

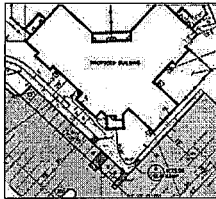


SITE PLAN REVIEW

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Site plan defined

- Rendering, drawing, or sketch prepared to specifications, containing necessary elements (listed in zoning ordinance or local law), which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on plan

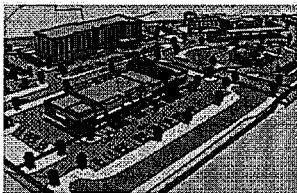


General City Law § 27-a
Town Law § 274-a
Village Law § 7-725-a

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Goal: Good Project Design



- Focus is on development of a single project/parcel
- Can be used without zoning
- Applicable to many uses
- Consider goals of the Comprehensive Plan
 - Protecting character, walkability etc.

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Common Activities Requiring Review

- Multi-family and nonresidential
- Typically exempt: Single- and two-family dwellings, agricultural activities, common residential accessory structures, routine maintenance
- Project size threshold may exempt minor new development
- A change in use with no proposed site changes can require review if included in a local law

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Professional project review services

- Review costs may be charged to applicant if locally authorized
- Local regulations can specify pre-established fees

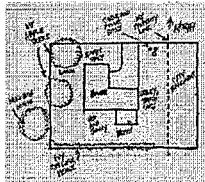
Office of State
Comptroller
Opinion 90-14

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What constitutes a site plan?

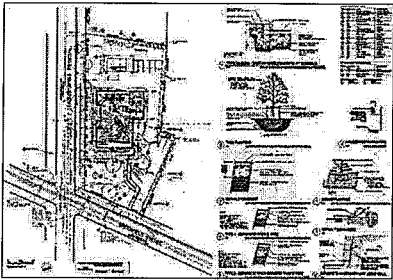
- What does local site plan law require?
- At a minimum, law should authorize review board to require plans developed by a licensed surveyor, engineer etc.
- Pros of requiring stamped plans for all:
 - More consistency and accuracy in submissions – avoids the "back of the napkin"
 - Difficult to decide what projects must have stamped plans
- Cons: expensive and time consuming for small projects



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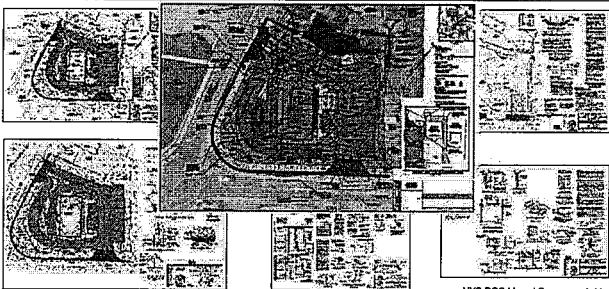
It could be one drawing



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Or many...



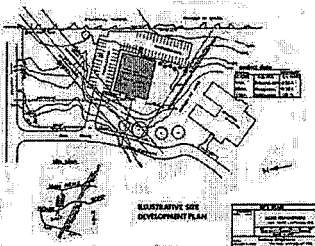
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Site plan layout & materials

Base plan elements:

- Survey map
- Location map
- Scale
- Title block
- Project data table
- Adjacent landowners/uses
- Existing physical/natural features
- ROWs and easements
- Topography



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ELEMENTS FOR REVIEW

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Examples of elements for review

- Building & accessory structure placement
- Architectural features
- Proposed grades & contours
- Sewage & storm drainage
- Traffic, access, parking, loading, snow storage
- Bike & pedestrian amenities
- Utilities, lighting, signage
- Greenspace, landscaping & screening
- Relationship with adjacent uses; noise

What can be reviewed?



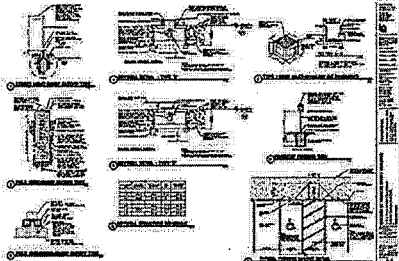
Only elements specified by governing board in law or ordinance

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Sample detail sheet

- Utilities
- Stormwater
- Parking
- Landscaping
- Access
- Sidewalks
- Signage
- Lighting



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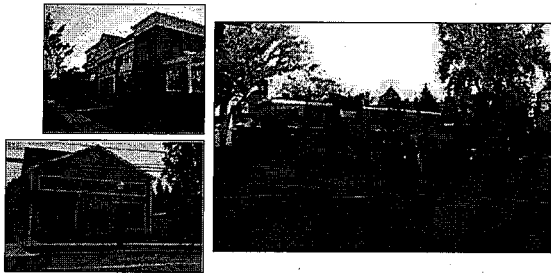
Building location, orientation, design



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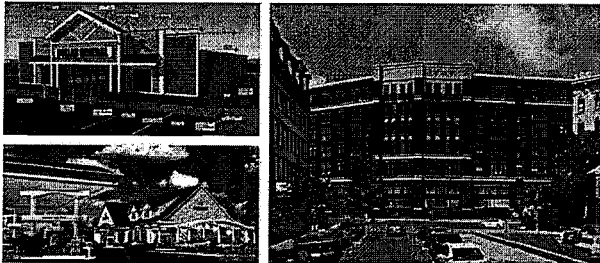
Building location, orientation, design



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Elevation drawings of proposed design



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Grading, stormwater and erosion control



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Storm Water Pollution Prevention Plan (SWPPP)

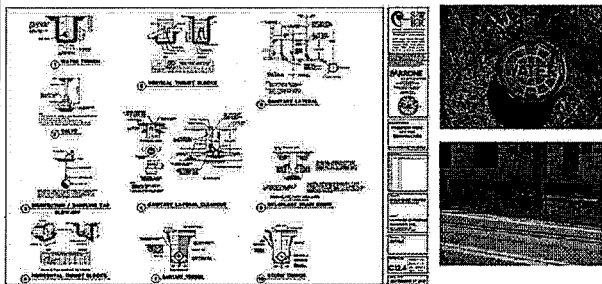
- Required if more than 1 acre of land disturbed
- Reduce runoff rate & volume
- Remove pollutants from runoff generated on site
- Natural alternatives to engineered systems:
 - LID (Low Impact Development): preserve natural drainage features & patterns
 - Green Infrastructure: use vegetation and soil to manage rainwater where it falls



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Utilities



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Traffic impacts

INSTITUTE OF TRANSPORTATION ENGINEERS
COMMON TRIP GENERATION RATES (PM Peak Hour)

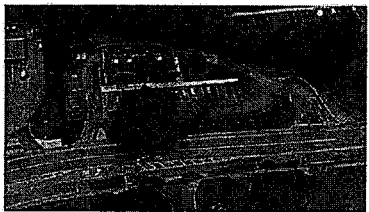
Land Use	Unit of Measurement	Trips Generated per Unit	Suburban	Urban
Residential Subdivision	Dwelling Units	.99	-	-
Walk in Bank	1000 SF GFA	12.13	-	-
Drive in Bank	1000 SF GFA	20.45	-	-
Drive-thru Coffee Shop	1000 SF GFA	83.33	-	-
Gas Station w/Convenience Store	1000 SF GFA	88.35	-	-
Drive-thru Fast Food	1000 SF GFA	-	32.67	78.74

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Access management

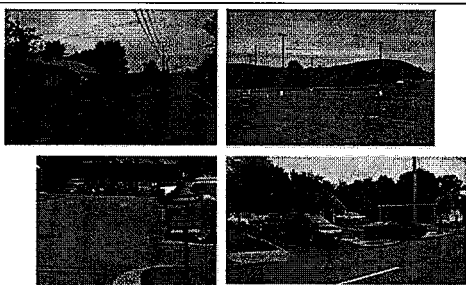
- Limit access points
 - Increase spacing
- Sight distance
- Intersections
- Side road access
- Internal roads
- Parallel access roads



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Parking lots and internal circulation

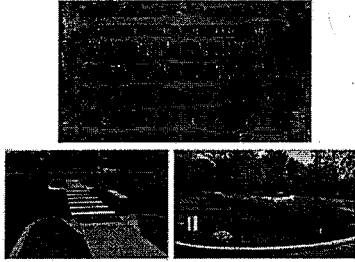


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Parking lots and internal circulation

- Impervious surface impacts
- Stormwater run-off
- Water quality
- Heat island effect
- Aesthetics – lighting
- Pedestrian safety in circulation
- EV Charging Stations
- Bicycle Parking

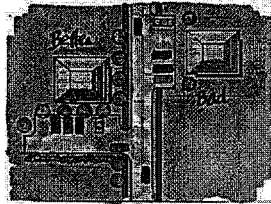


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Bike-ped friendly building placement

- Everyone is a pedestrian, but site design is often designed for the car
- Better building orientation
 - Building at sidewalk/street edge
 - Entrance on the front/street side, accessible sidewalk
 - Bike parking close to entrance

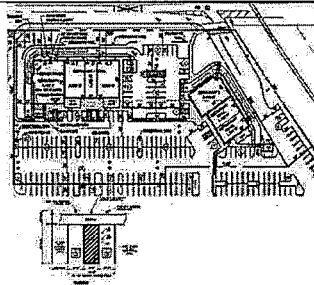


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Parking plan

- Location & number of parking spaces
- ADA compliant spaces
- Signage location & dimensions
- Measurement & materials of parking spaces & drive aisles
- Location of loading areas, dumpster & bypass lane
- Location of landscape islands
- Turning movements for largest vehicles to access site



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Lighting

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Lighting detail

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Noise

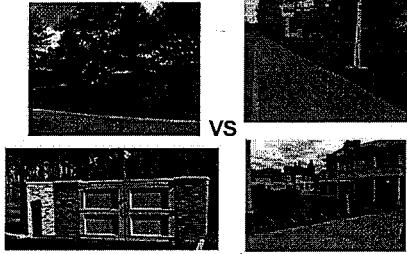
- Options for location of noise generating activities
 - Outdoor seating for restaurants/bars, entertainment, drive-through window speakers, industry
- Consider natural topography and other features impacting sound travel
- Sound mitigation measures: fences, berms, evergreen hedge

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Landscaping, buffering, storage

- Attractive form of buffer/screening
- Mitigates heat island effect, stormwater impacts
- Maintain existing vegetation
- Use native species tolerant of conditions

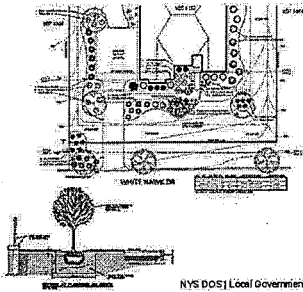


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Landscape plan

- Location of plantings
- Chart listing trees, shrubs & groundcover materials number, sizes and plant names for each
- Irrigation system or notes
- **Require maintenance and replacement of plantings in site plan approval**



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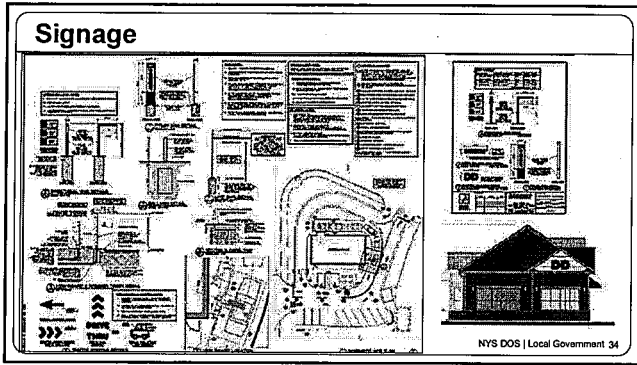
Signage

- Advertising vs. directional
- Type
- Size
- Location
- Appearance
- Illumination

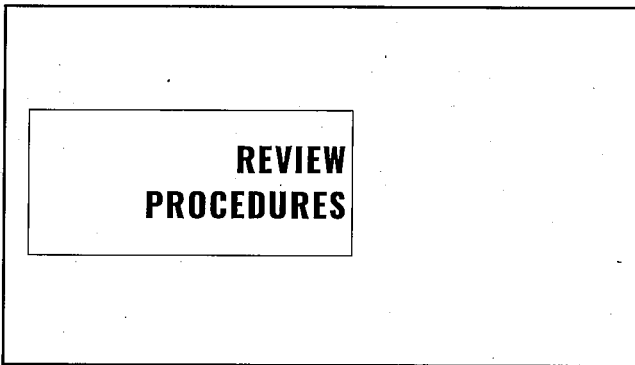


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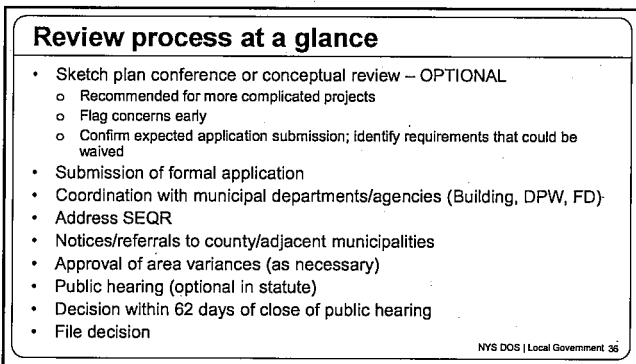
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Coordination with Special Use Permits

- SUP applications commonly require SPR
- SPR review should be conducted simultaneously
- If different review boards, coordination may be important for mitigating impacts through site development considerations
- If Planning Board reviewing both; both approved at once
- Streamlines review process for all



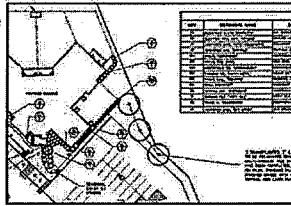
Example: Drive-through window requiring an SUP; traffic circulation impacts potentially mitigated through site development configuration

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When an area variance is also required

- Site Plans may not be approved without compliance with Zoning
- Area variance must be approved prior to site plan approval
- Applicant can make a "direct appeal" to the ZBA during review process
 - Recommend starting site plan review first



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SEQR compliance

- Must complete SEQR before making final local decision
- Require Environmental Assessment Form (EAF) with application submission
- Establish lead agency if coordinated review
- Make determination of significance
 - Positive (EIS required) or negative declaration

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Public hearing

- Not statutorily required, but could be required locally
- Hold within 62 days of "complete application"
- If DEIS hearing, hold in conjunction with SPR hearing
- Open Meetings Law
- Publish legal notice in newspaper of general circulation at least 5 days prior
 - Extend to at least 14 days when DEIS hearing
- Mail notice 10 days prior:
 - Applicant
 - County planning (GML 239-m) if applicable
 - Adjacent municipality (GML 239-nn) if applicable

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County referrals GML § 239-m

Must be referred to County Planning Agency if within 500 feet of the boundary of:

- Municipality
- State or county park or recreation area
- R-O-W of state or county road
- R-O-W of county-owned stream or drainage channel
- State or county land on which a public building is located
- Farm operation in a state agricultural district
 - Except for area variances

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Notice to adjacent municipalities

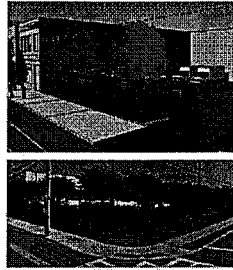
- GML § 239-nn requires notice of public hearings held for approvals on property within 500 feet from municipal boundary for:
 - Site plan review
 - Special use permit
 - Subdivision review
- Notice clerk of adjacent municipality at least 10 days prior to public hearing by mail or email

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Ability to place conditions

- "... directly related to and incidental to a proposed site plan"
- Conditions should address adequacy of project to meet review criteria
- For example: landscaping to screen parking lot; drainage



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Waiver of requirements

Example:
Waive screening with existing natural buffer



- Review board may waive submission or permit requirements if:
 - Authorized by governing board
 - Deemed unnecessary in interest of public health, safety or general welfare or inappropriate to particular property

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Parkland

- Land or money in lieu of parkland if project includes residential units
- Must be based on findings by local governing board on recreational facilities needs

General City Law § 27-a(6)
Town Law § 274-a(6)
Village Law § 7-725-a(6)



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Security agreements

- If improvement will not be installed prior to issuance of certificate of occupancy, be sure to get a security agreement
 - Cash in escrow
 - Performance bond
 - Letter of credit



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Decision document

- Must render within 62 days after close of hearing
- Audience: applicant, CEO/ZEO, courts
- Includes approved plans and resolution, form, minutes or other record of decision
- Clearly detail in writing any requirements not delineated on the site plan(s)
- Refer to related criteria within local law to justify conditions

tip

Note the approved set of plans by date or version name in the decision document for future reference by the CEO/Building Dept.

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Filing decision and appeals

- File with municipal clerk within 5 business days
 - 30-day statute of limitations for appeal
- Decisions are not appealed to governing board
- Aggrieved parties may file appeals under Article 78 Civil Practice Law and Rules in NYS Supreme Court

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Enforcement

- Authorize CEO/ZEO to enforce site plan completed as agreed, and any conditions imposed
 - Require approval conditions be met to extent practicable prior to issuance of certificate of occupancy or compliance
- Could be stated in site plan local law, zoning code, or statement of CEO/ZEO duties



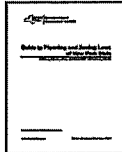
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Division of Local Government Services
(518) 473-3355
localgov@dos.ny.gov
<https://dos.ny.gov/training-assistance>

Publications:
<https://dos.ny.gov/publications>



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Department of State
Local Government

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Example – For Illustrative Purposes Only

SITE PLAN REVIEW APPLICATION

- *The process and criteria for site plan review is included in Article/Section _____ of the [insert municipality's name] Code.*
- *Please see checklist of required site plan information on page 4.*

OFFICIAL USE ONLY

Date Application Received: _____

Fee Amount: _____ Date Paid: _____

Received by: _____

GENERAL PROPERTY INFORMATION

Tax Map Number of property on which the project will be located: _____

Property address as listed by assessor: _____

APPLICATION CONTACT INFORMATION

APPLICANT(S) NAME: _____

Address: _____

Phone #: _____ Email: _____

PROPERTY OWNER NAME (if not applicant): _____

Address: _____

Phone #: _____ E-mail: _____

ENGINEER / SURVEYOR / OTHER NAME: _____

Business Affiliation: _____

Address: _____

Phone #: _____ Email Address: _____

EXISTING SITE INFORMATION

Total acreage / square feet of property: _____

Date property was acquired: _____

Total acreage of other contiguous lands owned by property owner (if any): _____

Zoning District(s) where project is located: _____

Provide a description of the present use of the property:

PROJECT INFORMATION

Project Description. Describe proposed use (include primary and secondary uses). For residential buildings include number of residential buildings and dwelling units by size (efficiency, one-bedroom, two-bedroom etc.); for non-residential buildings include building stories/height, gross floor area and total sales area; and other proposed accessory structures and uses. (Use separate sheet if needed.)

Construction type: N/A New Expansion of existing structures

Other Town Planning and Zoning Permits Acquired/to be Acquired for the Project:

Sign Permit Special Use Permit Area Variance Use Variance

What is the anticipated number of residents, shoppers, employees etc. per day (as applicable)

Is ground disturbance expected as part of the project? Yes No

If yes, what size area will be disturbed: _____

	Existing	Proposed	Total
Building Area (SF):	_____	_____	_____
Total Impervious Area (including sidewalks):	_____	_____	_____
Number of Parking Spaces:	_____	_____	_____

Does the site connect to public sewer? Yes No

Does the site connect to public water? Yes No

Is there access to a public highway? Yes No

Does the site border a State or Federal property? Yes No

Anticipated Construction Time: _____ Will Development Be Staged? Yes No

Estimated Cost of Improvements: \$ _____

Is the site affected by Local, State or Federal wetlands, protected watercourse, flood plain or listed on national register of historic places, or archeologically significant area, that may require State and Federal Permits? If needed (list type and government agency): _____

COMPLETE AND ATTACH A STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) SHORT ASSESSMENT FORM PART 1

Please complete the SEQR Short Environmental Assessment Form (EAF) Part 1 ONLY as required by New York State. Applicants are encouraged to utilize the NYS Department of Environmental Conservation EAF Mapper Application program located at: <http://www.dec.ny.gov/eafmapper/> which will populate the EAF with some of the required information.

CERTIFICATION

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of _____ to process this application as provided by law.

APPLICANT SIGNATURE(S):

Applicant(s): _____ Date: _____

Owner (*if not applicant*): _____ Date: _____

CHECKLIST OF POTENTIAL SITE PLAN ELEMENTS

If an applicant seeks to have any preliminary plan element waived, including the requirement that the plan be developed by a licensed professional, the applicant should first submit a sketch plan and seek a sketch plan conference with the Planning Board to review project details.

The site plan shall be prepared by a licensed land surveyor, a professional engineer, a landscape architect, or an architect licensed by the State of New York and shall include the following information:

- The name and address of the owner of the property proposed for development.
- The name and address of the applicant, if different than owner
- The name and address of site plan preparer
- A location map, at a convenient scale, showing the applicant's entire property and all boundaries and streets within 500 feet.
- Date, north arrow and tax identification numbers of all parcels included in the application.
- A signature block for Planning Board endorsement of approval
- The location of all property lines and structures within two hundred 200 feet of the property boundary and the names of the owners of land abutting the project site.
- The location, size and use of all existing and proposed buildings and structures
- The boundaries of applicable zoning district(s) and water and/or sewer district boundaries.
- Any proposed division of buildings into units of separate occupancy
- Existing and proposed easements.
- The architectural design of all proposed buildings and structures including the color and material proposed for use on exterior surfaces.
- Existing topography and proposed grade elevations at a contour interval of not more than two (2) feet, unless waived by the Planning Board, wetlands, and watercourses, 100-year flood plain area, bedrock outcrops, slopes in excess of ten (10) percent, and the location of trees with a diameter of ten (10) inches dbh and greater.
- The location of all existing and proposed walkways, roads, driveways, parking and loading areas, including access and egress drives, and related curbing, drains and culverts.
- A table stating the number of parking and loading spaces required under this Chapter and the number proposed.
- The location of outdoor storage areas.
- The location of fire access roads and fire protection features.
- The location, description, and design of any existing and proposed retaining walls, fences, open spaces, and recreation areas.
- The location, design and description of water supply and sewage disposal facilities.
- The location, design and description of storm water management facilities including proposed grading plan.
- The location, height, caliper, and species of all proposed landscape plantings on a landscape plan.
- The location, height, size, and design of all signs.
- The location and design of building mounted and freestanding lighting and communication facilities.
- The location, type and design of all waste and refuse storage and handling facilities.
- The character and type of all power distribution and transmission lines.
- The location and description of all subsurface site improvements and facilities.
- The extent and amount of cut and fill for all disturbed areas, including before and after profiles of typical development areas, parking lots, driveways, and roads.
- Adequate provisions for the handling of storm water run-off, including retention/detention, piping, or channeling to existing or proposed drainage systems during and after construction.
- Phasing of development, if any.
- Any other information as may be deemed by the Planning Board as necessary to determine and provide for the proper enforcement of this Chapter.