

300-7-8. Site Plan Review

- A. Purpose. Site plan review has the purpose of specifying for all involved parties what the intended design, arrangement and uses of the land shall consist of so as to optimize the physical, social and economic effects on the community for specified types of development.
- B. Authorization. The Planning Board is hereby authorized, pursuant to Section 274(a) of the Town Law of the State of New York, to review and approve, approve with modifications, or disapprove Site Plan Application.
- C. Permits. The permitting board shall be responsible for a site plan review of all commercial development with over 5,000 square feet of floor space or residential development involving more than five dwelling units. In these instances the permitting board shall also be responsible for administering the special use permit requirements, with both processes taking place simultaneously.
- D. Expiration. A site plan review shall be deemed to authorize only one particular use and shall expire if the use shall cease for more than one year.
- E. Hearings. An attempt shall be made to integrate, where appropriate, the site plan review requirements into the required special use permit hearing, thus eliminating the need for two hearings.
- F. Decision requirements. Within 62 days of receipt of the complete application, the Planning Board shall render a decision to the Zoning Officer. If no decision is made within the sixty-two-day period, the site plan shall be considered approved. The applicant shall be notified in writing of its decision with the reasons for the decision specified.
- G. Information required. Sketches drawn to approximate scale will be prepared by the applicant, where feasible, to display the following information:
 - 1. Administration, legal and other miscellaneous information;
 - 2. Project title and date;
 - 3. Name, address and telephone number of applicant, owner (if different), contractor, architect and other major involved parties;
 - 4. Construction schedule to include phasing and the completion date;
 - 5. Performance bond to include amount, public improvements covered and bond approval;
 - 6. Location width and purpose of all easements, public land holdings, leases, covenants, deed restrictions or any other unique land restriction;
 - 7. Record of all applications for permits from the federal, state, or county governments to include approval status;
 - 8. Existing man-made features to be shown; and
 - 9. Boundary lines of project site as well as adjacent properties.

H. Additionally, any relevant information should be provided on the following:

1. Ownership pattern of all adjacent parcels;
2. Existing structures on site and adjacent property to include location, dimensions, height and use;
3. Public roads, private roads or driveways on the site, on- and off-street parking, loading zones, access and egress, pedestrian pathways or sidewalks. Width and elevations should be included;
4. Utilities shall be identified to include location and size of water, sewer, drainage pipes, telephone, electric, gas and TV cable. Additionally, any solar systems should be identified;
5. Miscellaneous features to include fences, signs, outside lighting, public address systems, storage areas and retaining walls shall be shown;
6. Topographic features with a minimum interval of 10 feet but preferably 2 feet. Areas of steep slope should be delineated.
7. Existing natural features to be shown.
8. Geographic features such as depth to bedrock and load-bearing capacity for large development proposals.
9. Hydro-geological features, including drainage and runoff patterns, flood hazard areas, wetlands, depth to groundwater and drainage capacity of soil.
10. Landscaping and vegetative cover, including wooded areas, significant isolated trees, ground cover, shrubs and other similar features. Buffers should be identified.
11. Watercourses to include lakes, streams or ponds.
12. Archaeologically significant areas.
13. Construction materials proposed for use.
14. Significant views of landscapes should be identified.
15. Trash or garbage collection areas shall be identified;
16. Zoning district boundaries shall be identified; and
17. Any other information requested by the Planning Board.

I. Procedure and Approval

1. Within 62 days of the receipt of the application for site plan approval, the Planning Board shall render a decision to the Zoning Enforcement Officer. If no decision is made within the 62-day period, the final site plan shall be considered approved.
2. Upon approving an application for final site plan approval, the Planning Board shall endorse its approval on a copy of the final site plan and shall forward it to the Zoning Enforcement Officer, who shall then issue or cause to be issued a building permit to the applicant if the project conforms to all other applicable requirements.

3. Upon disapproving an application, the Planning Board shall so inform the Zoning Enforcement Officer and he shall deny or cause to be denied a building permit to the applicant. The Planning Board shall also notify the applicant, in writing, of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

300-7-9. Special Permits

A. Purpose

1. The purpose of this section is to set forth additional requirements which shall apply to certain land uses and activities which, due to their characteristics or the special characteristics of the area in which they are to be located, require special consideration so that they may be properly sited and planned with respect to the objectives of this Chapter and their effect on the surrounding properties and community character. These requirements are intended to promote the public health, general safety, and neighborhood character of the immediate neighborhood and the Town as a whole.

B. Applicability

1. This section is applicable to specially permitted uses, which are listed in the Master Use Table in §300-4-3 of this Chapter.
2. Uses permitted by right shall not require Zoning Board of Appeals, hereafter “Zoning Board,” approval, provided they meet all applicable requirements set forth in this Chapter and are granted Site Plan Review approval by the Planning Board.
3. All applications must comply with the following standards. Additional supplemental regulations for certain uses can be found in Article 300-4 of this Chapter, except wherein the Town Board has retained permitting authority under Local Law for such application.

C. Procedure and Approval

1. An application for a special use permit shall be filed with the Planning and Zoning Clerk.
2. Site plan approval is a required step in the consideration and approval of all special use permits. Site Plan Review can be carried out alongside special use permit procedures.
3. The Zoning Board shall have the authority to impose reasonable conditions and restrictions as are directly related to or incidental to the proposed special use permit.
4. The Zoning Board shall conduct a public hearing within 62 days of the date an application is received on any matter referred to it under this section.
 - a. Notice of a public hearing shall be provided at least 5 days prior to the date thereof in accordance with New York State Law. Such notice shall also be sent to the applicant. Such notice shall also be sufficient to identify the property involved and the nature of the proposed action.