



Town of Galway
SARATOGA COUNTY
ESTABLISHED 1792
PLANNING BOARD

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

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 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.



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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: _____

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

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. <input type="checkbox"/> Yes <input type="checkbox"/> 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. <input type="checkbox"/> Yes <input type="checkbox"/> 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)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> 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.

<input type="checkbox"/> 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.	
<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 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)

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):

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: \$750 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 not created** (due at time of final approval)

GREEN SPACE/RECREATION FEE: \$1,000 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 - \$250 (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