

TOWN OF LOCKPORT SITE PLAN REVIEW REQUIREMENTS

A. Purpose and Intent

The purpose of this Article is to encourage innovative and creative design and use of property to facilitate and promote the most advantageous construction techniques in the development of land in the Town. It is the further intention of this Article to ensure the efficient use of land, consideration of potential impacts on the environment and their avoidance, wherever possible, and the promotion of high standards in the design, layout, landscaping and construction of development.

B. Applicability

No development shall occur within the Town of Lockport unless in accordance with the provisions of this Article. No building permit, variance, special exception or certificate of occupancy shall be issued until all the requirements of this Article have been satisfied and the sit plan has been approved be the Planning Board. A site plan shall be submitted and required for the following:

- 1.) Any development in a B-1, B-2, O, PUD, IP or I District that involves construction or addition requiring a building permit or the addition or improvement of parking spaces, utilities/roads or storm water management.
- 2.) Any use requiring a special exception permit.
- 3.) Residential development other than single family uses.
- 4.) Churches, schools, institutional uses and recreational development where parking, landscaping or structures are involved.

C. Site Plan Application

1. Sketch Plan

- a.) *Pre-Submittal Meeting.* Prospective applicants for site plan review shall schedule a meeting with the Building Inspector and the Town Engineer for identification of critical development issues and the appropriate information to accompany the application. Appropriate review agencies and Town Officials will be identified for coordination and the SEQRA responsibilities will be provided.
- b.) *Sketch Plan.* All applicants for site plan shall submit ten (10) copies of a sketch plan of the proposed development, an application with supportive information and a SEQRA Environmental Assessment Form (Part I) to the Building Inspector for review by the Planning Board. The submission will

be reviewed for completeness and scheduled for Planning Board review by the Building Inspector.

The Planning Board will review the overall design concepts, development layout, infrastructure, natural features, neighborhood implications and prospective environmental issues to guide the site plan development. The Planning Board will also initiate the SEQRA process, if appropriate, and advise the applicant on the likely preparation of an Environmental Impact Statement and a SEQRA hearing.

The Planning Board will assess the sketch plan and approve, approve with conditions or disapprove the submission. Any conditions recommended by the Planning Board must be included in the formal application and shall be reflected in the site plan. Such conditions may include a variance or other zoning approval which must be authorized prior to the submission of the formal site plan. Any reasons for disapproval of the sketch plan will be provided in writing to the applicant and would offer the minimum response for any re-consideration of a new sketch plan.

c.) *Sketch Plan Requirements.* The sketch plan shall include the following minimum elements for consideration:

1. A boundary survey of the property certified by a licensed surveyor or engineer including overall dimensions, acreage, owner(s), adjacent owners, rights-of-way and easements.
2. A location map of the property identifying the general area and adjacent roads.
3. Identification of major landforms, streams, steep slopes and natural features.
4. Approximate location of existing and proposed structures, parking and loading spaces, site access and circulation, utility connections, buffers for adjacent development, easements and other planned development at a scale of 1"=200' or greater.
5. Anticipated changes to the site with respect to topography/grading, flood hazard areas, drainage/storm water management, vegetation/landscape, and physical features of the site.
6. The zoning of the site, including any proffers of conditions thereto, and the zoning designation of properties surrounding the site.
7. Any other information may be required by the Building Inspector or Town Engineer to clarify the proposed development and/or aid the Planning Board in the evaluation of the application.

2. Site Plan

Upon approval or approval with conditions of a sketch plan by the Planning Board, an applicant may prepare a formal site plan in accordance with this Article and submit it to the Building Inspector for scheduling of a public hearing and

formal consideration. Any conditions requested by the Planning Board in sketch plan review must be addressed by the site plan and included, where appropriate. The site plan shall be prepared by an architect, landscape architect, engineer or surveyor licensed in New York State and certified with their signature and seal. The Building Inspector shall determine the completeness of the application for consideration by the Planning Board based on the following minimal information:

- a.) The location of the tract or parcel by means of an inset map at a scale not less than one inch equals two thousand (2000) feet indicating the names of adjoining roads, streams, bodies of water, railroads, subdivisions and landmarks sufficient to identify the location of property.
- b.) A boundary survey of the property, plotted to scale, including the acreage and legal description thereof and the location of survey datum.
- c.) A certificate signed by the surveyor or engineer setting forth the source of title and the place of record of the last instrument in the chain of title.
- d.) Title of drawing including the name and address of the applicant, the developer and person(s) responsible for preparation the drawing.
- e.) Existing structures, roads, easements, utility lines, streams and drainage ways, flood plain and wetland designations, natural features and landforms.
- f.) Existing topography at a maximum of tow (2) foot intervals.
- g.) Zoning and present use of the property and surrounding properties; setback of existing development to the nearest property line.
- h.) A plan of the proposed site development at a scale of one inch equals fifty (50) feet or larger that includes the following elements:
 - North arrow, scale and date.
 - Proposed streets and easements.
 - Location, type and size of vehicle entrances including fire lanes.
 - All off-street parking, loading and stacking indicating surfacing, size and angle of stalls, width of aisles and the schedule of spaces to serve the proposed development.
 - Location and layout of proposed structures including number of floors, floor area, height, gross and net density, setback and proposed use of each structure.
 - Proposed grading matched to existing contours and supplemented by finished floor, building and spot elevations, where appropriate.
 - Location, type and height of lighting, fencing, retaining walls and screen planting, where required, and signage.
 - Drainage channels and their direction of flow and storm water management facilities.
 - Proposed utility connections and location, size and grade of sewer and water lines.
 - Refuse collection and removal areas and their screening from adjacent streets and properties.

- i.) Water and sanitary sewer profiles identifying the vertical and horizontal alignments, connection details to existing facilities, invert and rim elevations, pump stations and force mains, hydrants, valves, blowoffs, etc.
- j.) Pavement profile and details including a typical cross-section of parking and drive areas, vertical and horizontal curves (where appropriate), entry and curb radii, handicapped parking designation and handicapped ramps and curbs.
- k.) Grading and drainage plan which incorporates storm water management for the proposed development including location, type and size of facilities and the identification of easements to accommodate existing and proposed drainage and management facilities; calculations of storm water management and drainage prepared by a professional engineer are required in accordance with the Erie-Niagara Regional Planning Board's storm drainage design manual.
- l.) General landscape plan and planting schedule.
- m.) Summary of the proposed development including uses, acreage, descriptions of the utility plans, projected traffic impact and circulation, site soils and zoning conditions that apply to the development. Any separate permits (state or Federal) required for the development must be obtained prior to finalization of site plan approval. Proposed easement or right-of-way dedications must be provided on a separate plat map for recording.

D. Site Plan Review Procedures

- 1.) *Staff Evaluation.* An application for site plan review must be complete as specified in his Article and submitted to the Building Inspector at least fifteen (15) days prior to the Planning Board meeting to provide adequate opportunity for review, distribution of notices and advertisement of public hearing. The Building Inspector is responsible for coordination of the review and may include the Town Engineer, Planning Consultant, Highway Superintendent, NYEDEC and other agencies in the review process, as appropriate, to advise the Planning Board. The application must be accompanied by the application form, application fees (as established by the Town Board), plan as specified herein, supportive documentation, SEQRA. Environmental Assessment Form (all parts) and any additional information as may be requested by the Building Inspector of the Town Engineer for consideration of the site plan. The evaluation shall include compliance with the Zoning Ordinance and this Article, consistence with Town maps and plans for development review, compatibility with neighborhood development and conformance with general principles of site planning and engineering.
- 2.) *Public Hearing.* Following a determination by the Building Inspector that the site plan application is complete and ready for consideration, a public hearing shall be scheduled before the Planning Board. The public hearing shall be conducted within sixty-two (62) days of the receipt of a complete

application, as determined by the Building Inspector, and shall be advertised in the Town's official newspaper at least five (5) days prior to the hearing. Notices to the applicant and any identified involved parties will be distributed at least ten (10) days before the hearing. The public hearing may be waived by the Planning Board at Sketch Plan Review. The time limits of the hearing schedule may be extended by mutual written consent of the applicant and the Town.

- 3.) *Environmental Review.* Any application for site plan review must be accompanied by a completed Environmental Assessment Form (Parts I-III) identifying the prospective impact resulting from the proposed development and demonstrating the opportunities or mitigation or planned revisions to avoid such impacts. It is assumed that the Planning Board will be Lead Agency for all applications, subject to SEQRA. Any obligations for the conduct of review procedures as required by SEQRA. Any obligations for fulfillment of the SEQRA regulations, including the satisfaction of procedures and the preparation and review of an Environmental Impact Statement, if required, shall be borne by the applicant. A SEQRA public hearing, if required, shall be coordinated with the site plan hearing and conducted simultaneously, where practical.
- 4.) *Planning Board Review.* An applicant shall provide ten (10) copies, clearly legible, of the complete application to the Building Inspector for review by the Planning Board. The Planning Board shall review the site plan and make a determination based on the provisions of this Article within sixty-two (62) days of the public hearing, unless extended by the applicant. The determination shall be in the form of a written record of approval, approval with conditions or disapproval of the site plan and shall be filed with the Town Clerk.

The Planning Board may impose special conditions or modifications limiting the use or occupancy of the proposed land and development consistent with the intent and purposed of his ordinance. Any conditions so imposed shall become a part of the site plan approval and must be satisfied prior to the issuance of any permits for development. No building or other development permit shall be issued for property that is subject to a site plan except in conformity with the approved plan for that site. The Planning Board approval or denial and any conditions thereto shall be guided by the following general standards for site development:

- a.) Conformance with this ordinance, adopted Town development plans, an approved Development Plan that includes the subject site, if one exists, and all other applicable laws.
- b.) Compatibility of the proposed development with the natural features of the land and the environmental attributes of the site.

- c.) The general layout and design of building, lighting, signage, open space and development features consistent with reasonable planning principles.
- d.) The location and design of vehicular entrances/exits, including emergency access and fire lanes, in relation to the street system, traffic circulation and control within the site; and coordination of access points and circulation with adjoining properties.
- e.) The provision and protection of pedestrian movement on the site and their coordination with adjoining properties and the street system.
- f.) The location and adequacy of parking, loading and stacking areas including the provision of opportunities for handicapped parking.
- g.) Provisions of landscape, screening and buffers to compliment development and protect adjacent uses from unsightliness, noise, glare and other nuisances. Such elements shall also be used to promote the availability of green space in non-residential development and recreation space in residential development to avoid a continuous paved or built environment.
- h.) Adequate provision of drainage and storm water management facilities.
- i.) Adequacy of sewer and water facilities, fire protection and conformance with Town regulations for the provision and construction of those services.
- j.) The concurrence of Town agencies, New York State Department of Transportation, New York State Department of Environmental Conservation, and other county or state agencies, as appropriate.

E. Required Improvements

In furtherance of the purposes of this ordinance and to assure the public safety and general welfare, the Planning Board shall require the following improvements:

- 1.) The designation of pedestrian walkways or sidewalks for the safe and convenient movement of patron from store to store within the site and with adjoining sites.
- 2.) The dedication of rights-of-way and easements for all facilities to be publicly maintained for the full frontage of the lot or parcel prior to the issuance of any certificate of occupancy.
- 3.) The construction of all off-site curbs, gutters, sidewalks and road widening or construction as shown in the Town of Lockport Master Plan, and any amendments thereto.

- 4.) The construction of curbs, gutters and drives which will permit vehicular travel on the site and their connection to and from adjacent parking areas and properties.
- 5.) Screening, fencing, walls, berms and screen plantings adequate to screen views in accordance with requirements of this ordinance for adjacent subdivisions, contrasting development of less intensity and state highways of limited access. Designated plantings and landscaping shall be in accordance with the approved schedule and annually maintained by the property owner.
- 6.) Adequate sewer, water and storm water drainage facilities in accordance with Town regulations including lines, connections, retention facilities, valves, hydrants and other facilities.

F. Agreement Bond

Prior to the issuance of any building permit or authorization for development of any portion of the site, there shall be executed by the owner or developer an agreement to construct the required physical improvements located within public rights-of-way and easements together with a bond securing the estimated cost of said improvements as determined by the Building Inspector. The agreement and bond shall be adequate to provide for the completion of all work covered therein plus an additional 20% for administration and services should execution of the bond be necessary. The reservation of surety offered by the bond may be released in phases by the Building Inspector as entire components of the work is concluded, inspected and approved as complete.

G. Site Plan Revisions, Extension

- 1.) No change, revision or modification to any approved plan may be made without the authorization of the Planning Board after due consideration of a written request. Minor changes which do not effect the site facilities or the intent of the site plan may be authorized by the Building Inspector. Any site plan may be formally revised in the same manner and utilizing the same process as originally approved by the Planning Board.
- 2.) Approved of a site plan authorized under this Article shall expire within one (1) year from the date of approval unless building permits have been obtained for the proposed development. A single extension of six (6) months may be granted after consideration by the Planning Board prior to the expiration of the site plan.

H. Inspections, Certificate of Occupancy

Upon satisfactory completion of all required improvements shown on the approved site plan, an "as built" plan shall be submitted for the review and approval of the Building Inspector at least one (1) week prior to the occupancy of the building. Such plan shall include the record of all progress and final inspections for the installation of all on-site and of off-site improvements as approved by the Building Inspector or certified by a

licensed engineer. The completion of “as built” plans and the successful inspection reports shall be the basis for release of any surety bond or portion thereof.

A final occupancy permit may be issued for any appropriately completed building, or portion thereof, located on a part of an approved site plan, provided that:

- 1.) “As built” plans have been submitted and approved for the required improvements on the site plan that relate to and provide services to the requested building for occupancy;
- 2.) All inspections and conditions that are required for the service and support of the building requested for occupancy have been successfully completed and are certified for use by the proposed use(s) being requested;
- 3.) Any off-site improvements related to and necessary to service the requested building for occupancy have been completed and successfully inspected: and
- 4.) Any remaining on-site construction will not adversely effect the occupants or the intended use of the building requested for occupancy.

APPLICATION FOR SITE PLAN REVIEW

Applicant _____ Tax Map/Parcel _____
Address _____ Telephone No. _____

Site Location _____
Proposed Development _____
Square Footage _____
Acreage _____ Magisterial District _____
Zoning _____ Date Received _____

I. REQUIRED SITE PLAN INFORMATION

- _____ Location map (1"=2000)
- _____ Boundary survey of the site and lots, if any, related to U.S.G.S.
- _____ Zoning, district boundaries and setbacks
- _____ Existing and proposed streets and easements on and adjacent to the site
- _____ Vehicle entrances and drives
- _____ Parking, loading stacking facilities
- _____ Location and area of all structures, buildings and their proposed use
- _____ Existing and proposed utilities (Town regulatory approval required)
- _____ Existing physical features, water courses and proposed storm water drainage
- _____ Topography (2" contours) and proposed finished grades
- _____ Location and improvement of any parks, recreation, common or public spaces
- _____ Environmental Assessment Form
- _____ Erosion and sediment control plan
- _____ Plans and profiles of any proposed roads, walkways and utilities
- _____ Preliminary plans and elevations of structures, types of dwellings proposed
- _____ Landscaping, screening, fencing, lighting and buffers
- _____ Signage location and detail (uniform, coordinated)

II. REQUIRED PLAN ELEMENTS

- Title of drawing and name, address of preparer
- Name, address of applicant/developer
- North point, date and scale (1"=50' or greater)
- Certification of the site survey attesting to the information provided on the plan with source of title and its place of record
- Horizontal dimensions to the nearest one hundredth (1/100) of a foot and bearings to the nearest ten (10) seconds
- Compliance with the uses and regulations of the Town of Lockport Zoning Ordinance, Article . Site Plan Review (1998).
- Summary of project acreage, development, parking, density and percentage of uses

III. REQUIRED SITE PLAN IMPROVEMENTS

- _____ Public and private roadways and their right-of-way
- _____ Pedestrian walkways and sidewalks
- _____ Easements of access, utility, drainage, recreation, etc.
- _____ Sewer, water, storm water management
- _____ Common area improvements
- _____ Landscaping and buffers
- _____ Connections to adjacent similar facilities and publicly maintained facilities
- _____ Off-site improvements for public continuity and coordination

Bonding will be required for improvements located within or connected to any public right-of-way or public facility. This typically includes highways, drainage, utility improvements and erosion and sediment control measures applicable to site development and required off-site improvements. Sureties of public improvements are subject to reasonable estimates and acceptance by the Zoning Official along with proper guarantee of performance as required by the Town of Lockport Zoning Ordinance.

Site plans are required for uses subject to Special Exception Permits, planned unit developments, multi-family dwellings (3+units), institutional structures (schools, churches, etc.), hotels/motels and commercial and industrial buildings. *Ten (10) copies of the site plan* are to be submitted with this application to the Building Office for distribution to the appropriate review agencies and the Town of Lockport Planning Board. These are subject to review and consideration by the Planning Board which has the final responsibility for approval. *All site plans must be accompanied by the appropriate fees to be received and processed for review.*

ESTIMATED FEES FOR THIS SITE PLAN, BASED ON THE SCOPE AND EXTENT OF DEVELOPMENT, ARE:

\$ _____