

## **Town of Clarence, New York**

### **Commercial Project Review Process**

- 1.) Application and preliminary meeting with Town Officials:
  - James Callahan, Director of Community Development, 741-8933.
  - Timothy Lavocat, P.E., Town Engineer, 741-8952.
  - Jeffrey Wilson, Building Inspector, 741-8950.
  
- 2.) The applicant then presents a concept/sketch plan at a Town Board Meeting. Plans must show all items on the attached concept approval checklist (attachment#1). The Town Board normally meets on the second and fourth Wednesdays of the month. Application forms must be submitted and the appropriate fees paid the Wednesday before the Town Board Meeting. The Town Board may act at this meeting to refer the project to the Planning Board or deny the request.
  
- 3.) All new projects may be referred for compliance with the State Environmental Quality Review Act (SEQRA). An Environmental Assessment Form must be completed by the applicant and submitted to the Planning and Zoning Department prior to the next available Planning Board Meeting.
  
- 4.) If the applicant is referred to the Planning Board, nine (9) full sets of the Concept Plans must be submitted to the Planning and Zoning Department for distribution to Town departments and outside agencies for review. Also, an electronic copy, preferably a pdf file, of the Site Plan must be submitted to the Planning Office.
  
- 5.) The Planning Board may grant Concept Plan approvals for projects that do not involve a re-zoning of land or a Special Exception Use Permit (SEUP). The Concept Plan will require Town Board approval if the project involves re-zoning of land or a Special Exception Use Permit.
  
- 6.) After Concept Plan approval has been granted, the applicant must then develop and submit nine (9) sets of Development Plans to the Planning and Zoning Department for distribution to other Town departments for review. They may be distributed to the following agencies:
  - Planning and Zoning Office
  - Assessor's Office
  - Landscape Committee\*
  - Highway Department
  - Building Department
  - Fire Advisory Board
  - Engineering Department
  - Traffic Safety Board

\*Please note that the Landscape Plans must be developed in accordance with the Landscape Ordinance (L.L. 131). A copy of the Landscape Ordinance can be obtained from the Planning and Zoning Department.

Development Plans must contain information as required on the Site Development Plan checklist (attachment #2). The applicant must obtain written approvals from Town departmental reviews and all other pertinent outside agencies before a Development Plan hearing will be scheduled by the Planning Board. These other agencies may be:

- Erie County Water Authority
- Erie County Health Department
- NYS Department of Transportation
- NYS Department of Environmental Conservation
- US Army Corps of Engineers
- Erie County Environment & Planning
- Town of Clarence Zoning Board of Appeals
- Erie County Highway
- Any utility company providing service at site
- US Department of Housing and Urban Development
- NYS Office of Parks, Recreation and Historic Preservation

Development Plan reviews by Town departments will most likely conclude within a thirty (30) day period. All departments must submit status of review and comments to the Planning and Zoning Department seven (7) days prior to the Planning Board Meeting.

- 7.) Any changes made by the Planning Board or Town board must be incorporated into the final drawing. Final Development Plan Approval shall be granted by the Planning Board.
- 8.) The final review for building permits will be completed by the Building and Engineering Departments. A permit must be obtained prior to the commencement of any construction. A Public or Private Improvement Permit (PIP) and any related bonds must be secured before any work may begin on the site. The Building and Engineering Departments must be notified prior to any construction. The applicant must call for inspections per the inspection list attached to the permit.

Attachment #1

**Concept Plan Approval Checklist  
for Commercial Projects**

- Fill out Request For Action Form available on-line at [www.clarence.ny.us](http://www.clarence.ny.us) or in the Planning and Zoning Office.
- Indicate current zoning classification and any proposed changes.
- Show the concept plan to sufficient scale (1":100') including title, North arrow, date and stamp of licensed professional who prepared the plan.
- A plan showing the location and widths of all access drives. Illustrate the distance from each existing and proposed driveway to the nearest side road in each direction within 1,000 feet. NYSDOT or Erie County Highway approval for any new curb cuts onto state or county roads is required. Proposed traffic flows should be indicated.
- Identify adjacent properties and existing buildings within 500' of the proposed project area. Show all proposed building footprints on the plan with floor area ratios.
- Show the parking plan including handicapped, employee and customer parking with future expansion areas noted.
- A topographical survey that shows floodplains, wetlands, soils, existing streams and ditches with base flood elevations, existing elevations and proposed elevations clearly illustrated. Contour lines should be no greater than 2'.
- Indicate what utilities are available to the site including water, sewer, electric, gas, etc. indicating any future expansion of these services through the proposed site. Show any proposed easements, setbacks and areas reserved for public use.
- Provide the building construction type, materials, size and usage. Show proposed building elevations.
- Owner of land must give written authorization for the project, if different from the applicant, to the Planning and Zoning Office. Include land title and deed description for the record including any deed restrictions.
- An existing and proposed landscape plan should be presented with trees over 4" in diameter clearly indicated on the plan with the species type labeled. A species legend should be on the proposed plan. Any fences, lighting instruments, signage, and outside storage areas should also be included.

Attachment #2

**Development Plan Approval Checklist  
for Commercial Projects**

- Legal boundary survey stamped and signed by a New York State Licensed Land Surveyor showing entire development parcel and adjacent properties within 200 feet including reputed owner information for all immediately adjacent properties.
- Legal topographic survey stamped and signed by a New York State Licensed Land Surveyor or Professional Engineer. Topographic survey to include, but not be limited to, existing ground elevations at USGS datum or NGVD 29' datum (if near floodplain/floodway) extending a reasonable distance off the subject property, existing grade contours at 1 foot intervals, location elevation and description of benchmark utilized, existing watercourses and direction of flow, Federal Wetlands, State Wetlands, floodplains (including base flood elevation), floodways and existing utility information (storm sewer, water, sanitary sewer, gas, telephone, electric, cable, etc.) and adjacent driveways and/or road intersections.
- Site layout plan and detail sheets to include, but not be limited to, proposed building location(s) with dimensions to property lines, all setbacks, paved areas, parking layout, sidewalk locations, berms, exterior lighting and all associated site details. The following information must be provided on the site plan for Building Department review-landscaping (see Town of Clarence Landscape Ordinance), zoning, occupancy classification, construction type, building height, building area, proposed fire protection systems, frontage/area modification(s) (see chapter 5 of the Building Code), finished floor elevation(s) and a basic floor plan including fire walls, fire barriers, fire partitions, stairways and exits.
- Storm drainage and grading plans, profiles and detail sheets to include, but not be limited to, location of existing and proposed drainage structures (all structures to be numbered), length, size, slope and material of proposed storm sewer piping, pipe inverts at all structures and end sections, high water elevation within storm water retention, detention basins, perimeter yard drainage with inlets at all property line intersections, storm drainage easements, proposed spot elevations, proposed elevation contours at 1 foot intervals, detention/retention basin cross sections, proposed perimeter swales with swale centerline elevations and all associated storm drainage and grading construction details.
- Utility plans, profiles and detail sheets to include, but not be limited to, location of all existing and proposed utilities and their respective size and material (water mains and services, sanitary sewers, storm sewers, gas mains, cable, telephone electricity lines), proposed backflow prevention device, proposed utility poles and all associated construction details.
- Erosion and sedimentation control plans and detail sheets to include, but not be limited to, location of silt fencing, location of straw sediment traps, stabilized construction

entrance, topsoil stockpile areas, limits of stripping, limits of grading, maintenance schedule and all associated construction details.

- A detailed landscape plan that identifies all plant species by number and type that includes both preconstruction and post construction vegetation.
- A traffic control plan must be submitted that shows the location of all access drives within 1,000' of the proposed site. All proposed traffic control devices shall be shown on a site layout plan that includes safe pedestrian corridors throughout the site.
- Indicate the location, character, size, height and orientation of proposed signs and outdoor lighting systems.

## General Requirements

- All plan, detail and profile design sheets must contain an original stamp and signature of a Professional Engineer or Registered Architect licensed in the State of New York. Note: All site layout plans with dimensions tied to legal boundary survey, utility, storm drainage, grading, erosion/sedimentation control plans, profiles and detail sheets must be stamped by a Professional Engineer licensed in the State of New York.
- Engineer's Report explaining the project in detail including, but not limited to, existing site drainage condition hydrographs, proposed site drainage conditions hydrographs, storm water detention requirement calculations, detention basin design criteria including controlled discharge calculations and storm drainage pipe sizing calculations including perimeter yard drainage. The Engineer's Report must have original stamp and signature of a professional engineer licensed in the State of New York.
- If the proposed land disturbance is greater than one (1) acre provide a Storm Water Pollution Prevention Plan in accordance with New York State Department of Environmental Conservation requirements for General Permit for Construction Activity (GP-02-01) must be submitted for review.
- If the proposed land disturbance is greater than one (1) acre provide documentation from the NYSDEC stating that the General Permit for Construction Activity (GP-02-01) has been obtained for the subject project. General Permit coverage is required prior to issuance of Private Improvement Permits.
- Written verification from the Erie County Department of Environment and Planning or the Erie County Health Department stating that approval has been granted for all proposed sanitary sewer facilities including subsurface disposal systems (septic, sand filters, etc.).
- Approval from the Erie County Water Authority for the proposed domestic and fire service facilities including any backflow prevention devices.
- Additional technical design requirements as required by the Engineering Department.
- All features and elements of the site plan shall in all respects conform to all applicable provisions and standards of the General Statutes of the State of New York; the Laws of the Town of Clarence and Erie County; and the standards and requirements of the New York State Department of Transportation and the New York State Department of Health. Proof of all appropriate permits for utilities and other improvements must be submitted to the Town before Development Plan approval may be granted.
- All site layout and utility plans should be made available electronically on an acceptable form of media or e-mail in pdf format.

- After Town Board approval and **before** construction commences, a Private/Public Improvement Permit must be obtained from the Engineering Department. Building Department reviews have to be performed to insure compliance with New York State Building and Fire Prevention Codes. Building Department reviews will take at least two (2) weeks depending on the scale of your project.