

TOWN OF CONKLIN  
PLANNING BOARD REVIEW INSTRUCTIONS

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- 1) ZONING RULES/CHECKLIST
- 2) APPLICATION
- 3) APPLICATION FEE
- 4) STATE ENVIRONMENTAL QUALITY REVIEW  
SEQR (IF REQUIRED)
- 5) BROOME COUNTY PLANNING DEPT 239.  
(COMPLETED BY OUR OFFICE IF REQUIRED)

TOWN OF CONKLIN

PLANNING BOARD

SITE PLAN REVIEW APPLICATION

DATE: \_\_\_\_\_

SITE LOCATION \_\_\_\_\_  
\_\_\_\_\_

TAX MAP# \_\_\_\_\_ ZONING \_\_\_\_\_

APPLICANTS NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

PHONE: \_\_\_\_\_

PROPERTY OWNERS NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

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FOR TOWN USE ONLY

DATE RECEIVED \_\_\_\_\_ FEE \_\_\_\_\_

239 REQUIRED YES \_\_\_\_\_ NO \_\_\_\_\_ DATE SENT \_\_\_\_\_

VARIANCE REQUIRED YES \_\_\_\_\_ NO \_\_\_\_\_ APPROVED \_\_\_\_\_

SITE PLAN REVIEW DATE: \_\_\_\_\_

FINAL APPROVAL DATE: \_\_\_\_\_

CONDITIONS/RESTRICTIONS: \_\_\_\_\_  
\_\_\_\_\_

**§ 140-147. Relationship of this article to other laws and regulations.**

This article in no way affects the provisions or requirements of any other federal, state or local law or regulations. Where this article is in conflict with any other such law or regulation, the more restrictive shall apply.

**§ 140-148. Word usage.**

Any term used in this article which is not defined hereinabove<sup>16</sup> shall carry its customary meaning unless the context otherwise dictates.

**§ 140-149. Procedures. [Amended 8-13-2003 by L.L. No. 2-2003]**

Prior to undertaking any new land use activity except for a one-family or two-family dwelling and other uses specifically excepted in § 140-145 of this article, a site plan approval by the Planning Board is required. Applicants for site plan approval should follow the recommended procedures related to the sketch plan conference as hereinafter set forth. Applicants must comply with all other procedures and requirements of this article. No site plan shall be undertaken by the Planning Board without verification from the Town's Code Enforcement Officer that the property, as currently utilized, is in complete compliance with the Code of the Town of Conklin, unless such requirement is waived by a majority vote of the Planning Board members.

**§ 140-150. Sketch plan.**

A sketch plan conference shall be held between the Planning Board and the applicant prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of his proposal prior to the preparation of a detailed site plan and for the Planning Board to review the basic site design concept, to advise the applicant as to potential problems and concerns and to generally determine the information to be required on the site plan. In order to accomplish these objectives, the applicant shall provide the following:

- A. A statement and rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing and proposed vegetation and other planned features; anticipated changes in the existing topography and natural features to comply with flood hazard and flood insurance regulations; and such other information as may be recommended by the Code Enforcement Officer.
- B. An area map showing the parcel under consideration for site plan review and all properties, subdivisions, streets, right-of-way easements and other pertinent features within 1,000 feet of the boundaries of the parcel.
- C. An informational topographical map or contour sketch to show site topography.

16. Editor's Note: See § 140-4.

**§ 140-151. Application requirements.**

A. An application for site plan approval shall be made in writing to the Chairman of the Planning Board and filed with the Code Enforcement Officer and shall be accompanied by information contained on the following checklist and such other information as determined necessary by the Planning Board at the sketch plan conference.

B. Site plan checklist. Initial each line (N/A if not applicable)

- \_\_\_\_\_ (1) Title of drawing, including name and address of applicant and person responsible for preparation of such drawing.
- \_\_\_\_\_ (2) North arrow, scale and date.
- \_\_\_\_\_ (3) Boundaries of the property plotted to an acceptable scale, including listing of land uses within 1,000 feet of each boundary.
- \_\_\_\_\_ (4) Existing buildings.
- \_\_\_\_\_ (5) Grading drainage plan, pertinent soil characteristics and watercourses, or, if applicable, a stormwater pollution prevention plan consistent with the requirements of Articles I and II of the Town of Conklin Stormwater Management and Erosion and Sediment Control Local Law (Local Law No. 4 of 2007).<sup>17</sup> The approved site plan shall be consistent with the requirements of Articles I and II of the Town of Conklin Stormwater Management and Erosion and Sediment Control Local Law (Local Law No. 4 of 2007). [Amended 6-26-2007 by L.L. No. 5-2007]
- \_\_\_\_\_ (6) Location, design, type of construction, proposed use and exterior dimensions of all buildings existing and proposed.
- \_\_\_\_\_ (7) Location, design and type of construction of all existing and proposed parking and truck loading areas, showing access and egress.
- \_\_\_\_\_ (8) Provision for pedestrian access.
- \_\_\_\_\_ (9) Location of outdoor storage, when permitted.
- \_\_\_\_\_ (10) Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
- \_\_\_\_\_ (11) Description of the method of sewage disposal and location, including approval of the final design by the Town of Conklin Sewer Superintendent.
- \_\_\_\_\_ (12) Description of the method of securing water and location, including approval of final design by the Town of Conklin Water Superintendent.
- \_\_\_\_\_ (13) Location of fire and other emergency zones, including the location of fire hydrants.
- \_\_\_\_\_ (14) Location of all energy distribution facilities, including electrical, gas and solar energy.

17. Editor's Note: See Ch. 111, Stormwater Management and Erosion and Sediment Control.

- \_\_\_\_ (15) Location and size of all proposed signs.
- \_\_\_\_ (16) Location and proposed development of all buffer areas, including existing vegetative cover.
- \_\_\_\_ (17) Location of outdoor lighting facilities.
- \_\_\_\_ (18) Identification of the location and amount of building area for each proposed activity.
- \_\_\_\_ (19) General landscaping plan and planting schedule.
- \_\_\_\_ (20) An estimated project construction schedule.
- \_\_\_\_ (21) Record of application for and status of all necessary permits from other governmental bodies.
- \_\_\_\_ (22) Identification of any permits from other governmental bodies required for the project's execution.
- \_\_\_\_ (23) Other elements integral to the proposed development as may be considered necessary in the particular case by the Planning Board.

Signature \_\_\_\_\_

**§ 140-152. Required fees. [Amended 11-9-1999 by L.L. No. 2-1999]**

An application for site plan review shall be accompanied by a fee as provided by resolution of the Town Board. In the event that the site plan contains provisions for a new structure with a square footage of 7,500 feet or more, the fee shall be as provided by resolution of the Town Board.

**§ 140-153. Reimbursable costs.**

Costs incurred by the Planning Board for consultation fees or extraordinary expenses in connection with the review of a proposed site plan shall be charged to the applicant.

**§ 140-154. Review standards.**

The Planning Board's review of the site plan shall include, as appropriate, but is not limited to the following general considerations:

- A. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.
- B. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls.
- C. Location, arrangement, appearance and sufficiency of off-street parking and loading.

- D. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
- E. Adequacy of stormwater and drainage facilities.
- F. Adequacy of water supply and sewage disposal facilities.
- G. Impact of the proposed land use activity on local water sources and supplies.
- H. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
- I. Adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- J. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
- K. Overall impact on the neighborhood, including compatibility of design considerations.

**§ 140-155. Public hearing. [Amended 11-9-1999 by L.L. No. 2-1999]**

The Planning Board may conduct a public hearing on the site plan if considered desirable by a majority of its members. Such hearing shall be held within 62 days of the receipt of application for site plan review and shall be advertised in the town's official newspaper.

**§ 140-156. Planning Board decision. [Amended 11-9-1999 by L.L. No. 2-1999]**

Within 62 days of receipt of the application for site plan approval or if a public hearing is held, within 62 days of public hearing, the Planning Board shall render a decision. In its decision, the Planning Board may approve, approve with modifications or disapprove the site plan. The time period in which the Planning Board must render its decision can be extended by the Planning Board, if it determines that additional pertinent information or reports have not yet been received by the Board.

- A. Approval. Upon approval of the 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 site plan and shall immediately file it, and a written statement of approval shall be mailed to the applicant by certified mail, return receipt requested. The applicant shall also be required to countersign the site plan as approved.
- B. Approval with modification. The Planning Board may conditionally approve the final site plan. A copy of a written statement containing the modifications required by the conditional approval will be mailed to the applicant by certified mail, return receipt requested. After adequate demonstration to the Planning Board that all conditions have been met 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 site plan and shall immediately file it and a written statement of approval with the Town Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return

receipt requested. The applicant shall also be required to countersign the site plan as approved.

- C. In the event that the new land use activity has not been completed within two years after approval of the final site plan, the Planning Board may request that the applicant appear before the Planning Board for a review of the site plan in accordance with § 140-154.

**§ 140-157. Enforcement officer.**

The Town Board may appoint an enforcement officer to carry out the duties assigned by this article or by any additional regulations adopted pursuant to § 140-158 hereof. If appointed, the enforcement officer shall be responsible for the overall inspection of site improvements, including coordination with the Planning Board and other officials and agencies, as appropriate.

**§ 140-158. Further regulations by Planning Board.**

The Planning Board may, after a public hearing, adopt such further rules and regulations as it deems reasonably necessary to carry out the provisions of this article.<sup>18</sup>

**§ 140-159. Integration of procedures.**

Whenever the circumstances of proposed development require compliance with this Site Plan Review Law and with any other local law, ordinance or requirement of the town, the Planning Board shall attempt to integrate, as appropriate site plan review as required by this article, with the procedural and submission requirements for such other compliance.<sup>19</sup>

**ARTICLE XXVII  
Violations and Penalties**

**§ 140-160. Complaints of violation.**

- A. Whenever a violation of this chapter occurs, any person may file a complaint in regard thereto. All such complaints must be in writing and shall be filed with the Administrative Officer, who shall properly record such complaint and immediately investigate and report thereon.
- B. The Administrative Officer, upon completion of his investigation, shall file a report with the Town Board.

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18. Editor's Note: Original Section 6.030, Amendments, which immediately followed this section, was deleted 11-9-1999 by L.L. No. 2-1999. See Article XXV, Amendments.

19. Editor's Note: Original Section 6.050, Enforcement, which immediately followed this section, was deleted 11-9-1999 by L.L. No. 2-1999. See § 140-161.

## *Short Environmental Assessment Form*

### *Part 1 - Project Information*

#### **Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p> <p><input type="checkbox"/></p>	<p><b>YES</b></p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		