to the Ulster County Planning Board if the location of the subject property requires referral in accord with §§ 239-l and 239-m of the General Municipal Law.~~

(3) Decision and findings.

(a) Criteria for decisions. The Planning Board shall only approve the issuance of a special permit if it finds that the criteria set forth in § 75-28 have been met.

(b) Findings and conclusions.

[1] Within 62 days after the public hearing, the Planning Board shall render its decision as to whether to issue the special permit and shall make a written report setting forth its findings and conclusions and the basis for its decision.

[2] The decision of the Board shall be filed within five business days with the Town Clerk and a copy thereof mailed to the applicant.

(c) Additional conditions. When issuing a special permit, the Planning Board may attach such conditions and safeguards as it deems necessary to further the intent of these regulations and to protect the public interest. Such conditions may include a requirement that the special permit be periodically renewed. Such renewal shall only be withheld, following due public notice and hearings, upon a determination that the applicant has not complied with the provisions of the original application or with any conditions prescribed by the Board in conjunction with approval of such application. In such case, the applicant shall be granted a period of 62 days within which to achieve full compliance with all conditions prior to revocation of the special permit. All additional conditions of the special permit shall be conveyed to the Code Enforcement Officer. All Planning Board approvals shall be finalized in a document of agreement signed by applicant stating conditions that must be met.

(d) Revocation. If a building permit is not applied for within one year from the date a special use permit is issued, the special use permit shall be considered revoked unless an extension is applied for and granted by the Planning Board.

(4) Area variance. In the event that an application for a special use permit proposes one or more features which will not comply with the bulk and dimensional requirements of this chapter, the applicant may apply to the Rosendale Zoning Board of Appeals for an area variance, pursuant to §75-44 of these regulations, without the necessity of a decision or determination of the ~~Building Inspector~~ Code Enforcement Officer. In reviewing such a request the Zoning Board of Appeals shall request that the Planning Board provide a written recommendation concerning the proposed variance.

C. Site plan approval.

(1) Uses requiring site plan approval. A site plan shall be reviewed for all uses designated as requiring site plan approval in Article III, Use Regulations. No building permit shall be issued for a use requiring such approval prior to review and approval of a site plan by the Planning Board in accord with the provisions of this section. In all cases where any amendment of such plan is proposed, the applicant must also secure the approval of the amendment by the Planning Board. No certificate of occupancy may be issued for any building or use of land, within the purview of this section, unless the building is constructed or used or the land is developed or used in conformity with an approved site plan or an amendment of any such plan.

(a) Site plan approval shall not be required in the following instances:

[1] Reoccupancy or change of use in an existing structure when the nature of the use is the same as or similar to the prior use and the amount of traffic generated or parking spaces required by the new use is similar to that of the prior use.

[2] Additions to an existing structure when such addition has a floor area of less than 100 square feet and does not cause a change to internal traffic circulation, parking layout or existing landscaping.

(b) Validity. The invalidity of any provision of this section shall not invalidate any other provision of this section. ~~The validity of any provision of this subsection shall not affect the validity of any other provision of this subsection which can be given effect without such invalid provision.~~ ~~Validity. The validity of any provision of this subsection shall not affect the validity of any other provision of this subsection which can be given effect without such invalid provision.~~

(c) Effective date. This subsection shall take effect immediately upon filing with the office of the Secretary of State as provided in § 27 of the Municipal Home Rule Law of New York State. ~~Effective date. This subsection shall take effect immediately upon filing with the office of the Secretary of State as provided in § 27 of the Municipal Home Rule Law of New York State.~~

(2) Objectives of site plan review. In reviewing site plans, consideration shall be given to the public health, safety and welfare, the comfort and convenience of the public in general or the residents or users of the proposed development and of the immediate neighborhood in particular and the accomplishment of the following objectives in particular:

(a) Site plan and building design shall minimize disturbance of the natural environment to protect the quality of land and water resources and to maintain ecosystem health.

~~(a)~~(b) That the design of all structures is compatible with that of surrounding structures. Compatibility shall be determined by a review of proposed use of materials, scale, mass, height, color, texture and location of the structure or structures on the site.

~~(b)~~(c) That all proposed traffic accessways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.

~~(c)~~(d) That off-street parking and loading spaces are designed to prevent obstruction in public streets, and that the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots, loading bays and building services.

~~(d)~~(e) That all playground, parking and service areas are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets, and that the general landscaping of the site is such as to enhance the character of the Town and is in character with that generally prevailing in the neighborhood.

~~(e)~~(f) That all outdoor lighting is of such nature and so arranged as to preclude the diffusion of glare onto adjoining properties and streets and is in keeping with all applicable sign regulations and design standards.

~~(f)~~(g) That the drainage system and the internal water and sewer systems are adequate and the all connections to Town systems are in accordance with Town standards.

~~(g)~~(h) That the site plan and building design accommodate the needs of the handicapped and are in conformance with the state standards for construction concerning the handicapped.

~~(h)~~(i) That the site plan and building design maximize the conservation of energy to the extent feasible.

(3) Procedure.

(a) Pre-Planning / Presubmission meetings, (a no fees/cost review), are encouraged for ALL applications, but is required for all commercial, multifamily (3 or more units) and major subdivisions of 3 or more lots. [Editor's Note: The following sentence is preliminary language included for consideration purposes and has not been reviewed yet] Applicants may sign a waiver if they wish to bypass the Pre-Planning or Presubmission Meetings and provide other advisors or design professionals to provide an assessment of their proposal. Applicants will be informed about Pre-Planning / Presubmission meetings on a handout sheet, what the meeting steps consists of and how it can help them with the process of their proposal before they make costly investment in planning, design and engineering making the process quicker, less conflicting/adversarial and more efficient, while promoting environmentally sensitive, quality development.

(b) Schedule of Pre-Planning Meeting. Prior to any consideration of a proposed site plan, an applicant shall first schedule a Pre-Planning meeting with representatives of the Planning Board. The purpose of the Pre-Planning meeting is to identify and discuss, at the earliest stages of design possible, any characteristics of the site which could influence the design and protect the natural resources of the Town.

[1] The Pre-Planning meeting shall be required for any commercial or multi-family application which is proposing 5,000 s.f. or more in total natural land disturbance, or major subdivision creating 3 or more new lots. Applications which do not meet this threshold may instead submit under the requirements of (b) 'Presubmission' below.

[2] The Planning Board may, at the request of the applicant, waive the requirement for a Pre-Planning meeting with a majority vote if:

(i.) the proposed work does not include the development of any new undeveloped land areas, and only involves a reconfiguration of an existing site plan, and;

(ii.) such request for waiver is made in writing to the Planning Board and accompanied by a complete description of the proposed work.

[3] Submission Requirements: No less than 14 days prior to the date of the Pre-Planning meeting, the following site analysis materials shall be submitted to the Planning Board:

(i.) A map identifying the location of the site relative to known roads which includes the street address and access point(s) to the site, if applicable.

(ii.) Photographs of the site as viewed from any adjacent roads, and the immediate surroundings.

(iii.) An aerial photograph of the site and adjacent lands, as may be freely available from Ulster County (<http://gis.co.ulster.ny.us>), NY State (<http://www1.nysgis.state.ny.us>) and various other online sources.

(iv.) Site Analysis Map: 2 copies of a sketch map or existing conditions survey of the site which includes all of the information in the Site Analysis Checklist below. Site analysis maps shall be drawn to scale on paper no less than 24" by 36" in size, utilizing a scale as needed to show the

entire property on the map. Site analysis maps may be hand drawn, and do not have to be hardlined engineered drawings. However, if accurate site survey information is available, this information should be used to create the map.

Pre-Planning Meeting Materials Checklist	
<input type="checkbox"/>	<u>Location map, with address and access points; section, block and lot number(s).</u>
<input type="checkbox"/>	<u>Site photographs (optional)</u>
<input type="checkbox"/>	<u>Aerial photograph (by Planning Board)</u>
Site Analysis Map	
<input type="checkbox"/>	<u>All property lines and known easements.</u>
<input type="checkbox"/>	<u>The extents of any existing tree-lines, wooded areas or tree clusters.</u>
<input type="checkbox"/>	<u>The location of any site constraints governed under §75-26.3, such as slopes exceeding 10% grade, streams, rivers, karst topography, wetlands or State DEC wetland buffers. All such constrained land areas shall be graphically illustrated on the map for clear visual reference. (by Planning Board)</u>
<input type="checkbox"/>	<u>The location of any front, side or rear yard setbacks. (by Planning Board)</u>
<input type="checkbox"/>	<u>The location of any existing roads or driveways.</u>
<input type="checkbox"/>	<u>General topographic information, at contours intervals of 10 feet or less. (by Planning Board)</u>
<input type="checkbox"/>	<u>The location of any cultural resources such as historic or locally important houses, barns, stone walls or foundations, cemeteries, etc.</u>
<input type="checkbox"/>	<u>The location of any unique land features such as significant rock outcroppings, waterfalls, caves or similar elements.</u>
<input type="checkbox"/>	<u>The location of any trails or known trails on adjacent land which could be linked as part of a passive recreation system.</u>
<input type="checkbox"/>	<u>The location of any active or formerly active agricultural lands within the last fifteen (15) years.</u>
<input type="checkbox"/>	<u>The location of any known plant or animal habitats including those that may be ecologically significant, unique, rare or endangered. (by Planning Board)</u>
<input type="checkbox"/>	<u>The location of any known conservation land or protected land adjacent to the property.</u>
<input type="checkbox"/>	<u>The location of any existing residential buildings within 200 feet of the property line.</u>
<input type="checkbox"/>	<u>The location of any existing commercial buildings, driveways, parking areas or sidewalks adjacent to the site and within 100 feet of the property line.</u>
<input type="checkbox"/>	<u>Zoning District and Density Schedule information. (by Planning Board)</u>
<u>Some materials may be optional. The Planning Board may provide some data or reference materials for the site analysis map.</u>	

[4] After receipt of the required Pre-Planning materials, representatives of the Planning Board may optionally schedule a site visit with representation from the Environmental Commission, if available, to become familiar with the property and field verify the contents of the site analysis map. The applicant shall secure permission and access to the parcel if not the property owner.

[5] Upon receipt, the Planning Board shall forward to the Environmental Commission a copy of the location map, with address and access points, section block and lot number(s).

[6] Pre-Planning Meeting. Once the Pre-Planning Meeting has been scheduled and the required materials submitted, the applicant shall attend the meeting with representatives of the Planning

Board. The purpose of the Pre-Planning meeting is to review the site analysis map with the applicant to consider the following:

- (i.) What areas of the site are more appropriate for development or disturbance, and what areas are less appropriate for development or disturbance;
- (ii.) How can the proposed work be accommodated in a way which would minimize or eliminate disturbance to the more sensitive natural areas of the site;
- (iii.) Reducing or eliminating potential for stormwater runoff into nearby water;
- (iv.) Reducing or eliminating development on steeper, sloped areas;
- (v.) Reducing the amount of disturbed land area, clearing and grading required.
- (vi.) The general recommendations and principals of New York State DEC, *Better Site Design* manual (April 2008 or later).

[7] During the meeting, the Planning Board representatives shall identify to the applicant the preliminary areas of land which should be protected or avoided as part of a site development plan. These areas shall be drawn and identified on the site analysis maps during the meeting. The site analysis map may also be amended with preferred locations for more intensive development as well as acceptable locations for less intensive development, as suggested by the representatives. To verify that all necessary information is discussed and reviewed in this process, the Planning Board, in conjunction with the applicant, shall fill out the Resource Analysis Assessment Form. A copy of this form shall be provided to the applicant.

- (i.) The required submission materials listed in the Site Plan Checklist (§75-40 C(5)) shall be reviewed to determine what materials the applicant shall furnish to the Board prior to review.
- (ii.) At the conclusion of the meeting, one copy of the site analysis maps shall be retained by the Planning Board representatives for consideration during site plan review. The other copy shall be retained by the applicant.

[8] For the purposes of the Pre-Planning meeting, the representatives of the Planning Board shall consist of at least 2 members of the Rosendale Planning Board and a Rosendale Environmental Commission member, as available.

[9] The representatives shall not recommend an application proceed to full Planning Board review if the site analysis map does not include sufficient information or is deemed to be inaccurate for the purposes of considering site characteristics.

[10] The recommendations of the representatives are advisory and do not create a mandate for the Planning Board in terms of the subsequent formal review process.

~~(a)~~(b) Presubmission. Prior to the submission of a formal site plan, if the applicant was not required to attend a Pre-Planning meeting, the applicant shall instead meet in person with the Planning Board and/or its designated representative to discuss the proposed site plan in order to determine which of the subsequent requirements may be necessary in developing and submitting the required site plan. The required submission materials listed in the Site Plan Checklist shall be reviewed to determine what materials the applicant shall furnish to the Board prior to review.

~~(b)~~(c) Within six months following the presubmission conference or pre planning meeting, the site plan and any related information shall be submitted to the ~~Building Inspector~~ Code Enforcement Officer in as many copies, not to exceed 10, as may be agreed during the presubmission conference or pre planning meeting. The site plan shall be accompanied by a fee in accordance with the schedule of fees of the Town of Rosendale. If not submitted within this six-month period, another presubmission conference or pre planning meeting may be required.

~~(e)~~(d) The ~~Building Inspector~~ Code Enforcement Officer shall certify on each original or amended site plan whether or not the application is complete and whether the plan meets the requirements of all the provisions of this chapter other than those of this section regarding site plan review. He shall act to certify the application or return it to the applicant for completion or revision within 30 calendar days of submission by the applicant.

~~(d)~~(e) Following such certification, the application shall be forwarded to the Planning Board at least 10 days prior to its next regular meeting which shall be considered the official submission date.

~~(e)~~(f) Simultaneously with its submission to the Planning Board, the certified application shall be forwarded to the Chief of Police, Fire Chief, Highway Superintendent, Sewer and/or Water District Engineer and, where required, to the County Planning Board, County Highway Department and any other agency that the ~~Building Inspector~~ Code Enforcement Officer deems appropriate. Site plan review may also be required to be referred to the Ulster County Planning Board for review in accord with § 239 of the General Municipal Law and Ulster County Charter §C-51. The county planning agency or regional planning council may enter into an agreement with the referring body or other duly authorized body to provide that certain proposed actions set forth in this section are of local, rather than inter-community or county-wide concern, and are not subject to referral under this section.

~~(f)~~(g) The Planning Board may hold a public hearing on the site plan if so determined. ~~it determines that the matter is of wide public interest.~~ If such a hearing is held, the provisions relating to public notice as required for a special permit shall be followed.

~~(g)~~(h) The Planning Board shall act to approve, disapprove or approve with conditions any such site plan within 62 days after the public hearing or, if no hearing is held, within 62 days of the official submission date. Failure to act within said 62 days shall be deemed to be approval. Conditional approval by the Planning Board shall include written findings upon any site plan element found contrary to the provision or intent of this chapter. In reviewing the application, the Planning Board shall consider whether a proposed plan will conform to the intent and requirements of this chapter and/or what revisions are appropriate. All Planning Board approvals shall be finalized in a document of agreement signed by applicant stating conditions that must be met. All conditions must be satisfied prior to issuance of a building permit.

[1] As part of the site plan review, the Planning Board shall consider how the proposed site plan conforms to the site analysis map and the recommendations of the board representatives who reviewed it with the applicant during the pre planning meeting.

~~(h)~~(j) Amendments to a previously approved site plan shall be acted upon in the same manner as the original site plan.

~~(i)~~(k) Application for area variance. In the event that a proposed site plan or site plan amendment contains one or more features which will not comply with the bulk or dimensional requirements of this chapter, application may be made to the Town of Rosendale Zoning Board of Appeals for an area variance, pursuant to § 75-44 of these regulations, without the necessity of a decision or determination of the ~~Building Inspector~~ Code Enforcement Officer. In reviewing such a request the Zoning Board of Appeals shall request that the Planning Board provide a written recommendation concerning the proposed variance.

(4) Time limit on validity of approval. Approval of a site plan by the Planning Board shall be valid for a period of one year from the date thereof for the purpose of obtaining a building permit. Failure to secure a building permit during this period shall cause the site plan approval to become null and void. Upon

application, the Planning Board may extend the time limit on the validity of the approval to not more than two years from the date of original approval.

(5) Required submission. The data set forth below shall be submitted in support of request for site plan approval. The Planning Board, at the request of the applicant, may waive such information as it deems not relevant to its review or which would cause unusual hardship to obtain.

Site Plan Checklist	
Legal Data	
<input type="checkbox"/>	Title of development, date, North point, scale and the name and address of record owner, engineer, architect, land planner or surveyor preparing the plan.
<input type="checkbox"/>	Title Block, Signature block
<input type="checkbox"/>	Name & Address of Applicant
<input type="checkbox"/>	Location map, with access points
<input type="checkbox"/>	Site photographs
<input type="checkbox"/>	Aerial photograph
<input type="checkbox"/>	North Arrow
<input type="checkbox"/>	Scale
<input type="checkbox"/>	Inset Vicinity Map
<input type="checkbox"/>	Adjacent Property Boundaries and Owners Shown
<input type="checkbox"/>	Table of Zoning Requirements, including setbacks and area requirements
<input type="checkbox"/>	Parcel(s) labeled (i.e. "Lot 1, Lot 2...") and areas shown in acres and/or square feet
<input type="checkbox"/>	Existing Utilities (location and size)
<input type="checkbox"/>	Tax Map Number
<input type="checkbox"/>	Professional stamp and signature of preparer
<input type="checkbox"/>	Existing Watercourses (i.e. streams, rivers, etc.)
<input type="checkbox"/>	Associated Deed Restrictions or Covenants
<input type="checkbox"/>	Town of Rosendale Planning Board Approval Block
Development Data	
<input type="checkbox"/>	Site Analysis Map. The site analysis map as reviewed and approved by the Planning Board from the Pre-Planning meeting, if applicable.
<input type="checkbox"/>	Grading Plan. Existing contours/spot elevations, Proposed contours at 10 feet or less with spot elevations, Limits of grading and clearing
<input type="checkbox"/>	Landscaping. Plant types, Plant sizes, Number and location of plantings
<input type="checkbox"/>	Construction Erosion and Sediment Controls
<input type="checkbox"/>	Storm Drainage. Catch basins, Sewers, Culverts, Detention ponds, GPS reference data , Stormwater Pollution Prevention Plan (SWPPP) See §75.28.1
<input type="checkbox"/>	Sanitary Sewerage. Connection to existing system, Septic system design, Perc test, Test pits
<input type="checkbox"/>	Water Distribution. Well location, Connection to existing system
<input type="checkbox"/>	Utilities. Electric, Gas, Cable Television
<input type="checkbox"/>	Site Lighting. Glare prevention, Impact to neighboring properties, Lighting cutsheets
<input type="checkbox"/>	Signs. Size, Setbacks, Material, Lighting cutsheets
<input type="checkbox"/>	Existing Buildings & Accessory Structures. The location of existing buildings on the site and on adjacent property if within 50 feet of the property line.
<input type="checkbox"/>	Proposed Buildings & Accessory Structures. Location and setbacks, Height, Proposed uses, Screening and buffer details
<input type="checkbox"/>	Vehicular Traffic. Access from existing roads, Driveway alignment, On-site traffic flow, Intersections, Road widths and rights-of-way, Pavement materials, Dividers, Traffic controls,

<input type="checkbox"/>	Traffic Study
<input type="checkbox"/>	Pedestrian Traffic. Access from off-site, Walkway structures, Intersection with roads, Handicap access
<input type="checkbox"/>	Fire Protection. Road/driveway supports emergency vehicles, Adequate water supply
<input type="checkbox"/>	Parking. Located off-street, Number of spaces, Arrangement, Handicap parking, Setbacks, Visual screening <u>and buffer details</u>
<input type="checkbox"/>	Other Permits/Approvals Required Local _____ County _____ State _____ Federal _____
<input type="checkbox"/>	Wetlands and streams delineated
<input type="checkbox"/>	Floodplains
<input type="checkbox"/>	Site on or adjacent to a parcel on or eligible for listing on the State and/or National Register of Historic Places
<input type="checkbox"/>	Site within or adjacent to an Archeosensitive Area
<input type="checkbox"/>	Consultation with NYSDEC on presence of Threatened & Endangered Species
<input type="checkbox"/>	Consultation with USFWS on presence of Threatened & Endangered Species
<input type="checkbox"/>	<u>Ecologically significant habitats</u>
<input type="checkbox"/>	Open Space
<input type="checkbox"/>	Rock Outcrops
<input type="checkbox"/>	Any municipal or zoning boundaries
A copy of this Site Plan Checklist is available from the Town or by download from the Town of Rosendale Web site for the applicant to complete.	

~~(a) Legal data.~~

~~[1] The names of all owners of record of the property in question and of all adjacent property and the lot, block and section number of such properties as shown on the Official Town Tax Assessment Maps.~~

~~[2] Existing zoning and special district boundaries.~~

~~[3] Boundaries of the property, building or setback lines, if different from those required in the Zoning Ordinance, and lines of existing streets and lots as shown on the Official Assessment Maps. Reservations, easements and areas dedicated to public use shall also be shown.~~

~~(b) Existing buildings. A drawing showing the location of existing buildings on the site and on adjacent property if within 50 feet of the property line.~~

~~(c) Development data.~~

~~[1] Title of development, date, North point, scale and the name and address of record owner, engineer, architect, land planner or surveyor preparing the plan.~~

~~[2] The proposed use or uses of land and buildings and proposed location of buildings.~~

PROPOSED ZONING TEXT

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~~[3] All means of vehicular ingress and egress to and from the site onto public streets.~~

~~[4] The location and design of any off-street parking areas or loading areas.~~

~~[5] The location of all proposed water lines, valves and hydrants and of all sewer lines or alternative means of water supply and sewage disposal and treatment.~~

~~[6] The proposed location, direction, power and hours of operation of proposed outdoor lighting.~~

~~[7] The proposed screening and landscaping plan.~~

~~[8] Proposed stormwater drainage system.~~

~~(d) Additional data which may be required. Where, due to special conditions peculiar to a site or the size, nature or complexity of the proposed use or development of land or buildings, the Planning Board finds that all or portions of the additional data listed below are necessary for proper review of the application, it may require any or all of the data to be included in the required submission.~~

~~[1] Legal data:~~

~~[a] A survey of the property by a licensed surveyor showing all appropriate dimensions, angles, bearings and other relevant data.~~

~~[b] A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.~~

~~[2] Existing facilities. Location of existing water mains, culverts and drains on the property, with pipe sizes, grades and direction of flow.~~

~~[3] Topographic data:~~

~~[a] Existing contours with intervals of five feet or less, referred to a datum satisfactory to the Board.~~

~~[4] Development data:~~

~~[a] All proposed lots, easements and public and community areas; all proposed streets with profiles indicating grading and cross sections showing width of roadway, location and width of sidewalk and location and size of utility lines. All lengths shall be in feet and decimals of a foot, and all angles shall be given to the nearest 10 seconds or closer if deemed necessary to the surveyor. The error of closure shall not exceed one to 10,000.~~

~~[b] All proposed grades.~~

~~(e) If a stormwater pollution prevention plan (SWPPP) is not required, the subdivision plan will include GPS (Global Positioning System) reference data for stormwater outfalls and permanent structures built in accordance with the New York State Management Design Manual.~~

~~[Added 12-12-2007 by L.L. No. 6-2007]~~

D. Advisory opinions. The Planning Board shall review all applications for variances submitted to the Board of Appeals and all proposed amendments to the text or map of this chapter being considered by the Town Board referred to it in accord with the provisions of this chapter. In the case of an appeal for a variance or other application before the Zoning Board of Appeals, the Planning Board shall have 15 days prior to the public hearing, or such longer time as may have been agreed upon by it and the Board of Appeals, in which to prepare and submit its advisory opinion. In the case of a proposed amendment to this chapter under consideration by the Town Board, the Planning Board shall have 62 days prior to the public hearing, or such longer time as may have been agreed upon by it and the Town Board, in which to prepare and submit its advisory opinion. Failure to submit an opinion within the foregoing time periods shall be deemed to be approval of the proposed action.

E. Review and filing fees.

(1) Presubmission review. Presubmission review of site plans and special use permits does not require payment of a fee or filing of a formal application to the Planning Board.

(2) Formal application. An application for approval of a site plan or special use permit with site plan shall be accompanied by a fee in accord with a schedule adopted by the Town Board.

(3) Additional fees for review. Upon adoption by the Town Board of relevant procedures and criteria, and any amendment thereto, applicants shall be responsible for reasonable and customary fees, disbursements and/or costs as may be determined by the Town Board from time to time, in addition to filing fees set forth in Subsection B above, incurred by the Town Engineer, Town Planner, [Local Floodplain Administrator](#) and other specialists in the course of review of certain site plan and special use permit proposals [through an escrow account](#).

(4) Environmental impact statements review. In the event that the proposed site plan or special use permit application has been determined either by the Planning Board or by another governmental agency having approval jurisdiction over the site plan or special use permit application to have a potential significant effect upon the environment as provided for in Title 6, New York Code of Rules and Regulations, Part 617 (State Environmental Quality Review Act), and an environmental impact statement must then be prepared and submitted, the applicant shall pay the reasonable fees, disbursements and/or costs incurred by the Town Engineer, the Town Planner, [Local Floodplain Administrator](#) and other specialists in the course of review of said environmental impact statement [through an escrow account](#).