

**ARTICLE IX  
SITE PLAN REVIEW**

**Section**

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**SECTION 900 - SITE PLAN REVIEW POLICY**

- A. The intent of this Article is to set forth additional standards applying to certain land uses and activities. The nature of these uses and activities requires special consideration of their impacts upon surrounding properties, the environment, community character, and the ability of the Town to accommodate development, consistent with the objectives of this Ordinance.
- B. No building permit shall be issued for any buildings, structures, dwellings, their customary accessory structures, and common farm related structures (such as barns, sheds and silos) unless a site plan has been submitted to and approved by the Planning Board. Site plan review and approval shall also be required prior to the issuance of any special permit, operating permit or zoning permit.  
*(Rev. 12/19/2017)*

**SECTION 902 - PRE-APPLICATION SKETCH** *(Rev 10/21/2014)*

- A. The applicant should request an informal discussion with the Planning Board prior to submission of a pre-application sketch to determine any or all of the data to be included in the site plan sketch.
- B. The Planning Board shall schedule the informal discussion for the next Planning Board meeting or otherwise at the convenience of the Board.
- C. The pre-application sketch shall include:
  - 1. Title of drawing;
  - 2. Location of site with respect to existing and proposed right-of-ways and intersections;
  - 3. Internal street pattern, if any, of the proposed development;
  - 4. Location of all existing structures on the site and the future use of the same;
  - 5. Existing zoning classification(s) of the property, and all properties within one-fourth (1/4) mile, and any restrictions on land use of the site;

6. Existing natural features on the site and the future use of the same;
  7. Contour intervals at five (5) feet or less as determined by the Town Engineer or Planning Board, including two hundred (200) feet of adjacent property;
  8. Names of owner and owners of adjacent properties.
- D. The Planning Board may suggest changes in the pre-application sketch involving the street layout, traffic patterns, lot size or shape, preservation of natural features or other matters which, in its opinion, will improve the layout in keeping with the best interests of the Town.
- E. The Planning Board shall be permitted a reasonable time to review the sketch plan, not to exceed forty-five (45) days. However, this time period may be extended to sixty (60) days if approved by both parties.

**SECTION 903 - APPLICATION FOR PRELIMINARY SITE PLAN APPROVAL** *(Rev.10/21/2014)*

- A. An application for preliminary site plan approval and a SEQRA Environmental Assessment Form shall be completed by the applicant and shall be accompanied by all of the following information, as required by the Planning Board. Information may be required to be prepared by a licensed engineer, architect, landscape architect or surveyor and certified by the seal and signature of such engineer, architect, landscape architect or surveyor. Note: Need to be determined by the Planning Board.
- B. An area map showing the applicant's entire adjacent holding, that portion of the applicant's property under consideration, and all properties, subdivisions, streets and easements within five hundred (500) feet of the applicant's property.
- C. A tracing overlay showing existing contours (with contours shown at five (5) foot intervals or less as determined by the Town Engineer or Planning Board) shall be provided. Contours shall extend two hundred (200) feet onto adjacent property. Existing contours shall be illustrated as dashed lines.
- D. A tracing overlay showing proposed contours (with contours shown at five (5) foot intervals or less as determined by the Town Engineer or Planning Board) and the direction of drainage with arrows. This information may be shown on the same tracing as required in Subsection C above, provided the proposed contours are illustrated by solid lines.
- E. A preliminary site plan, including the following information:
1. Title of drawing, including name and address of applicant.
  2. North arrow, scale, and date.
  3. Boundaries of the property plotted to scale.
  4. Existing watercourses.
  5. A site plan showing size, location, proposed use and height of all buildings; location and size of all off-street parking and off-street loading facilities; access and egress drives thereto; location and size of outdoor storage areas, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; a description of the method of sewage disposal and the location of such facilities; details of any proposed changes to existing stream channels; location and size of all signs; location and proposed development of buffer areas; location and design of lighting facilities; the amount of building

area to be used for retail sales, if any; any existing and proposed assessments; and the location of waste storage, if any.

- F. A tracing overlay showing all soil types, soil classifications, areas with moderate to high susceptibility to flooding, and areas with moderate to high susceptibility to erosion. The overlay shall also include a detailed description of the vegetation that exists in those areas with moderate to high susceptibility to erosion. Note: Need to be determined by the Planning Board.
- G. Architectural drawings depicting the exterior of all proposed buildings or structures, showing enough detail so that the Planning Board can ascertain the style and visual impact of said structure or structures. Note: Need to be determined by the Planning Board.

**SECTION 904 - FACTORS FOR CONSIDERATION** (Rev.10/21/2014)

- A. The Planning Board's review of a preliminary site plan shall include, but shall not be limited to, the following considerations:
  - 1. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, channelization structures and traffic controls.
  - 2. Adequacy and arrangement of pedestrian traffic access and circulation, including the separation of pedestrian from vehicular traffic, walkway structures, controls at intersections with vehicular traffic, and pedestrian convenience.
  - 3. Location, arrangement, appearance and sufficiency of off-street parking and off-street loading facilities.
  - 4. Location, arrangement, size and design of buildings, lighting and signs.
  - 5. Adequacy, type and arrangement of trees, shrubs and other landscaping, including landscaped buffers between adjoining lands.
  - 6. In the case of a multi-family dwelling, the adequacy of usable open space for playgrounds and recreation. Note: Need to be determined by the Planning Board.
  - 7. Adequacy of stormwater and sanitary waste disposal facilities.
  - 8. Adequacy of structures, roadways and landscaping in areas with moderate to high susceptibility to flooding and/or erosion.
  - 9. Protection of adjacent properties against noise, glare and unsightliness, or other objectionable features.
  - 10. Sufficient harmony and consistency of the proposed construction with the existing neighborhood, both in style and quality, such that any structure will conform reasonably to those existing structures in the area immediately surrounding the parcel in question.

**SECTION 905 - CONSULTATION**

During the course of site plan review, the Planning Board may consult with the Code Enforcement Officer, Fire Department, Highway Department, Town engineers, Town consultants, and/or appropriate Federal, State and County agencies. Costs for consultant review of plans and supporting documentation incurred by the Town shall be borne by the applicant as a condition of permit approval or renewal.

## **SECTION 906 - MODIFICATION**

The Planning Board may require the applicant to provide additional information or to satisfy additional conditions (which may not be specifically included in this Ordinance) in the interest of public health, safety and general welfare.

## **SECTION 907 - ACTION ON PRELIMINARY APPLICATION**

Within sixty-two (62) days of the receipt of the application for preliminary site plan approval, the Planning Board may conduct a public hearing. If no hearing is held, a decision must be rendered within sixty-two (62) days of the receipt of the application. If a public hearing is held, a decision must be rendered within sixty-two (62) days of the close of the public hearing date. These times may be extended by mutual consent of the applicant and the Planning Board pursuant to Town Law. The Planning Board's action shall be in the form of a written statement to the applicant stating whether or not the preliminary site plan is conditionally approved. A copy of the minutes of the Planning Board meeting shall be a sufficient report. The Planning Board's statement may include recommendations as to desirable revisions to be incorporated into the final site plan, of which conformance with, shall be considered a condition of approval. If the preliminary site plan is disapproved, the Planning Board's statement will contain the reasons for such finding. In such a case, the Planning Board may recommend further study of the site plan and re-submission of the preliminary site plan to the Planning Board after it has been revised or redesigned. No modification of existing stream channels, filling of lands with moderate to high susceptibility to flooding, grading or removal of vegetation in areas with a moderate to high susceptibility to erosion or excavation for and construction of site improvements shall begin until the developer has received preliminary site plan approval. Failure to comply shall be construed as a violation of this Zoning Ordinance and, where necessary, final site plan approval may require the modification or removal of unapproved site improvements.

## **SECTION 908 - APPLICATION FOR FINAL DETAILED SITE PLAN APPROVAL**

After receiving a conditional preliminary site plan approval from the Planning Board, and after receiving approval for all necessary permits and curb cuts from state and county officials, the applicant may prepare a final detailed site plan and submit it to the Planning Board for approval, except that if more than six (6) months have elapsed between the time of the Planning Board's report on the preliminary site plan and if the Planning Board finds that conditions have changed significantly in the interim, the Planning Board may require a re-submission of the preliminary site plan for further review and possible revision. The final detailed site plan shall conform substantially to the preliminary site plan that received preliminary approval and shall incorporate any revisions or other features that may have been recommended by the Planning Board during the preliminary review. All such revisions/features shall be clearly indicated by the applicant on the final detailed site plan.

## **SECTION 909 - ACTION ON THE FINAL DETAILED SITE PLAN APPLICATION**

- A. Within sixty-two (62) days of receipt of an application for final site plan approval, the Planning Board shall render a decision. If no decision is made within the sixty-two (62) day period, the final site plan shall be considered approved.
  1. Upon approving an application, the Planning Board shall endorse its approval on two (2) copies of the final site plan. One copy shall be forwarded to the Code Enforcement Officer for issuance of a building permit, and the second copy will be retained in the Planning Board files. Upon approving a site plan in conjunction with a special permit, the Planning Board shall retain one (1) copy of the plan for its file and shall submit one copy to the Town Clerk. The Planning Board copy shall be considered the legally approved plan with which all development on the respective site must conform.

2. No building permit shall be issued to the applicant until the site plan is approved by the Planning Board. The Planning Board shall also notify the applicant in writing of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

**SECTION 910 - ENGINEERING STANDARDS**

- A. All maps, tracings and drawings, except the pre-application sketch, shall be on sheets measuring no smaller than 8 1/2 x 11 inches and no larger than 34 x 44 inches in outside dimension. All drawings shall utilize conventional drafting symbols and standards.
- B. Any additional engineering requirements requested by the Town of Clarendon or its engineer or consultants shall be made known to the applicant during the pre-application sketch review period.

**SECTION 911 - FEES**

A fee shall be charged for site plan review applications in accordance with the fee schedule on file in the Town Clerk's Office.