



TOWN OF LERAY PLANNING BOARD Site Plan Application Packet

This Packet is designed to assist applicants in providing the forms needed for submission of a Site Plan to the Planning Board for approval. The following should be filled out to ensure the submission of a Complete Application and to avoid unnecessary delays in the review of your project plans. A complete submission enables the Planning Board to better understand your proposal, thus allowing for a more comprehensive and timely evaluation. **It is in your best interest to meet with the Planning Department before submitting your completed application to avoid delays and costly revisions to your Application.**

NOTE: Your plans must be prepared by a New York State licensed engineer, architect, or surveyor and certified by their seal and original signature. You must submit this original and 9 copies for submission of your application, no less than twelve (12) business days prior to the Planning Board's regular meeting, which is held on the first Thursday of each month. Each submission must be deemed complete by the Planning Department, in consultation with the Planning Board Chairman, before it can be submitted to the Planning Board for consideration.

A Complete Application must include the following:
(requirement for submission is this original and 9 copies of each of the following)

- _____ A Completed Application Form (included)
- _____ A Letter of Authorization (included)
- _____ An Ag Data Statement (included)
- _____ Site Plan Checklist (included)
- _____ A Completed Part 1 SEQR Form
- _____ **Three** (3) full size originals of the plans and **seven** (7) 11x17 copies of the plans are allowable; or **ten** (10) full size originals of the plans
- _____ The Fee for Application Submission (Check, Cash, Credit Card, or Money Order)

OFFICE STAFF ONLY

_____ <i>\$100 Fee for Project Cost up to \$50,000</i>	_____ <i>\$200 Fee for Project Cost from \$50,001 - \$200,000</i>
_____ <i>Fee of 0.1% of Project Cost over \$200,001</i> [example: \$700,000 x 0.1% = \$700] (Maximum Fee - \$1,000)	_____ <i>\$100 Fee for Site Plan Modification</i>
	_____ <i>\$50 239-M Review</i>
Check # _____	Date Submitted: _____
Receipt # _____	Received By: _____

APPLICATION INFORMATION

Applicant: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Property Owner (if different from applicant): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Contact Person (if different from applicant): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

Licensed Engineer, Architect or Land Surveyor: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Fax: _____

E-Mail: _____

PROJECT INFORMATION

Name of Site Plan: _____

Location of Project/Street Address: _____

Tax Map Number of all Parcels: _____

(Attach a copy of the current deed and any easements affecting property)

Zoning District(s) _____

Detailed Description of Proposed Activity: _____

Current Land Use of the Site: _____

Character of Surrounding Lands (Adjacent Uses): _____

Total Acreage Involved in Project: _____

Total Contiguous Acreage Controlled by Applicant/Owner: _____

(This shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.)

Type of Construction or Activity Proposed: (Check all that Apply)

New Construction: Residential___ Commercial___ Institutional___

Expansion: Residential___ Commercial___ Institutional___

Home Occupation___

Change in Use_____

Other_____

Total Square Footage of Expansion or New Construction:_____

Proposed Use of Land:_____

NAMES AND ADDRESSES OF ADJACENT/ABUTTING LANDOWNERS

The following list consists of all individuals, firms, corporations, and businesses owning property adjacent to both sides and rear, and in front of (across street from) the property. Addresses must be obtained from the current tax rolls which are available in the Town Office. Use additional pages if needed.

Property Owner:_____ Tax Map Id #_____

Mailing Address:_____

City:_____ State:_____ Zip:_____

Property Owner:_____ Tax Map Id #_____

Mailing Address:_____

City:_____ State:_____ Zip:_____

Property Owner:_____ Tax Map Id #_____

Mailing Address:_____

City:_____ State:_____ Zip:_____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

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Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Property Owner: _____ Tax Map Id # _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

LETTER OF AUTHORIZATION

Let it be known that _____ has been retained to act as agent to perform all acts for development on my property identified below.

Please Check One of the Following:

_____ Minor Subdivision _____ Major Subdivision _____ Site Plan

_____ Site Plan Modification _____ Special Use Permit _____ Lot Line Adjustment

These acts include: (please initial the acts you are authorizing)

_____ Pre-application conferences with Town staff, filing applications and/or other required documents relative to all Planning Board applications

_____ Main point of contact for Town staff

_____ Agent will be contacted on all matter instead of the owner

_____ Attend all Planning Board meetings on my behalf

Tax Parcel: _____

Address: _____

PROPERTY OWNER(s):

Signature: _____ Date: _____

Signature: _____ Date: _____

Printed Name(s): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGENT:

Signature: _____ Date: _____

Printed Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

AGRICULTURAL DATA STATEMENT

Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant: _____

Mailing address: _____

B. Description of the proposed project: _____

C. Project site address: _____ Town: LERAY

D. Project site tax parcel number: _____

E: The project is located on property:

- within an Agricultural District containing a farm operation, or
- with boundaries within 500 feet of a farm operation located in an Agricultural District.

F. Number of acres affected by project: _____

G. Is any portion of the project site currently being farmed?

- Yes. If yes, how many acres or square feet?
- No.

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed. _____

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in Item H above.

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Name and Title of Person Completing Form

Date

SITE PLAN CHECKLIST

(Please sign off on the below list as to what is included on the plat.)

This Checklist is designed to assist applicants in the preparation of applications for Planning Board Review. This list should be used as a guideline to ensure the submission of a Complete Application and to avoid unnecessary delays in the review of your project plans.

A sketch plan conference between the applicant and the Planning Board may be held at the request of the applicant to review the proposed development in light of existing conditions and to generally determine the information to be required on the preliminary site plan. Prior to the conference, the applicant shall apply for and provide a zoning permit application, applicable fees and a rough sketch to the Zoning Enforcement Officer describing what is proposed together with a topographic map (USGS) showing the location of the tract and its relationship to surrounding area.

Initial review

The above material will be reviewed by the Planning Board to determine the proposal's conformity to the General Plan and to provide the applicant with a firm indication of whether the proposal in its major features is acceptable or should be modified before expenditures for more detailed planning are made.

An environmental assessment form (EAF) shall be completed at this time, along with a complete Agricultural Data Statement pursuant to NYS Agriculture and Markets Law 305-a, if required.

Site Plan Review Objectives

- A. In considering and acting on site plans, the Planning Board shall refer to the Purpose statements found in the Articles covering each zoning district and those contained in § 158-138(A).
- B. In addition to said statements, the Planning Board shall also consider the health, safety, welfare, and comfort and convenience of the public in general, the residents of the proposed development, and the residents of the immediate surrounding area.
- C. Pursuant to Town Law 274-a, the Planning Board may prescribe such appropriate conditions and safeguards as may be required in order that the results of its action shall, to the maximum extent practicable, further the accomplishment of the aforementioned Purpose statements, as well as the following objectives:
 - (1) Vehicular access. That proposed access points are not excessive in number, but adequate in width, grade, alignment, and visibility; not located too close to intersections or places of public assembly; and other similar safety considerations.
 - (2) Circulation and parking. That adequate off-street parking and loading spaces are provided to prevent parking of vehicles on public highways by any persons connected with or visiting the development, that the interior circulation system is adequate to provide safe accessibility to all required parking lots, and that it provides adequate separation of pedestrian and vehicular movements.
 - (3) Landscaping and screening. That all parking, storage, loading, and service areas are reasonably screened at all seasons of the year from the view of adjacent residential areas and that the general landscaping of the site is in character with the surrounding areas.
 - (4) Natural features. That the proposed use, together with its sanitary and water service facilities, are compatible with geologic, hydrologic, and soil conditions of the site and adjacent areas and that existing natural scenic features are preserved to the extent possible.

- (5) Impact. The extent that the proposal will support the expansion of the local economy, promotes an increase in the quantity or quality of housing opportunities, and protects the quality of existing structures.
- (6) Recreation. The extent that the proposal will provide sufficient land area and programmatic opportunities for the recreational enjoyment of residents and visitors residing within or adjacent to the proposed development, such as the provision of lawn areas, playgrounds, sidewalks, trails, game fields and sport courts, that can be efficiently and safely accessed by pedestrians and bicyclists. Further, that the present and anticipated future needs for park and recreational facilities in the town based on projected population growth to which the particular site plan will contribute be considered.

Preliminary site plan approval

Ten (10) hard copies of the application project documents shall be submitted, which shall include where applicable, but not be limited to, the following:

- ___ (a) Site Plan
- ___ (b) Grading Plan
- ___ (c) Utilities Plan
- ___ (d) Building Plans
- ___ (e) Detail Plan
- ___ (f) Landscape Plans
- ___ (g) Color Renderings

Requirements: Drawings and drawing contents shall be stamped and signed by a New York State licensed professional engineer, registered architect and/or registered landscape architect, and shall include the following:

Site Plan requirements are as follows:

- _____ _____ The title of the drawing, including the address of the project site(s) and the name and address of the applicant and person responsible for preparing said plan. Project plans that have undergone multiple iterations and submittals to the Planning Board shall be distinguishable from previous submittals via amendments to the drawing title to denote a new version.
- _____ _____ Unless otherwise allowed by the Planning Board, a scale of one inch equals 50 feet, with five-foot contours showing the topography of the lot and areas within 50 feet of the lot. At the discretion of the Planning Board, two-foot contours may be requested.
- _____ _____ A North arrow, scale and most recent date for which the drawings were prepared.
- _____ _____ Boundaries of the property and adjoining properties within 200 feet plotted to scale; current zoning classification of property, including the exact zoning boundary, if in more than one district.
- _____ _____ Existing watercourses and freshwater wetlands, as identified by the New York State Department of Environmental Conservation and the United States Army Corps of Engineers.

- _____ Locations and widths of all ingress, egress and circulatory drives and access points to existing roads and highways; locations of all required parking and/or truck loading areas.
- _____ Locations and dimensions for pedestrian and bicycle access.
- _____ Location and design for outdoor storage, including refuse, if any. Dumpsters must be screened.
- _____ Locations and dimensions of all existing or proposed site improvements, including drains, culverts, retaining walls, sidewalks and fences.
- _____ Location and design of all proposed site and building mounted signs.
- _____ The location and amount of building area proposed for various uses of the site, including all points of ingress and egress.
- _____ The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to public use on the site(s) and property(ies).
- _____ Location of proposed sites for vehicle, equipment, and material staging areas, storage and stockpile areas, and other areas to be utilized and disturbed during construction, including the location of portable restroom facilities, snow storage and removal areas.
- _____ Proposed routes and access points for construction traffic.
- _____ Location of proposed recreational amenities and their relationship to structures, walkways and other site infrastructure.

Grading plan requirements are as follows:

- _____ A grading plan showing existing and proposed contours, including spot elevations along structures and site improvements where appropriate to determine the flow of surface runoff. The inclusion of arrows denoting surface flow direction is also preferred where appropriate.
- _____ Line(s) denoting limits of disturbance, clearing, grubbing, and grading as appropriate. Protective fencing for areas and vegetation to be preserved and undisturbed throughout construction shall also be shown.
- _____ Documents and plans pursuant to the requirements of the New York State Pollution Discharge Elimination System (SPDES), including a completed Storm Water Pollution Prevention Plan (SWPPP) for Planning Board review, as required.
- _____ Construction schedule for review by the Zoning Enforcement Officer.

Utility plan requirements are as follows:

- _____ The locations and size of water, sanitary sewer and storm sewer lines and appurtenances and connections to utility services, including all invert and grate elevations. Where possible, the inclusion of arrows denoting the flow of storm and sanitary sewers is preferred.

- _____ _____ Locations of fire and other emergency zones, including the location of fire hydrants and building sprinkler system connection points.
- _____ _____ Locations of all fuel and energy exploration, generation, transmission, distribution and storage facilities, including but not limited to electricity, natural gas, propane, motor vehicle fuels, and wind, solar and geothermal energy systems.
- _____ _____ Locations of outdoor lighting facilities, including the location and design of poles, bollards, and building mounted fixtures. A photometric plan shall also be prepared and submitted for review and approval by the Planning Board and Zoning Enforcement Officer.
- _____ _____ Locations of telephone, cable and other telecommunications devices and facilities.

Building plan requirements are as follows, unless exempted by the Planning Board:

- _____ _____ Floor plans showing the location of all building ingress and egress points.
- _____ _____ Elevation plans denoting the type of construction and construction materials, and exterior dimensions of all building elements and facades. Where appropriate, building elevations shall include structures on adjoining lots to indicate the scale and massing of the proposed structure in relation to the area.

Detail plan requirements are as follows:

- _____ _____ The design dimensions and type of construction of all roads, driveways, parking areas and/or loading areas.
- _____ _____ The design and construction materials of all proposed site improvements, including drains, culverts, walls, screens and fences.
- _____ _____ The design and construction materials to be used for all water and sewer lines and appurtenances.
- _____ _____ The design of all fire hydrants.
- _____ _____ The design and construction materials of all fuel and energy exploration, generation, transmission, distribution and storage facilities.
- _____ _____ The design dimensions, type of construction materials, including illumination, of all proposed signs.
- _____ _____ The design and construction, including dimensions, of outdoor lighting facilities and the area of illumination on subject and adjacent properties.

Landscaping plan requirements are as follows:

- _____ _____ The location and dimensions of proposed buffers, screens and fence areas specifying materials and vegetation; include existing vegetative cover and proposed areas of lawn and groundcover.
- _____ _____ A general landscaping plan and planting schedule specifying the number of planting units and the number, type and size of proposed vegetation as required

pursuant to the appropriate district standards. The size of vegetation at installation and upon maturity shall be noted on the plans.

All applicants are required to submit the following information, unless exempted by the Planning Board:

- _____ _____ A color rendering depicting the proposed improvements within the surrounding context from eye-level perspective or an aerial oblique perspective shall be required as part of the application. A color rendering of the site plan shall not be utilized as a substitution. Based upon the scope and size of the project, this requirement may be waived at the discretion of the Planning Board.
- _____ _____ Additional renderings or photosimulations necessary to accurately describe the project and inform the Planning Board's decision-making process may be requested at the discretion of the Planning Board.
- _____ _____ An estimated project construction schedule which includes start-up and completion dates and any interim dates of significance.
- _____ _____ A description of all existing or proposed deed restrictions or covenants applying to the property must be submitted.

The Planning Board shall refer a full statement of all site plan review matters that fall within those areas specified under General Municipal Law § 239-m to the County Planning Board prior to the Planning Board vote on preliminary site plan review.

Note: The above checklist is supplied as a guide and is not meant to be all-inclusive. Failure to provide any of the above, however, may be grounds for disapproval of the Subdivision Application.

Note: For All-Inclusive Subdivision of Land see Town of LeRay Town Codes Chapter 135

Note: For Subdivision of Land General Requirements and Review Standards see Town of LeRay Town Codes Chapter 135, Article IV.

Chapter 158 ZONING Article XX Section 158-140
Site Plan Review of Objectives

- A. In considering and acting on site plans, the Planning Board shall refer to the Purpose statements found in the Articles covering each zoning district and those contained in § 158-138(A).
- B. In addition to said statements, the Planning Board shall also consider the health, safety, welfare, and comfort and convenience of the public in general, the residents of the proposed development, and the residents of the immediate surrounding area.
- C. Pursuant to Town Law 274-a, the Planning Board may prescribe such appropriate conditions and safeguards as may be required in order that the results of its action shall, to the maximum extent practicable, further the accomplishment of the aforementioned Purpose statements, as well as the following objectives:
 - (1) Vehicular access. That proposed access points are not excessive in number, but adequate in width, grade, alignment, and visibility; not located too close to intersections or places of public assembly; and other similar safety considerations.
 - (2) Circulation and parking. That adequate off-street parking and loading spaces are provided to prevent parking of vehicles on public highways by any persons connected with or visiting the development, that the interior circulation system is adequate to provide safe accessibility to all required parking lots, and that it provides adequate separation of pedestrian and vehicular movements.
 - (3) Landscaping and screening. That all parking, storage, loading, and service areas are reasonably screened at all seasons of the year from the view of adjacent residential areas and that the general landscaping of the site is in character with the surrounding areas.
 - (4) Natural features. That the proposed use, together with its sanitary and water service facilities, are compatible with geologic, hydrologic, and soil conditions of the site and adjacent areas and that existing natural scenic features are preserved to the extent possible.
 - (5) Impact. The extent that the proposal will support the expansion of the local economy, promotes an increase in the quantity or quality of housing opportunities, and protects the quality of existing structures.
 - (6) Recreation. The extent that the proposal will provide sufficient land area and programmatic opportunities for the recreational enjoyment of residents and visitors residing within or adjacent to the proposed development, such as the provision of lawn areas, playgrounds, sidewalks, trails, game fields and sport courts, that can be efficiently and safely accessed by pedestrians and bicyclists. Further, that the present and anticipated future needs for park and recreational facilities in the town based on projected population growth to which the particular site plan will contribute be considered.

Chapter 158 ZONING Article XX Section 158-141
Sketch Plan Review

- A. A sketch plan conference between the applicant and the Planning Board may be held at the request of the applicant to review the proposed development in light of existing conditions and to generally determine the information to be required on the preliminary site plan. Prior to the conference, the applicant shall apply for and provide a zoning permit application, applicable fees and a rough sketch to the Zoning Enforcement Officer describing what is proposed together with a topographic map (USGS) showing the location of the tract and its relationship to surrounding area.
- B. Initial review. The above material will be reviewed by the Planning Board to determine the proposal's conformity to the General Plan and to provide the applicant with a firm indication of whether the proposal in its major features is acceptable or should be modified before expenditures for more detailed planning are made.
- C. The Board shall review the preliminary site plan application requirements to determine information the applicant will need to present with the site plan.
- D. An environmental assessment form (EAF) shall be completed at this time, along with a complete Agricultural Data Statement pursuant to NYS Agriculture and Markets Law 305-a, if required.

Chapter 158 ZONING Article XX Section 158-142
Preliminary Site Plan Approval

- A. Application for preliminary site plan approval.
- (1) An application for preliminary site plan approval shall be filed with the Town Clerk twelve (12) days prior to the next scheduled Planning Board meeting together with the appropriate fee as determined by the fee schedule adopted by Town Board resolution. At this time, a developer agreement with the Town may also be required to establish an escrow fund for the engineering and environmental review of the application.
 - (2) The Planning Board Chairman and Planning Department staff or Town-designated consultants shall, within ten (10) days of receipt, or such longer time if agreed to by the applicant, determine if all information required under this section is included in the application. No application shall be considered unless all items required as part of the application are included.
 - (3) Ten (10) hard copies of the application project documents shall be submitted, which shall include where applicable, but not be limited to, the following:
 - (a) Site Plan;
 - (b) Grading Plan;
 - (c) Utilities Plan;
 - (d) Building Plans;
 - (e) Detail Plans;
 - (f) Landscape Plans; and
 - (g) Color Renderings.
- B. Requirements. Drawings and drawing contents shall be stamped and signed by a New York State licensed professional engineer, registered architect and/or registered landscape architect, and shall include the following:
- (1) Site plan. Requirements for site plans shall be as follows:
 - (a) The title of the drawing, including the address of the project site(s) and the name and address of the applicant and person responsible for preparing said plan. Project plans that have undergone multiple iterations and submittals to the Planning Board shall be distinguishable from previous submittals via amendments to the drawing title to denote a new version.
 - (b) Unless otherwise allowed by the Planning Board, a scale of one inch equals 50 feet, with five-foot contours showing the topography of the lot and areas within 50 feet of the lot. At the discretion of the Planning Board, two-foot contours may be requested.
 - (c) A North arrow, scale and most recent date for which the drawings were prepared.
 - (d) Boundaries of the property and adjoining properties within 200 feet plotted to scale; current zoning classification of property, including the exact zoning boundary, if in more than one district.
 - (e) Existing watercourses and freshwater wetlands, as identified by the New York State Department of Environmental Conservation and the United States Army Corps of Engineers.
 - (f) Locations and widths of all ingress, egress and circulatory drives and access points to existing roads and highways; locations of all required parking and/or truck loading areas.
 - (g) Locations and dimensions for pedestrian and bicycle access.
 - (h) Location and design for outdoor storage, including refuse, if any. Dumpsters must be screened.
 - (i) Locations and dimensions of all existing or proposed site improvements, including drains, culverts, retaining walls, sidewalks and fences.
 - (j) Location and design of all proposed site and building mounted signs.
 - (k) The location and amount of building area proposed for various uses of the site, including all points of ingress and egress.
 - (l) The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to public use on the site(s) and property(ies).
 - (m) Location of proposed sites for vehicle, equipment, and material staging areas, storage and stockpile areas, and other areas to be utilized and disturbed during construction, including the location of portable restroom facilities, snow storage and removal areas.
 - (n) Proposed routes and access points for construction traffic.
 - (o) Location of proposed recreational amenities and their relationship to structures, walkways and other site infrastructure.

- (2) Grading plan. Requirements for grading plans shall be as follows:
 - (a) A grading plan showing existing and proposed contours, including spot elevations along structures and site improvements where appropriate to determine the flow of surface runoff. The inclusion of arrows denoting surface flow direction is also preferred where appropriate.
 - (b) Line(s) denoting limits of disturbance, clearing, grubbing, and grading as appropriate. Protective fencing for areas and vegetation to be preserved and undisturbed throughout construction shall also be shown.
 - (c) Documents and plans pursuant to the requirements of the New York State Pollution Discharge Elimination System (SPDES), including a completed Storm Water Pollution Prevention Plan (SWPPP) for Planning Board review, as required.
 - (d) Construction schedule for review by the Zoning Enforcement Officer.
- (3) Utilities plan. Requirements for utilities plans shall be as follows:
 - (a) The locations and size of water, sanitary sewer and storm sewer lines and appurtenances and connections to utility services, including all invert and grate elevations. Where possible, the inclusion of arrows denoting the flow of storm and sanitary sewers is preferred.
 - (b) Locations of fire and other emergency zones, including the location of fire hydrants and building sprinkler system connection points.
 - (c) Locations of all fuel and energy exploration, generation, transmission, distribution and storage facilities, including but not limited to electricity, natural gas, propane, motor vehicle fuels, and wind, solar and geothermal energy systems.
 - (d) Locations of outdoor lighting facilities, including the location and design of poles, bollards, and building mounted fixtures. A photometric plan shall also be prepared and submitted for review and approval by the Planning Board and Zoning Enforcement Officer.
 - (e) Locations of telephone, cable and other telecommunications devices and facilities.
- (4) Building plans. Requirements for building plans shall include the following unless exempted by the Planning Board:
 - (a) Floor plans showing the location of all building ingress and egress points.
 - (b) Elevation plans denoting the type of construction and construction materials, and exterior dimensions of all building elements and facades. Where appropriate, building elevations shall include structures on adjoining lots to indicate the scale and massing of the proposed structure in relation to the area.
- (5) Detail plans. Requirements for detail plans shall be as follows:
 - (a) The design dimensions and type of construction of all roads, driveways, parking areas and/or loading areas.
 - (b) The design and construction materials of all proposed site improvements, including drains, culverts, walls, screens and fences.
 - (c) The design and construction materials to be used for all water and sewer lines and appurtenances.
 - (d) The design of all fire hydrants.
 - (e) The design and construction materials of all fuel and energy exploration, generation, transmission, distribution and storage facilities.
 - (f) The design dimensions, type of construction materials, including illumination, of all proposed signs.
 - (g) The design and construction, including dimensions, of outdoor lighting facilities and the area of illumination on subject and adjacent properties.
- (6) Landscaping plan. Requirements for landscaping plans shall be as follows:
 - (a) The location and dimensions of proposed buffers, screens and fence areas specifying materials and vegetation; include existing vegetative cover and proposed areas of lawn and groundcover.
 - (b) A general landscaping plan and planting schedule specifying the number of planting units and the number, type and size of proposed vegetation as required pursuant to the appropriate district standards. The size of vegetation at installation and upon maturity shall be noted on the plans.
- (7) Required additional information. In addition to the aforementioned drawings, an applicant may submit the following information:
 - (a) A color rendering depicting the proposed improvements within the surrounding context from eye-level perspective or an aerial oblique perspective shall be required as part of the application. A color rendering of the site plan shall not be utilized as a substitution. Based upon the scope and size of the project, this requirement may be waived at the discretion of the Planning Board.
 - (b) Additional renderings or photo simulations necessary to accurately describe the project and inform the Planning Board's decision-making process may be requested at the discretion of the Planning Board.
 - (c) An estimated project construction schedule which includes start-up and completion dates and any interim dates of significance.

- (d) A description of all existing or proposed deed restrictions or covenants applying to the property must be submitted.
- C. Standards for approval or disapproval.
- (1) The Planning Board's review of the site plan documents shall include consideration of, but not limited to, the following general considerations:
 - (a) The location, arrangement, spacing, massing, height, size, architectural design and general site compatibility of buildings, lighting and signs.
 - (b) The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
 - (c) The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience and safety.
 - (d) The location, arrangement, appearance and sufficiency of off-street parking and loading.
 - (e) The adequacy of stormwater and drainage facilities.
 - (f) The adequacy of water supply and sewage disposal facilities.
 - (g) The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands.
 - (h) In the case of an apartment complex, townhouses, condominiums, cooperatives or other multiple dwellings, the adequacy of usable open space for recreation.
 - (i) The protection, buffering, and/or screening of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable elements of the proposed land use's performance within the community.
 - (j) The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
 - (k) Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
 - (l) The adequacy of setbacks in regard to achieving compatibility and protection to adjacent properties and residential districts.
 - (m) The structure or structures, to be compatible with existing and planned uses of adjacent properties and districts and promote the protection of existing area character.
 - (n) Consistency with the Town's Comprehensive Plan.
- D. Modifications.
- (1) The Planning Board may require such additional provisions and conditions that it determines are reasonably necessary for the public health, safety and general welfare, and it may waive, in appropriate circumstances, any of the above requirements which it reasonably determines are not applicable to a particular application.
- E. Action on preliminary application.
- (1) Public hearing. Within sixty-two (62) days of the receipt of a complete application for preliminary site plan approval the Planning Board shall convene to review and consider said application. Within the same sixty-two (62) day period the Planning Board, at its discretion, may schedule and hold a public hearing on the application. If a public hearing is to be held it shall be advertised in a newspaper of general circulation in the Town at least five (5) days before its scheduled date.
 - (2) The decision of the Planning Board shall be made and noticed to the applicant within sixty-two (62) days following the latter of the initial Planning Board meeting or the public hearing. Failure to make and notice a decision in this period shall cause the preliminary site plan to be considered approved and ready for final site plan review.
 - (3) The Planning Board's action shall be in the form of a written statement to the applicant stating whether or not the preliminary site plan is approved, approved with conditions, or disapproved. A copy of the decision of the Planning Board shall be sufficient notice.
 - (4) The Planning Board's statement may include recommendations as to desirable revisions to be incorporated in the final site plan, conformance with which shall be considered a condition of approval. If the preliminary site plan is disapproved, the Planning Board's statement will contain the reasons for such findings. In such case the Planning Board may recommend further study of the site plan and resubmission of the preliminary site plan to the Planning Board after it has been revised or redesigned.
 - (5) The Planning Board may consult with local and County officials, its designated consultants, and also with representatives of federal, state and County agencies, including but not limited to the Jefferson County Soil Conservation Service, the New York State Department of Transportation, the Department of Environmental Conservation, the Department of Health, the US Fish and Wildlife Service, the Development Authority of the North Country, and the Fort Drum community planner.

F. County Planning Board review.

- (1) The Planning Board shall refer a full statement of all site plan review matters that fall within those areas specified under General Municipal Law § 239-m to the County Planning Board prior to the Planning Board vote on preliminary site plan review.
- (2) If the County Planning Board does not respond within thirty (30) days from the time it received a full statement on the referral matter the Town of LeRay Planning Board may act without such report. The Town Planning Board must report to the County Planning Board on its final action within seven (7) days of that event.

Chapter 158 ZONING Article XX Section 158-143
Procedure For Final Site Plan Approval

A. Application.

- (1) After receiving approval with or without modifications from the Planning Board on a preliminary site plan, the applicant shall submit a final detailed site plan for approval. If more than six (6) months has elapsed since the time of the Planning Board's action on the preliminary site plan and if the Planning Board finds that conditions may have changed significantly in the interim, the Planning Board may require a resubmission of the preliminary site plan for further review and possible revision before accepting the proposed final site plan for review.
- (2) The final detailed site plan shall conform substantially to the approved preliminary site plan, and shall incorporate any modifications that may have been recommended by the Planning Board as part of a conditional preliminary site plan approval. All such compliances shall be clearly indicated by the applicant on the appropriate submission.
- (3) The following additional information shall accompany an application for final detailed site plan approval:
 - (a) Record of application for and approval status of all necessary permits from federal, state and County officials.
 - (b) Detailed sizing and final material specifications of all required improvements.
 - (c) Estimated project construction schedule.

B. Planning Board action on final site plan.

- (1) Within sixty-two (62) days of receipt of the completed application for final site plan approval, the Planning Board shall make a decision on the plan submitted.
- (2) Within the same sixty-two (62) day period the Planning Board may at its discretion hold a public hearing regarding final site plan approval. If a public hearing is to be held it shall be advertised in a newspaper of general circulation in the Town at least five (5) days before its scheduled date.
- (3) Upon approval of the final site plan and payment by the applicant of all fees and reimbursable costs due the Town, the Planning Board shall endorse its approval on a copy of the final site plan.
- (4) The decision of the Planning Board shall be filed in the office of the Town Clerk within five (5) business days after such final action is rendered and a copy mailed to the applicant within seven (7) days of the final action.
- (5) Within seven (7) days of the final action, the Planning Board shall file a report of its final action with the County Planning Board.
- (6) Upon disapproving an application, the Planning Board shall so inform the Zoning Enforcement Officer, and he or she shall deny a building permit to the applicant. The Planning Board shall also notify the applicant in writing of its decision and its reasons for disapproval. A copy of the appropriate minutes may suffice for this notice.

Chapter 158 ZONING Article XX Section 158-144
Security for Installation of Improvements

A. General.

- (1) In order that the Town has the assurance that the construction and installation of such improvements as storm sewer, water supply, sewage disposal, landscaping, street signs, sidewalks, parking, access facilities and street surfacing to be dedicated to the Town of LeRay will be constructed, the Planning Board shall require that the applicant enter into one of the following agreements with the Town:
 - (a) Furnish bond executed by a surety company, licensed to do business in New York State, equal to the cost of construction of such improvements as shown on the plans and based on an estimate furnished by the applicant and approved by the Town Board.
 - (b) Deposit a certified check in sufficient amount equal to the cost of construction of such improvements as shown on the plans and based on the above estimate.
 - (c) Provide an irrevocable letter of credit with an institution or entity suitable to the Town Board.

B. Agreement.

- (1) Upon the approval of preliminary or conditional final site plan, the Planning Board shall refer the applicant to the Town Board, and the applicant shall thereafter be responsible to secure and reach an executed infrastructure agreement contract with the Town Board, and a performance bond, letter of credit or certified check shall have been deposited, covering the estimated cost of the required improvements for dedication to the Town of LeRay.
- (2) No zoning permit shall be issued to the applicant until this process is completed.

C. Extension of time.

- (1) The construction or installation of any improvements or facilities, other than streets, for which guaranty has been made by the applicant in the form of a bond, letter of credit or certified check deposit, shall be completed within one (1) year from the date of approval of the final site plan.
- (2) Street improvements shall be completed within two (2) years from the date of approval of the final site plan.
- (3) The applicant may request an extension of time, provided he can show reasonable cause for inability to perform said improvements within the required time. The extension shall not exceed six (6) months, at the end of which time the Town may use as much of the bond, letter of credit or check deposit to construct the improvements as necessary.
- (4) The Town may use as much of the bond, letter of credit or check deposit to construct the improvements as necessary whenever construction of improvements is not performed in accordance with applicable standards and specifications.

D. Schedule of improvements.

- (1) When a certified check, letter of credit or performance bond are made pursuant to the preceding subsections, the Town and applicant shall enter into a written agreement itemizing the schedule of improvements in sequence with the cost opposite each phase of construction or installation, provided that each cost as listed may be repaid to the applicant upon completion and approval after inspection of such improvement or installation.
- (2) Ten (10) percent of the total security shall not be repaid or released to the applicant until one year following the completion, inspection, and acceptance by the Town of all construction and installation covered by the security as outlined in the contract.

E. Inspections.

- (1) Periodic inspections during the installation of improvements shall be made by the Zoning Enforcement Officer to ensure conformity with the approved plans and specifications as contained in the contract and this chapter.
- (2) The applicant shall notify the Zoning Enforcement Officer when each phase of improvements is ready for inspection.
- (3) At least five (5) days prior to commencing construction of required improvements, the applicant shall pay to the Town Clerk the inspection fee required by the Town Board.
- (4) Upon acceptable completion of installation and improvement, the Zoning Enforcement Officer shall issue a letter to the applicant or his representative and such letter shall be sufficient evidence for the release by the Town of the portion of the security as designated in the contract to cover cost of such completed work.

F. Acceptance of streets and facilities.

- (1) When the Zoning Enforcement Officer and Town of LeRay Highway Superintendent, following final inspection of the improvements, certify to the Town Board that all installation and improvements have been completed in accordance with the contract, the Town Board may, by resolution, proceed to accept the facilities for security deposited.

Chapter 158 ZONING Article XX Section 158-145
Amendment, Expansion, Use, Site Modification or Alteration of Approved Site Plan

- A. Site plan amendments.
- (1) All original conditions and required improvements associated with a site plan as approved by the Planning Board shall remain in full force and effect until such time that the Board grants an amendment to an approved site plan.
 - (2) The Planning Board shall review any proposed use modification, amendment, expansion, modification or alteration to a previously approved site plan by following the procedures specified in this section.
 - (3) The Planning Board may grant waivers from the information and procedures specified herein where the Board specifically determines that the proposed amendment does not warrant a full site plan review or a public hearing.
 - (4) The proposed amendment of a site plan that was approved as part of an application for special use permit approval shall be reviewed by following the procedures specified in this section without the necessity of following the procedures in Article XVI where the use for which the special use permit was granted has not and will not change as a result of the site plan amendment.
- B. Application waiver.
- (1) In the case of a requested use modification, defined as a proposal for undertaking a different allowed use other than for which the original site plan approval was granted, and as such uses are defined and regulated in Articles II to VIII, and in which does not require additional construction, the Planning Board may determine that the site plan application procedures outlined herein are not applicable and may waive the requirement of a full site plan review and approval.
 - (2) In the case of an application for land use conversion requiring additional construction or site modifications, or the amendment, expansion, modification or alteration of a previously approved site plan, the Planning Board may determine that certain site plan application criteria required under § 158-142 shall not be required as necessary regarding the proposed amendment and may waive such requirements as the Board determines.
 - (3) The determination by the Planning Board to grant an application waiver shall be made upon a review of said application against the objectives and purpose statements of this Chapter, and whether the proposed change in use would not result in significant additional traffic generation, wastewater flows, or water consumption and would not otherwise adversely affect pedestrian and traffic circulation, affect or increase parking, increase exterior site lighting or alter the height of the exterior facade or have other potential adverse effects to public health, safety or welfare and would otherwise meet existing requirements and standards as contained in the Zoning Code.
 - (4) These findings and determination shall be made to the Zoning Enforcement Officer, in writing, after decision of the Planning Board for issuance of applicable permit.
 - (5) The Planning Board shall, in these instances, tailor the application criteria required of the applicant, including whether a public hearing is deemed necessary, in review of the proposed amendment.
 - (6) The Planning Board shall comply with the provisions of General Municipal Law § 239-I and 239-M, as amended, and seek additional county review pursuant to those sections if the proposal for modification is deemed potentially significant and additional county review is deemed applicable.
 - (7) If determining that a potentially significant impact exists based upon the review contained in Subsections B(1) through B(5) above, the Planning Board shall retain the right to require a full site plan review when deemed appropriate.
- C. Approval procedure.
- (1) Except those applications for which the Planning Board has waived certain specific requirements for site plan review as stated above, the Board shall follow the procedures outlined in § 158-142.

Chapter 158 ZONING Article XX Section 158-146
Expiration of Site Plan Approval and Extensions

A. Termination.

- (1) Site plan approval will automatically terminate one (1) year after the same is granted unless a building permit has been issued and significant work has been commenced on the project.
- (2) A determination of significant work shall be made by the Zoning Enforcement Officer, and shall include, but is not limited to, the following:
 - (a) The completed clearing, grubbing and/or rough grading of the entire site, or areas included in initial phasing, in preparation for construction activities; or
 - (b) The installation of capital improvement such as utilities, building foundations, storm water infrastructure, or other appurtenances required to facilitate the completion of site plan activities.
- (3) Such site plan approval will terminate if a property remains vacant or without activity for more than one (1) year from the date the same is granted.

B. Extension.

- (1) An applicant can apply for an extension of site plan approval to the Planning Board only if they have filed for, obtained, and hold a valid and active building permit from the Jefferson County Fire Prevention and Building Code Department for the original site plan approval, and have obtained said building permit a minimum of sixty (60) days prior to application for an initial extension.
- (2) Said application for extension must be received a minimum of five (5) days yet not greater than ninety (90) days prior to the termination date of the current site plan approval.
- (3) Applicants may request up to two (2) extensions from the original site plan approval, each with a maximum term of one (1) year dating from the anniversary of the original site plan approval.
- (4) At its discretion, the Planning Board may grant an extension of site plan approval for a period of less than one (1) year.
- (5) Property owners shall have displayed, to the discretion of the Planning Board, a good faith effort to commence activities associated with the original site plan approval, and shall provide in writing to the Planning Board a statement explaining the reasons or influences preventing the commencement of activities.
- (6) At its discretion, the Planning Board may hold a public hearing on the application for extension within fourteen (14) days of the date of application. If a public hearing is to be held it shall be advertised in a newspaper of general circulation in the Town at least five (5) days before its scheduled date.
- (7) The Planning Board must make and notice a decision on an application for extension of site plan approval within thirty (30) days of receipt of the date of application.
- (8) All approved site plan approval extensions shall commence from the anniversary date of the original site plan approval.
- (9) All site plan approvals shall be considered terminated upon reaching the anniversary date of said approval, and shall not be construed as administratively extended during the application process for extension.

C. Maintenance of property.

- (1) Property owners having received two (2) or more formal notices or summons from the Zoning Enforcement Officer during the most current period of an approved site plan pertaining to any violation of the Town of LeRay Code shall not be eligible for a future extension of site plan approval.

Chapter 158 ZONING Article XX Section 158-147
Miscellaneous

- A. Administration and inspections.
- (1) The provisions of this article shall be administered and enforced by the Zoning Enforcement Officer, who shall have the power to make inspections of buildings or premises necessary to carry out his duties in the enforcement of this article.
 - (2) No zoning permit or certificate of compliance required hereunder shall be issued by the Zoning Enforcement Officer except after compliance with the provisions of this article.
 - (3) No certificate of occupancy or building permit shall be issued by the Jefferson County Fire Prevention and Building Code Department except after compliance with the provisions of this article.
- B. Changes to drawings.
- (1) No final site plan drawings approved by the Planning Board shall be changed, modified or altered in any way until the Zoning Enforcement Officer reviews said proposed change, modification or alteration.
 - (2) The property owner shall submit to the Zoning Enforcement Officer an application requesting a modification to an approved final site plan. Said application shall outline the details of the proposed changes, the reasons for the proposed changes and the possible impacts of the proposed changes.
 - (3) If the Zoning Enforcement Officer determines that a proposed change, modification or alteration is minor, the Zoning Enforcement Officer shall approve, approve with conditions, or disapprove of said change.
 - (4) If the Zoning Enforcement Officer determines that the proposed change, modification or alteration of a final site plan drawing is significant, he or she shall not take any action and shall require the applicant to submit an application for site plan review by the Planning Board in accordance with this Article.
 - (5) Significant changes, modifications and/or alterations include, but are not limited to:
 - (a) The proposed construction of additional structures, energy systems, or the expansion of existing or previously approved building footprints.
 - (b) The addition or expansion of parking areas.
 - (c) The addition or expansion of loading facilities.
 - (d) A change in use that would result in traffic volumes exceeding levels previously approved under site plan review.
 - (e) Any other change, modification or alteration of the site plan that would, at the discretion of the Zoning Enforcement Officer, result in a negative impact upon the quality of life, health, safety and welfare of adjacent property owners and the Town of LeRay in general.