

# General Permit Application Worksheet - Special Use Permit

Below or on a separate sheet, or in a letter of application, please provide the information required in the list below. All Special Use Permits require Site Plan Review, and applications must proceed beyond Sketch Plan Review in that procedure in order to be approved. The Town Board may waive further Site Plan Review based upon the Sketch Plan (see Site Plan Review Worksheet)

As you can see from the requested information, Special Use Permits are allowed uses so long as they are not disruptive to neighboring properties. The actual performance of the site with regard to traffic, lighting etc. is addressed in the Site Plan Review process. The Town Board may, and likely will, condition any approval to ensure this compatibility (letter E. below). These conditions often have to do with hours of operation, lighting, signs, and outdoor storage that will also have to be shown on the approved Sketch Plan, or Site Plan (if required).

- A. Compatibility of the proposed use with the other permitted uses in the district and the purposes of the district set forth in this Ordinance;

*Please refer to the Zoning Ordinance (Section 400) and review the descriptions of the zoning districts. These generally describe the intent of the district. Your application should refer to the proper description and state why your proposed project is compatible with the intent of the zoning district.*

FirstLight's proposed facility is an unmanned facility that will be installed inside the commercial footprint of an existing area of disturbance. The facility will not use water or sewer, will not create increased congestion, and will provide additional fiber capacity to the region to assist in future residential and commercial development.

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- B. Compatibility of the proposed use with adjoining properties and with the natural and manmade environment;

*This requirement is concerned with compatibility with neighbors, and the environment. This is mainly concerned with the over use of the property, and appearance. Essentially how does the proposal blend in with the existing neighborhood?*

Landscaping is proposed on the side facing residential properties. Generator and utility frame have been proposed on the rear side of the compound. Access to compound is from the rear of the parcel, away from residence.

- C. Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and accessibility for fire, police, and emergency vehicles;

*Here, describe how utilities (phone, gas, water, sewer, etc.) will serve the site. And a basic description or reference to the Site Plan Review documents with regard to parking and circulation.*

The compound would be visited once a month and have no on-site staff. The need for  
will have a new power service (200 AMP, single phase) and will be connected to  
FirstLight's fiber backbone along ROW. No gas, water or sewer will be present at the  
facility. FirstLight's vehicles will be able to access the site and likewise the site will be  
accessible by emergency vehicles.

- D. The overall impact on the site and its surroundings considering the environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances;

*The potential environmental impacts, or not, of the project should be described here, along with the ways that these impacts will be lessened, or made better. You may want to supply this on a separate sheet to be included in Part D. of the long Environmental Assessment Form.*

The impact to the surroundings will be negligible as the shelter does not create noise,  
traffic, dust, odor, harmful substances, waste, glare or any other nuisances. The proposed  
on-site generator would only be used for emergency power and is self-contained,  
double-walled.

- E. Restrictions and/or conditions on design of Structures or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town;

*Here please indicate how the Site Plan and other operational approaches will reduce impacts, or improve, the compatibility with surrounding uses.*

As the compound would be visited rarely the natural use would create a compatibility  
with the surrounding uses.

- F. Compliance with the requirements for site plan review, including conformity to the Town's Residential and Commercial Design Guidelines.

*Please review the appropriate design guidelines and state how your project reflects the ideas included in the design guidelines such as vegetation along roadway, peaked roof, lighting, parking on side or in the rear of the building etc.*

The proposed shelter would use the existing access/curb cut, visually match the theme of the current use, have a pre-fabbed shelter mostly made of masonry, use no signage, have proposed trees with neighboring properties on the opposite side of the street.

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## **Notices and Disclaimers – Signature Required**

### **1.) Right to Farm Law**

#### **Be advised:**

***“This property may border a farm, as defined in Town of Dryden Local Law #1 of the year 1992, a Local Law known as “Right to Farm Law.” Residents should be aware that farmers have the right to undertake good or acceptable farm practices which may generate dust, odor, smoke, noise, and vibration.”***

**Amendment #12, Local Law #1 of 1992, “Right to Farm Law”** Adopted by Dryden Town Board July 14, 1992, Resolution #130. Local Law #1 of 1992. Effective July 20, 1992.

## **Enforcement**

The Town of Dryden will strictly enforce all requirements and regulations of both the N.Y.S. Building & Fire Prevention Code and the Town of Dryden Zoning Ordinance. The following is the general policy of the Town of Dryden Planning Department.

- 1) No Building Permits will be issued to any applicant until such time that all other required permits, certificates and documents have been submitted to this office and found to be acceptable and complete.
- 2) No Public Hearings or Town Review will be scheduled for any purpose until this office has reviewed and found that all application and supporting documents are accurate and complete.
- 3) If at any time prior to the issue of an above permit or authority to proceed has been granted, it is found that construction or occupancy has begun or taken place, the violator, and property owner may be prosecuted in a court of law.
- 4) If after permits have been issued a permit holder takes occupancy, opens its doors to the public or uses a permitted device without obtaining a Certificate of Occupancy or Certificate of Compliance, the holder of that permit may be prosecuted in a court of law.

- 5) The Town of Dryden will not tolerate a violation of either the Dryden Town Zoning Ordinance or the New York State Building and Fire Prevention Code. Action will be taken against all violators.
- 6) **Inspections are required** per inspection sheet. A mandatory final inspection is required from the Town of Dryden Code Enforcement Officer, to close out permit and to allow use. Permits expire one year from date of issue and will need to be renewed by applicant and a fee of one-half of the permit fee at time of issue will be due. Demolition permits expire six months after issue.

## **Fees**

- 1) FEES MUST BE SUBMITTED WITH THIS APPLICATION
- 2) You are responsible for complying with these terms and conditions.
- 3) All plans that are for Commercial Use or are more than 1500 Sq. Ft. of usable space in single-family construction must be stamped by a N.Y.S. Licensed Architect or Engineer as to code and construction compliance.

**Special Use Permit Fee: \$165**

**Planned Unit Development SUP: \$250**

**Large Scale Retail Development SUP: \$250**

## **Escrow**

**Reimbursable Costs, fees and disbursements.** The reasonable and necessary costs, fees or disbursements incurred by the Town or its officials for consultation or review by professionals including architects, landscape architect, engineers, surveyors, attorneys or others, on any Application for a Zoning Permit, Certificate of Occupancy, Appeal to the Zoning Board of Appeals, Application for Subdivision Approval, Application for a Planned Unit Development or application for a Special Permit or a Special Permit for a mobile home park shall be paid by the applicant.

## **Signature required**

By signing you agree that you have read and understand and will be responsible for issued permits.

Owner or responsible party signature: \_\_\_\_\_

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

Print name: \_\_\_\_\_

**Nickolas Bellisario**

**7-6-20**

