



## Use by Special Review

Project \_\_\_\_\_

### Application Process

Applicant Responsibility	Step	Description	Date Completed	Town Responsibility
X	1	Preapplication with Town Staff		X
X	2	Neighborhood meeting		
X	3	Application submittal		
	4	Referrals sent out (Referees given 21 days to respond)		X
	5	Set dates for Planning Commission and Town Board hearings		X
	6	Newspaper Publication (15 days before Planning Commission hearing)		X
X	7	Posting Notice on Property (obtain sign(s) from Town Clerk and post 15 days prior to Planning Commission hearing)		
X	8	Return Sign Posting Affidavit to Town (a notarized statement of posting with picture(s) of sign with street and property in view)		
X	9	Neighbor Notification (send written notice of public hearings to all property owners within 300ft by first-class mail)		
X	10	Planning Commission Hearing (applicant is required to attend public hearings)		X
X	11	Town Board of Trustees Hearing (applicant is required to attend public hearings)		X

#### 1. Preapplication Meeting

A preapplication meeting with Town staff is required prior to submittal of an application for a use by special review. The applicant shall submit a brief description and location of the proposed use to the Town Clerk prior to establishing the preapplication meeting. The purpose of the meeting will be to discuss the Town's application requirements and process and other information relevant to the proposed application. A site visit may be scheduled if deemed necessary by Town staff.

**2. Neighborhood meeting.**

The applicant is encouraged to meet with adjacent landowners and homeowners' associations, when applicable, concerning the application. If a neighborhood meeting is held, it shall be done after the preapplication meeting with Town staff.

**3. Application submittal.**

The applicant shall submit an original and sufficient number of copies of the application materials, as determined by Town staff, for distribution and review by the Town and referral agencies.

**4. Referrals.**

When determined complete, the application will be sent to appropriate referral agencies, as determined by Town staff, and the referral agencies will be given twenty-one (21) days to respond to the application unless otherwise noted. Comments submitted by referral agencies are recommendations to the Board of Trustees. The authority for making the decision to approve or deny the request for a use by special review rests with the Board of Trustees.

**5. Set a Planning Commission hearing date.**

At the Town staff's discretion, the Board of Trustees public hearing may also be set and be given legal notice and posting, concurrent with setting the Planning Commission hearing date.

**6. Newspaper Publication.**

The Town will publish notice of the public hearing dates, time and location at least fifteen (15) days prior to the hearing in the newspaper designated by the Board of Trustees.

**7. Posting Notice on Property.**

At least fifteen (15) days prior to the public hearing, the applicant shall post the property with a notice of the hearing, as required by the Town Clerk. The sign shall be posted adjacent to and visible from a publicly maintained road right-of-way. In the event the property under consideration is not adjacent to a public right-of-way, one (1) sign shall be posted in the most prominent place on the property and a second sign posted at the point at which the driveway (access drive) intersects a publicly maintained road right-of-way.

**8. Notice to surrounding property owners.**

At least fifteen (15) days prior to the public hearing, the applicant shall provide written notice of the public hearing to those persons owning property located within three hundred (300) feet of the parcel under consideration. Such notification shall be mailed first-class, postage prepaid by the applicant. Inadvertent errors by the applicant in sending such notice shall not create a jurisdictional defect in the hearing process, even if such an error results in the failure of a surrounding property owner to receive such notification.

## Use by Special Review

### Submittal Requirements

The following shall be submitted as part of the application, except for those items specifically waived by Town staff, in writing, as being unnecessary to a decision on the application.

X	Items for Submittal	Waived by Town
	Completed land use application	
	Application fees and fee deposits with signed fee agreement	
	Detailed description of proposal including:	
	acreage or square footage	
	hours of operation	
	number of employees	
	number of patrons, customers, buyers or visitors	
	existing zone district	
	existing land uses adjacent to the property	
	Proof of ownership	
	List of property owners within 300 feet of the property line.	
	Copies of any applicable state or federal permits for the proposed use	
	Written certification that notice has been provided	
	may be submitted at date of initial public hearing	
	Copy of any surface use agreement with mineral interest owners of property	
	Traffic study	
	Drainage study	
	Soils report	
	Noise report	
	Use by special review and landscape plan maps showing existing and proposed:	
	buildings	
	parking	
	landscape elements	
	lighting	
	drainage elements	
	utilities	
	public rights-of-way	
	vicinity map showing surrounding area	
	any other information deemed necessary by Town staff	
	Any additional information reasonably required by Town staff:	