



Town of Esopus Planning Board  
Mailing Address: PO Box 700, Port Ewen, NY 12466  
Physical Address: 284 Broadway, Ulster Park, NY 12487  
(845) 339-1811 Ext. 126  
Email: [planning-zoning@esopus.com](mailto:planning-zoning@esopus.com)

## **SPECIAL USE PERMIT /SITE PLAN APPLICATION MATERIALS**

### Contents:

- Application (including list of documents to submit)
- Building Permit Application
- Agent Authorization (if applicant is not owner)
- Agricultural Data Statement
- Meeting & Pre-submission Schedule
- Request for waiver of Public Hearing

Pre-submission review required prior to formal submission of application.

To be placed on the monthly meeting Agenda, complete applications must be submitted to the Planning Board Secretary two (2) weeks prior to the regularly scheduled monthly meeting.

**ESOPUS PLANNING BOARD  
ULSTER COUNTY, NEW YORK**

**SITE PLAN/SPECIAL USE APPLICATION**

**NOTE:** A site plan pursuant to §123.46B and §123.47D must accompany this application.

Purpose of Application: Site Plan \_\_\_\_\_ Special Use Permit: \_\_\_\_\_

Name of Project: \_\_\_\_\_

Name & Address of Applicant: \_\_\_\_\_

\_\_\_\_\_ Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Name & Address of Property Owner: \_\_\_\_\_

\_\_\_\_\_ Telephone No.: \_\_\_\_\_

Name & Address of Surveyor/Engineer/Attorney: \_\_\_\_\_

\_\_\_\_\_ Telephone No.: \_\_\_\_\_ Email: \_\_\_\_\_

Site Location: \_\_\_\_\_

Tax Map Identifier: Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Zoning District: \_\_\_\_\_ Acreage/Lot Size: \_\_\_\_\_

Well/Septic (private/public): \_\_\_\_\_

Type of use pursuant to Article IV §123-10: \_\_\_\_\_

Proposed use located in: ( ) existing building ( ) addition to existing building ( ) new building

Description of proposed use including size and number of buildings, number of parking spaces and other development features: (Attach separate sheet if needed): \_\_\_\_\_  
\_\_\_\_\_

Will project require permits from any Federal, State or County agencies? \_\_\_\_\_ If yes, please list agency(ies):  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**Materials to be submitted:**

**All materials to be provided electronically on a USB drive as well as requisite paper copies**

- Ten (10) copies of sketch or site plan (drawn to scale) \_\_\_\_\_
- Application \_\_\_\_\_
- Application fee (per schedule): \_\_\_\_\_
- Copy of recorded Deed(s) for record owner(s) \_\_\_\_\_
- Waiver from requirements request (must be in writing) \_\_\_\_\_
- SEQRA EAF Part I (complete form on-line at <http://www.dec.ny.gov/eafmapper/>) \_\_\_\_\_
- Authorization for Agent to act (if owner not representing self) \_\_\_\_\_
- Waiver from requirements for Public Hearing pursuant to §123.47C(5) \_\_\_\_\_
- Agricultural Data Statement \_\_\_\_\_
- Written narrative providing scope of work, planned uses and uses to be retained \_\_\_\_\_

The Planning Board may be required to refer the application to outside agencies for review. All applications are reviewed by the Planning Board's Planning Consultant and the Planning Board may require escrow to be established depending upon the extent of review needed.

The Planning Board may require the review of plans by the Planning Board's Engineering Consultant. The Engineering Consultant's fees are paid through an escrow account and are the responsibility of the Applicant.

Additionally, the Planning Board may refer the application to interested/involved agencies for review, comment and/or information on particular items contained in the application.

**Other possible involved/interested agencies (Not necessarily all inclusive):**

- |  |                                     |
|--|-------------------------------------|
| Zoning Board of Appeals  | Esopus Highway Superintendent       |
| NYS Department of Transportation (DOT)                           | Esopus Water/Sewer District         |
| Esopus Recreation & Parks Office                                 | Local Fire Districts                |
| Ulster County Board of Health (UCBOH)                            | Ulster County Planning Board (UCPB) |
| NYS Agriculture & Markets  | U.S. Army Corp. of Engineers        |
| Esopus Waterfront Advisory Board                                 | Esopus Environmental Board          |
| NYS Office of Parks, Recreation & Historic Preservation (SHPPPO) |                                     |
| NYS Department of Environmental Conservation (DEC)               |                                     |



Town of Esopus  
Office of the Building Inspector  
PO Box 700  
Port Ewen, New York 12466  
(845) 331-8630

### Building Permit Application (Short)

*Please fill out completely*

PERMIT# \_\_\_\_\_  
Submitted \_\_\_\_\_  
Cert. of Liability Ins. on file? \_\_\_\_\_  
Work Comp? \_\_\_\_\_ Waiver? \_\_\_\_\_

Tax Map Identifier - SBL: \_\_\_\_\_  
Subdivision Map # \_\_\_\_\_

Zoning District \_\_\_\_\_

***\*\* Owner's 911 address must be clearly posted at property\*\****

Application for:

\_\_\_ Construction \_\_\_ Demo \_\_\_ Repair \_\_\_ Renovation \_\_\_ Installation \_\_\_ Change of Use

The use shall be: \_\_\_ residential \_\_\_ commercial \_\_\_ other

Describe (including measurements):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Square feet: \_\_\_\_\_ Estimated cost of project: \_\_\_\_\_

Location (street & number) \_\_\_\_\_

Owner's Name: \_\_\_\_\_ Day Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ email: \_\_\_\_\_

Contractor: \_\_\_\_\_ Day Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ email: \_\_\_\_\_

Design Professional: : \_\_\_\_\_ Day Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ email: \_\_\_\_\_

\_\_\_\_\_

Signature

Date: \_\_\_\_\_



## Agricultural Data Statement

NOTE: §283-a of the Town Law requires any application for a Conditional Use Permit, Site Plan approval, approval of a Use or Area Variance or Subdivision approval on property within an Agricultural District containing a farm operation or on property with boundaries within 500' of a farm operation located in an Agricultural District to include an Agricultural Data Statement. All Site Plan, Conditional Use Permit, Variance and Subdivision applications requiring an Agricultural Data Statement must be referred to the Ulster County Planning Board in accordance with § 239-m, and 239-n of the NYS General Municipal Law.

**Basic Data:**

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Project: (Check one or more)

Site Plan \_\_\_ Conditional Use Permit \_\_\_ Subdivision \_\_\_ Variance (Use/Area) \_\_\_

Tax Map Identifier - Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Brief description of projection: \_\_\_\_\_

\_\_\_\_\_  
Name(s) and address(es) of owners of land within Agricultural District No. \_\_\_\_\_ containing active Farm operations and located with 500' of the project property (a copy of this form will be mailed to all such landowners).

Name	Adress	SBL No.
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please attach a copy of the tax map which shows the site of the proposed project relative to the location of the farm operations identified above. Farm Operations are defined as "...the land in agricultural production, farm buildings, equipment and farm residential buildings." (§301, Article 25-AA of the NYS Agriculture and Markets Law).



<u>MONTH</u>	<u>REGULAR MEETING</u>	<u>PRE-SUBMISSION MEETING</u>	<u>SUBMISSION DEADLINE</u>
JANUARY	JANUARY 9	JANUARY 16	DECEMBER 26
FEBRUARY	FEBRUARY 13	FEBRUARY 20	JANUARY 30
MARCH	MARCH 13	MARCH 20	FEBRUARY 27
APRIL	APRIL 10	APRIL 17	MARCH 27
MAY	MAY 8	MAY 15	APRIL 24
JUNE	JUNE 12	JUNE 19	MAY 29
JULY	JULY 10	JULY 17	JUNE 26
AUGUST	AUGUST 14	AUGUST 21	JULY 31
SEPTEMBER	SEPTEMBER 11	SEPTEMBER 18	AUGUST 28
OCTOBER	OCTOBER 9	OCTOBER 16	SEPTEMBER 25
NOVEMBER	NOVEMBER 13	NOVEMBER 20	OCTOBER 30
DECEMBER	DECEMBER 11	DECEMBER 18	NOVEMBER 27

MEETINGS ARE HELD THE 2<sup>ND</sup> WEDNESDAY OF EACH MONTH AT THE TOWN HALL COMMENCING AT 7:30 P.M.



Town of Esopus  
Planning Board  
P.O. Box 700  
Port Ewen, N.Y. 12466  
Phone (845) 339-1811 Ext 126

Date:

## REQUEST TO WAIVE PUBLIC HEARING

To the Esopus Planning Board:

I would like to request a waiver from the requirements of §123.47 C (5) to hold a public hearing on the Site Plan application entitled: \_\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
Signature of Owner/Agent

# EXCERPTS OF TOWN OF ESOPUS TOWN CODE

## Chapter 123. Zoning Article IX. Planning Board

### § 123-46. Special use permits. [Amended 11-19-2009 by L.L. No. 11-2009]

Pursuant to an application, either directly or through the Building Inspector, the Planning Board is hereby authorized to issue a special permit only for a use specifically listed as requiring such permit in the district in which it is proposed, subject to the following regulations and procedures:

- A. Application. Each application for a special use permit shall be submitted in the number of copies and form prescribed by the Board, accompanied by a fee in accord with a schedule adopted by the Town Board and shall include the following data:
- (1) Site plan. Each application for special use permit shall be accompanied by a site plan and shall also constitute simultaneous application for site plan approval, in accord with § 123-47. The site plan must show those elements listed in § 123-47D which are relevant to the proposal and which would not cause an unusual hardship for the applicant to obtain, as determined by the Planning Board in the presubmission conference.
  - (2) Supporting documents.
    - (a) A project narrative report that describes or outlines the existing conditions of the site and the proposed development shall be submitted to supplement the sketch plan and location map. This information should include existing data on land characteristics, available community facilities and utilities and data as to the number of dwelling units, amount of commercial floor area, number of employees, drainage and traffic assessments, protective covenants, easements and proposed utilities and improvements.
    - (b) The applicant shall also file a short environmental assessment form (short EAF) with the sketch plan, unless the Planning Board requests that a full environmental assessment form be submitted.
  - (3) Fees and costs. Each application for a special use permit shall be accompanied by all relevant fees, as specified in § 123-29, to cover all review costs, including, but not limited to, those engineering, environmental, planning and legal analyses and filing.
- B. Procedure.
- (1) Presubmission conference. Prior to submission of an application for a proposed conditionally permitted use, the applicant or authorized representative shall meet in person with the Planning Board. The purpose of such conference shall be to discuss the

proposed use or development in order to determine the scope and type of data, in the form of site plans and reports, to be submitted to the Planning Board in order for said Board to determine conformity with the provisions and intent of this chapter.

C. Decision and findings.

(1) Criteria for decisions. The Planning Board shall only approve the issuance of a special use permit if it finds that the following criteria have been met:

- (a) That any specific standards set forth for the proposed use in § 123-13 have been satisfied and that the objectives for site plan review set forth in § 123-47 have been achieved.
- (b) That all proposed structures, equipment or material shall be readily accessible for fire and police protection and shall be adequately served by sewage disposal and water supply facilities and recreation facilities.
- (c) That the proposed use is of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.
- (d) That important natural features and sensitive environmental resources are protected to the maximum extent feasible and have been adequately addressed in accord with the State Environmental Quality Review (SEQR) Act.
- (e) That, in addition to the above, in the case of any use located in or directly adjacent to a residential district:

[1] The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous inconvenient or incongruous with said residential district or conflict with the normal traffic of the neighborhood.

[2] The location and height of buildings, the location, nature and height of walls and fences and the nature and extent of screening and landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or diminish the value thereof.

- (f) That all proposed means of stormwater management, erosion and sediment control and site disturbance have been taken, and that the applicant's plan

for same has been designed in accordance with the provisions of Chapter 106 of this Code and with the approval of the Town's Stormwater Management Officer. If an SWPPP is not required, the subdivision plan will include global positioning system (GPS) reference data for stormwater outfalls and permanent structures built in accordance with the New York State Stormwater Management Design Manual. [Added 11-15-2007 by L.L. No. 9-2007]

- (3) Time limit on validity of approval.
  - (a) For special use permits that involve construction and/or demolition of buildings or structures, or renovations requiring a building permit, the applicant must secure, within one year of the approval of the special use permit by the Planning Board, a building permit. If the applicant fails to secure a building permit within this time period, the special use permit approval shall become null and void, and the applicant must seek approval of a new special use permit from the Planning Board.
  - (b) For approved uses not requiring construction, demolition of a building or structure, or renovations requiring a building permit, time limits relating to completion of site improvements, including but not limited to landscaping, screening, drainage, utilities and access improvements, shall be established as part of the approval of a site plan (see § 123-47E) that is included within the approval of a special use permit [see § 123-46A(1)], subject to conditions as provided for in § 123-46D.

D. Additional conditions.

- (1) When issuing a special use permit, the Planning Board may attach such conditions and safeguards as it deems necessary to further the intent of these regulations and to protect the public interest.
- (2) Any use for which a special use permit may be granted shall be deemed to be a conforming use in the district in which such use is located, provided that such permit shall be deemed to affect only the lot or portion thereof for which such permit shall have been granted.

## § 123-47. Site plan approval.

In all cases where this chapter requires approval of site development plans by the Planning Board, no building permit shall be issued by the Building Inspector except upon authorization of and in conformity with the plans approved by the Planning Board.

### A. Effect of site development plan approval.

(1) No building permit shall be issued for any structure covered by this section until an approved site development plan or approved amendment of any such plan has been secured by the applicant from the Planning Board and presented to the Building Inspector.

(2) No certificate of occupancy will be issued for any structure or use of land covered by this section unless the structure is completed or the land is developed or used in accordance with an approved site development plan or approved amendment of any such plan.

(3) Prior to final action, the Planning Board shall refer any matters involving any of the areas or features specified in Article X, § 123-51, to the Ulster County Planning Board in accordance with § 239-m of the General Municipal Law.

(4) Site plan approval shall not be required for the change of use or ownership of a permitted use to another permitted use in the district which has the same parking requirements as the original use.

### (1) Legal data.

(a) Lot, block and section number of the property, taken from the latest tax records.

(b) The name and address of the owner of record.

(c) Name and address of the person, firm or organization preparing the map.

(d) Date, North point and written graphic scale.

(e) Sufficient description or information to define precisely the boundaries of the property. All distances shall be in feet and tenths of a foot. All angles shall be given to the nearest 10 seconds or closer. The error of closure shall not exceed one in 10,000.

(f) The locations, names and existing widths of adjacent streets and curblines.

(g) The locations and owners of all adjoining lands as shown on the latest tax records.

(h) Location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to public use within or adjoining the property.

(i) A complete outline of existing deed restrictions or covenants applying to the property.

(j) Existing zoning.

**(2) Natural features.**

(a) Existing contours with intervals of five feet or less, based on a reference system satisfactory to the Board.

(b) Approximate boundaries of any areas subject to flooding or stormwater overflows.

(c) Location of existing watercourses, marshes, protected state and federal wetlands, wooded areas, orchards and vineyards, rock outcrops and other significant existing features.

(3) Existing structures and utilities.

(a) Location of uses and outline of structures drawn to scale on and within 100 feet of the lot line.

(b) Paved areas, sidewalks and vehicular accesses between site and public streets.

(c) Locations, dimensions, grades and flow direction of existing sewers, culverts and waterlines, as well as other underground and aboveground utilities within and adjacent to the property.

(4) Proposed development.

(a) The location of proposed buildings or structural improvements.

(b) The location and design of all uses not requiring structures, such as off-street parking and loading areas.

(c) The location, direction, power and time of use for any proposed outdoor lighting or public address systems.

(d) The location and plans for any outdoor signs.

(e) The location and arrangement of proposed means of access and egress, including sidewalks, driveways or other paved areas; profiles indicating grading; and cross sections showing width of roadway, location and width of sidewalks and location and size of water and sewer lines.

(f) Any proposed grading, screening and other landscaping, including types and locations of proposed street trees.

(g) The location of all proposed waterlines, valves and hydrants and all sewer lines or alternate means of water supply and sewage disposal and treatment.

(h) An outline of any proposed deed restrictions or covenants.

(i) Elevation drawings, photographs, simulations and/or other renderings, of existing and proposed buildings, signs, landscaping and other structures and improvements.

[Added 11-19-2009 by L.L. No. 11-2009<sup>1</sup>]

[1] *Editor's Note: This local law also provided for the designation of former Subsection D(4)(i) and D(4)(j) as D(4)(j) and D(4)(k), respectively.*

(j)

Any contemplated public improvements on or adjoining the property.

(k) If the site development plan only indicates a first stage, a supplementary plan shall indicate ultimate development.

E. Time limit on validity of approval. Approval of a site plan by the Planning Board shall be valid for a period of one year from the date thereof for the purpose of obtaining a building permit. Failure to secure a building permit for at least the first stage of development during this period shall cause the site plan to become null and void. Upon application, the Planning Board may extend the time limit on the validity of the approval to not more than two years from the date of original approval.