

Town of West Seneca Rezone and Special Permit Process

The Town of West Seneca requires a Special Permit for the following uses:

- Serving of alcohol
- Any automotive use including, but not limited to:
 - o Automotive repair
 - o Automotive sales
 - o Oil change
 - o Fuel dispensing
 - o Automotive cleaning / detailing
 - o Collision work

Step 1- West Seneca Town Board

Item will be placed on Town Board Agenda for next available meeting for the review of the Town Board. If a property currently has a commercial or manufacturing zoning, this step may be skipped and process will start with step 2.

Required Information

- Letter of intent which outlines business, hours, use of property
- Site plan, which meets current Town Code.
- Legal description of property
- Property survey-not more than (3) three years old
- Letter from property owner showing acknowledgement of request and allowing restrictions or conditions to be placed upon property by Town or Planning Boards.

Copies Required

- 5-complete sets, full size
- 1-11x17 set
- 1-pdf set on CD
- 1-legal description in Microsoft Word on CD

Fee

- No fee required for Step 1

Note: This must be referred by the West Seneca Town Board to the Planning Board in order to continue the process.

Step 2-West Seneca Planning Board

Required Information

- Detailed site plan; refer to check list attached
- Environmental Assessment Form-short or long depending on project
- Property survey-no more than (3) three years old
- Building elevations, if applicable
- Letter from property owner showing acknowledgment of request and allowing restrictions or conditions to be placed upon property by Town or Planning Boards.

Copies Required

- 22-complete sets-collated and folded to fit in an 11x17 mailing folder
- 1-11x17 set
- 1-pdf set on CD
- 1-legal description in Microsoft Word on CD

Fee

- Based upon lot size
- Fee Schedule
 - .5 acres or less - \$175
 - .6 to 2 acres - \$300
 - 2.1 to 5 acres-\$300 + \$50 for each acre over 2
 - 5.1 to 10 acres-\$475 + \$15 per acre over 5
 - 10.0 acres or more-\$525+ \$10 per acre over 10

Submittal Deadline

- **Option 1**
No SEQRA- 16 days before Planning Board meetings, which are scheduled on the 2nd Thursday of each month
- **Option 2**
 - Should project require SEQRA, submittal is required 40 days before meeting.
 - This allows Town to process application, mail out information and receive comments prior to meeting.

Public Hearing

- Public Hearing is required Rezone and Special Use request.
- Properties are notified by the Town of West Seneca 2 weeks prior to scheduled meeting via mail

Note: Attend Planning Board meeting to discuss project. Project must be referred by Planning Board to West Seneca Town Board in order to continue process.

Step 3-West Seneca Town Board

Required Information

- Letter of intent
- Site plan, which meets current Town Code.
- Legal description
- Property survey-no more than (3) three years old
- Letter from property owner showing acknowledgement of request

Copies Required

- 5-complete sets, full size
- 1-11x17 set
- 1-pdf set on CD
- 1-legal description in Microsoft Word on CD

Public Hearing

- Public Hearing is required
- Legal description published by West Seneca Town Clerk (2) two weeks prior to meeting
- West Seneca Town Clerk notifies surrounding properties via mail

Fee

- No fee required for Step 3

Note: Should item pass previous 2 steps, it will be placed on next available West Seneca Town Board meeting after 2 week legal publication takes place. Item then must be voted on and approved at West Seneca Town Board meeting in order to pass.

TOWN OF WEST SENECA

APPLICATION FOR REZONING – SPECIAL PERMIT

TO BE COMPLETED BY APPLICANT

DATE _____

FILE # _____

PROJECT NAME _____

PROJECT LOCATION (Include address and distance to nearest intersection)

APPLICANT _____ PH/FAX _____

ADDRESS _____

PROPERTY OWNER _____ PH/FAX _____

ADDRESS _____

ENGINEER/ ARCHITECT _____ PH/ FAX _____

ADDRESS _____

SBL # _____

PROJECT DESCRIPTION (Include all uses and any required construction)

SIZE OF LOT (acres) _____ ACREAGE TO BE REZONED _____

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

EXISTING ZONING _____ PROPOSED ZONING _____

EXISTING USE(S) ON PROPERTY _____

PROPOSED USE(S) ON PROPERTY _____

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

PUBLIC SEWER YES ___ NO ___

PUBLIC WATER YES ___ NO ___

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED _____ BY _____

PLANNING BOARD MEETING DATE _____

TOWN BOARD MEETING DATE _____

TOWN BOARD RESOLUTION DATE _____

NON – REFUNDABLE FILING FEE (Payable to the Town Clerk): \$ _____

TOWN OF WEST SENECA

APPLICANT CHECKLIST FOR SITE PLAN REVIEW

PLEASE REFER TO APPENDICES A, B, & C AND THE TOWN OF WEST SENECA ZONING ORDINANCE FOR ADDITIONAL DESIGN INFORMATION. THE APPLICANT/ AGENT MUST INITIAL EACH ELEMENT AS PROOF THAT ALL REQUIREMENTS HAVE BEEN MET.

I. **SITE PLAN** All site plan drawings shall be prepared, signed, and sealed by an architect, landscape architect, engineer, or surveyor licensed in the State of New York, drawn to scale, and must include the following elements (also see checklist in Appendix A) :

_____ Title of drawing.

_____ Name, address, and telephone number of applicant, owner of record, and person who prepared the drawing. If owner of record is different from applicant, a letter of authorization from the owner or a contract of sale is required.

_____ North arrow, scale, revisions block and date.

_____ Site location map.

_____ Name, location, width, and jurisdiction of existing roads and sidewalks.

_____ Location of curb cuts on project site and on adjacent properties (including properties across the street).

_____ Location of all existing and proposed buildings and structures, paving, curbs, and pedestrian and bicycle facilities with those to be removed clearly identified.

_____ Show all zoning district boundaries, zoning classifications for all adjacent properties (including across the street), and zoning setback dimensions. If a portion of the site is proposed to be rezoned, the new zoning district boundaries should be shown.

_____ Zoning data block comparing existing and proposed requirements, including greenspace and parking calculations.

_____ Location of any areas proposed for outdoor display and sale of merchandise, if applicable.

_____ Layout of all off-street parking areas showing access drives, aisles, parking spaces, handicapped accessible spaces, and loading areas (conforming to all requirements of the Town of West Seneca Zoning Ordinance). A cross-section of proposed pavement must be provided.

_____ Existing and proposed rights-of-way and easements and location of areas to be in common ownership or to be offered for dedication.

_____ Existing and proposed watercourses including wetlands, floodways, and floodplains (this information should also appear in the drainage plan and grading plan).

_____ Location of all proposed signage (conforming to all requirements of the Town of West Seneca Zoning Ordinance).

_____ Any other information as might be required by the Planning Board.

VI. LANDSCAPING PLAN – to include the following elements (also see Appendix C).

_____ All existing and proposed tree lines.

_____ All proposed trees, shrubs, and other plantings with appropriate labeling.

_____ Planting schedule data block with legend key, species name (botanical and common names), quantity, size, and spacing.

_____ Planting details for trees and evergreens must illustrate the crown of root ball at six (6) inches above finished grade; three (3) inches for shrubs.

_____ Refer to the Town of West Seneca Zoning Ordinance for applicable landscaping and screening requirements.

VII. CLEARING & SOIL EROSION CONTROL PLAN - to include the following elements:

_____ Site preparation and clearing shall be designed to fit with the vegetation, topography, and other natural features of the site and shall preserve as many of these features of the site and shall preserve as many of these features as possible.

_____ Show clearing limits, stock pile area, and all temporary and permanent drainage facilities. Erosion and sediment control facilities must be shown.

_____ A time schedule that is keyed to the operation must be provided.

_____ Include a note on the plan to indicate that stumps and brush may not be buried in the Town and that topsoil may not be removed from the work site without a permit.

VII. LIGHTING PLAN – to include the following elements:

_____ Location of all lighting fixtures and standards on the property and structures, including a fixture schedule.

_____ Photometric data for site illumination.

IX. BUILDING HEIGHT AND DESIGN

_____ Building elevations and floor plans of all non – residential structures and all residential structures containing three (3) or more dwelling units (including net floor area calculations).

I, _____ as owner/applicant of _____, located at _____, Town of West Seneca, to the best of my knowledge has submitted a complete application package for a site plan for review.

III. PAVEMENT

_____ Asphalt pavement grades should be at least 1.5%, preferably 2.0% to drain properly, minimize public safety concerns, and avoid liability issues. These grades must be shown on the drainage plan with flow arrows showing the direction of water flow.

_____ Show on the plans a cross-section of the proposed sidewalk.

_____ Show on the plans a cross-section of the proposed asphalt pavement. It is suggested that a thicker asphalt section be used for high traffic travel areas, where the dumpster is located, or where the deliveries will occur.

_____ On the asphalt pavement cross-section, show the use of filter fabric (Mirafi 140N, or equal) under the pavement sub-base.

_____ If connections to cross –access driveways are being made with adjacent sites, a detail must be shown on the plans for the proposed connection. The pavement transition detail must include a V-shaped saw cut into the existing pavement and tack coat.

IV. DRAINAGE/GRADING

_____ The stockpile area for topsoil and fill must be shown on the design plans.

_____ Spot elevations for adjacent properties must be provided on the grading plan.

_____ A minimum of 6-inches of cover are required for all storm sewer pipes in grass area. A minimum of 12-inches of cover are required for all storm sewer pipes in pavement. Storm sewer pipe located within the sub-base of the pavement is not allowed.

_____ Invert elevations must be shown for all culverts under driveways.

_____ Provide stone rip rap at the pipe outlets from the detention pond.

_____ Provide emergency overflow for the detention pond for the 100-year storm elevation.

_____ All culverts under driveways must be shown with galvanized end sections.

_____ Diameter, material type, and inverts of all roof leader downspouts must be shown.

_____ Diameter, material type, and inverts of all storm sewer pipes must be shown on the plans.

_____ For sites with less than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

_____ For sites with greater than one (1) acre of disturbance, the design engineer is required to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm, **AND** comply with all NYSDEC Stormwater Phase 2 regulations and design guidance.

APPENDIX B-DESIGN OF STORMWATER DETENTION FACILITIES

The following method of determining the size of stormwater detention and retention facilities is presented as a guide for engineers, architects, and developers involved with construction projects in the Town of West Seneca.

Detention facilities are those facilities that detain the flow of stormwater runoff and discharge it at a reduced rate from the detention area. /this type of system operates by gravity with a large inlet and a small inlet. Retention facilities retain stormwater runoff, and it is necessary to pump the collected water into the downstream drainage system after peak flows have passed. Normally, detention facilities are installed much more frequently than retention facilities.

The Town of West Seneca requires that the stormwater detention system be designed in accordance with the following documents:

1. NYS Stormwater Design Manual
2. NYSDEC:SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01)
3. NYSDEC: Standards and Specifications for Erosion and Sediment Control

A copy of the Notice of Intent (NOI) and Storm Water Pollution Prevention Plan(SWPPP) as required by the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No.GP-02-01) must be filled with the Town prior to issuance of a building permit for construction. Per the NYSDEC regulations, construction cannot begin until the required time period for NYSDEC review has passed.

- For projects conforming to the NYSDEC's recommended standards, construction cannot begin until:
 - * Five (5) business days from the date the NYSDEC receives a copy of the NOI; or the applicant receives an Acknowledgement Letter from the NYSDEC.
- For projects that deviate from the NYSDEC recommended standard, construction cannot begin until:
 - *Sixty (60) days from the date the NYSDEC receives a copy of the NOI; or\ the applicant receives an Acknowledgement Letter from the NYSDEC.

In addition, the stormwater detention facilities must be designed to detain the difference between the 10-year pre-developed storm and the 25-year post-developed storm.

The engineer must provide all calculation and mappings, and state all assumptions necessary for review by the Town of West Seneca.