TOWN OF PITTSFORD

GUIDELINES & APPLICATION FOR APPROVAL OF A SPECIAL PERMIT

Planning Board – 11 S. Main Street – Pittsford, 14534 – 248-6260

COMPLIANCE WITH THE FOLLOWING RULES WILL IN NO WAY GUARANTEE APPROVAL OF AN APPLICATION.
It may even be necessary for the board to request additional information to make its decision.

The Planning Board meets on the second and fourth Mondays of each month at 7:30 P.M. local time at the Pittsford Town Hall, 11 South Main Street, Pittsford, New York. New hearings are opened only on the second Monday of the month. The applicant, or the applicant's duly authorized agent, must appear at all public hearings held on the application. Failure to appear may result in automatic denial.

The requirements set out in this packet for the applications to the Planning Board are not to be considered all-inclusive. Depending on the nature and scope of a particular application, it is the prerogative of the Director of Planning, Zoning and Development, the Development Review Committee, or the Planning Board to request more information of the applicant. Prior to making an application, it is strongly recommended that discussions take place with Department of Public Works (DPW) staff to discuss procedure and application content, and to determine the need for pre-application meetings with DPW staff or the Planning Board.

A complete package of application materials must be filed with the Secretary of the Planning Board of the Town of Pittsford by the submission deadline for the requested public hearing date of the application. A schedule of public hearing dates, including submission deadlines, is available from the Planning Board Secretary. An application to the Planning Board will not be accepted until all required materials have been deemed to be complete and accurate. The Board has adopted a policy of accepting only the first four (4) complete applications submitted for any one agenda. **All application materials will be available for public review.**

Approximately ten (10) days prior to the public hearing, the Town will post a sign in a conspicuous location on the subject property. This sign should be maintained on the property until it is removed by the Town.

REQUIREMENTS FOR ALL APPLICATIONS

A complete application consists of the following forms and documentation. Twenty-five (25) copies of each form or item of documentation should be collated into packets no larger than 8½ inches by 11 inches.

1. A letter of intent / cover letter explaining the scope of the project and its intended purpose.
2. The one page application form (pg. 2) filled out completely and accurately, typed or printed.
3. Authorization to make application – When the applicant is not the owner of the subject property, the Authorization to Make Application form (pg. 3) must be completed and signed by the owner and included as part of the application.
4. Disclosure Form E (pg. 4), in compliance with Section §809 of the N.Y.S. General Municipal Law (pg. 5).
5. List of Abutters form (pg. 8) filled out with the names and addresses of all owners of properties, which either directly abut or are located across the street from the property lines of the subject property.
6. Items listed in Section §185-171 of Article XXV, Special Use Permits, of the Code of the Town of Pittsford (pgs. 6 & 7). **NOTE:** Section §185-174. Determination of Impact, points A. – I. should be addressed in as much detail as possible.
7. Submission of the appropriate application fee, in accordance with the current fee schedule (pg. 10). This fee covers the cost of the legal ad which appears in the *BRIGHTON-PITTSFORD POST* and part of the administrative costs involved. The check should be made payable to the "TOWN OF PITTSFORD".

TOWN OF PITTSFORD
SPECIAL PERMIT APPLICATION FORM

Planning Board – 11 S. Main Street – Pittsford, 14534 – 248-6260

PROJECT NAME: _____

LOCATION: _____

TAX ACCOUNT NO: _____

OWNER: _____ **APPLICANT:** _____

ADDRESS: _____ **ADDRESS:** _____

CITY, ST ZIP: _____ **CITY, ST ZIP:** _____

PHONE: _____ **PHONE:** _____

FAX: _____ **FAX:** _____

E-MAIL: _____ **E-MAIL:** _____

AGENT: _____

ADDRESS: _____

CITY, ST ZIP: _____

PHONE: _____ **FAX:** _____

E-MAIL: _____

BRIEF DESCRIPTION OF PROJECT: _____

_____

REQUEST FOR: (Please check all applicable)

- ☐ Concept Subdivision
- ☐ Preliminary Subdivision
- ☐ Final Subdivision
- ☐ Special Permit
- ☐ Wetlands Permit
- ☐ Preliminary Site Plan
- ☐ Final Site Plan

HEARING DATE REQUESTED: _____

Square Footage of Building: _____

Total Acreage of Disturbance: _____

ZONING CLASSIFICATION: _____ **SIZE OF PARCEL:** _____

Is this parcel in a flood plain, agricultural district, and/or wetlands, or does it contain features of archaeological or historical significance? ☐ NO ☐ YES (Please specify)

_____

If this parcel is within 500' of a municipal boundary, please specify: _____
(Municipality)

TOWN OF PITTSFORD

SPECIAL PERMIT AUTHORIZATION TO MAKE APPLICATION

Planning Board – 11 S. Main Street – Pittsford, 14534 – 248-6260

If the applicant is not the owner of the subject property, this form must be completed and signed by the owner.

I, _____ , the owner of the property located

at: _____
(Street) (Town) (Zip)

Tax Parcel # _____ do hereby authorize

_____ to make application to the

Town of Pittsford Planning Board, 11 South Main Street, Pittsford NY 14534 for the

purpose(s) of _____

_____
Signature of Owner

_____
Date

Disclosure Form E

STATE OF NEW YORK
COUNTY OF MONROE

TOWN OF PITTSFORD

In the Matter of

_____
(Project Name)

The undersigned, being the applicant(s) to the…

☐ ***Town Board*** ☐ ***Zoning Board of Appeals*** ☐ ***Planning Board*** ☐ ***Architectural Review Board***

…of the Town of Pittsford, for a…

☐ ***change of zoning*** ☐ ***special permit*** ☐ ***building permit*** ☐ ***permit*** ☐ ***amendment***

☐ ***variance*** ☐ ***approval of a plat*** ☐ ***exemption from a plat or official map***

…issued under the provisions of the Ordinances, Local Laws, Rule or Regulations constituting the zoning and planning ordinances regulations of the Town of Pittsford, do hereby certify that I have read the provisions of Section §809 of the General Municipal Law of the State of New York attached to this certificate.

I do further certify that there is no officer of the State of New York, the County of Monroe or of the Town of Pittsford or of any other municipality of which the Town of Pittsford is a part who is interested in the favorable exercise of discretion by said Board as to this application, except for those named below:

Name(s)	Address(es)

_____ _____
Signature of Applicant Dated

_____
Street Address

_____
City/Town, State, Zip Code

NEW YORK STATE

GENERAL MUNICIPAL LAW
SECTION § 809

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse or their brothers, sisters, parents, children, grandchildren or the spouse of any of them…

   (a) is the applicant, or
   (b) is an officer, director, partner or employee of the applicant, or
   (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or
   (d) is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

Section eight hundred six of the General Municipal Law added by this act, shall apply only to application, petitions or requests as described therein which are submitted on or after the effective date of this act.

This act shall take effect September 1, 1969.

TOWN OF PITTSFORD

TOWN CODE ARTICLE XXV
SPECIAL USE PERMITS

§ 185-170. Authorization.

The Planning Board and the Zoning Board of Appeals each have the authority to grant special permits, but such authority is limited to those special permit uses this chapter specifies shall be reviewed by each Board. Where not specified in this chapter, the Zoning Board of Appeals shall have the authority to grant the special permit.

§ 185-171. Application.

All applications for special permits shall be made by the owner or his agent and filed with the secretary of the appropriate Board not less than 30 days prior to the date of the proposed public hearing on the application. No application shall be accepted, considered or scheduled for public hearing until all required materials have been deemed to be complete and accurate. The application shall include the following:

A. A diagram or plan showing the dimensions of the lot on which the proposed use, structure or alteration is proposed, its location on the lot, all structures on the lot, lot dimensions, setbacks, parking and ingress and egress.

B. A locational drawing.

C. A plan showing the intended use, structure or alteration.

D. A description of the proposed use and its operation.

E. A list of all property owners (and addresses) of each parcel of property within 500 feet and/or affected property owners.

F. The required application fee as specified by resolution of the Town Board.

G. An environmental assessment form (EAF).

H. Such additional maps, plans and specifications or other information as may be required by the applicable Board.

§ 185-172. Notice.

The Town will place a legal notice in the proper newspaper, advertising the applicant's name, the property location, the special use permit requested and the time and place for a public hearing. In addition, the secretary of the Board will notify the Monroe County Department of Planning, when required by New York State Law because the property is within 500 feet of another municipality, state or county.

§ 185-173. Public hearing.

Before acting upon any application for a special permit, the appropriate Board shall hold a public hearing thereon.

PLEASE NOTE THE FOLLOWING SECTION (§ 185-174.) ESPECIALLY

§ 185-174. Determination of impact.

In passing upon each application, the appropriate Board shall determine whether the proposed use would endanger or tend to endanger the public health, safety, morals or the general welfare of the community. In making such determination, it shall consider the following:

A. Whether the proposed use will be in harmony with the general purpose and intent of this chapter, taking into account the location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it and the size of the site with respect to streets giving access to it.

B. Whether the proposed use will tend to depreciate the value of adjacent property, taking into account the possibility of screening or other protective measures.

C. Whether the proposed use will be detrimental to the flow of traffic in the vicinity or otherwise create a traffic hazard.

D. Whether the proposed use will create fire or other safety hazards.

E. Whether the size and use of the proposed facility, alone or in combination with similar facilities in the area, will be so substantially out of proportion with the character of nearby residential neighborhoods as to jeopardize the continued use of the neighborhoods for residential purposes.

F. Whether the proposed use or operation will produce or present substantial danger of excessive noise, noxious odors, noxious or harmful discharge, fire or explosion, radiation, chemical or toxic release or other conditions injurious to the health or general welfare of occupants of the surrounding area.

G. Whether the location and size of the use, the size of the site in relation to the use, the operations in connection with the use and the parking and traffic related to the operations will be such as to create a significant hazard to the safety and general welfare of the surrounding area.

H. Whether the proposed use will be detrimental to neighboring property or alter the essential character of the neighborhood.

I. Whether the proposed use complies with the State Environmental Quality Review Act (SEQRA).

§ 185-175. Decision.

If the Board determines that the proposed use would endanger or tend to endanger the public health, safety, morals or general welfare of the community, it shall deny the application; otherwise it may grant a special use permit, provided that the proposed use, construction or alteration complies with the provisions of this chapter. The secretary of the Board shall notify the applicant of the decision, and if a special permit be granted, he shall issue and deliver the same to the applicant. If the Monroe County Department of Planning is required to review the application, the Board cannot make a decision thereon until it has received its report on the application.

§ 185-176. Conditions on permit.

In granting a special permit, the Board may impose reasonable conditions in order to mitigate any adverse effects of the proposed use. If the Board finds such adverse effects cannot be adequately mitigated, then the Board shall deny the special permit.

§ 185-177. Burden of proof. [Amended 10-3-1995 by L.L. No. 11-1995]

With the exception of schools and places of worship, the applicant shall have the burden of proving that the proposed use, construction or alteration will not endanger the public health, safety, morals or general welfare of the community given all relevant considerations. Under New York decisional law, there is a rebuttable presumption that schools and places of worship are in furtherance of the public health, safety, morals and general welfare of the community, and the burden of proof is on those who seek to rebut that presumption.

§ 185-178. Permit required for expansions or additions.

A special permit is required not only for the original establishment of a specially permitted use but also for any expansions or additions thereto.

§ 185-179. Revocation of special permit.

Once granted, a special permit may be revoked if, after notice and public hearing, the Board which granted it determines that the conditions and restrictions imposed upon the permit have been violated or not fulfilled.

TOWN OF PITTSFORD

LISTING OF ABUTTERS

Planning Board – 11 S. Main Street – Pittsford, 14534 – 248-6260

The undersigned, being an Applicant for approval of…

☐ ***site plan*** ☐ ***special permit*** ☐ ***subdivision***

…for property at: _____

Tax Parcel # _____ submits the following list of names and addresses of all owners of properties which either directly abut or are located across the street from the property lines of the subject property.

If there are other properties in close proximity which might be effected by this proposal, please include the names and addresses of those properties as well.

_____ _____

Signature of Applicant Date

LIST OF PROPERTIES ABUTTING OR ACROSS THE STREET FROM SUBJECT PROPERTY

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? 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.			**NO**	**YES**
			☐	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			**NO**	**YES**
			☐	☐
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. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☐	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☐
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: _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☐
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☐	☐
b. Is the proposed action located in an archeological sensitive area?	☐	☐
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?	☐	☐
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: _____	☐	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ 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?	☐	☐
16. Is the project site located in the 100 year flood plain?	☐	☐
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? ☐ NO ☐ YES	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

	NO	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: _____ _____ _____	☐	☐
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: _____ _____ _____	☐	☐
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: _____ _____ _____	☐	☐

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?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
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?	☐	☐
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?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	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?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

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.

☐ 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.

☐ 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.

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)

PRINT RESET

TOWN OF PITTSFORD

FEE SCHEDULE
EFFECTIVE – JANUARY 1, 2007

Planning Board – 11 S. Main Street – Pittsford, 14534 – 248-6260

Special Permits

Residential and Non-Profit	$ 60.00 each
Non-Residential	$ 175.00 each

Re-advertisement

Every re-advertisement	$100.00 each

Applicant's request for postponement may require a re-advertisement fee