

# PLANNING BOARD SITE DEVELOPMENT APPLICATION

## SUMMARY OF DEVELOPMENT APPLICATION PROCEDURE

This summary has been prepared by the Bronxville Planning Board to inform applicants and the public about procedures for obtaining approval of proposed developments. Applicants are cautioned, however, that detailed requirements are specified in Article V of the Village Code of 1981, and this summary is intended only as a general guide and description of steps to be followed.

## PLANNING BOARD SITE PLAN SUBMISSION REQUIREMENTS

Every applicant for Preliminary or Final Site Plan Approval must be documented by the following information unless otherwise directed by the Planning Board. One (1) complete set of the formal application must be submitted for approval a minimum of four (4) weeks before the next scheduled meeting to be considered for that meeting. Once approved by the Building Inspector the applicant will then be notified of the meeting date and if the application must be forwarded to our consultant at FP Clark Associates (David Stolman, 555 Theodore Fremd Avenue, Suite C301, Rye, New York 10580). You **MUST** send a complete set for her review. The applicant will be required to submit **eleven (11) additional COMPLETE, COLLATED** copies with the original Affidavit of mailing and mail receipts to the Planning Department office a minimum of one (1) week prior to the meeting.

1. Complete Site Development Application Form
2. Required filling fee of **\$250.00 plus \$5/\$1,000** of construction cost or 1% of the Village's Assessed Value if no construction planned.
3. Site plan drawn to scale prepared by a licensed surveyor under his seal. The following is to be included:
  - a. Dimensions, orientation acreage of each lot or plot including location of all existing and proposed easements.
  - b. Project layout including relationship to surrounding properties and buildings.
  - c. Present and proposed street and highway locations and dimensions.
  - d. Motor vehicle access and egress locations. On-Site vehicle circulation patterns.
  - e. Location and layout of all existing & proposed parking areas, including off street parking and loading facilities.
  - f. All existing and proposed topography and grading, minimum (5foot contours).
  - g. Location of significant natural features including water courses, rock outcrops, wooded areas.
  - h. Location of all existing and proposed planting and screenings, including all existing trees of four inches caliper and over (Measured 4 feet above grade, trees over 4 inch caliper to be removed **MUST** be indicated.)
  - i. Size, shape, location and lot line setback dimensions of existing and proposed construction.
  - j. Description of proposed uses.
  - k. Description of building divisions into separate occupancies or uses.
  - l. Location of all walls, fences and railings including height and materials of construction.
  - m. Location of exterior lighting including type of lighting and shielding.
  - n. Indicate potential nuisances to other properties including noise and orders.
  - o. Location, size and design of exterior signs and outdoor advertising including awnings.

4. Preliminary floor plans and exterior elevations drawn to scale and adequate to show clearly the design intent, abutting structures and significant natural features should be included.
5. Sequence of development including sequence and timing for each phase.
6. Zoning analysis and statement of compliance with applicable sections of Zoning requirements including but not limited to density building height; use; setbacks; parking; usable open space; floor area ratio or a request for Zoning variance (if required) include a description of the variance request which will be submitted to the Zoning Board of Appeals.
7. Environmental information statement. A short form E.A.F may be submitted for unlisted actions.

The Planning Board may waive any of the above submission that it believes to be unnecessary. (Except the Environmental Information Statement).

The Planning Board may require additional information it deems necessary to make a determination. This information may include:

- a. Photographs of the site and adjoining properties.
- b. Building sections.
- c. Professional studies of the effect of the proposed development on the community with respect to such factors as parking, traffic, surface water drainage and public utilities including water, gas, electric and sanitary sewers.
- d. Detailed drawings of decorative elements.
- e. Samples of exterior materials and colors.
- f. Location and method of refuse storage (including recyclable).
- g. Scale drawings of signs.
- h. Scale model of the proposed project.

8. All applications subject to Westchester County Review

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**PRE-APPLICATION CONSULTATION (OPTIONAL)**  
**(ESTIMATED PROJECT COST GREATER THAN \$50,000.00)**

Prior to the filing of an application for development a developer or his architect may (upon payment of \$1,000.00 fee) request in writing an informal conference with the Board and the Design Review Committee ("DRC") to obtain information and guidance and to discuss the proposed development. Pre-application review is voluntary and not required. The meeting is not a hearing, although it is open to the public to attend as observers. Notice of the meeting is given by the Village.

**Filing Requirements:**

Written request for pre-application meeting

Written description or diagrammatic material outlining the proposed development.

Filing fee of \$100.00

Once approved you must submit eleven (11) additional complete, collated copies

**SITE PLAN APPLICATION, PROCEDURES AND SEQUENCE**

**Professional Consultant Escrow Requirements:**

In accordance with **§310-55A**, **Simultaneously with the filing of an application for approval** pursuant to this chapter from the Board of Trustees, the Planning Board, including the Design Review Committee, the applicant shall submit a completed Escrow Agreement Form and deposit with the Village Treasurer of a sum of money that shall be used to reimburse the Village for the professional services as described in **§310-54A** of this chapter.

The funds, the amount of which shall initially be calculated in accordance with the schedule of deposits established pursuant to this article and as outlined in the attached Escrow Deposit Schedule, shall be deposited in a segregated account maintained by the Village, which shall not be required to be an interest-bearing account.

If at any time during the process the remaining balance of the deposit shall be less than \$1,500 the applicant shall immediately replenish said deposit so that it has a balance of at least \$2,500. **Such additional funds shall be deposited with the Village before any further action or consideration is taken on the application.** In the event that the deposit amount held by the Village is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be refunded to the applicant.

#### **Filing Requirements:**

Initial submission: One (1) complete set of the formal application for the development is to be made on the form provided by the Village, copies of plans and statements required by the Code (**Sec. 310-44.C**). The application must be accompanied by a fee of \$250.00 + \$5/1,000.00 of construction cost of the Village's assessed value of the project.

Within ten days after the filing of an application and documents the applicant will be advised if the submission is considered to be complete. The Board may require additional information or the retaining of an expert at the applicant's expense. The applicant will then be notified of the meeting date and will be required to submit eleven (**11**) **additional COMPLETE, COLLATED** copies with the original Affidavit of mailing and return receipts to the Planning Department office a minimum of one (1) week prior to the meeting.

#### **REPORTS OF BUILDING SUPERINTENDENT AND COUNSEL**

Copies of the application and documents are sent by the Superintendent to members of the Board and DRC, together with his and Counsel's reports as to compliance with Village zoning laws and engineering requirements.

#### **DESIGN REVIEW COMMITTEE REPORT**

The DRC, whose members are especially qualified in the design field, will review the plans and documents with the applicant and his architect. Review sessions, of which there may be more than one, are not hearings, but the Village gives notice of the dates and the public may attend as observers. The DRC is required to make its report to the Board in sufficient time for the Board to hold its hearing within 60 days of the filing of the application, unless the time is extended with the consent of the applicant.

#### **PLANNING BOARD PUBLIC HEARING**

A formal hearing must be held on every site plan application. The applicant will be advised of the date, and it is his responsibility to arrange for notice of the hearing to be given by newspaper publication and service on the neighboring property owners **at least (10) ten days prior to the hearing**. Copies of the certified mail receipts are to be submitted to the Board as proof of service. The superintendent's office will provide the form, and contents of the notice. All

documents, including any revisions agreed upon during the DRC review, must be on file with the Village at least (10) ten days before the hearing.

At the hearing the applicant and the public are heard, and any person may offer evidence or testimony. Following the hearing the Board makes findings of fact and may:

Grant final approval of the application.

Disapprove the application.

Grant preliminary approval subject to modifications, improvements, and conditions to be complied by the applicant.

### **STEPS FOLLOWING PRELIMINARY APPROVAL**

If the Board grants preliminary approval, it must grant or deny final approval within sixty (60) days of the date of the Board's first hearing, unless the time is extended with the consent of the applicant.

The applicant will receive a copy of the Board's preliminary decision, and must then prepare and file eleven (11) copies of the application for final approval with plans and documents, including the applicant's agreement to any modifications, improvements, and conditions required by the Board and to the applicant as to compliance.

The applicant will be advised of the date of the Board's final hearing and is again responsible to arrange for notice of the hearing to be given by newspaper publication and service on neighboring property owners at least (10) ten days prior to the hearing. After hearing the Board determines whether the proposed development now meets all the standards and legislative intent of the code (See §310-44.E and 310-44F), and may condition final approval upon further modifications and conditions.

### **VARIANCES**

The Planning Board does not have the power to grant variances from the zoning law. A condition of any site plan development approval is that the applicants seek and obtain all necessary variances from the Zoning Board of Appeals. The Planning Board may however make recommendations to the Zoning Board of Appeals that a variance be granted or denied.

**Village of Bronxville**  
**Site Development Application**

Site Development       Subdivision       Special Permit

Project Name, If Applicable: \_\_\_\_\_

Project Street Address: \_\_\_\_\_

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Zone: \_\_\_\_\_

Plans Prepared By: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Owner: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

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

Zoning Variances Required: \_\_\_\_\_

County; State or Federal Permits Required: \_\_\_\_\_

Proposed use(s) of site: \_\_\_\_\_

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Anticipated construction time: \_\_\_\_\_

Office Use Only							
Date Received	Docket No.	Section	Block	Lot	Permit #	Fee Paid	Date Approved

Current land use of site: (Residential; Commercial; Undeveloped) \_\_\_\_\_  
\_\_\_\_\_

Current condition of site: (Building; Brush; ect.) \_\_\_\_\_  
\_\_\_\_\_

Estimated cost of proposed improvements: \$ \_\_\_\_\_

Anticipated increase number of Residents; Shopper; Employees; ect. \_\_\_\_\_  
\_\_\_\_\_

Describe proposed use, including primary, secondary uses; ground floor area; height; number of stories for each building. Attach additional 8 1/2" x 11" sheets if required.

-For residential buildings include number of dwelling units by size.

-For non-residential building include total floor area; sales areas; number of automobile and truck parking spaces.

-Other proposed structures (including shed; garages; ect.)

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Owners Name: \_\_\_\_\_

Owners Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Information for Persons Proposing to Submit an Application for Development**

### **Who must apply:**

With the exception of projects relating to certain single-family residences, any subdivision of land, any clearance or alteration of land, any construction, demolition, movement, external alteration or enlargement of any building or other structure, any construction or enlargement of an open parking area, any diversion dredging or filling in of any land, building or other structure for which permission is required by the Village Zoning Ordinance must be approved in advance by the Planning Board. The owner of the land, a holder of an option or contract to purchase, or any other person having an enforceable proprietary interest may make the application.

### **How to apply:**

Application forms are available on the Villages Website [www.villageofbronxville.com](http://www.villageofbronxville.com). One complete copy of the application, which must include a site plan, and environmental information statement, and any other necessary documentation must be filed with the Building Inspector. Before making a formal application, you may request in writing an informal pre-application meeting with the Planning Board and Design Review Committee to obtain general information and guidance.

### **Fee:**

The basic fee for an application for site plan approval is \$250.00 + \$5/1,000 of construction cost of Village's assessed value if no construction is planned. Pre application filing fee is \$100.00. The appropriate fee must accompany the application. An additional fee may be charged by the Planning Board to cover the costs of any experts whose advice is necessary to evaluate the application.

### **Hearings:**

The Planning Board will hold a public hearing on the application. The law requires the applicant to give proper notice of the hearing. Notice must be given by publication in the Village's official newspaper "The Journal News – Southern Addition" and by personal service or certified mail to owners of property located within 400 feet of the property to be developed at least 10 days before the hearing. Forms of the required notices are available at Village Hall and the Superintendent of Buildings will provide a list of neighboring property owners who must be notified. If the application receives preliminary approval subject to compliance with modifications or conditions a further hearing of which the applicant must also give notice will be required prior to the issuance of final approval. Final approval will be granted or denied within 60 days after the first hearing on the preliminary application unless the time is extended by request of the applicant.

### **Decisions:**

Unless the time is extended, the Planning Board will render a decision granting or denying preliminary approval of an application within 60 days of submission of the complete until all information required by the Planning Board has been filed. The preliminary approvals may require modifications or attach conditions to your site plan. To obtain final approval, include eleven copies of the application, including a final site plan which incorporates all modifications and conditions required by the Planning Board. Must be filed (without fee) with the Superintendent. After notice and hearing as described above. The Planning Board will grant or deny final approval.

### **Subdivisions:**

If the application for development includes a subdivision, the proposed subdivision should be described in the application and in the notice of hearing. If no construction is involved the application fee will be one percent of the Village assessed value of the property being subdivided or \$100.00, whichever is greater. While all the foregoing requirements apply generally to subdivisions. The Planning Board may waive submissions which appear unnecessary in light of nature of the particular subdivision.

**NOTICE OF PUBLIC HEARING FOR ADJOINING PROPERTIES**

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Planning Board of the Village of Bronxville at 200 Pondfield Road, Bronxville, N.Y. on

\_\_\_\_\_ at 7:30 pm or as soon thereafter as the matter may be heard,  
(Date)

to consider an application for the development filed by:

\_\_\_\_\_  
(Name of Developer)

Requiring approval of a site plan of property located at the property located at:

\_\_\_\_\_  
(Property Address)

Section \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_

A copy of the application for development, including the proposed site plan and all other maps and documents filed therewith, is on file and available for public inspection on any business day prior to the hearing between the hours of 9:00 am and 2:00 pm at the office of Superintendent of Buildings, 2<sup>nd</sup> floor Village Hall, Bronxville, N.Y.

The Public is invited to attend the public hearing and will be given reasonable opportunity to present oral comments or written presentation relevant to the application. The hearing may be presentation relevant to the application. The hearing may be adjourned from time to time at the discretion of the Planning Board.

\_\_\_\_\_  
(Name of Developer)

\_\_\_\_\_  
(Address of Developer)

## ESCROW AGREEMENT FOR PROFESSIONAL CONSULTATION FEES

The undersigned does hereby agree to the following:

1. I (we) am (are) the owner(s) of premises located at the street address and identified on the tax maps as noted below, for which an application is being submitted to the Village of Bronxville:

\* Street Address \_\_\_\_\_

\* Section: \_\_\_\_\_, Block: \_\_\_\_\_, Lot: \_\_\_\_\_

2. I understand and agree that there are certain fees for which I am responsible in conjunction with said application.
3. I understand that the Village Board, Planning Board, Zoning Board of Appeals and/or Design Review Board may seek the services of planning, engineering, environmental, legal, or other technical consultants or professionals as deemed necessary by the Board(s) to review my application. I will be responsible for any and all costs incurred by the Village for such consultations and professional opinions at the prevailing hourly rate agreed upon by the Village. Charges made by such consultants shall be in accord with charges usually made for such services in Westchester County. I understand that no employee of the Village or any member of the Village Board, Planning Board, Zoning Board of Appeals or Design Review Board can advise me, in advance, of what the total consulting fees might be.
4. Upon submission of my application, I shall provide a minimum retainer of \$5,000.00 up to a maximum initial amount as required by the Planning Board depending on the scope of proposed work, payable to the Village of Bronxville, to be held in escrow and applied toward the payment of consulting and professional fees incurred by the Village with regard to my application. When the balance of the escrow account is \$2,500.00 or less, I shall deposit additional retainer funds into the escrow account so that the minimum balance in said account is never less than \$5,000.00. Upon request, the Village shall provide me with a statement indicating expenses incurred and the amount of monies withdrawn from said account.
5. I understand that if I withdraw my application prior to any action being taken by the Village Board, Planning Board, Zoning Board of Appeals or Design Review Committee, I am still responsible for any expenses incurred by the Village with regard to my application prior to such withdrawal.
6. I understand that if at any time the minimum balance in said escrow account falls below \$1,000.00 and is not replenished prior to the next scheduled meeting on the application, the Village Board, Planning Board, Zoning Board of Appeals and/or Design Review Committee may suspend the review of my application and/or the Village Engineer may refuse to issue permits and/or certificates with regard to the premises, unless the Village has been advised by the consultant that no additional charges will accrue.



## Escrow Deposit Schedule

### Minimum Escrow Deposit Requirements

Schedule of initial deposits required under Article X of the Zoning Code:

A. For subdivisions and residential site plan applications:

<b>Number of Dwelling Units or Lots</b>	<b>Initial Deposit Amount</b>
1 to 4	\$5,000
5 to 25	\$25,000
25 or more	\$25,000 + \$1,000 per unit

B. For nonresidential site plan applications:

(1) Up to and including 2,500 square feet: \$5,000.

(2) More than 2,500 square feet: \$5,000 plus \$2 per square foot.

C. For wireless communication facilities: \$5,000.

D. Other applications to the Village Board, Planning Board, Design Review Committee and/or Zoning Board where the Superintendent of Buildings or Village Engineer determines that professional consultation services will be required: \$2,500.

E. Provided, however, that the Village Administrator may reduce the required amount of the above deposits in his or her discretion depending on individual circumstances and only to an amount that will still cover Village anticipated costs and consultant expenses.