

# TOWN OF STARKEY, NEW YORK

Code Enforcement Office  
40 Seneca Street  
Dundee, New York 14837  
Phone: (607) 243-7996  
Fax: (607) 243-7764  
Email: Starkey CEO@gmail.com  
Website: www.townofstarkey.org



## OFFICE USE ONLY

Application No.: \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Fee Paid \$ \_\_\_\_\_  
Received by: \_\_\_\_\_

### APPLICATION FOR A SPECIAL USE PERMIT

#### Part 1. Contact Information.

Owner:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Authorized Representative:

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

#### Part 2. Property Information.

Address \_\_\_\_\_

Tax Map No. \_\_\_\_\_

#### Part 3. Occupancy/Use Information

Existing Occupancy/ Use

Proposed Occupancy/Use

#### Part 4. Explanation of Special Use

Please explain your proposed special use and how it satisfies the standards for a Special Use Permit as mandated by the Zoning Law of the Town of Starkey as well as other federal, state and local laws. Please understand that the Planning Board is required to make findings of fact as part of its decision-making process. This/act-finding step functions as a safeguard/or both the Town of Starkey and the applicant in that it imposes discipline on the exercise of discretion and helps to guard against ad hoc decisions. Simply stated, so long as a Court can find credible reasons for the approval, or evidence from record, the approval is likely to be upheld.

Note. It is highly recommended that a Registered Design Professional licensed in NYS explain this use since the Zoning Law of the Town of Starkey has been drafted to be integrated with the NYS Uniform Fire Prevention and Building Code as well as other federal, state and local laws.

#### Part 5. Infrastructure Information.

(please check all that apply)

Type of Road Access:	Private	Type of water system:	Private	Type of Sanitary system:	Private
	Town		Public		Public
	County		None		None
	State				

#### Notes

1. The creation of a new sewer and water district and or public road requires approval from the Town Board of the Town of Starkey prior to any application being submitted to the Planning Board/or review and approval.
2. The creation of a private road requires construction documents, which shall comply with the applicable standards of the Highways and Private Roads law of the Town of Starkey, to be prepared and sealed by a Professional Engineer licensed in NYS to be submitted as part of this application.
3. The construction or modification of a building that contains plumbing fixtures and has/ will have a septic system may require review and/or inspection, since NYSDEC/NYSDOH regulations do contain location and size requirements that might affect your design.

Part 6. General Building and Use Information.

a. What is the maximum occupant load for your proposed use, which is determined by the NYS Uniform Fire Prevention and Building Code?  
(Example: A-2 occupancy (restaurant) & M (mercantile) / A-2 = 100 persons and M = 40 persons)

b. What is the size of the building and type of construction, which the latter is determined by the NYS Uniform Fire Prevention and Building Code?  
(Example: 60'x80'x35' 2 story, Type V construction (wood frame with vinyl siding and pre-engineered wood and truss construction.)

c. Are there any special requirements based on use that is mandated by the NYS Uniform Fire Prevention and Building Code?  
(Example: Yes. Please see attached code compliance review by Registered Design Professional for Group H-3 occupancy.)

d. What are the proposed operation hours and days of operation of the special use?

Monday		Tuesday		Wednesday		Thursday	
Friday		Saturday		Sunday			

e. How many off-road parking spaces of each type are provided for the special use?

Standard		Accessible		Other	
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f. How many loading docks/spaces are provided for the special use?

Amount		Location	
--------	--	----------	--

g. How many signs are proposed to be provided for the special use?

Amount		Total sign area		Location	
--------	--	-----------------	--	----------	--

h. Is a NFPA compliant fire detection (a.k.a. fire alarm) system proposed to be installed for the special use?

If "yes" please attach the NYS license/or the fire alarm installer. Yes No

i. Is a NFPA compliant fire protection (a.k.a. sprinkler) system proposed to be installed in the Town's water district(s) for this special use?

If "yes", please provide NFPA compliant shop drawings, for such system and its hydraulic report, which both documents need to be prepared and sealed by a Professional Engineer licensed in NYS. Yes No

j. Are approvals required by other regulatory agencies (e.g., NYS Liquor Authority, NYSDOH, NYSDEC, etc.) for this use?

If "yes", please attach the applicable regulatory agency's letter of approval. If approval cannot be obtained until a Special Use Permit is issued, please explain the types of approvals that are required and the contact information for the applicable regulatory agency. A coordinated review of this application shall be required if such letters of approval cannot be submitted as part of this application. Yes No

Part 7 Zoning Information.

a. Zoning District: Note. Please refer to the official Zoning Map of the Town of Starkey, which is available for your review and use at the Town of Starkey's website. If you are unable to determine the applicable zoning district, the Code Enforcement Officer can assist you.

b. Are new structures and/or additions to existing structures part of the scope of work for the proposed special use? Yes No

i. If "yes," do such structures and/or additions comply with the bulk regulations for the applicable zoning district?

	Yes	No
	Yes	No
<p>c. Does the proposed special use comply with the applicable provisions of Part 4, Article V - General standards applicable to all lands and/or uses, as prescribed in the Zoning Law of the Town of Starkey?</p> <p><i>If "no," please understand that you may need to apply for an area variance that is approved by the Zoning Board of Appeals. Please understand that the review of your application/or a Special Use Permit will not obtain a final determination until the Zoning Board of Appeals makes a determination on your application/or an area, variance.</i></p>		
<p>d. Does the proposed special use comply with the applicable provisions of Part 4, Article VI - Standards applicable to specific lands, structures and/or uses,</p> <p>as prescribed in the Zoning Law of the Town of Starkey?</p> <p><i>(/"110, " please understand that you may need to apply for an area variance that is approved by the Zoning Board of Appeals. Please understand that the review of your application for a Special Use Permit will not obtain a final determination until the Zoning Board of Appeals makes a determination on your application/or an area variance.</i></p>	Yes	No
	Yes	No
<p>e. If signs are proposed to be installed for the special use, do such signs comply with the applicable provisions of Part 5, Sign Control, as prescribed in the Zoning Law of the Town of Starkey?</p> <p><i>If "no", please understand that you may need to apply for a variance that is approved by the Zoning Board of Appeals. Please understand that the review of your application for a Special Use Permit will not obtain a final determination until the Zoning Board of Appeals makes a determination on your application for a variance.</i></p>	Yes	No
	Yes	No
<p>f. Is the proposed special use consistent with the land use goals and objectives prescribed in the Comprehensive Plan of the Town of Starkey, which such plan is available on the Town of Starkey's website for your review and use?</p> <p><i>If "no", please understand that your application for a Special Use Permit will be denied since the Zoning Law of the Town of Starkey has established this question as one of the determination criteria.</i></p>	Yes	No
	Yes	No
<p>g. Is the proposed special use in compliance with the applicable standards prescribed in the Zoning Law of the Town of Starkey?</p> <p><i>If "no", please understand that your application/or a Special Use Permit will be denied since the Zoninglaw of the Town of Starkey has established this question as one of the determination criteria.</i></p>	Yes	No
	Yes	No
<p>h. Will the proposed use overburden municipal services (e.g., fire protection, law enforcement, sanitary sewer, storm water conveyance and water distribution and/or treatment systems, etc.)?</p> <p><i>If "yes," please understand that your application/or a Special Use Permit will be denied since the Zoninglaw of the Town of Starkey has established this question as one of the determination criteria.</i></p>	Yes	No
	Yes	No
<p>i. Will the proposed use be in harmony with the orderly development of the applicable zoning district and will not have a significant adverse impact on the public health, safety or general welfare?</p> <p><i>If "no," please understand that your application/or a Special Use Permit will be denied since the Zoning Lm1• of the Town of Starkey has established this question as one of the determination criteria.</i></p>		
<p>j. Will the proposed use have an unmitigated significant adverse environmental impact as defined by the New York State Environmental Quality Review Act (SEQRA)?</p> <p><i>If "yes", please understand that your application/or a Special Use Permit will be denied since the Zoning law of the Town of Starkey hos established this question as one of the determination criteria.</i></p>		

## Part 8. Site Plan Requirements.

Pursuant to the laws of NYS, "site plan" shall mean a rendering, drawing, or sketch prepared to specifications and containing necessary elements, as set forth in the applicable zoning ordinance or local law, which shows the arrangement, layout and design of the proposed use at a single parcel of land as shown on said plan. Please understand that a site plan shall be prepared and sealed by a land surveyor or registered design professional pursuant to the Zoning Law of the Town of Starkey and it shall contain the following information, if applicable:

- Title of drawing, including name and address of owner and land surveyor or registered design professional responsible for preparation of such drawing; and
- The signature and seal of the land surveyor or registered design professional; and
- North arrow, scale and date; and
- Boundaries of the property plotted to scale; and
- Existing watercourses; and
- Location, design, type of construction, proposed use and exterior dimensions of all buildings; and
- Location, design and type of construction of all parking and truck loading areas, showing access and egress; and
- Location of outdoor storage, if any; and
- Location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences; and
- Description of the method of sewage; disposal and location, design and construction materials of new sewage facilities; and
- Description of the method of securing public water and location, design and construction materials of new water facilities; and
- Location of fire apparatus access roads and other emergency zones, including the location of fire hydrants; and
- Location, design and construction materials of all new utility facilities such as but not limited to electrical, gas and solar energy; and
- Location, size and design and type of construction of all proposed signs; and
- Location and proposed development of all buffer/screening areas; and
- Location and design of new outdoor lighting facilities; and
- Other elements integral to the proposed special use such as but not limited to location, size and design and type of garbage and rubbish containers.

(Note. An example of a site plan is attached to this application and acts as a guide only.)

## Part 9. Miscellaneous Information.

Do any of the lots involved in this application directly abut Seneca Lakes?

If "yes", these lands are designated as areas of special flood hazard by FEN/A, which requires the owner to comply with the Flood Damage Prevention law of the Town of Starkey prior to the start of any construction activity.

Yes No

Do any of the lots involved in this application directly abut Seneca Lake or its tributaries?

If "yes", these lands are designated as areas of special flood hazard by FFMA, which requires the owner to comply with the Flood Damage Prevention Law of the Town of Starkey prior to the start of any construction activity.

Yes No

Are any of the lots involved in this application located within a NYS certified agricultural district?

If "yes", please complete an Agricultural Data Statement if any lot involved in this action is located within 500 feet of a farm operation. In addition, the Code Enforcement Officer can help, you create a list of owners within 500 feet of any property in our Town, which is required as part of this data statement.

Yes No

Are any of the lots involved in this application located in a protected natural resource or environment feature?

If "yes", please inform us in the attached environmental assessment form if permit approval or funding from other governmental agencies (federal, state or local) is involved in this action. To assist you, the NYSDEC's environmental resource mapper (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>) can help you identify such resources and features in your area. Please understand that any development located in a protected natural resource or environmental feature might require the review of the Town Engineer and or professional consultants to evaluate if any significant affects are being created.

Yes No

Yes No

Are any of the lots involved in this application located in, whether wholly or partially, in a designated steep slope area?

If "yes", the owner will need to comply with the Steep Slopes law of the Town of Starkey prior to the start of any construction activity. (Note: A map showing the designated steep slope areas **No** in the Town of Starkey is located on our website under the subsection of "Forms and Applications by Department.")

Yes No

Are any of the lots involved in this application located in, whether wholly or partially, in a designated wetland?

If "yes", the owner will need to contact NYSDEC Region 8 office to ascertain compliance with applicable federal and or state laws. They can be contacted at 585-226-2466.

Yes No

Does the proposed action require coverage under the NYSDEC's SPDES General Permit for Stormwater Discharges?

If "yes", please attach a SWPPP that is prepared in conformance with NYSDEC's Phase II Stormwater Permit Program.

Note: With some exceptions, operators of construction activities that will result in the disturbance of one (1) or more acres of /and must obtain coverage under Permit No. GP-0-10-001 prior to the commencement of soil disturbance. Also requiring a permit are construction activities disturbing less than 1 acre if they are part of a larger common plan of development or sale with a planned disturbance of equal to or greater than 1 acre, or activities that are designated by the NYSDEC. The NYSDEC can require a permit for construction activities disturbing less than 1 acre based on the potential or contribution to a violation of a water quality standard or for significant contribution of pollutants to waters of the United States.

Does the proposed action create a new sewer and/or water district or an extension thereof?

If "yes", any new sewer and/or water district or an extension thereof shall be approved by the Town Board pursuant to law. The owner shall submit a request to the Town Clerk and attach all necessary documents needed for the approval of a sewer and/or water district or extension thereof. For this reason, the determination of a Special Use Permit will be delayed until the Town Board grants their approval.

Yes No

Does this action create a new roadway, whether private or public, or the extension thereof in the Town?

If "yes", please attach roadway design and specifications that are prepared and certified by a professional engineer licensed in the State of New York, which comply with the Town standards or construction of new roadways.

Yes No

If a new roadway is being proposed, does the owner intend for it to be dedicated to the Town?

If "yes", any roadway proposed to be dedicated to the Town shall be approved by the Town Board pursuant to law. The owner shall submit a request to the Town Clerk and attach all necessary documents needed for the approval of a Town highway or extension thereof. For this reason, the determination of a Special Use Permit will be delayed until the Town Board grants their approval.

Yes No

Does this action violate a deed restriction, covenant, etc. filed against the deed of any lot involved in this action?

If "yes", please submit a copy of the deed restriction, covenant, etc. and an explanation of any alleged violation(s) for review by the Town Attorney.

Yes No

Are any easements or any other type of deed restriction being created due to this action?

If "yes", please submit a copy of such easements or review by the Town Attorney.

Yes No

#### **Part 10. Stipulations of application.**

*Stipulation #1. Building Permits and/or Certificates of Zoning Compliance are required prior to the start of construction.* The owner hereby understands and agrees that a Building Permit and/or Certificate of Zoning Compliance is required prior to the start of any construction activity. Please realize that approval of this application does not grant an owner the right to construct a building and/or structure.

*Stipulation #2. Disclosure Affidavit.* The owner hereby understands and agrees that he/she/they have read and is familiar with the provisions of Section 809 of the General Municipal Law of the State of New York, which states:

- a. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of plat, exemption of plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality or a part, in the person, partnership or association making the application, petition, or request (hereinafter called the applicant) to the extent to such applicant.
- b. For the purpose of this section of law, an officer or employee shall be deemed to have an interest in the applicant when he/she, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:
  - Is the applicant;
  - Is an officer, director, partner or employee of the applicant;
  - Legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant; or
  - Is a party to an agreement with such applicant, express or implied, whereby he/she may receive any payment or other benefit, whether or not services are rendered, dependent or contingent upon the favorable approval of such application, petition or request.
- c. Ownership of less than five percent (5%) of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purpose of this section.
- d. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

The applicant shall disclose the full particulars on an attached sheet of paper if a state officer or any officer or employee of a municipality or relative of either as defined by Section 809 of the General Municipal Law of the State of New York has interest in this application.

*Stipulation #3. Disclaimer of liability.* The applicant hereby understands and agrees that the Town of Starkey is not responsible for the accuracy of an application and its associated documents that are submitted for a determination and does not guarantee that its review will detect all hazards, design defects and/or violations of law.

*Stipulation #4. Indemnity and hold harmless.* The applicant hereby understands and agrees to release and forever discharge the Town of Starkey, and its officers, boards and employees, jointly and severally from any and all:

- a. Claims and liability that may be made against the Town of Starkey pertaining to its review and determination of this application; and
- b. Actions, claims and demands for, upon or by reason of damage, loss, liability or injury, which hereafter may be sustained by the review and determination of this application. This release extends and applies to, and also covers and includes all unknown, unforeseen, unanticipated and unsuspected injuries, damages, loss or liability and the consequences thereof, as well as those that shall be disclosed and known to exist.

Furthermore, the applicant hereby understands and agrees to defend, at his/her/their expense, any claims brought, or actions filed against the Town of Starkey with respect to the subject of the indemnity contained herein, whether such claims or actions are rightfully or wrongfully brought or filed. Lastly, the applicant hereby understands and agrees to reimburse the Town of Starkey for any unnecessary expenses, attorney fees or other expenses incurred in the enforcement of this indemnity and hold harmless agreement.

*Stipulation #5. Inspection of property.* The applicant hereby understands and agrees to inspection by the Town of Starkey's officers, employees, boards or duly authorized representatives at the real property for which an application for review and determination has been submitted to the Town of Starkey as well as, to the extent necessary, buildings, and/or structures within such real property that is under the ownership of the applicant. The applicant also understands and agrees that during such inspection, the Town of Starkey's officers, employees, boards, or duly authorized representatives may, among other things, take measurements, may analyze physical characteristics of the real property including but not limited to, soils and vegetation, and may make drawings or take photographs.

*Stipulation #6. Refund of fees.* The applicant hereby understands and agrees that any fee paid to the Town of Starkey is nonrefundable regardless of whether or not a review and/or determination has been made or if the application has been suspended or abandoned.

*Stipulation #7. Reimbursement of incurred expenses.* The applicant hereby understands and agrees that:

- a. The Town of Starkey has the authority to engage registered design professionals, financial analysts, planners, lawyers, or other appropriate professionals who can assist the Town of Starkey's officers, employees, and boards in analyzing this application to ensure compliance with the law. Such assistance may include, but is not limited to, analyzing an application, monitoring, or inspecting the proposed action that is the subject of this application, as well as conducting various reviews to ascertain compliance with the law.
- b. The Town of Starkey may require funds to retain such professionals prior to its review of this application. In the event that such funds are insufficient, the Town of Starkey may require additional funds to pay for all incurred expenses.
- c. Any funds received by the Town of Starkey shall be deposited in a line item by the Town Clerk. Expenditures from this line item may be made at the direction of the Town Clerk without further appropriation. Expenditures from this line item shall be made only for services rendered in connection with a specific land use action for which funds have been collected from the applicant. Additionally, the failure of any applicant to pay any incurred expense shall be grounds for the denial of an application. Lastly, any outstanding incurred expenses shall be charged against the real property that is the subject to this application and shall constitute a lien thereon in favor of the Town of Starkey, and the amount of such expenses shall be entered on the tax rolls as being due and payable. Such expenses may also be recovered in any other lawful manner.
- d. At the completion of a land use action, any excess funds in the line item attributed to such an action that is the subject of this application shall be paid to the applicant. A final report of the line item shall be available to the applicant upon request within a reasonable amount of time.

- e. Any applicant may take an administrative appeal from the selection of a third-party agency to the Town Board. Such an appeal shall be in writing and may be taken only within twenty (20) days after the Town of Starkey has mailed or hand-delivered notice to the application of the selection. The grounds for such an appeal shall be limited to claims that the third-party agency selected has a conflict of interest or does not possess the minimum required qualifications. The required time limit of action upon an application by the Town of Milo shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Town Board within one month following the submission date of the appeal, the selection of the third-party agency made by the Town of Starkey shall stand.

*Stipulation #8. Authorized Representative.* The owner hereby permits the authorized representative described within this application to act on his/her/their behalf regarding this application. Such owner also grants authority to the authorized representative to do all of the following actions:

- a. Receive, inspect, and provide confidential information.
- b. Represent him/her/them and make oral and/or written presentations of fact and/or argument.
- c. Sign documents.
- d. Enter into agreements.

For clarification purposes, an authorized representative is an individual, age 18 or older, who stands in place of the owner during the application review and determination process. Furthermore, such a representative has been granted all powers and duties typically reserved to an owner during the application review and determination process. Lastly, the owner has the right to revoke the authorized representative at any time, but such revocation shall be done in writing to the Town of Starkey. It is highly recommended that you consult with your lawyer prior to signing this document. The New York State Bar Association has a lawyer referral and informational service, which can be contacted at 1-800-342-3661 or (518) 463-3200 ext. 255. Please understand that the Town of Starkey is not permitted by law to give legal advice.

**Part 11. Signature.**

THE UNDERSIGNED HEREBY ATTESTS that he/she/they is the owner of the real property that is the subject of this application that has been submitted to the Town of Milo for review and a determination. Additionally, such owner certifies that the information contained in this application and its associated documents is accurate, true and complete to the best of his/her/their knowledge and understands that any false statements made in this application are subject to the applicable provisions of the Penal Law of the State of New York. Furthermore, such owner comprehends that he/she/they are ultimately responsible for compliance with the law regardless of any contractual agreements. Lastly, such owner has read this entire application and agrees to comply with its stipulations as contained herein.

Owner's Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

## Guide for Applicants Applying for a Special Use Permit

*This publication has been written to aid potential applicants in understanding and appreciating the Special Use Permit process, and to provide an explanation of the rules and standards under which Special Use Permit decisions of this Town's Planning Board (PB) must be made.*

### What is a Special Use Permit?

A variety of terms are used to describe Special Use Permits. They can be called "conditional use permits," "special exemption permits," or "special permits." All such terms refer to what State law terms Special Use Permits. State statute defines Special Use Permits as "authorization of a particular land use that is permitted in a local zoning law, subject to requirements imposed by such law to assure that the proposed use is in harmony with such law and will not adversely affect the neighborhood if such requirements are met." In simpler terms, the Zoning Law of the Town of Milo lists certain uses that are allowed but only after review and approval by the Planning Board. This extra level of review is based upon a determination that some uses require additional restrictions or conditions placed upon them to prevent unreasonable interferences with other properties. This permitting scheme recognizes that some uses are acceptable near others, but only if properly regulated.

### Who approves Special Use Permits?

The Planning Board makes the decision and can approve or deny a Special Use Permit as prescribed by the Zoning Law of the Town of Starkey. The Planning Board is scheduled to meet once a month, usually on the second Tuesday of each month. Applications are heard during these regular event meetings. Such board listens to the concerns of the applicant and the public, discusses the issues, and makes a determination on the application.

### What does the Planning Board consider in their review?

The Planning Board will determine if the proposed special use conforms to the applicable standards and determination criteria prescribed in the Zoning Law of the Town of Starkey. Such board is also obligated to perform an environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) and ascertain if any significant adverse impacts are being created.

### Do I have to employ a land surveyor, or a registered design professional licensed in NYS?

Yes. The Zoning Law of the Town of Starkey requires that the site plan be prepared and sealed by a land surveyor, or a registered design professional licensed in NYS. Furthermore, building plans and elevations are required to be submitted for any proposed building construction that shall be signed and sealed by a registered design professional licensed in NYS pursuant to the Zoning Law of the Town of Starkey. Lastly, it is highly recommended that the land surveyor or registered design professional be present at the meetings of the Planning Board to answer any concerns and/ or questions.

### Is a public hearing required?

Yes. State law requires the Planning Board to hold a public hearing on all applications for a Special Use Permit. The public hearing must be advertised in the official newspaper at least five (5) days prior to the hearing. It is highly recommended that the applicant speak to abutting owners pertaining to anticipated application since the Secretary of the Planning Board will mail a Notice of Public Hearing to all owners located within a five hundred (500) foot radius of the proposed development site. It has been our experience that neighbors generally appreciate such advanced notice and any concerns could be resolved before a formal application is submitted to the Planning Board.

### How long does the process take?

The process typically takes from one to six months starting when an application is deemed "complete," which is dependent on the type of use, its intensity and location. You can help expedite the review process by making sure your application is correctly filled out, all necessary information is attached, and your proposal is clearly stated. The Secretary of the Planning Board will be happy to answer your questions regarding any application requirement.

### Are Special Use Permits subject to an environmental review?

Yes. Review of Special Use Permits is an "action" as defined by the State Environmental Quality Review Act (SEQRA) regulations, and a completed Environmental Assessment Form (EAF) needs to be submitted with the application. For clarification purposes, SEQRA is an environmental review process that requires governmental agencies to examine the impacts of discretionary actions on the environment. If the Planning Board has primary responsibility for review, it will be the lead agency in the SEQRA process and therefore responsible for SEQRA review. As the lead agency, the Planning Board must require the applicant to complete either a Short or Full Environmental Assessment Form (EAF) to provide basic information about a proposed project and to assist the Planning Board in making its determination of significance. Lastly, the Code Enforcement Officer can discuss the environmental review process in more detail with you, which is highly recommended to avoid any misunderstandings.

### How can I get more information?

The applicant is encouraged to meet with the Code Enforcement Officer to informally discuss the proposed Special Use prior to filling out a formal application. At such a meeting, the applicant should provide general information that describes or outlines the existing conditions of the site and the proposed Special Use. A request for a pre-application conference to informally discuss the proposed Special Use with the Planning Board may be made at this time. The Code Enforcement Officer will also review the types of required submittals, the number of copies required, and the approximate length of review time required by the Town. Lastly, the applicant is encouraged to become familiar with the appropriate provisions of the Zoning Law of the Town of Starkey and any other applicable law.

**Application Checklist:** Please submit ten (10) copies of each of the following documents (except for the application fee), which shall be collated and stapled, and submit the application package to the Code Enforcement Officer

- a. Completed application that is signed by the owner of the property subject to such application.
- b. Application fee made payable to the "Town of Starkey".
- c. Site plans that conform to the requirements of the Zoning Law of the Town of Starkey. Please understand you're your failure to provide clear and accurate information might cause delays or even a denial of your application. For this reason, a site plan example has been attached to help you comprehend the minimum standard acceptable to the Planning Board. Lastly, such site plan shall be prepared and sealed by a land surveyor, or a registered design professional licensed in NYS.
- d. Building plans and elevations, which shall be prepared and sealed by a registered design professional, illustrating any proposed building construction and an indication of exterior materials and its colors.
- e. Agricultural Data Statement if the property that is the subject of this application is located in a New York State certified agricultural district. Such data statement is available online for your use at [www.townofstarkey.org](http://www.townofstarkey.org).
- f. Environmental Assessment Form. A Short EAF and Full EAF is available online for your use at [www.townofstarkey.org](http://www.townofstarkey.org). Lastly, the NYSDEC has an EAFMapper Application that is an Internet-based Geographic Information System (GIS) specifically designed to facilitate the New York State Environmental Quality Review (SEQRA) process by answering geographic or place-based questions on the Short and Full Environmental Assessment Forms (EAFs). Such EAFMapper Application is available at <http://www.dec.ny.gov/eafmapper/>.



## Appendix A. Example of a Site Plan and Building Elevations.

