

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.

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 and return 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. The applicant may request permission to make a Stenographic transcript of the hearing at his expense. A copy of this transcript will be provided to the Village at no cost.

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.

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. 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.

1. Complete Site Development Application Form
2. Required filling fee of **\$250.00 plus \$5/\$1,000** of construction cost 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.

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: _____

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.)

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. 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 Superintendent of Buildings. 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, 2nd 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 \$2,500.00 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 \$2,500.00. 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.
7. I understand that when it has been determined by the Village that all final charges against the escrow account established for my application have been paid, the remaining balance in the account, if any, shall be returned to the owner.
8. I understand that if there are still outstanding consulting fees relative to my application at the termination of the review process, the Village will pursue all legal options to retrieve such fees.

9. I understand that the imposition of escrow account fees are in addition to, and not in place of, other fee schedules currently in force.

10. All correspondence from the Village regarding the escrow account established for my application shall be addressed to:

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Fax: _____

Email: _____

OWNER (signature)

OWNER (signature)

OWNER (print name)

OWNER (print name)

Dated: _____

Dated: _____

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:

Number of Dwelling Units or Lots	Initial Deposit Amount
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.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO
			YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO
			YES
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO	YES
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO	YES
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO	YES
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?		
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)