



Town of Galway
SARATOGA COUNTY
ESTABLISHED 1792
PLANNING BOARD

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GUIDE AND APPLICATION FOR SITE PLAN REVIEW/SPECIAL USE PERMIT

This guide is intended to provide brief instructions for filing a special use permit application and preparing for a site plan review before the Town of Galway Planning Board. No guarantee of success is implied if the guide is followed, nor is denial implied by not following the guide. In all cases, the applicant should consult and review the Zoning Regulations of the Town of Galway.

Site plan reviews are designed to assess, evaluate and set conditions for more complex uses that provide social, cultural and economic amenities for the current and future residents of the town while maintaining the essential character of the town.

Site plan reviews are required in the Town of Galway in order to obtain a special use permit for:

- (a) All businesses operating in the town
- (b) Major changes in product lines or services for those businesses previously granted a permit or classified as non-conforming
- (c) Any out-of-zone use for which the Zoning Board of Appeals has granted a *use variance*
- (d) Those uses listed as requiring a special use permit in Appendices V-1, VI-4, and VII-2 of the town Zoning Law.

Pre-Application Conference

Prior to submitting an application for a special use permit leading to a site plan review, a prospective applicant must schedule with the Clerk of the Planning Board, a pre-application conference. This conference should be scheduled for the next regularly scheduled meeting of the Planning Board (Note: The Planning Board meets the fourth Tuesday of each month.)

The purpose of the pre-application conference is to give the Planning Board and the applicant an opportunity to gain a perspective of the proposed use's ramifications and impact on the zoning district. Moreover, the community will gain knowledge of the applicant's intent, and the applicant will learn of his/her responsibilities before either is committed to significant outlays of time or capital.

At this conference, the prospective applicant must provide the Planning Board with the basic data regarding the proposed permit. At a minimum, the applicant must provide a map showing the existing features (natural and/or made) of the site and a sketch plan showing the features of the proposal. It is suggested that the applicant read Article VIII, Section 8 of the Town Zoning Law to gain an understanding of the special use permit/site plan review process.

Following the pre-application conference, an application for a special use permit (see attachment) may be presented for the next regularly scheduled Planning Board meeting (by the first of the month for that month's meeting). Upon presentation and acceptance, the Planning Board review process will begin; the process must be completed within sixty (60) days. An application will not be accepted for review unless all requirements outlined by the pre-application conference have been met, as summarized below.

Application Contents:

Each applicant must submit a completed application form to the Clerk of the Planning Board by the first of the month to be heard at that month's regular meeting. A completed application shall consist of the following:

- a) A completed application form (attached) signed/dated
- b) SEQRA/EAF short form (attached) – Complete Page one only – sign/date
- c) A written narrative explaining what is being proposed with any facts you feel are pertinent. (At the conclusion of the pre-application conference, the Board will provide the applicant with a check-off list describing the items required as taken from the master list. A sample copy is attached.)

- d) **Eight (8) copies** a sketch plan or surveyed plot plan showing location and sizes all buildings (existing and proposed) on the property, precise distances to property lines and any proposed improvements or additions to the site
- e) A complete copy of the current deed (or purchase agreement if purchase is contingent upon successful procurement of the special use permit)
- f) **Application fee** (*Please refer to current Planning Board Fee Schedule available at Town Hall*)

Application Procedures

The Review Process

Once an application has been officially submitted to the Planning Board, the board will begin the application review process. This review will focus, broadly, on the following:

1. the proposal will not endanger the health, safety or general welfare of the neighborhood
2. is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar facilities
3. allows for off-street parking space adequate to handle expected public attendance and/or employee requirements
4. will preserve the neighborhood character and surrounding property values are not substantially endangered
5. will not cause undo traffic congestion or create a traffic hazard
6. is consistent with the town master plan.

Specific and detailed areas of review will be spelled out in the site plan review check off list provided by the board.

In conducting this review, the Planning Board may consult appropriate agencies or officials at the town, county, or state level of government. The town will, as a matter of standard procedure, forward a copy of the application to the Saratoga County Planning Board for review and comment.

Public Hearing

As part of the review process, the Planning Board must hold a public hearing on the application for a special use permit. Notice of the hearing is given at least ten (10) days prior to the hearing date. At the public hearing, town residents will be given an opportunity to review the site plan and offer comments.

Public Notice

At least five (5) days prior to the public hearing, the Planning Board will notify, by mail, all property owners within two thousand five hundred (2,500) feet of the location of the project that a public hearing will be held.

Planning Board Review

After completion of the public hearing and within sixty (60) days after accepting an application, the Planning Board shall act on it; either approving, disapproving or approving with modifications and/or conditions. The Board's action shall be in the form of a written statement for the record, along with supporting documents. Approval or conditional approval will authorize issuance of a special use permit.

If the applicant is disapproved, the Planning Board will so notify the applicant in writing of its decision and the reason(s) for disapproval. If an application is approved with modifications and/or conditions, the Planning Board will notify the applicant of the required conditions and/or changes. In such a case, an applicant may have to submit for review, a revised site plan, depending on the nature and extent of the changes or conditions.