

SITE PLAN REVIEW FORMS PACKET**

- **Applicant's Guide to Site Plan Review**
- **Site Plan Review application form**
- **Site Plan approval/disapproval form**
- **State Environmental Quality Review (SEQR)
Short Environmental Assessment Form (EAF)**

****If you are planning a project that has a strict timetable, please be aware that the Planning Board has time frames for its procedures as well. Please take into account the amount of time it takes for Site Plan approval before you begin a project.**

Applicant's Guide For Site Plan Review Town of Roxbury, Delaware County

The Planning Board of the Town of Roxbury has been authorized to review Site Development Plans. This guide has been created in order to help the applicant understand the process and procedure necessary for Site Plan Review**.

COMMONLY ASKED QUESTIONS

Q : *When must I apply for Site Plan Review?*

A : Site Plan Review is required for the following:

1. New commercial construction (including institutional, recreational, industrial and all other forms of non-residential).
2. Extension, enlargement, or expansion, to an existing commercial structure exceeding 20% of the existing square footage, but structures less than 2000 square feet in size are except.

Q: *What do I need to do?*

A: Simply follow the directions as provided in this *Applicant's Guide*.

Q: *How long does the entire Site Plan Review process take?*

A: Depending on the size and complexity of the project, and the impacts identified on the State Environmental Quality Review (SEQR), the review will take between three months and a year. Much depends on how you provide the information. The applicant who takes the time to understand the requirements and supplies ALL required information on time will avoid delays.

Q: *How do I get started?*

A: The **BEST** way to get started is to **contact the Building Inspector**. Discussions with the Building Inspector can provide a wealth of information on all aspects of the process. An informal conference with a designated member planning board or it representative to discuss general requirements and procedures for site plan review may also be helpful in preparing a formal site plan application. Contact the planning board chairman or the Town Clerk in order to get on the agenda. At this meeting you will be advised of the site plan review requirements. A sketch of your proposal will be helpful during these discussions.

After obtaining the application and paying the appropriate fee through the Town Clerk, the site plan is to be submitted to the Planning Board (14) days prior to the regularly scheduled meeting of the Town Planning Board. The Planning Board shall review said application to determine whether it is complete and conforms to the Site Plan regulations. A complete application includes all data listed in Section 3.04, 3.06, 3.08, 3.09, 3.14.

Q: *How is my application judged?*

A: The planning board has a list of standards that it must apply to each and every application (Section 3.08, 3.09, 3.14 of Site Plan regulations). In reviewing and approving a site plan, the board will take into consideration the health, safety, general welfare, comfort, and convenience of the public in general, and of the *residents of the immediate neighborhood in particular*. Standards applied include adequacy of ingress, egress, traffic circulation, parking, screening, and harmony with surrounding buildings and uses, among other things. The planning board may impose conditions which enable it to meet these objectives.

Q: *Can the Town Board of Trustees appeals reverse the decision(s) of the planning board on a site plan?*

A: NO. An aggrieved party can only appeal the decision to the NYS Supreme Court under Article 78 of the Civil Practice Law.

REMINDER:

This guide is a general introduction to the Site Plan Review process. While it was created to help the applicant understand the procedure, it is NOT intended as a substitute for actually **reading the Site Plan Review Law****.

Contact Persons

Joseph Farleigh - Planning Board Chairman (607) 326-7528

Diane Picket - Town Clerk (607) 326-7641

William Walcutt – Building Inspector (607) 326-7643

Delaware County Planning Department (607) 746-2944

General Procedure for Site Plan Review

1. Meet with the Building Inspector and/or Planning Board member to discuss requirements. (Optional)
2. Submit Site Plan application to the Planning Board; which will determine whether or not the application is complete and complies with all requirements. A complete application includes the application form, application fee (if any), SEQR form, and a site layout plan which contains all required information listed in Section's 3.06, 3.07, 3.09 of the Site Plan review law.
3. The Planning Board will accept complete applications and determine if a public hearing is necessary. If so, a hearing shall be held within 62 days of acceptance of the completed application and SEQR. Within 62 days of the public hearing, the Planning Board will render a decision to approve, approve with conditions, or disapprove said site plan. If no hearing is held, the Planning Board will render a decision within 62 days of acceptance of the completed application. The time to render a decision may be extended by mutual consent of the Planning Board and the applicant.

Procedures for Site Plan Review**

Step 1

Applications for Site Plan Review must be submitted to the Planning Board at least fourteen (14) days before a regularly scheduled Planning Board meeting as per section 3.04. Within 30 days of the Site Plan application being filed the Planning Board will determine whether to accept the application as complete and begin the review process or reject the application as incomplete. The Planning Board shall notify the applicant within 10 days of its review of the sketch plan if the application appears incomplete.

Step 2

The Planning Board will then at its regularly scheduled meeting review the application to determine if all information necessary for the review is provided. The Planning Board always reserves the right to hold a public hearing on an application, and will determine if a public hearing will be necessary. If required, the public hearing date shall be held within sixty-two (62) days from the date the application was received by the Planning Board. The Town shall give public notice of the hearing in the official newspaper of the Town 10 days prior to the scheduled hearing. The applicant shall give notice of the public hearing by certification of mailing or certified mail at least 15 days prior to the scheduled hearing, to all owners of property within 500' of the proposed development. Bring proof of mailing to the Planning Board.

Step 3

The Planning Board has sixty-two (62) days in which to make a decision from the date the application was finally accepted as complete and SEQRA is completed, whatever is later; or sixty-two (62) days after the public hearing is concluded.

Note:

Site Plan Review is a **process, not an automatic permit approval**. Since the Planning Board only meets once a month (3rd Wednesday), the applicant should expect a two to three week period to pass before the Planning Board will even have an opportunity to review an application. When the Planning Board receives the application, it will schedule the public hearing (if necessary) for the next month's meeting, if possible, but definitely within sixty-two (62) days. The Planning Board sixty-two (62) days after this hearing to make a decision. Depending on the complexity of the application the Planning Board may render a decision the night of the first review session, or may need more time to review all of the information provided. **In a best case scenario, approval of Site Plans takes at least 4-6 weeks from the date the application was submitted. If there are problems or vagueness in the information provided, it could take 4-8 weeks more.** The Planning Board has a mandatory procedure that must be followed, and that procedure takes time.

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