

GUIDE AND APPLICATION FOR SITE PLAN REVIEW/SPECIAL USE PERMIT

This guide is intended to provide brief instructions for filing a special use permit application and preparing for a site plan review before the Town of Galway Planning Board. No guarantee of success is implied if the guide is followed, nor is denial implied by not following the guide. In all cases, the applicant should consult and review the Zoning Regulations of the Town of Galway.

Site plan reviews are designed to assess, evaluate and set conditions for more complex uses that relate to provide social, cultural and economic amenities for the current and future residents of the town while maintaining the essential character of the town.

Site plan reviews are required in the Town of Galway in order to obtain a special use permit for:

- (a) All businesses operating in the town
- (b) Major changes in product lines or services for those businesses previously granted a permit or classified as non-conforming
- (c) Any out-of-zone use for which the Zoning Board of Appeals has granted a *use variance*
- (d) Those uses listed as requiring a special use permit in Appendices V-1, VI-4, and VII-2 of the town Zoning Law.

Pre-Application Conference

Prior to submitting an application for a special use permit leading to a site plan review, a prospective applicant must schedule with the Clerk of the Planning Board, a pre-application conference. This conference should be scheduled for the next regularly scheduled meeting of the Planning Board (Note: The Planning Board meets the fourth Tuesday of each month.)

The purpose of the pre-application conference is to give the Planning Board and the applicant an opportunity to gain a perspective of the proposed use's ramifications and impact on the zoning district. Moreover, the community will gain knowledge of the applicant's intent, and the applicant will learn of his/her responsibilities before either is committed to significant outlays of time or capital.

At this conference, the prospective applicant must provide the Planning Board with the basic data regarding the proposed permit. At a minimum, the applicant must provide a map showing the existing features (natural and/or made) of the site and a sketch plan showing the features of the proposal. It is suggested that the applicant read Article VIII, Section 8 of the Town Zoning Law to gain an understanding of the special use permit/site plan review process.

Following the pre-application conference, an application for a special use permit (see attachment) may be presented for the next regularly scheduled Planning Board meeting (by the first of the month for that month's meeting). Upon presentation and acceptance, the Planning Board review process will begin; the process must be completed within sixty (60) days. An application will not be accepted for review unless all requirements outlined by the pre-application conference have been met, as summarized below.

Application Contents:

Each applicant must submit a completed application form to the Clerk of the Planning Board by the first of the month to be heard at that month's regular meeting. A completed application shall consist of the following:

- a) A completed application form (attached) signed/dated
- b) SEQRA/EAF short form (attached) -- Complete Page one only -- sign/date
- c) A written narrative explaining what is being proposed with any facts you feel are pertinent. (At the conclusion of the pre-application conference, the Board will provide the applicant with a check-off list describing the items required as taken from the master list. A sample copy is attached.)

- d) **Eight (8) copies** a sketch plan or surveyed plot plan showing location and sizes all buildings (existing and proposed) on the property, precise distances to property lines and any proposed improvements or additions to the site
- e) A complete copy of the current deed (or purchase agreement if purchase is contingent upon successful procurement of the special use permit)
- f) **Application fee** (*Please refer to current Planning Board Fee Schedule available at Town Hall*)

Application Procedures

The Review Process

Once an application has been officially submitted to the Planning Board, the board will begin the application review process. This review will focus, broadly, on the following:

1. the proposal will not endanger the health, safety or general welfare of the neighborhood
2. is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities
3. allows for off-street parking space adequate to handle expected public attendance and/or employee requirements
4. will preserve the neighborhood character and surrounding property values are not substantially endangered
5. will not cause undo traffic congestion or create a traffic hazard
6. is consistent with the town master plan.

Specific and detailed areas of review will be spelled out in the site plan review check off list provided by the board.

In conducting this review, the Planning Board may consult appropriate agencies or officials at the town, county, or state level of government. The town will, as a matter of standard procedure, forward a copy of the application to the Saratoga County Planning Board for review and comment.

Public Hearing

As part of the review process, the Planning Board must hold a public hearing on the application for a special use permit. Notice of the hearing is given at least ten (10) days prior to the hearing date. At the public hearing, town residents will be given an opportunity to review the site plan and offer comments.

Public Notice

At least five (5) days prior to the public hearing, the Planning Board will notify, by mail, all property owners within two thousand five hundred (2,500) feet of the location of the project that a public hearing will be held.

Planning Board Review

After completion of the public hearing and within sixty (60) days after accepting an application, the Planning Board shall act on it; either approving, disapproving or approving with modifications and/or conditions. The Board's action shall be in the form of a written statement for the record, along with supporting documents. Approval or conditional approval will authorize issuance of a special use permit.

If the applicant is disapproved, the Planning Board will so notify the applicant in writing of its decision and the reason(s) for disapproval. If an application is approved with modifications and/or conditions, the Planning Board will notify the applicant of the required conditions and/or changes. In such a case, an applicant may have to submit for review, a revised site plan, depending on the nature and extent of the changes or conditions.

Town of Galway
SARATOGA COUNTY
ESTABLISHED 1792
PLANNING BOARD

1
5910 Sacandaga Rd
Galway, NY 12074
Tele – 518-882-6070

Form #003-SUP – SITE PLAN REVIEW/SPECIAL USE PERMIT APPLICATION

Instructions to applicant:

Please submit the following:

- a) A completed application form (signed/dated)
- b) SEQRA/EAF short form (attached and/or available at www.dec.ny.gov/permits/6191.html)

Complete Applicant section only – sign and date

- c) **Eight (8) copies** of a sketch plan or surveyed plot plan showing location and sizes of all buildings (existing and proposed) on the property, precise distances to property lines, and any proposed improvements or additions to the site
- d) A complete copy of the current deed (or purchase agreement if purchase is contingent upon successful procurement of the special use permit)
- e) **Application Fee due at time of filing** (Please refer to current Planning Board Fee Schedule available at Town Hall)

The above materials, along with application fee, must be submitted to the Planning Board Clerk by the first of the month to be placed on the agenda for that month. The Planning Board meets the fourth Tuesday of each month.

Applicant Information:

Name: _____

Mailing Address: _____

Telephone: _____ Other Phone: _____

The location [street address] of the property
for which the special use permit is being requested:

Name/Address of Owner:
(If other than applicant)

Subject property Tax Parcel # (from tax bill) _____

Zoning District: Agricultural/Residential (); Commercial C-1 () / C-2 (); Lake District ()

Briefly describe the proposal:

I, _____, hereby known as the applicant for this action, do affirm that all the information provided in this application is correct and accurate. I understand that furnishing information that is not correct, or fraudulent, may negate any findings and/or approvals granted by the Town of Galway Planning Board in regard to this application.

Signed: _____ Date: _____

Town Office Use Only:

Application No: _____

Date Received: _____

Town of Galway
Form #003-SUP – Special Use Permit (Cont'd)

OPTIONAL AUTHORIZATION FOR THIRD PARTY REPRESENTATION

I, _____, the applicant for this action, hereby appoint
_____ to act as my agent at all proceedings before the Town of
Galway Planning Board relative to my application for a site plan review/special use permit.

Signed: _____ Date: _____

Notary Public: _____ Date: _____

Town Use Only
Planning Board Action

Submission of sketch plan: _____ ☐ Accepted ☐ Rejected

SEQR Form Submitted: _____ ☐ Negative Declaration

☐ Positive Declaration

Date _____

Date Referred to County _____

Date of Public Hearing _____

Approval Date _____

Special Conditions for Approval: ☐ Yes ☐ No

SITE PLAN REVIEW CHECK OFF LIST

A part of application for Major Subdivision and/or S.P.R./S.U.P.

Date: _____

PROJECT NAME/DESCRIPTION:

Applicant will provide the following data, information, and drawings for the site plan review process.
Eight (8) copies are required, plus presentation material (pursuant to Article IX, Section 115-64):

- _____ Title of site plan drawing, including the name and address of the applicant and person responsible for preparation of such drawing
- _____ North arrow, scale, vicinity map and date
- _____ Architectural elevations
- _____ Boundaries of the property plotted to scale including rights-of-way and easements, where applicable
- _____ Existing water courses, wetlands and flood plains
- _____ Grading and drainage outline describing existing and proposed contours
- _____ Location, description of use, size and height of all buildings (to scale - existing and proposed)
- _____ Layout, location, design and construction of parking and truck loading areas, including access and egress drives, streets and roads
- _____ Designated refuse storage areas
- _____ Provision for pedestrian access (as applicable)
- _____ Location and description of outdoor storage and/or lay down areas, if any
- _____ Site improvements: Including existing/proposed drains, culverts, retaining walls and fences
- _____ Description of the method of sewage and waste disposal, including location and design, and construction description of such facilities
- _____ Description of method of obtaining water, and location, design and construction description of water system or systems
- _____ Location of fire/emergency zones, including fire hydrants

SITE PLAN REVIEW CHECK OFF LIST

A part of application for Major Subdivision and/or S.P.R./S.U.P.

- ☐ Location, design and construction description of all energy facilities (i.e., lighting, heating, air conditioning, electrical, etc.)
- ☐ Location, size and design and construction materials of all proposed signage
- ☐ Designated green space / Limits of clearing
- ☐ General landscaping plan and planting schedule
- ☐ Location and proposed development of all buffer areas, including an indication of existing vegetative cover
- ☐ Description/layout of outdoor lighting (existing or proposed)
- ☐ Designation of the amount of building area proposed for retail or similar commercial activity
- ☐ Phased construction schedule for all elements of the project
- ☐ SEQRA Form Completed/Reviewed
- ☐ Preparation of plan by a licensed professional engineer, architect and/or surveyor is required
- ☐ Other: (Elements integral to the proposed development as considered necessary by the Planning Board, including identification of any state or county permits required for the project's execution):

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.

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?			NO
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.			YES
			<input type="checkbox"/>
			<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			<input type="checkbox"/>
			<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, 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?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <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 service(s) 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 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 site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<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 <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?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <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? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES		

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 <input type="checkbox"/>	YES <input type="checkbox"/>
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 <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE 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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	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?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

PRINT

PLANNING BOARD
FEE SCHEDULE

The Town Board of the Town of Galway adopted the following fee schedule for Planning Board activities

PLEASE NOTE: All **application fees** are **due at the time of application**. Additional fees to be collected at time of final approval.

I. MINOR SUBDIVISION:

Application Fee: \$75 (due at time of application) **Plus \$75 for each new lot created** (due at the time of final approval)

Subdivisions of **three (3) or more lots** will incur an additional **GREEN SPACE/RECREATION FEE of \$600 for each lot** (due at time of final approval)

Note: Parent parcel is exempted if it contains a residence at the time of subdivision

II. ANNEXATION AND/OR LOT LINE ADJUSTMENT: (Considered a minor subdivision)
\$50 Application Fee only (due at time of application)

III. MAJOR SUBDIVISION (5 or more lots) – RESIDENTIAL

Application Fee - \$150 (due at time of application) **Plus \$150 for each new lot created** (due at time of final approval)

GREEN SPACE/RECREATION FEE: \$600 for each lot (due at time of final approval)

(Note: Parent parcel is exempted if it contains a residence at the time of approval.)

PROFESSIONAL FEES – The applicant will agree, by way of signing an *Agreement to Pay*, to reimburse the town for all professional fees (including but not limited to engineering fees, attorney fees) incurred by the town in conjunction with the application.

IV. MAJOR SUBDIVISION (5 or more lots) – NON-RESIDENTIAL/COMMERCIAL

Application Fee - \$250 (due at time of application) **Plus \$150 for each new lot created** (due at time of final approval)

GREEN SPACE/RECREATION FEE: \$600 for each lot (due at time of final approval)

(Note: Parent parcel is exempted if it contains a residence at the time of approval.)

PROFESSIONAL FEES – The applicant will agree, by way of signing an *Agreement to Pay*, to reimburse the town for all professional fees (including but not limited to engineering fees, attorney fees) incurred by the town in conjunction with the application.

V. MAJOR SUBDIVISION (5 or more lots) – NON-RESIDENTIAL/AGRICULTURAL

Application Fee - \$150 (due at time of application) **Plus \$150 for each new lot created** (due at time of final approval)

GREEN SPACE/RECREATION FEE: \$600 for each lot (due at time of final approval)

(Note: Parent parcel is exempted if it contains a residence at the time of approval.)

PROFESSIONAL FEES – The applicant will agree, by way of signing an *Agreement to Pay* with the town, to reimburse the town for all professional fees (including but not limited to engineering fees, attorney fees) incurred by the town in conjunction with the application.

VI. **SPECIAL USE PERMIT/SITE PLAN REVIEW**

Application Fee - \$125 (due at time of application) **Plus \$125 for each new lot or unit created** (due at time of final approval)

PROFESSIONAL FEES – The applicant will agree, by way of signing an Agreement to Pay, to reimburse the town for all professional fees (including but not limited to engineering fees, attorney fees) incurred by the town in conjunction with the application.

VII. **PLANNED DEVELOPMENT DISTRICT**

Application Fee - \$500 (due at time of application); **Plus \$150 for each living unit or lot,** whichever is greater (due at time of final approval); **Plus,** where applicable, a commercial or industrial fee per unit of \$25/1000 sq. ft.

If the Planned Development District encompasses both residential and commercial development, the sum of the two, calculated separately, shall apply.

GREEN SPACE/RECREATION FEE - \$600 for each new residence (due at time of final approval)

PROFESSIONAL FEES – The applicant will agree, by way of signing an *Agreement to Pay*, to reimburse the town for all professional fees (including but not limited to engineering fees, attorney fees) incurred by the town in conjunction with the application.

VIII. **HOME OCCUPATION**

\$75 Application Fee only

IX. **SIGNS**

\$75 Application Fee only