

**Town of Shandaken Planning Board**

7209 Route 28

Shandaken, NY 12480

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**Special Permit and/or Site Plan Review Application**

**Information Sheet**

**Requirements:** The Zoning Law of the Town of Shandaken requires that all non-residential property uses be approved by the Planning Board prior to the issuance of Building Permits and Certificates of Occupancy. The law has established eight (8) classes of districts and designated the applications on the Zoning Map incorporated into the law. The use regulations in each zoning district are set forth in the District Schedule of Use Regulations, §116.10 of the Zoning Codes. These codes may be reviewed online at: [www.shandaken.us](http://www.shandaken.us)

**Applications:** At least ten (10) days prior to the Planning Board (herein referred to as "PB") meeting, nine (9) copies of the application and all supporting documentation, plus four (4) copies of the plot plan shall be submitted to the Zoning Office, together with applicable fees. The PB meets on the second Wednesday of each month at 7:00p.m. at the above noted address. Should you have any questions, please advise this department so that you may be placed on the agenda for the Workshop Meeting which is held the first Wednesday of each month.

**Supporting Documentation:** A detailed plan for the proposed business or development, drawn to a readable scale and including all items indicated on the Site Plan Checklist, together with an AREA MAP, showing all adjacent properties, their owners, subdivisions and easements; a map of the applicant's contiguous holdings; and an existing conditions map, prepared by a licensed surveyor or professional engineer at a scale not less than 1" = 100' including metes and bounds description, locations of natural features, such as streams, wetlands, major rock or rock outcroppings, soil types and conditions, areas subject to flooding and landslides, major stands of trees and existing free-standing trees 12" or more in diameter at chest height within 25' of existing or proposed improvements and the location of existing man-made improvements of features such as buildings, roads, walls, fences, sidewalks, utilities and easements and a topographic map with contour intervals not greater than ten (10) feet, unless the PB requests lesser intervals.

**Preliminary and Public Hearings:** As previously stated, the above information should be submitted not less than ten (10) days prior to a preliminary meeting. The documents will be reviewed at a Preliminary Hearing, and if any further data is required, applicant will be advised. A Public Hearing will be scheduled in accordance with the procedures set forth in §116-42 of the Zoning Law and Chapter 274a of the Town Law. When the application is moved to Public Hearing, all abutters and neighbors within 200' of the property must be notified by certified/return receipt. The applicant will be provided with an invoice and list of abutters and payment in full, for such mailing is due immediately.

**Decision:** After review of all information at the Public Hearing, the recommendations of other agencies whose consultations are mandated by law, and consideration of the provisions of the Zoning Law and other applicable ordinances, the PB will approve, approve with conditions or deny the application. The filing of the decision with the Town Clerk, in the case of approval, is deemed a Special Permit.

**Expiration:** Under §116.45 of the Zoning Code, a Special Permit shall be deemed to authorize only one (1) particular special use, and shall expire if a building permit for the special use permit activity is not issued within one (1) year of the date of issuance of the Special Use Permit.

**Fee Schedule:**

**FEE CHARGED**

**1. Pre-Application Review:**

*No Charge*

**2. Application for Special Permit and/or Site Plan Review**

*\$100 per approval sought*

**NOTE:**

*The fee listed in #2 is only applicable when the project does not trigger fees covered under items #3 and #4 below.*

**3. Planning Fees for New or Replacement Construction:**

*Residential Development of Multiple Dwelling Units*

*\$100 per application, plus  
\$ 25 per dwelling unit with up to  
two (2) bedrooms, or  
\$ 15 per bedroom per dwelling unit*

*Commercial Development:*

*\$200 per application, plus  
\$ 50 per 1,000 sq. feet of building  
footprint or fraction thereof.*

**4. Site Development Disturbance:**

*Up to one (1) acre of disturbance*

*\$250 per application*

*More than one (1) less than ten (10) acres  
of disturbance*

*\$500 per application*

*More than ten (10) acres of disturbance*

*\$2,500 plus \$50 per acre above ten  
(10) acres of disturbance.*

**NOTE:**

*Site Development Disturbance applies to Special Permits and/or Site Plan Reviews which include grading, clearing and demolition.*

**Special Permit and/or Site Plan Review Application**

**APPLICANT**

**OWNER (if other than applicant)**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Property: Section \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Zone: \_\_\_\_\_ Size: \_\_\_\_\_ acres

Location of Property: Street Address (if applicable): \_\_\_\_\_  
\_\_\_\_\_, which is on the \_\_\_\_\_ side of \_\_\_\_\_

Road, in the Hamlet of \_\_\_\_\_, within \_\_\_\_\_ feet of State/County Hwy # \_\_\_\_\_  
in the Town of Shandaken, NY.

\*\*\*\*\*

**SURVEYOR OR ENGINEER:**  
*(preparing site plan)*

**OTHER REPRESENTATIVE**  
*(attorney, architect or other)*

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

**PROPOSED USE OF SITE/REASON FOR REQUEST (attach add'l page if needed).**

\_\_\_\_\_  
\_\_\_\_\_

*Note: If the applicant is NOT the owner of the property, however, is a proposed occupant or purchaser under contract or option, an affidavit/notarized letter of authorization from the owner must be submitted.*

*Note: Compliance with requirements shall be the sole responsibility of the applicant and/or his representative. Under the NY State SEQOR law, it is a requirement to fill out an EAF statement for submission with this application.*

\*\*\*\*\*

**STATEMENT**

The undersigned as individual owner(s) or as a qualified officer of the corporate owner of the above described property, hereby apply for approval of the proposed use and/or site plan for the development of the property in accordance with the provisions of the Zoning Law of the Town of Shandaken and authorize entry upon the property for site inspection by Planning/Zoning Officials and their authorized representatives. Further, I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and Town of Shandaken (including those required for any environmental impact studies, etc.) will be paid; also, any legal or engineering fees required, including consultant fees, if warranted, will be paid by applicant(s). Fees are due and payable to: "Town of Shandaken" upon submission of the application. Any of the additional fees aforementioned can be paid prior to the final hearing.

Date: \_\_\_\_\_

Signature(s): \_\_\_\_\_  
\_\_\_\_\_

**Attachment – Plot Plan**

Section: \_\_\_\_\_

Block: \_\_\_\_\_

Lot: \_\_\_\_\_

Location of lot: \_\_\_\_\_

Note: Plot Plan must show the configuration of the lot (can be a sketch plan) showing all buildings on the parcel, giving the dimensions of each structure and ***must reflect the setbacks of each structure from the property lines (front/rear/sides).***

***Sketch must be drawn to scale with scale indicated (if not providing professional drawings/plat).***

Submitted by: \_\_\_\_\_

Date submitted: \_\_\_\_\_

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Owner

## Site Plan Checklist

If the application includes the need for a Site Plan, the following checklist will simplify the items that will be required by the Planning Board. Please provide written responses to any required information that cannot be clearly reflected on the sketch plan or site plan packet. If you feel that the requirement is not applicable (N/A), you can check the box indicated. The final decision regarding whether information is necessary, lies with the Planning Office or with the Planning Board itself.

**Done**    **N/A**

- |                          |                          |            |   |
|--------------------------|--------------------------|------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <b>1.</b>  | Title of drawing, including name and address of applicant and person(s) responsible for preparation of such drawing.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>2.</b>  | North arrow, scale and date.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>3.</b>  | Accurate boundaries of the property plotted to scale.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>4.</b>  | Existing watercourses.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>5.</b>  | Grading and drainage plan showing existing and proposed contours at an appropriate interval to be specified by the Planning Board at the sketch plan conference, with two-foot contour intervals and soils data generally required on that portion of any site proposed for development where general site grades exceed 5% or there may be susceptibility to erosion, flooding or ponding. |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>6.</b>  | Location, proposed use and height of all buildings.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>7.</b>  | Location, design and construction materials of all parking and truck-loading areas, with access and egress drives thereto.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>8.</b>  | Provision for pedestrian access.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>9.</b>  | Location of outdoor storage of equipment and materials, if any.   |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>10.</b> | Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>11.</b> | Description of the method of sewage disposal and the location, design and construction materials of such facilities.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>12.</b> | Description of the method of securing water supply and the location, design and construction materials of such facilities.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>13.</b> | Location of fire and other emergency zones, including the location of the nearest water supply for fire emergencies.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>14.</b> | Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy.  |
| <input type="checkbox"/> | <input type="checkbox"/> | <b>15.</b> | Location, size, design and construction materials of all proposed signage.  |

- 16. Location and proposed development of all buffer areas, including indication of existing vegetative cover.
- 17. Location and design of outdoor lighting facilities, including data regarding when appropriate, lighting levels both within the site and at the site's boundaries.
- 18. Designation of the amount of building area proposed for retail sales, office use or similar commercial activity.
- 19. Detailed landscaping plan and planting schedule, including the number, size, type and location of all canopy trees or understory trees, shrubs and ground covers to be planted.
- 20. Building elevations and sections at a scale sufficient to delineate clearly the massing and the exterior materials, textures and colors of all buildings and other structures shown on the site plan.
- 21. Other elements integral to the proposed development, as considered necessary by the Planning Board, including the identification of any state or county permits required for the project's execution.

**ALL ISSUES ABOVE HAVE BEEN READ AND ADDRESSED FOR THE APPLICATION**

Name of Applicant \_\_\_\_\_ S/B/L# \_\_\_\_\_

**\*\*\*\*\*SHORT ENVIRONMENTAL ASSESSMENT FORM FOLLOWS\*\*\*\*\***

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<b>NO</b>	<b>YES</b>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	<b>NO</b>	<b>YES</b>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** 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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** 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 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.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)