

# TOWN of CANAAN

## PLANNING BOARD

2018

### **Making an application for Subdivision/Boundary Line Adjustment/Site Plan**

All parties who are the registered deeded owners of the property must be party to the application and a notarized letter of Consent to Represent must be included in the application if one of the applicants, or a third party will appear on behalf of the applicant/s.

**Application Submission:** your first application appearance request must be received by the Planning Board Clerk before 2:30 pm ten (10) days in advance of our meeting date; additional appearances require the same notification as stated above.

**The Process:** depending on the nature of your application the process can take from one meeting to a series of meetings, two to three meetings are usually sufficient for subdivisions and boundary line adjustments; site plan reviews can be lengthy and may require application filings with other Boards.

**Time Lines:** the Planning Board, Zoning Board of Appeals, and the Columbia County Planning Board all meet once a month on different dates. New York State Law requires that all application for review by these Boards must be submitted ten (10) days in advance of their meeting date. The 10 day in advance cutoff time requirement is necessary so that proper notification to the paper of record of your appearance can be published as required by State Law. Before making an application review the use charts in our Zoning Law and if your application is designated in the Use Chart as a use requiring a Special Permit the application will have to be processed by the Zoning Board of Appeals, Planning Board, and The Columbia County Planning Board; this process can take a minimum of six months because of filing timelines that local boards must meet. Should your property be within 500 feet of a State, or County Highway and require a site plan review the Planning Board by law must refer the site plan to the County Planning Board for comment before final approval may be given.

The key to quickly moving through the system is making sure that you are providing the necessary/required information to the Board in a timely manner. The information provided herein is a starting point for reviewing your application and it is not all inclusive of the information that will be needed to render a final decision on your application.

### **Land Subdivision Application**

#### **Minimum Filing Requirements:**

**10 year history** of Land Subdivision Report from the Assessor. The request for the history information must be made to the Assessor at least 2 weeks prior to submitting your application.

**Entranceway Permits** – you are required to submit with your application a driveway entrance/exit location permit from the State, County or Town of Canaan Highway Department that maintains the highway or street at that subdivision location; no subdivision will be approved without first obtaining a driveway permit.

**Plat Plan** Five (5) copies of the Plat Plan at a Scale of 1"= 100' must be submitted with the application; if additional plat plan copies are needed they may be submitted at the meeting.

**Submit Application** and Plat Plan by 2:30 pm ten (10) days before the regular meeting date to the Clerk

of Planning Board; the appropriate fee is due at the time of approval. Note that the 10 day submission is a State Law Required time line and must be adhered to.

**Short form SEQR report** part one of the SEQR report is required for all submissions; copies are available on-line and at the Town Clerk's Office. (the applicant fills out Part one and brings part two blank for the Planning Board to fill out).

### **General Information to be shown on Plat Plan**

Name of subdivision,

Name and address of owner,

Name and address of the New York state registered professional engineer, or surveyor, licensed in the State of New York responsible for the plan, stamped with an original seal.

Zoning classification and requirements, date, north point and scale.

All Easements and Deed Restrictions

A location map for the purpose of locating the site at a scale of not less than eight hundred (800) feet to the inch, only final boundaries to be shown on the map No dotted lined or rock walls.

The maps will show proposed changes. \*\* For additional required information to be shown on the plat; See Land Subdivision Regulations (November 14, 1997) Article II "Use Regulations Requirement of Approved Subdivisions" for detail information to be shown on the plat for Major, Minor, and Exempt Subdivisions.

The Planning Board at their discretion may require two (2) site plan maps; one (1) that shows the land before the subdivision; and one (1) that shows the land after the subdivision; the before map may be a tax parcel map.

**Pin Setting** Provide a letter certifying the pin settings from the surveyor

The approved subdivision must be filed with The Columbia County Clerk within sixty-two (62) days of Planning Board approval, failure to do so will void the approval.

### **Re-Subdivision of Land Boundary Line Adjustment**

Please take note: A Boundary Line Adjustment cannot create a New Lot, it may only increase, or, decrease a lot size. Nor, can the adjustment create a non-conforming lot, which is one not conforming to our current lot size and setbacks requirements. Should the proposed adjustment not comply with the current setbacks and lot size you will be referred to the Zoning Board of Appeals to apply for an Area Variance. New York State Law requires Planning Board approval of all Boundary Line Adjustments before a adjusted deed can be filed.

## **Site Plan Review**

Site plan review is required for listed usages in the Zoning Use Chart that require a Special Permit (SP).

The review process is a lengthy one and dependent on how complete your application filing is.

The Board recommends an applicant thoroughly review the Requirement, Procedure and Review Standards Sections of the Site Plan Law for it lists what we will be looking for.

Please be aware that listed review items are a starting places that many times leads to the need for additional information.

The local review process must take into account state and federal laws and regulations that are imposed on the review process for environmental, health and safety.

All special permits are issued by the Zoning Board of Appeals and are subject to site plan approval by the Planning Board.

General Municipal Law 239 requires that the Local Planning Boards must refer a site plan to the County Planning Board for their comment before approving a site plan if certain conditions exist, one being the plan under review is within 500 hundred feet of a State or County Highway.

This referral requirement is in addition to the Zoning Board of Appeals mandatory referral to the County Planning Board. Because of state mandated filing timelines this step may add a month to the review process.

### **Summary**

The Planning Board looks forward to assisting you with a timely review of your project and working in a co-operative manner with other review boards that may be involved in the approval process.

Planning Board meetings are held on the third (3rd) Monday of the month at 7:00 pm in the Town Hall.

The zoning law format has been recently updated and is posted on the Town's website.

It is in a PDF searchable format compiled into one document to assist you in locating information in an efficient manner.

Although the new format should lessen confusion in understanding the law we realize that there is always a need for a greater understanding of some sections. To fulfill that need we encourage you to contact the planning board in advance of your formal submission with any questions you may have. Contact the clerk of the Board for submission requirements, deadlines, and to request an appearance date.

Clerk of The Planning Board: Tammy Flaherty

Phone: (518) 781-4228