

**Town of Knox
Albany County, New York**

APPLICATION PROCEDURES FOR SPECIAL USE PERMIT OR AMENDMENT

1. An application for a special use permit or an amendment thereto shall be made by the applicant to the Building and Zoning Administrator. The applicant shall provide **TEN (10)** separate collated packets, each containing copies of **ALL FORMS** (but not instruction sheets or code sections) in this application packet, the deed, site plan, property survey (when required), narrative and other pertinent information. The site plan shall be drawn to scale and dimensioned and shall show all buildings (dimensioned) with setbacks to streets and property lines, location of utilities (septic systems and wells, including those within 100 feet of property line on adjoining properties), buildings, location of signs, parking layout, topography, sidewalks, street and curb cuts, wetlands, water bodies, flood plains, landscape plantings and green area plans, and any other pertinent information. A property survey shall be required when the property has been subdivided or when the Town Building and Zoning Administrator, the Zoning Board or Planning Board requests a survey to facilitate application review. The narrative shall fully describe all uses on the property, identify the number of employees, hours of operation, the septic system (size, capacity, age), well (age, driller, depth, gallons per minute, quality of water), description of signs and other pertinent information. The application shall be in harmony with the following:
 - a. The use will not prevent or adversely impact the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.
 - b. The use will not prevent or adversely impact the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located.
 - c. The public health, safety, general welfare or order of the Town will not be adversely affected by the proposed use in its location.
 - d. The use will be consistent with and promote the general purposes and intent of the Comprehensive Plan, the Zoning Ordinance and other local, state and federal laws and regulations.
 - e. The character of the existing uses and approved future development in the district will not be adversely affected by the location of the proposed special use in the proposed location.
 - f. Property values in the vicinity of the proposed specially permitted use will be conserved and the most appropriate use of land will be encouraged.
 - g. The proposed use will not increase vehicular traffic congestion on public streets and highways such that neighboring uses and public safety are adversely affected.
 - h. The proposed site will provide adequate ingress, egress and parking to protect against hazardous traffic and/or parking conditions.
 - i. There will be adequate and proper public or private facilities for water and for the treatment, removal or discharge of sewage, refuse, or effluent (whether liquid, solid, gaseous or otherwise) that may be caused by or as a result of the proposed use.
 - j. Operations at the site and the use of materials incidental thereto or produced, will not give off obnoxious odors, smoke or soot, or cause disturbing emissions of electrical charges, dust, light, vibration, noise or other nuisances detrimental to the public health, safety and general welfare or the quiet enjoyment of neighboring properties.
2. The Building and Zoning Administrator shall determine if the special use is a permitted use per Town code. If it is determined that the use is permitted, the Building and Zoning Administrator shall forward 4 copies of the application to the Zoning Board of Appeals, four copies of the application to the Planning Board, one copy to the Albany County Planning Board (if required per paragraph 3 below) and one copy shall be retained in the files for public review.

3. The Secretary for the Zoning Board of Appeals shall refer all applications for properties that fall under Section 239-m of the General Municipal Law to the County Planning Board for a determination. Generally, these would include properties within 500 feet of a town boundary, a county or state park or other recreational area, thruway or other controlled-access highway or the right-of-way, or any county-or state-owned land in which a public building or institution is situated. **Applicants should be aware that the County Planning Board meets once a month and this may cause a delay in scheduling the application for the Zoning Board agenda.**

4. When the application is placed on the Zoning Board agenda, the Secretary for the Zoning Board of Appeals will notify the applicant of the date and time.

5. NOTIFICATION REQUIREMENTS:

At least seven days but not more than 20 days before the date of the hearing, the applicant shall mail a copy of legal notice of the hearing to all property owners of property within 500 feet of the applicant's parcel following the procedure below:

a. At the time of submission of the application for preliminary site approval as provided for herein, the applicant shall submit, in addition to otherwise required documentation, the following:

- (1) A reproduced copy of the Tax Map or extract of the Tax Map depicting the parcel(s) of land proposed for site plan approval and all lands within 500 feet distance from the perimeter thereof.
- (2) A list of the names and addresses of the property owners within 500 feet distance from the perimeter of the lands proposed for site plan approval as ascertained from the office of the Town Assessor.
- (3) Proof required

(a) The applicant shall submit satisfactory proof that the property owners within 500 feet of the perimeter of the lands proposed for site plan approval have been notified in writing of the nature (include a brief narrative about the project and its location, including number of units, approximate commercial square footage) of the proposed site plan, and such notification shall also include the following written statement: "An application for site plan approval of lands within 500 feet of your property is being proposed. The site plan application will be filed with the Building Department of the Town of Knox and may be reviewed by you during normal business hours at Town Hall. Please call the Building Department at **(518) 872-2551 or (518) 872-1274** if you have any questions about the procedures to review this application and the process for consideration of the proposal

(b) Proof shall be deemed satisfactory for purposes hereof if the applicant provides evidence of mailing, by certified or registered mail, or certificate of mailing and files the receipts with the submission. Regular mail is not satisfactory notice.

b. In the event that the applicant or a related company or corporation owns lands adjacent to the lands proposed for site plan approval and within the 500 feet of the perimeter of the lands proposed for site plan approval, then, in such event, the notice required herein shall be provided to property owners within 500 feet of the parcel adjacent to the parcel proposed for site plan by the applicant.

6. The fee for a Special Use application is payable at time of submission.

**Town of Knox
Zoning Board of Appeals**

PERMIT No. _____

Date: _____

APPLICATION FOR PERMIT REQUIRING REVIEW BY THE ZONING BOARD OF APPEALS

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building Permit and Zoning Permit pursuant to the New York State Uniform Fire Prevention and Building Code for the construction of buildings, additions or alterations, or for removal or demolition, as herein described.

Applicant's Name _____

Owner's Name _____

Address _____

Address _____

_____ Zip _____

_____ Zip _____

Phone _____

Phone _____

Agent's Name _____

Sec _____ Block _____ Lot _____

Address _____

Property 911 Address _____

_____ Zip _____

Phone _____

EXISTING USE _____

INTENDED Use/Describe _____

EXISTING Zoning Classification _____

Lot Size _____ Area _____

EXISTING Building Size _____

CURRENT

INTENDED

Frontage _____ FT

Frontage _____ FT

Front Yard Depth _____ FT

Front Yard Depth _____ FT

Right Side Yard Width _____ FT

Right Side Yard Width _____ FT

Left Side Yard Width _____ FT

Left Side Yard Width _____ FT

Rear Yard Depth _____ FT

Rear Yard Depth _____ FT

Building Height _____ FT _____ Stories

Building Height _____ FT _____ Stories

Attachments: () Deed () Site Plan () Narrative () Tax Map () Survey () Other _____

ADJACENT PROPERTY OWNERS (NAMES ONLY)

North _____

East _____

South _____

West _____

FEE \$ _____

Signature of Owner, Applicant or Agent

(To be completed by Building and Zoning Administrator)

This application is hereby disapproved and forwarded to the Zoning Board of Appeals for the reason(s) cited below:

Dated _____

Building and Zoning Administrator

APPLICATION FOR SITE PLAN REVIEW

1. SPECIAL USE PERMIT OR AMENDMENT OF SPECIAL USE PERMIT

- a. Applications for a Special Use Permit require site plan review by the Planning Board. The requirements for site plan review are listed in Article VI Paragraph F of the Town of Knox Zoning Ordinance. Applicant should consult with the Planning Board regarding site plan review.
- b. After this application has been reviewed by the Building and Zoning Administrator, the applicant will be notified by the Planning Board when the application will be placed on the Planning Board agenda.

2. GENERAL APPLICATION INFORMATION

- a. Special Use Permit () or Amendment to Special Use Permit ()

- b. Project Description (Briefly describe the proposal) _____

- c. Water provisions: Well () Capacity (gpm) _____ Depth (feet) _____ Other water provisions/information: _____

Approved by Albany County Health Department? Yes () No ()

- d. Sanitary Provisions (Describe) _____

Approved by Albany County Health Department? Yes () No ()

- e. Engineer: Name _____ Lic.# _____
Address _____ Zip Code _____
Phone _____ Fax _____

- f. Surveyor: Name _____ Lic.# _____
Address _____ Zip Code _____
Phone _____ Fax _____

3. APPLICANT CERTIFICATION

I hereby depose and say that all of the above statements and the statements contained in the attached submission are true to the best of my knowledge and belief.

Sworn to before me this _____ day of _____ 20_____.

Notary Public

Applicant

AGRICULTURAL DATA STATEMENT AND CONTROL FORM

Town of Knox

Tax Parcel No. _____
(section) (block) (lot)

Consolidated Agricultural District No. 1 or 2
(Circle)

Street Name _____

NOTE: Section 283-a of the town Law (effective July 1, 1993) requires that any application for a Special Permit, Site Plan, Use Variance or Subdivision on property within an Agricultural District containing a farm operation, or on property with boundaries within five hundred (500) feet of a farm operation that is located in an Agricultural district, include an Agricultural Data Statement. **All** applications requiring an Agricultural Data Statement must be referred to the Albany County Planning Board in accordance with amended section 239-m and 239-n of the General Municipal Law (effective July 1, 1993).

Part I: Agricultural Data Statement

Name of Applicant _____

Mailing Address _____

Description of Project _____

Names and address of those owners of land within Consolidated Agricultural District No. _____ that contain farm operations and are located within five hundred (500) feet of the project property:

1. _____

2. _____

3. _____

4. _____

5. _____

Attach to this form a copy of a tax map showing the site of the proposed project relative to the location of farm operations identified above. Farm Operations are defined as "...the land used in agricultural production, farm buildings, equipment and farm residential buildings" according to Section 301, Article 25AA of the Agricultural and Markets Law.

Part II: Submission and Evaluation (To be completed by the Secretary for the Planning Board/ Zoning Board)

Type of Submission (Check appropriate type)

Use Variance () Special Use Permit () Site Plan Review () Subdivision Review ()

Municipal Review Authority (Check appropriate agency)

Zoning Board of Appeals () Planning Board ()

Part III: Notice Provision (To be completed by the Secretary for the Planning Board/ Zoning Board)

Consistent with Section 283-a (3) of the Town Law, written notice of the application described in Part I has been provided to the owners of land identified in the Agricultural Data Statement.

Date Notice Mailed _____

Part IV: Notice to County Planning Board (To be completed by the Secretary for the Planning Board/ Zoning Board)

Consistent with Section 283-a(5) of the Town Law, the Clerk of the Municipal Review Authority identified in Part II must refer all applications requiring and Agricultural Data Statement to the County Planning Board.

Date Referred to County Planning Board _____
Use Agricultural Data Statement Referral Form

NOTICE: Regarding Disclosure Notice to Prospective Purchasers

As of July 1, 1999

1. When any purchase and sale contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur with the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

- 1a. Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.
2. Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the State Board of Real Property services as provided for in Section 333 of the real property law.

ALBANY COUNTY PLANNING BOARD

AGRICULTURAL REFERRAL FORM

Effective July 1, 1993, any proposed action requiring an Agricultural Data Statement must be referred to the Albany County Planning Board (see Section 283-a of Town Law and Sections 239-m and 239-n of General Municipal Law.)

- I. Town of Knox
Referring Official: Secretary for the Planning Board/ Zoning Board
Date: _____
Submitting Officer: _____
Mailing Address: _____

Zip _____
Phone Number _____ Fax Number _____

II. Type of Application

- Special Use Permit ()
Use Variance ()
Site Plan Review ()
Subdivision Review ()

III. Agricultural Data Statement

Attach a copy of the completed Agricultural Data Statement and Control Form

IV. Additional Information Required:

- a. Copy of map submitted with Agricultural Data Statement
b. Is proposal subject to review under the State Environmental Quality Review Act?
Yes () No () Not Yet Determined ()
If yes, submit a copy of the Environmental Assessment Form.
Name of Lead Agency _____
c. Date of Public Hearing _____
d. Date Referring Agency proposes to act on the application _____

Authorized Signature

Mail to: Albany County Planning Board

Please make **10** copies of each:

1. **Application for Permit Requiring Review By the Zoning Board of Appeals** (in application packet)

2. **Application for Site Plan Review** (in application packet)

3. For any application for a Special Use Permit, Site Plan, Use Variance or Subdivision on property *within an Agricultural District containing a farm operation, or on a property with boundaries within five hundred (500) feet of a farm operation that is located in an Agricultural District*. Any proposed action requiring an Agricultural Data Statement must be referred to the Albany County Planning Board (see Section 283-a of Town Law and Sections 239-m and 239-n of General Municipal Law.)

a. **Agricultural Data Statement and Control Form** (in application packet) and

b. **Agricultural Referral Form** (in application packet)

4. **Deed**

5. **Site Plan:**

The Site Plan shall be drawn to scale and dimensioned and shall show all buildings (dimensioned) with setbacks to streets and property lines, and locations of:

- Utilities (septic systems and wells, including those within 100 feet of property line on adjoining properties),
- Buildings,
- Signs,
- Parking layout,
- Topography,
- Street and curb cuts,
- Wetlands, water bodies, flood plains,
- Landscape plantings and green area plans, and

Any other pertinent information.

6. **Property Survey**

A property survey shall be required when the property has been subdivided or when the Town Building and Zoning Administrator, the Zoning Board or the Planning Board requests a survey to facilitate application review.

7. **Narrative:**

Fully describe all uses on the property:

Identify the number of employees:

Hours of operation:

Septic system size:

Well age:

Capacity:

Driller:

Age:

Depth:

Gallons per minute:

Quality of water:

Description of signs:

Other pertinent information:

8. **Application Fee**

The fee for a Special Use application is payable at the time of submission.