

TOWN OF TULLY ZONING/PLANNING INSTRUCTION SHEET

Welcome to the Town of Tully. The following directions provide most of the basic information you will need to complete your application. Additionally, the help of a skilled design professional will aid you in obtaining project approval in a satisfactory manner. Please call the Town of Tully Clerk's office if you need additional assistance with the applicable procedure(s). However, please note the Town Code Enforcement Officer, Attorney, Engineer and Town Clerk cannot provide the assistance of a professional consultant retained by the applicant. Therefore, unless your application involves very minor substantive issues, it is, highly recommended you consult the appropriate professional(s) for assistance.

SUBMISSIONS:

- a) Schedule a meeting with the Town of Tully Clerk when submitting **twelve (12)** copies of all plans, survey and the application package. **SUBSEQUENT** submissions shall also include twelve (12) copies. These will be submitted to the Town Attorney, Code Enforcement Officer and Board (ZBA, Planning or Town Board) that will have first review of the proposal. Where more than one Board has recommendation or approval jurisdiction, additional copies of the entire submission will be required in number adequate for distribution to all members.
- b) Plans must be **folded no larger than 11" x 14"** collated with other materials. Unfolded or rolled plans will not be accepted.
- c) Applications with all attachments (forms provided herein) shall be submitted not less than fourteen (14) days prior to the meeting date so that the relevant boards and board members can be notified (certain boards after do not meet on a regularly scheduled night(s) or if no applications or other matters are pending) and the necessary quorum will be present. Meetings are regularly held at the Municipal Building, 5833 Meetinghouse Road, Tully, New York 13159. The Town Board's regular meeting night is the 2nd Wednesday of every month, the Town Zoning Board of Appeals and Village-Town Joint Planning Board having regularly scheduled meeting nights, will often only on an as needed basis, depending on pending matters, applications and other issues before such boards. Accordingly, meetings relative to your application must be confirmed with the Town Clerk. An applicant or authorized representative must attend and present the Application to the respective Board. If the applicant is not the owner, the owner's signature on the specific application submitted and the (or a separate) GML §809 Affidavit must be included with the application package.
- d) The applicable plan should be prepared at an appropriate scale and with sufficient detail to fully illustrate the proposal. Site plans shall include, but not be limited to; pavement, curbing; walkways; lighting; storage; grades; drainage and other improvements or conditions of the site (existing and proposed) together with appropriate material samples and installation details, and as

Revised 3/2014

otherwise shown on the attached application.

- e) A short SEQRA EAF is included with this package. Upon initial review of the application package, or at a later point upon initial Board review, a Long EAF may be required. Also included is a GML §809 affidavit and Professional Fees reimbursement agreement.

Note: The more detailed and comprehensive your submission is, the more likely same can be processed and proceed expeditiously with review. It is highly recommended you undertake a thorough review of Town Code requirements prior to preparation of your submission.

FEES: All Application and Professional Fees must be paid when the initial application is accepted for filing. You will be advised of same upon initial submission and review. Please allow up to ten (10) days for Town review prior to acceptance from filing of initial application package.

(Please submit (a) separate check(s) for each payment(s).)

Thank You.

**Town of Tully
5833 Meetinghouse Road, Tully, NY 13159
(315) 696-4693 — phone (315) 696-0082 — fax**

Appl. fee: _____ Received

Prof. fee: _____ Received

**TOWN OF TULLY
PLANNING/ZONING
GENERAL APPLICATION**

SUBM DATE: _____

RECEIVED BY: _____

APPLICATION DATE: _____

ACCEPTED BY: _____

(acceptance for filing only by Town
Attorney or Code Enforcement Officer
consent)

INFORMATION:

1. Project Location: _____
2. Tax Map No.: _____ Zoning: _____ Total Area: _____
3. Name of Applicant: _____ Phone: _____ Fax: _____
4. Applicant Address: _____
5. Property Owner's Name: _____ Phone: _____
6. Attorney (if applicable): _____ Phone: _____
7. Engineer: _____ Phone: _____
8. Existing Land Use: _____
9. Is property in floodplain or floodway? Yes: _____ No: _____
10. Is property in Federal or State Wetland? Yes: _____ No: _____
11. BRIEFLY DESCRIBE THE PROJECT. Include existing structures to remain, new structures, and changes in grades.

REQUIREMENTS: In general, all information relevant to your particular application is required, however for an initial "concept" submission or if a pre-submission conference is requested, the Town will advise as to any conditions, requirements or information that they can recommend be waived by the respective Board. Check either YES/NO to indicate information included with application. Insert "NA" if you believe an item is not applicable to a particular application. NOTE however that most site plan applications will usually require all of the following: (Please refer to the Town of Tully Code)

1. **SURVEY** of the property signed by a New York State licensed surveyor including the following:

YES	NO	
☐	☐	a) USGS or Syracuse Datum with closet street intersection.
☐	☐	b) Property lines.
☐	☐	c) Street lines.
☐	☐	d) Street right of way.
☐	☐	e) Adjacent use and ownership of all sides.
☐	☐	f) Dimensions of all structures existing on site and with reference and with reference to approximate location of improvements on adjacent site extending to a distance of 20 feet (the latter may be shown on the site plan).
☐	☐	g) Location of all existing trees of greater than 6" caliper.
☐	☐	h) Existing topographical information @ 0.5 ft. contours or as needed extending to 10ft. off property.
☐	☐	i) Location of: State Wetlands, Federal Wetlands, Federal Floodway, and Federal Flood plain.

		j) All existing easements and other legal restrictions/conditions.
		k) All existing utility lines and other physical attributes or improvements.
		l) Location Plan.

2. ARCHITECTURE of any structure to be added or modified including:

YES	NO	
		a) Elevations of all sides of building (including any signage).
		b) Building materials and colors.
		c) Any rooftop HVAC or other equipment.
		d) Sections through building and openings to describe materials, systems and treatment.
		e) Loading areas.
		d) Location of building street number on structure.

3. SITE PLAN including scale and location reference and locations of all existing buildings and improvements (including those to be demolished designated as such) including the following information:

YES	NO	
		a) Areas to be paved and location of all sidewalks.
		b) Parking striping with number and dimensions of all spaces, aisles and designation of disabled parking areas.
		c) Landscaping plan including: • Note on plan that all plantings and grass are to be maintained • Planted material should be selected for its hardiness, attractiveness and ability to fill the site. • Deciduous trees are minimum of 2 Y2 caliper. • Other trees are minimum of 8' tall.
		d) Drainage plan/calculations including inverts and pipe sizes.
		e) Lighting "photometric" plan shall include all direct and indirect light sources and specify lighting statistics as well as fixture design, locations, height, lenses, lamps and wattage.
		f) Any outside storage and enclosures.
		g) Extent and type of curbing.
		h) Location of all underground services for power, telephone and cable including locations where services are not underground.
		i) Proposed signage including any flagpoles.
		j) Location of any outside trash receptacles, recycling containers and enclosures.
		k) Location of any outside equipment including generators, HVAC and the like.
		l) Location of size of power, communications, water, sewer and storm sewers.
		m) Location of fire hydrants on site, or if not on site, a note including location of closest fire hydrant.
		n) Location of curb cuts, exists and entrances.
		o) Cross sections of curb, sidewalks, roads, etc.
		p) Any additional information pertinent to the proposal.

4. OTHER INFORMATION:

YES	NO	
		a) If road cuts onto NYS or Onondaga County Highway, copy of approved permit.
		b) Copies of application and/or permits from other governmental agencies which have jurisdiction or funding interests. Specify agency(ies): _____

5. **SPECIFIC REQUIREMENTS:**

ORDINANCE

PROPOSAL

Parking Spaces

Lot Coverage

Front Yard Setback

Side Yard Setback

Rear Yard Setback

Maximum Height of Building

6. **SPECIAL AUTHORIZATION (SPECIAL USE PERMIT):** A Special Authorization (Special Permit) is sought from the Town Board under (NYS) Town Law §274-b for the following (component of) (the) project under this application (cite to Town Code general and specific criteria for special authorization (use) permits):

7. **VARIANCE RELIEF:** A use and/or area variance pursuant to (NYS) Town Law §§267-b(2) and (3) from the Town ZBA is sought for the following (components of) the project under this application: (cite relief sought)

Required Per Code

Proposed

Variance Sought

The Applicant's argument(s) in support of the variance: (per (NYS) Town Law §§267-b(2) and (3)), are as follows:

8. **INTERPRETATION (INCLUDING DETERMINATION OF NON-CONFORMING BUILDINGS, USES OR LOTS):** The Applicant is seeking an interpretation pursuant to (NYS) Town Law §267-b(1) from the Town Zoning Board of Appeals as to the following Town Code Section(s) as relates to the Project under this application (explain request):

9. **ZONE CHANGE (ZONING AMENDMENT):** The Applicant is seeking the following change of zoning district/map amendment pursuant to (NYS) Town §265, in order to permit the Project (or component thereof) contemplated under the application. The argument(s) in favor of same are as follows (cite to arguments; e.g., consistent with Town's Comprehensive Plan, not "spot zoning", and the like):

10. **SPECIAL APPROVAL(S) OR RELIEF (e.g., PDD ADOPTION):** The Applicant seeks such special approval and/or relief as follows: _____

_____ The
argument(s) in favor of such request(s) are as follows: _____

11. **I have read the attached list of items to be included with this application and the relevant Town Code provisions, and to the best of my knowledge this Application is complete and accurate. If I am not the property owner, the property owner signed below has authorized me to make this application.**

(Date)

Signature of Applicant

(Date)

Signature of Owner (**REQUIRED**)

STATE OF NEW YORK)
COUNTY OF ONONDAGA)

AFFIDAVIT

_____, being duly sworn, deposes and says:

I have reviewed §809 of the General Municipal Law and am familiar with the provisions contained therein.

No state officer, or any officer or employee of the County of Onondaga or Town of Tully has any interest in the person, partnership or association owning the premises subject hereof or making the application to which this is attached, and no other violation of §809 shall result from such application.

Applicant: _____ L.S.

Sworn to before me this _____ day of
_____, 20__

Notary Public

Owner: _____ L.S.

Sworn to before me this _____ day of
_____, 20__

Notary Public

TOWN OF TULLY
5833 Meetinghouse Road
Tully, New York 13159
(315) 696-4693

PAYMENT AGREEMENT

As a condition of the application(s) to the Town of Tully, its Zoning Board of Appeals, Planning Board, codes administration/planning office, and/or Town Board (the "Town") for various zoning, land use, construction and related reviews, approvals, certificates, permits and related consideration(s) (including for any local governmental assisted funding) related to the request of _____: (the "Application"), _____ [name], _____ [legal address] ("Applicant") relative to proposed development at _____ [project address], Tax Parcel # _____, Tully, New York, and related matters (the "Project") agrees as follows:

The Application and Project may or will likely entail that the Town incur legal, engineering, architectural, administrative and related expense(s) including, without limitation, for both on staff and third party consultants involved in the consideration of the Application and Project, and including, without limitation, attendance at Zoning Board of Appeals, Planning Board, and Town Board meetings, consultation with the Applicant, its or the Town's engineer, architect, attorney, and/or other Town officers and employees, or consultants or professional service providers, incidental to the Application from the earlier of the filing of the Application for and/or first presentation of the Project to Town, and through final completion and issuance of all Town and other governmental permits, certifications and approvals.

In connection with and consideration of the foregoing, Applicant agrees to bear all cost and expense for such administrative, legal, engineering, architect and other professional and consulting assistance to the Town incidental to the Application and Project, and including that expense incurred by the Town for Town employees and officers performing reasonable and necessary work on behalf of the Town incident to the Application or Project.

In connection with the foregoing, Applicant shall reimburse the Town for time spent by outside consultants and professionals at the usual rate charged by them to private clientele, or if none, then the usual rate charged to municipalities. Reimbursement for the cost of Town employees and officers shall be based upon the cost to Town for the services of such persons, including salary and fringe benefits, reduced to an hourly rate and including overtime where directly attributable to the Application or Project.

Should the Town determine, in its sole discretion, that additional services are required to represent, supervise, inspect, evaluate and/or consult, including in order to protect the rights and/or interests of the Town such as relative to an enforcement or violation proceeding, the Applicant shall likewise bear all costs associated with such services.

This Agreement shall be effective as of _____, 20___. The Applicant shall deposit an initial sum of \$_____, and such other amounts as from time to time the Town may determine, payable to and deposited with the Town and which sum or sums shall be applied against those sums reimbursable to the Town pursuant to the terms of this Agreement (the "Deposit"). Upon completion or discontinuance of the Application and Project and payment of all fees incurred, any unused Deposit shall be returned to the Applicant.

The Applicant shall receive periodically, one or more statements detailing charges for which reimbursement has been made against the Deposit, detailing unpaid amounts, if any, and setting forth any additional Deposit required by the Town. Failure to pay any amounts due the Town of Tully within twenty (20) days of the date of statement may result in the termination of work/services by Town relative to the Application, the non-issuance suspension or revocation of any certificates, permits or approvals, and/or denial of applications, the Town's commencement of collection efforts, and/or the exercise of any other rights or remedies available to Town hereunder or pursuant to applicable law, including under the Town Code. No certificates, approvals or permits, including, without limitation, Certificates of Occupancy/Compliance, may be issued until all fees due hereunder are paid or sufficient Deposit for same made.

Notwithstanding any provision hereof to the contrary or otherwise, the intent of this Agreement is to subject all of those subject matter areas under applicable provisions of Federal, State, and County laws, rules and regulations whatsoever, the Town Code including as any of same may be amended from time to time, and without limitation, those provisions under Chapters 118, 136, 162, 207, 210, 234, 245, and 280 of the Town Code to the provisions hereof; in addition any financing or funding applications incidental to the Application or Project and requiring sponsorship or support of Town, and review under the State Environmental Quality Review Act or other State or Federal environmental, historical or related laws, rules or regulations shall likewise be subject to the provisions hereof.

In addition, and notwithstanding any provisions hereof to the contrary or otherwise, any provisions of the Town Code or other

laws, rules or regulations providing rights more favorable to and protective of Town shall be deemed incorporated herein by reference, and shall not be deemed superseded by less protective provisions herein.

In the event of a breach or default by Applicant, Town shall be entitled to pursue any and all legal rights and remedies pursuant to applicable law including, without limitation, the Town Code and shall be entitled to recover, in addition to any sums due, reasonable attorney's fees, costs and disbursements incurred in any such efforts.

If any part of this Agreement or the application thereof to any person or entity or circumstance is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Agreement or the application thereof to other persons, entities or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision or part thereof, the court shall attempt to modify same to a provision or part which is not illegal, invalid or unconstitutional and which best achieves the intent of such illegal, invalid or unconstitutional provision or part thereof.

The Town Supervisor has executed this agreement pursuant to a blanket Resolution adopted by the Town Board at a meeting thereof held on _____, 20__, and is duly authorized and empowered to execute this instrument and enter into this Agreement on behalf of the Town of Tully.

In the event Applicant is a closely held corporation, partnership or limited liability company, its three (3) largest principals shall be signatories to this Agreement, as joint and severable parties with Applicant and Town.

This instrument shall be executed in triplicate. At least one original shall be permanently filed, after execution thereof, in the office of the Town Clerk and one in the Code Enforcement Office.

Dated: _____

Print Applicant Name

Applicant's Authorized Signature/Title

Applicant Address: _____

Print Applicant (Principal) Name

Applicant's Principal Signature

Print Applicant (Principal) Name

Applicant's Principal Signature

Print Applicant (Principal) Name

Applicant's Principal Signature

TOWN OF TULLY

By: _____

Name: _____

Title: _____

617.20

Appendix B

Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information			
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?		NO	YES
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.		☐	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☐	☐
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.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ Parkland			
5. Is the proposed action,		NO	YES
a. A permitted use under the zoning regulations?		☐	☐
		☐	☐

b. Consistent with the adopted comprehensive plan?		☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		☐	☐	
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	
		☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
		☐	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?		☐	☐	
		☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		☐	☐	
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	
		☐	☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO	YES	
		☐	☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO	YES	
		☐	☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO	YES	
		☐	☐	
b. Is the proposed action located in an archeological sensitive area?		☐	☐	
		☐	☐	
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	
		☐	☐	
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: _____		☐	☐	
		☐	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ 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	
		☐	☐	
16. Is the project site located in the 100 year flood plain?		NO	YES	
		☐	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,		NO	YES	
a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES		☐	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		☐	☐	
18. Does the proposed action include construction or other activities that result in the impoundment		NO	YES	

of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	☐	☐
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: _____ _____	NO ☐	YES ☐
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: _____ _____	NO ☐	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)