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Police: (845) 688-9902
Town Clerk: (845) 688-5004
Justice Court: (845) 688-5005
Assessor: (845) 688-5003
Assessor Fax: (845) 688-5708
ZBA/ZEO/Planning: (845) 688-5008
Highway: (845) 688-9901
Fax: (845) 688-2041

"The Heart of the Park... Where the Eagle Soars"

www.shandaken.us

P.O. Box 134, 7209 Rte. 28, Shandaken, NY 12480

Special Permit and/or Site Plan Review Application

Information Sheet

Requirements: The Zoning Law of the Town of Shandaken requires that all property uses requiring a special use permit be approved by the Planning Board (herein referred to as "PB") 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, 5116.10 of the Zoning Codes. These codes may be reviewed online at: www.shandaken.us

Application: At least ten (10) days prior to the PB meeting, eight (8) copies of the application and all supporting documentation, plus four (4) hard copies of the plot plan and a PDF copy shall be submitted to the Building Department, 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 at least seven (7) days in advance so that you may be placed on the agenda for the Workshop Meeting which is held the last 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 & 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 5116-42 of the Zoning Law and Chapter 274a of the Town Law. When the application is moved to Public Hearing, all owners of abutting property, and all owners of property directly opposite and across any public or private road must be notified by certified mail/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 S116.45 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.

Town of Shandaken Fee Schedule

Effective October 2020

1. Pre-Application Review	No Charge
2. Application for Special Permit and/or Site Plan Review	\$150

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

3. <u>Planning Fees for New or Replacement Construction</u>	
Residential Development of Multiple Dwelling Units	\$150 per application, plus \$25 per dwelling unit w/up to two (2) bedrooms, or \$15 per bedroom per dwelling unit
Commercial Development	\$150 per application, plus \$50 per 1,000 sqft of Building Footprint or fraction thereof
4. <u>Site Development Disturbance</u>	
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 Information (if applicant is not the owner of the property, a notarized Agent Authorization form must be submitted)

Name Name of Owner if other than Applicant

Mailing Address Mailing Address

City/State/Zip City/State/Zip

Contact Number Contact Number

Property Information

Section _____ Block _____ Lot _____ Zoning District _____ Size _____ acres

Physical address: _____ which is on the _____
side of _____ road/street/lane, in the Hamlet of _____,
within _____ feet of State/County Highway # _____ in the Town of
Shandaken.

Representative Information

Surveyor or Engineer (preparing the Site Plan) Other Representative

Mailing Address Mailing Address

City/State/Zip City/State/Zip

Contact Number Contact Number

Use

Current Use _____

Proposed Use (attach additional pages if needed)

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 inspections by Planning/Zoning Officials and their authorized representatives. Further, I do hereby affirm that all fees, permits, and charges applicable under the laws and ordinance 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 can be paid prior to the final hearing.

Signature(s) _____

Date _____

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

Attachment – Plot Plan

Section: _____ Block: _____ Lot: _____

Location of lot: _____

Note: Plot plan must show the configuration of the lot (can be 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.)

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 Site Plan. 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 Board.

Done **N/A**

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Title of drawing, including name and address of applicant and person(s) responsible for preparation of such drawing. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. North arrow, scale and date. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Accurate boundaries of the property plotted to scale. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Existing watercourses. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. 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"/> | 6. Location, proposed use, and height of all buildings. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Location, design, and construction materials of all parking and truck-loading areas, with access and egress drives thereto. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Provision(s) for pedestrian access. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Location of outdoor storage of equipment and materials, if any. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. 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"/> | 11. Description of the method of sewage disposal and the location, design, and construction materials of such facilities. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Description of method of securing water supply and the location, design, and construction materials of such facilities. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Location of fire and other emergency zones, including the location of the nearest water supply for fire emergencies. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Location, design, and construction materials of all energy distribution facilities including electrical, gas, and solar energy. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Location, size, design, and construction materials of all proposed signage. |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Location and proposed development of all buffer areas, including indications 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 and State or County permits Required for the project's execution.

ALL ISSUES HAVE BEEN READ AND ADDRESSED FOR THE APPLICATION

Name of Applicant(s) _____

SBL _____

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

Short Environmental Assessment Form

Part 1 - Project Information

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.

Part 1 – Project and Sponsor Information			
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.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
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, are adjoining or 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
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: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
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: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

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 Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban 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?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. 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
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		