

## ARTICLE IV – SITE PLAN REVIEW STANDARDS

### S 4.1 General Standards

1. Protection of Health and Safety. Development proposed on a site plan shall be of such character that, following completion of the proposed improvements, the property upon which the improvements are located does not present any danger arising from conditions detrimental to health or safety, or peril from fire, flood, or other causes to persons occupying or using the property or to the general public.
2. Preservation of Town Character. The proposed development shall be visually compatible with the character of the Town with the extent of compatibility necessary to be determined by the Planning Board in its sole discretion following consideration of all relevant information. The economic impact on the applicant of achieving such compatibility shall be among the factors considered by the Planning Board in making the determination.
3. Separation of Incompatible Uses or Activities. Heavy vegetative screening, combined, as appropriate, with other means of buffering, such as the use of earth berms, shall separate:
  - i) commercial and industrial uses from residential properties; and
  - ii) other proposed uses from any adjacent existing uses where the degree of conflict is so great or so apparent as to allow a reasonable person to conclude that the proposed use would have a detrimental affect on any person's enjoyment, for any purpose, of the existing use.

### S 4.2 – Specific Standards

The review of the complete site plan application by the Planning Board may include, as appropriate, consideration and application of the following:

1. Legal. Will the proposed development be in conformance with all provisions of this Law and other applicable Town, County, State and Federal laws? Has the applicant applied for or complied with all required permits?
2. Traffic Movement and Safety. Will the proposed development provide for safe, convenient and efficient movement of traffic on the site? Will it affect adjoining roads, driveways and properties? Has the applicant obtained any necessary permits to create curb-cuts and work in the right-of-way from the State, County or Town highway departments? Will access to the site from public roads and on-site circulation be well-designed, safe and in conformance with the following?
  - a. The site must be accessible during all months of the year if used Year-round. If only seasonal use is proposed, access shall be possible during the months of use.

- b. The on-site driveway grade and width must be adequate and safe for emergency and service vehicles during all seasons.
- c. There may be no more than two (2) vehicular access points (excluding field entrances).
- d. In cases where sites have frontage on more than one road, the principal point of access must be from the more secondary road whenever feasible. However, access suitable for emergency vehicles must be provided, where possible, from a road that is maintained on a year-round basis as opposed to from a road that is maintained only seasonally.
- e. Highway sight distances from vehicular access points must be adequate to provide for safe ingress and egress of vehicles.
- f. Development of the site must not create or increase any traffic hazard, whether by limiting sight distance, reducing effectiveness of vehicular circulation on adjacent roads, or through creation of some other condition that affects safe operation of motor vehicles on public roads.

3. **Parking and Loading.** Adequate off-street parking and loading spaces shall be provided for the use of occupants, employees, clients and customers so that parking does not obstruct the safe flow of traffic on public roads. Parking and loading areas shall be adequately screened or fenced from existing residences and State-designated tourism routes. The design of parking areas shall be accomplished so as not to force vehicles to back onto a public roadway, block access to the site, or create hazards for pedestrians, and shall avoid dispersion of vehicles about the site to the maximum extent possible. Interior driveways shall be adequate to provide safe accessibility to all off-street parking spaces required. The number of spaces provided shall be in accordance with the following.

- a. Residential use – one (1) parking space for each dwelling unit.

4. **Town Services.** Will the proposed development place unreasonable or extraordinary demands on Town or voluntary services and facilities, to include, without limitation, fire protection, emergency medical services upgrading, maintenance and snow plowing of public roads, recreational facilities, water supplies and sewage/waste disposal systems?

5. **Drainage.** Will the proposed development provide for storm water and drainage on the site such that runoff will not enter, cross or undermine public roads, lead to ponding, or excessive erosion, or cause nuisance conditions for neighbors?

6. **Water and Sewer/Waste Disposal.** Will the site accommodate the on-site wastewater treatment and water supply needs of the development. Standards are as follow:

- a. Pollution control methods for sewage disposal shall comply with the New York State

Uniform Fire Prevention and Building Code 10NYCRR, Chapter 11. This code requires an appraisal of soil conditions to install a septic tank and leach field system by conducting a soil percolation test to properly locate and size the leach field. The following minimum separation distances for locating septic tanks and leach fields shall be satisfied:

- i) 100 feet from any source of water supply; and
- ii) 100 feet from any stream or watercourse; and
- iii) twenty feet (20') from any foundation wall; and
- iv) fifteen feet (15') from any property line.

The location of septic tanks and leach fields shall be clearly identified on the Development Plan Map with distances from lot lines and wells. Proposals that may lead to increased demands on sewage disposal facilities shall demonstrate that such systems are properly functioning and sized to accommodate increased demands.

- b. The water supply for public or semi-public uses shall be from a properly grouted, drilled well. Potable water for private use may come from other sources.

7. Off-site Impacts. Will the design of the proposed use create conditions that adversely affect nearby properties and public areas? Review standards include at least the following:

- a. No aspect of the development shall unreasonably block sunlight and air circulation from neighboring properties.
- b. The location, direction, power and time of use for any proposed lighting shall be designed to protect nearby properties from unreasonable disturbance.
- b. Nearby properties shall be protected against nuisances created by the proposed improvements, to include, without limitation, nuisances caused by noise, smoke, trash, garbage, debris, vibration, fumes, dust, odors, or glare.
- d. On-site materials storage, refuse, and salvage materials shall be screened or fenced from view from public roads and existing residences.

8. Waste Management. Will the site design provide for the safe and sanitary temporary storage of solid and hazardous waste? Waste storage and loading areas and waste containers shall be screened from public view and from view from adjacent properties. All storage and handling of solid and hazardous waste shall demonstrate compliance with applicable Town, County, State and Federal laws, and shall demonstrate application for and compliance with all required permits.

- 9.Storage of Petroleum Products. If the proposed use involves the bulk storage of petroleum products, will it demonstrate compliance with applicable Town, County, State and Federal laws, and demonstrate application for and compliance with all required permits?
10. Underground Storage Tanks. If the proposed use will involve the installation or use of underground storage tanks, does it demonstrate compliance with applicable Town, County, State and Federal laws, and demonstrate application for and compliance with all required permits, satisfactory leakage or tightness testing results for existing tanks, and satisfaction of financial responsibility requirements?
11. Environmental Considerations. Will the proposed development in general avoid areas where the following conditions are present:
- a. slopes greater than 15%
  - b. areas of seasonal or permanent high groundwater.
  - c. flood hazard areas.
  - d. State designated freshwater wetlands.
  - e. Rivers and other bodies of water.
  - f. Areas of shallow soil depth to bedrock or of numerous rock outcrops.
  - g. Areas subject to high erosion.
  - h. Other designated sensitive environmental areas, such as species habitat.

Where mitigation of any environmental impact is permitted by law, the applicant shall show or state in the site plan application all such proposed mitigation measures and shall provide evidence of application for any permits, submissions, agency approvals or other permissions required, therefore.

12. Pedestrian Circulation. Will the development in general provide for the safe and convenient movement of pedestrians both within the site and to and from the site in a manner separated from vehicular traffic?
13. Preservation of Historic Resources. Are designated historical sites on the State and National Register of Historic Places located on the property to be developed? The applicant shall provide evidence of application for any permits, submissions, agency approvals or other permissions required in connection with the presence of such sites, areas and structures.
14. Town Character. Will the location, scale, height, and appearance of structures be appropriate to their function, and will they be compatible with the surrounding architecture, townscape and natural landscape?