

TOWN OF GLENVILLE
CONDITIONAL USE PERMIT

INSTRUCTIONS AND APPLICATION
(Please read thoroughly)

A. GENERAL INFORMATION

The applicant should read these instructions thoroughly before completing the application. The applicant should also retain these instructions (pages 1-4) for reference during the conditional use permit review procedures.

Projects subject to conditional use permit review are often unique or possess inherent characteristics that require review on a case-by-case basis. In the absence of standards to govern conditional uses, these uses could prove troublesome. The conditional use permit review process ensures that if the project is approved, impacts are minimized.

Applicants should be aware that the Town of Glenville Planning and Zoning Commission (PZC) and the Zoning Board of Appeals (ZBA) have review authority over conditional use permit proposals. The PZC, in an advisory capacity, determines if the proposal conforms to the Town of Glenville Comprehensive Plan. The ZBA makes a final decision based on the recommendations of the PZC, as well as the criteria outlined in Section E of this application.

Some projects require Site Plan Approval in addition to a Conditional Use Permit. Site Plan Review is administered by the Planning and Zoning Commission. The necessity for Site Plan Review is based both on proposed use and zoning district. Projects needing this permit are listed in the Town of Glenville Zoning Ordinance.

There may be occasions when certain conditional use permit applications, due to the complexity of the project and/or work demands upon town staff at the time of application, will need to be forwarded to an outside consultant and/or the town-designated engineer for review. In these instances, the applicant will be responsible for full payment of the bill for the consultant/engineer's services.

B. MATERIALS TO BE SUBMITTED

A complete application must be filed with the Planning Department at least fourteen (14) calendar days prior to the next scheduled meeting of the PZC. **Late applications will not be accepted.**

A complete application shall consist of the following:

1. Twelve (12) copies of a completed application form, as attached herein.
2. Twelve (12) FOLDED copies of the site plan and all supporting documentation. **The application will only be accepted if the site plan contains all applicable information as indicated on the site plan checklist** (see Section F.) If feasible, the applicant may submit 9 reduced-size (11"x17") copies and three full-size FOLDED copies of the site plan. Reduced copies must be to scale and cannot be smaller than 1"=50'.
3. Twelve (12) copies of Part 1 of the Full Environmental Assessment Form (FEAF), as attached herein. The FEAF is used to determine if the proposal may result in any significant environmental impacts, as defined by the State Environmental Quality Review Act (SEQR). If it is determined that the proposal may result in a significant environmental impact, the application will be subject to a more detailed

review as mandated by SEQR.

4. The application fee. Fees must be submitted with the application to be considered complete. The fees are:

- \$300 **PLUS**
- 1% of the total cost of surveying, planning, engineering, etc., **OR** \$10.00; whichever is more. (SEQRA fee). The cost of construction is not to be included as part of the "total cost".
- Joint Site Plan Review and Conditional Use Permit applicants must submit both fees. See Site Plan Review application form for appropriate fee schedule.

C. INSTRUCTIONS FOR TYPE I SEQR ACTIONS

For Type I SEQR actions, these instructions and the application form herein do not apply. Please see "CONDITIONAL USE PERMIT INSTRUCTIONS AND APPLICATION FOR TYPE I SEQR ACTIONS" for any conditional use variance that exceeds the Type I SEQR threshold. If you have any questions about whether a particular application qualifies as a Type I SEQR Action, please contact the Town of Glenville Economic Development and Planning Department.

D. REVIEW PROCEDURES

All conditional use permit applications are subject to the following review procedures:

1. Economic and Development Planning Department Review
Staff of the Town Economic Development and Planning Department and Building Department conducts an administrative level review of the application to determine if the application is complete. If the application is complete, it will be placed on the agenda of the next meeting of the Glenville Planning and Zoning Commission (PZC). If the application is not complete, the Economic Development and Planning Department will notify the applicant of the deficiencies associated with the application.
2. Planning and Zoning Commission (PZC) Review
The PZC acts in an advisory capacity to the ZBA on conditional use permit applications. The PZC's role on conditional use permit applications is to assess elements of the proposal that are typically evaluated as part of site plan review. Factors to be considered include building design, siting and dimensions, parking layout and design, internal traffic circulation, driveway locations, lighting, pedestrian accommodations, landscaping, snow removal and storage, etc.

The PZC will conduct their review and then forward their comments and recommendations to the ZBA. In their report to the ZBA, the PZC will recommend approval, approval with conditions, or disapproval of the conditional use permit. If the PZC recommends approval with conditions, or disapproval, the PZC is to detail their findings in written form to the ZBA.
3. Zoning Board of Appeals (ZBA) Review
Following a review and recommendation by the PZC, and after the site plan and/or other supporting material has been amended, if necessary, the application will be placed on the next regularly scheduled meeting of the ZBA, at which time a public hearing is to be held. At this time the ZBA will consider the application, as well as comments raised at the public hearing, and any comments and recommendations forwarded by the PZC. In rendering its decision, the ZBA is to be guided by the provisions of Section E of this article - Standards for Evaluating Conditional Use Permits.

Following the hearing, the ZBA will have 62 calendar days in which to render its decision to approve, approve with modifications, or disapprove the application. If the ZBA is satisfied with the application following the hearing, it may render its decision on the evening of the hearing. The 62-day period in which the ZBA must render its decision may be extended upon mutual consent of the applicant and the ZBA.

NOTE: Should the ZBA determine that the application may result in a significant environmental impact, whether or not the PZC came to the same conclusion, the applicant must satisfy all provisions of SEQR prior to any action being taken by the ZBA on the conditional use permit application. In this case, the ZBA's 62-day review clock does not begin until the SEQR process has concluded.

D. MEETING DATES

The PZC and ZBA meet on the dates designated below. The applicant, or a representative of the applicant, should be present at all commission/ board meetings in order to address issues and questions raised.

1. PZC - Meets on the 2nd Monday of every month at 7:00 P.M.
2. ZBA - Meets on the 4th Monday of every month at 7:00 P.M.

All meetings take place at the Glenville Municipal Center.

E. REVIEW FACTORS

The Zoning Board of Appeals shall be guided by the following factors when reviewing conditional use permit applications:

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals or the general welfare of the community.
2. The conditional use will not compromise the use and enjoyment of other property in the immediate vicinity, nor substantially diminish and impair property values within the neighborhood.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding properties.
4. Adequate utilities, access roads, drainage and any other necessary facilities have been or will be provided to serve the conditional use.
5. Adequate measures have been or will be taken to provide ingress or egress to the site in such a manner as to minimize traffic congestion in the public streets.
6. The conditional use shall, in all other respects, conform to the applicable rules, regulations, and ordinances of the Town, and be consistent with the Town of Glenville Comprehensive Plan.

Additionally, the ZBA may impose such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as is deemed necessary to ensure compliance with the Town's Zoning Ordinance and Comprehensive Plan.

F. SITE PLAN CHECKLIST

A complete site plan must illustrate all of the following, if applicable:

1. Site plan or map prepared on mylar, linen or acceptable reproducible material drawn to scale no smaller than 50 feet to 1 inch.
2. Name and signature of professional engineer, land surveyor, and/or architect.
3. Certification by a licensed professional engineer and a licensed land surveyor as evidence of professional responsibility for the preparation of the construction sheet.
4. Location map showing approximate location of site in relationship to adjacent roads, intersections, and landmarks. Preferably the location map will be illustrated as an inset on the site plan.
5. Title of drawing, name and address of applicant.
6. North arrow, scale, tax map ID#(s) and date showing when the plan/map was prepared and/or revised.
7. Boundaries of the property, plotted to scale.
8. If revisions are made, a table is to be included showing the date of the original map and all revisions, and a description detailing the nature of the map amendments
9. Ownership and zoning of all abutting properties, and of properties directly across the street or road.
10. Existing watercourses and direction of flow.
11. Location, names, and widths of existing and proposed streets.
12. Typical cross sections and details of street pavements, including curbs, sidewalks, manholes, catch basins and trench details.
13. Profiles of proposed streets and/or parking areas.
14. Location, dimensions, and description of existing and/or proposed septic system.
15. Profiles of all existing and proposed storm, sanitary and water mains.
16. If the disturbed area is one acre or more in size, a final grading plan including plans for controlling erosion, siltation and off-site stormwater movement. The grading plan should show one-foot contours or sufficient spot elevations to allow reviewers to determine drainage patterns. Stormwater/erosion control plans must comply with Article 11 of the Zoning Ordinance (Stormwater Management and Erosion Control).
17. For those projects disturbing less than one acre, or otherwise not subject to Article 11 of the Zoning Ordinance, a topographic map with five (5) foot elevation contours if grades exceed five percent (5%), or if local conditions make the site susceptible to erosion, flooding or ponding.
18. Proposed use and dimensions of all buildings. (Existing and proposed)
19. Parking and loading areas. (Existing and proposed)

20. Driveways and their dimensions. (Existing and proposed)
21. Location of all outdoor storage. (Existing and proposed)
22. Location of floodplains, showing boundary of 100-year floodplain. (If present on or adjacent to site)
23. Landscaping plan including the following:
 - a. All existing vegetation, including locations of all trees over 10" in diameter at breast height (DBH)
 - b. All proposed vegetation
 - c. Planting schedule with botanical and common names, cultivar (if appropriate), quantity, and initial size of all plant material
 - d. Typical construction details
 - e. Calculations showing that minimum landscape area requirements have been met
24. Location of regulated wetlands and 100-foot buffer area if wetland is state regulated. (If present on or adjacent to site)
25. Existing and/or proposed site improvements as follows:
 - a. Sidewalks or sidewalk easements
 - b. Drains
 - c. Culverts
 - d. Retaining walls and fences
 - e. Storm water drainage
 - f. Size, location and details of all signs
 - g. Buffer areas
 - h. Design and location of lighting facilities
 - i. Bus Stops
 - j. Curbs
 - k. Utilities or utility easements

TOWN OF GLENNVILLE
CONDITIONAL USE PERMIT APPLICATION
All questions must be answered in entirety.
Incomplete applications will not be accepted.

TO BE COMPLETED BY THE APPLICANT:

DATE: _____

Name of Project/Business: _____

Location of Project/Business: _____

Tax Map ID# _____

Zoning Classification: _____

Property Owner/Applicant:

Name: _____

Address: _____

Phone: _____

Email: _____

Contact: (if different from applicant)

Name: _____

Address: _____

Phone: _____

Email: _____

Engineer/Land Surveyor/Architect:

Name: _____

Address: _____

Phone: _____

Email: _____

Proposed Use of this Site:

List all chemicals used and/or stored on the site and how they will be disposed (provide MDS sheets if necessary):

Discuss your application as it relates to the six (6) review factors outlined in Section E of this application.

1. _____

2. _____

3. _____

4. _____

5.

6.

Project Cost – Planning, Engineering, Etc. (provide written estimate):

SIGNATURE OF PROPERTY OWNER:

DATE:

TO BE COMPLETED BY THE TOWN:

Application fee:

SEQR Fee:

Date Received:

By:

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