

ARTICLE 13 SITE PLAN REVIEW

SECTION 13.01 PURPOSE

The site plan review requirements in this Article are intended to provide a consistent and uniform method of review of proposed development plans, to ensure full compliance with the regulations in this Ordinance and other applicable ordinances and state and Federal laws, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the Town and the applicant to facilitate development in accordance with the Town's land use objectives.

SECTION 13.02 APPLICABILITY

In Planned Development districts, complete site plan review and approval by the Planning Board shall be required for:

- A. The erection or enlargement of all buildings in Planned Development Districts except:
 - 1. One or two-family dwellings and permitted accessory uses.
 - 2. All buildings and structures related to the operation of a farm.
- B. All uses of vacant land other than those uses customarily accessory to one or two-family dwellings.
- C. Any change in use or intensity of use which will affect the characteristics of the site in terms of parking, loading, access, drainage or utilities.
- D. The erection of a one or two-family dwelling in an agricultural zoning district.
- E. Any other use of land for which site plan review is required by this Ordinance.

Any amendment of a previously approved plan shall also require approval of the amendment by the Planning Board. No building permit may be issued for any building or use for which site plan approval is required until the original or amended site plan is approved by the Planning Board.

No certificate of occupancy may be issued for any building or use of land for which site plan review is required until the Town Zoning Enforcement Officer certifies that all applicable conditions of the approved original or amended site plan have been complied with.

SECTION 13.03 SITE PLAN REVIEW PROCEDURES

All applications requiring site plan approval shall follow the procedures established herein:

A. Pre-Submission Conference

Prior to the submission of any site plan for review by the Planning Board, a pre-submission conference shall be held wherein the applicant shall meet in person with the Planning Board, their consultant, if any, and any Town officials the Board feels appropriate.

A site plan presented at a pre-submission conference shall be drawn to scale, and shall show site development features in sufficient detail to permit the Planning Board to evaluate the following:

1. Relationship of the site to nearby properties.
2. Density.
3. Adequacy of landscaping, open space, vehicular drives, parking areas, drainage and proposed utilities.
4. Conformance with Town development policies and standards.

At the pre-submission conference, the Planning Board may waive any of the site plan submission requirements that it feels do not apply to the plan being reviewed. The Planning Board may also initiate SEQRA proceedings at this time.

B. Preliminary Site Plan Review

Within six (6) months following the pre-submission conference, the applicant shall submit to the Planning Board ten (10) folded copies of the preliminary site plan at a minimum scale of one (1) inch equals thirty (30) feet (1"=30"). If not submitted within this six-month period, another pre-submission conference may be required by the Planning Board.

Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan (SWPPP) consistent with the requirements of Article 21 of this Ordinance shall be required for Preliminary Site Plan approval. The SWPPP shall meet the performance and design criteria and standards in Article 21 of this Ordinance. The approved Preliminary Site Plan shall be consistent with the provisions of this Ordinance.

The Planning Board shall be responsible for initiating the State Environmental Quality Review Act (SEQRA) process.

The basic purpose of the State Environmental Quality Review Act (SEQRA) is to incorporate the consideration of environmental factors into the existing planning, review and decision making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires that the lead agency (Town Board) determine the type of action being considered and whether the action they directly undertake, fund or approve may have a significant effect on the environment. If the agency determines that the action may have a significant effect on the environment, the agency may require the preparation of an Environmental Impact Statement (EIS) pursuant to SEQRA 6 NYCRR, Part 617, Section 617.1. The lead agency shall be responsible for ensuring compliance with SEQRA timetables, public hearing requirements and all other SEQRA regulations.

1. Submission Requirements

The following information shall be included on all site plans submitted for preliminary approval by the Planning Board:

a. Application Form

The application form shall contain the following information for all requests:

- i. Applicant's name and address.
- ii. Name and address of property owner, if different from applicant.
- iii. Common description of property and complete legal description including the County Tax Map Identification number.
- iv. Dimensions of land and total acreage.
- v. Existing zoning.
- vi. Proposed use of land and name of proposed development, if applicable.
- vii. Proof of property ownership.

b. Descriptive and Identification Data

The Site Plan shall include the following information on it:

- i. Applicant's name and address, and telephone number.
- ii. Scale.
- iii. Northpoint.
- iv. Dates of submission and revisions (month, day, year).
- v. Location map drawn to scale with northpoint.
- vi. The dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is a part of a larger parcel, the plan should indicate the boundaries of total land holding.
- vii. Zoning classification of applicant's parcel and all abutting parcels.
- viii. Proximity to driveways serving adjacent parcels.

- ix. Notation of any variances which have or must be secured.
- x. Net acreage (minus rights-of-way) and total acreage, to the nearest 1/10 acre.

c. Site Data

- i. The schematic layout of existing and proposed septic systems and well sites.
- ii. Existing lot lines, building lines, structures, parking areas, and other improvements on the site and within 100 feet of the site.
- iii. Front, side, and rear setback dimensions.
- iv. Location, sizes, and types of existing trees eight (8) inches or greater in diameter, measured at three (3) foot off the ground, before and after proposed development.
- v. Proposed buildings to be constructed, including square feet of gross floor area.

C. Final Site Plan Review

Following preliminary site plan approval by the Planning Board, the applicant shall return to the Board within a period of three (3) months for final site plan review. The applicant shall submit to the Planning Board ten (10) folded copies of the final site plan at a minimum scale of one (1) inch equals thirty (30) feet (1"=30"). If a final site plan is not submitted within this six-month period, another pre-submission conference may be required by the Planning Board.

Stormwater Pollution Prevention Plan: A Stormwater Pollution Prevention Plan consistent with the requirements of Article 21 of this Ordinance and with the terms of preliminary plan approval shall be required for Final Site Plan approval. The SWPPP shall meet the performance and design criteria and standards in Article 21 of this Ordinance. The approved Final Site Plan shall be consistent with the provisions of this Ordinance.

1. Submission Requirements

In addition to the information required on a preliminary site plan, the following information shall be submitted for final site plan review by the Planning Board:

a. Application Form

The application form shall contain the following additional information:

- i. Names, addresses and telephone numbers of engineers, attorneys, architects and other professionals associated with the project.
- ii. A statement indicating the financial capability of the applicant to carry out the proposed development.

b. Descriptive and Identification Data

The Site Plan shall include the following additional information on it:

- i. Identification and seal of the architect, engineer, land surveyor or landscape architect who prepared the plan.
- ii. Names of owners of adjoining properties.
- iii. A schedule for completing the project, including the phasing or timing of all proposed developments.
- iv. A title block indicating the name of the development.

c. Site Data

- i. Existing topography on the site, using contour intervals of five (5) feet or less, referenced to a U.S.G.S. landmark.
- ii. Approximate boundaries of any areas of the site subject to flooding or stormwater overflows.
- iii. Location of existing watercourses, marshes, wooded areas, rock outcrops and any other significant existing natural features.
- iv. Location of all paved areas, walkways and vehicular access between the site and public roads.
- v. Locations, dimensions, grades and flow direction of any existing sewers, culverts and water lines, as well as other underground and above ground utilities within and adjacent to the property.
- vi. Other existing development, including fencing, landscaping and screening.
- vii. Location, width and purpose of all existing easements, reservations and areas dedicated to public use within or adjacent to the property.
- viii. A complete outline of existing deed restrictions or covenants applying to the property.

d. Proposed Development

- i. The location and design of all structural improvements to be done on the site, including fences, gazebos, swimming pools, dumpsters, transformers, etc.
- ii. The location and design of all uses not requiring structures, such as off-street parking and loading areas.
- iii. The location direction, power and time of use for any proposed outdoor lighting or public address systems.
- iv. The location and plans for any outdoor signs.
- v. The location, arrangement and materials of proposed means of ingress and egress, including walkways, driveways or other paved areas. Profiles indicating grading and cross sections showing location and width of roadway and walkways shall be included.

- vi. A landscaping plan, showing the location, size, type and quantity of proposed shrubs, trees and other live plant material.
 - vii. The location, size, direction of flow and connection to municipal facilities of all proposed water lines, valves and hydrants and of all sewer lines. NOTE: The Fire Chief shall approve the location of all proposed hydrants.
 - viii. An outline of any proposed easements, deed restrictions or covenants and a notation of any areas to be dedicated to a public agency.
 - ix. Any contemplated public improvements on or adjacent to the property.
 - x. Dimensions and centerlines of proposed roads and road rights-of-way and a typical cross-section of proposed roads.
 - xi. Any proposed new grades, indicating clearly how such grades will meet existing grades of adjacent properties or the street.
 - xii. Elevations of all proposed principal and accessory structures.
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- xiii. If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.
 - xiv. Any other information deemed by the Planning Board to be necessary to determine conformity of the site plan with the spirit and intent of this Ordinance.

Once the final site plan has been received by the Planning Board, a copy of the application shall be forwarded to the Town Highway Superintendent, Fire Chief and any other officials deemed appropriate by the Planning Board. If the Planning Board feels that the proposal requires professional review by an Engineer or Planner, the Board may hire a consultant to conduct a review of the site plan. All costs incurred by the Planning Board for consulting on a site plan shall be the responsibility of the applicant.

The Planning Board may hold a public hearing on the final site plan if it determines that the matter is of wide public interest. Said hearing shall be held within sixty-two (62) days of the receipt of the preliminary site plan by the Planning Board, following the procedures for a public hearing as outlined in Section 19.06.

The Planning Board shall be responsible for following the State Environmental Quality Review Act (SEQRA) procedures, including preparation of positive or negative declarations, an Environmental Impact Statement (EIS) prepared by the applicant, a statement of findings, etc. in addition to timetables and public hearing requirements. The Planning Board shall not give final approval to a site plan until the SEQRA process is completed.

The Planning Board shall act to approve or approve with conditions the final site plan within sixty-two (62) days following the public hearing. Failure to act within sixty-two (62) days shall be deemed to be approval of the plan. Conditional approval by the Planning Board shall include written findings upon any site plan element found to be contrary to the provisions or intent of this Ordinance.

Amendments to a previously approved site plan shall be acted upon in the same manner as the original site plan. Approval of a final site plan by the Planning Board shall be valid for a period of one (1) year from the date thereof for the purpose of obtaining a building permit. Failure by the applicant 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 (2) years from the date of original approval.

SECTION 13.04 STANDARDS FOR SITE PLAN APPROVAL

The following criteria shall be used as a basis upon which site plans will be reviewed and approved:

A. Adequacy of Information

The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

B. Site Design Characteristics

All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance.

C. Appearance

Landscaping, earth berms, fencing, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.

D. Compliance with District Requirements

The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements set forth in the Schedules of Regulations, unless otherwise provided in this Ordinance.

E. Preservation of Natural Areas

The landscape shall be preserved in its natural state as much as possible, by minimizing tree and soil removal, alteration to the natural drainage course and the amount of cutting, filling, and grading.

F. Privacy

The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and uses.

G. Emergency Vehicle Access

All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

H. Ingress and Egress

Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways.

I. Pedestrian Circulation

The site plan shall provide a pedestrian circulations system which is insulated as completely as is reasonably possible from the vehicular circulation system.

J. Vehicular and Pedestrian Circulation Layout

The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry. In order to insure public safety and promote efficient traffic flow and turning movements, the applicant may be required to limit street access points or construct a secondary access road.

K. Drainage

Appropriate measures shall be taken to insure that the removal or drainage of surface waters will not adversely affect adjoining properties or the capacity of the public or natural storm drainage system. Provisions shall be made for a feasible storm drainage system, the construction of stormwater facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the Town's engineering consultant.

L. Soil Erosion and Sedimentation

The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with Town standards.

M. Exterior Lighting

Exterior lighting shall be designed so that it is deflected away from adjoining properties and so that it does not impede vision of drivers along adjacent streets.

N. Public Services

Adequate services and utilities, including water, sewage disposal, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.

O. Screening

Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height.

P. Danger from Hazards

The level of vulnerability to injury or loss from incidents involving hazardous materials or processes shall not exceed the capability of the Town to respond to such hazardous incidents so as to prevent injury and loss of life and property. In making such an evaluation, the Town shall consider the location, type, characteristics, quantities, and use of hazardous materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the Town. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby water bodies.

Q. Health and Safety Concerns

Any use in any zoning district shall comply with applicable Federal state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and

hazardous materials.

R. Sequence of Development

All development phases shall be designed in logical sequence to insure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

S. Coordination with Adjacent Sites

All site features, including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be coordinated with adjacent properties.