

PROCEDURE FOR COMPLETING GARDINER PLANNING BOARD SPECIAL PERMIT APPLICATION

1. Complete all 4 pages of the application. (Type or print legibly). Have application notarized and return packet to the Town Hall along with a check (made payable to the Town of Gardiner) in the amount of \$150.00 + .10 GSF.
2. Complete Short Environmental Assessment Form. (Side 1 only). Return with the application to the Town Hall.
3. Follow § 220-22 Procedure for obtaining a Special Permit and § 220.64 Site Plan review of the Gardiner Code (attached).
4. Address a plain #10 envelope with a self stamp to each neighbor within 500 feet of the adjoining property. List of neighboring property owners can be compiled with assistance from the Assessor's Office. The return address on each envelope should be just your name. The remainder of the return address will be the Town of Gardiner address and will be completed by the Town. Return envelopes and check to Clerk of the Planning Board at the Town Hall.
5. For an application to be placed on the Planning Board agenda **all of the above** must be completed **no later than the first of the month** for the month's Planning Board meeting. (Example if you want to be on the August agenda, the application must be turned in by the first business day of August). There are **no exceptions**.
6. If there are any further questions concerning these procedures, please contact the Clerk of the Planning Board, Margarete Wagner at (845) 255-9675 ext. 108.

2. Describe the uses surrounding property owners make of their properties.

3. Will the proposed use increase traffic congestion?

If not, why?

4. Will off-street parking be provided for customers? _____

If so, how many spaces? _____ Size of each space: _____ ft. by
_____ ft.

Submit a diagram of the parking available on the site, indicated entry and exit from the public streets.

5. List any churches, public buildings, playgrounds and recreation facilities which are located within 500 ft. of the exterior property lines of the property on which the proposed use is to be located.

6. How many persons will be employed by the use?

Full-time _____ Part-time _____

7. State the maximum number of customers, clients, patients or patrons expected to be on the premises at any one time. _____

8. State the size of the lot on which the use is to be located both in square footage and dimensions of front, side and rear lot lines.

Square footage: _____

Lot Lines: Front _____ ft. Side _____ ft. Rear _____ ft.

9. State the dimensions of the building or structures to be used. If more than one

Building No. _____ Building No. _____ Building No. _____

Size: _____ ft. x _____ ft. Size: _____ ft. x _____ ft. Size: _____ ft. x _____ ft.

10. How many square feet of usable space is in each building?

Building No. _____ Building No. _____ Building No. _____

Usable Sq. ft. _____ Usable Sq. ft. _____ Usable Sq. ft. _____

Sq. ft. to be devoted to proposed use: _____ Sq. ft. to be devoted to proposed use: _____ Sq. ft. to be devoted to proposed use: _____

11. State the distance of the building in which the use will be located from all front, rear and side property lines. If more than one building or structure is to be used, list each individually.

Submit a drawing diagramming this information.

Building No. _____

Distance from property lines:

Front: _____ ft. Rear. _____ ft. Side _____ ft. Side _____ ft.

Building No. _____

Distance from property lines:

Front: _____ ft. Rear. _____ ft. Side _____ ft. Side _____ ft.

Building No. _____

Distance from property lines:

Front: _____ ft. Rear. _____ ft. Side _____ ft. Side _____ ft.

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: _____	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: _____	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- 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 **AND** provide, on attachments as necessary, the reasons supporting this determination.

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)

- E. Review by Planning Board. Prior to its determination of any application for a special permit, the Town Board shall request and review a recommendation from the Planning Board as to the above general considerations.

§ 220-22. Procedure for obtaining a special permit.

- A. Application; form; etc. Application for a special permit pursuant to these regulations shall be upon forms prescribed by the Planning Board and shall contain the following information unless specifically waived by the approval authority.

- (1) A survey of the property, topography and soils classification, present zoning classification, any special districts, easements or other restrictions, including covenants on the development of the property and ownership of the property.
- (2) Description of the proposed use, with reference to the appropriate use and bulk regulations herein, including any supplementary regulations applying thereto.
- (3) A plan of the proposed development generally setting forth the location of buildings, structures or other improvements to the land, means of access and egress, fire protection, topographical alteration and effects on drainage both on the proposed site and downstream of the site.
- (4) A cost-benefit analysis or similar study to review the estimated municipal costs, services and prospective revenues which would be generated by the proposed use.
- (5) Evidence that the proposed use is consistent with, and compatible to the goals of the Town Comprehensive Plan.
- (6) A traffic and circulation study projecting the effects of the proposed use on the existing and probable future traffic and access in the vicinity of the proposed use.
- (7) Copies of environmental assessments or permit applications and supporting materials which may be required to meet New York State Department of Environmental Conservation Regulations.

- ***** (8) Names and mailing addresses of all owners of property abutting or within 200 feet of the property for which application is made, except that for parcels in excess of 100 acres, only names of owners abutting the subject property need be submitted. The applicant shall furnish stamped (certified mail) envelopes, addressed to each such property owner at the time of the application.

- B. Copies; fees; review. Every application for a special permit shall be submitted (three copies) to the Town Clerk with the fee as set forth in the Standard Schedule of Fees of the Town of Gardiner. One copy of the application shall be filed in the Office of the Town Clerk and two copies of the application shall be transmitted to the Planning Board for review or action. In reviewing such application the Planning Board shall take into consideration the public health, safety, and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and may determine such appropriate conditions and safeguards as may be required in order

***** Refer to Zoning Notification Amendment (attached).

delivered via first class mail with notice to be posted within seven days of the board's receipt of the application. Such notices shall be sent to the last known address of the property owner as shown by the most recent Town tax records. If the subject property lies within five hundred (500) feet of the boundary of any other municipality, the clerk shall notify the Municipal Clerk of such other municipality of the application in the manner set forth in this paragraph. The property owners to be notified are:

- (a) Special Permit - properties within 500 feet;
- (b) Use Variance - properties within 500 feet;
- (c) Area Variance - adjacent and abutting properties;
- (d) Subdivision Approval (Major) - properties within 500 feet;
- (e) Subdivision Approval (Minor) - properties within 250 feet;
- (f) Zoning Changes – properties within 500 feet; and
- (g) Site Plans – properties within 500 feet.

(2) Notice of Public Hearing - Upon the scheduling of a public hearing by a board, the clerk of the board shall make provision to notify certain property owners, as set forth herein, by providing written notice of the public hearing to be delivered via first class mail with posting of the notice to be completed at least 10 days prior to the public hearing. Such notices shall be sent to the last known address of the property owner as shown by the most recent Town tax records. If the subject property lies within five hundred (500) feet of the boundary of any other municipality, the clerk shall notify the Municipal Clerk of such other municipality of the application in the manner set forth in this paragraph. The property owners to be notified are:

- (a) Special Permit - properties within 500 feet;
- (b) Use Variance - properties within 500 feet;
- (c) Area Variance - adjacent and abutting properties;
- (d) Subdivision Approval (Major) - properties within 500 feet;
- (e) Subdivision Approval (Minor) - properties within 250 feet;
- (f) Zoning Changes – properties within 500 feet; and
- (g) Site Plans – properties within 500 feet.

In addition, notice of such public hearing shall be published in a newspaper of general circulation in the Town at least ten days prior to such hearing. Such notice shall also be displayed on the town signboard maintained by the Town Clerk at least 10 days before the hearing.

(3) Posting of Property Subject to Public Hearing - Notice of the public hearing shall also be given by conspicuously posting signs on the subject premises which state the time, day and location of the hearing and a brief description of the approval sought. There shall be posted a minimum of two such signs on each subject parcel along the public roadway thereof. Such signs shall be of a form as determined by the Code Enforcement Officer. It is the responsibility of the Code Enforcement Officer to post such signs for at least ten (10) days prior to the public hearing and to take all steps necessary to ensure that the sign remain legible.

B. The Town may elect to combine the notice of the application and the notice of a public hearing into one mailing where the minimum timeframes can be met.

C. The Town may elect to combine the notices provided for in this section with any notices required under the State Environmental Quality Review Act.

D. The costs of all mailings, publications and signs shall be borne by the applicant. The Applicant shall provide as part of its application two sets of envelopes, with appropriate postage affixed, with a return address for the Town of Gardiner displayed, along with a master list of the addresses.

E. Provided that there shall have been substantial compliance with these provisions, the failure to give notice in exact conformance herewith shall not be deemed to invalidate an action taken by a board in the granting or denying any application. Nothing contained in this law shall be construed to confer standing or any other rights in any proceeding commenced to challenge any action of the Town.

F. Nothing herein shall supersede any other notice or referral requirement contained in any state or other law. In the event of conflicting requirements, the earlier notification requirement shall control.

G. Any proposed zoning amendment introduced by the Town Board and of Town-wide or district-wide effect shall not be subject to this section except for the publication of notice. However, nothing in this law shall prohibit the Town Board from determining on a case-by-case basis to provide additional notice of any such zoning amendment.