



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

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: _____	



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