

VILLAGE OF  
**Village of Fayetteville**  
INCORPORATED  
**Planning Board**



425 East Genesee Street  
Fayetteville, New York 13066

Telephone: (315) 637-9864  
Fax: (315) 637-0106

**§ 187-41 Special permits.**

**A. Applications.**

(1) An application for a special permit shall be made to the Planning Board and shall be accompanied by three sets of preliminary plans and other descriptive matter to portray clearly the intentions of the applicant. These documents shall become a part of the record. Such plans shall show location of all buildings, parking, access and circulation, open space, landscaping and other information necessary to determine if the proposed special use meets the requirements of this chapter.

(2) The structure and uses authorized by special permit shall conform to all of the regulations of the district in which they are located and to any particular regulations which apply to them under other provisions of this chapter.

(3) No special permit use shall be approved unless the following findings are made:

(a) Applicable district regulations and other general and special controls contained in this chapter are complied with.

(b) There will be no adverse impact upon the neighborhood environment, character or integrity of any land use within the immediate vicinity.

(c) The development will be in harmony with the visual and physical environment and not in conflict with any Master Plan or Comprehensive Plan for the Village of Fayetteville.

(d) Adequately designed open space, drainage facilities, landscaping and other features considered appropriate to the function of the development shall be provided.

(e) Traffic controls for vehicular and pedestrian movement are designed to protect the safety of the general public and the occupants, employees, attendants and other persons for whose benefit the use is intended. In making this determination, the Planning Board shall review, but need not be limited to, the following considerations:

[1] Location and adequacy of parking and loading facilities.

[2] Pedestrian rights-of-way.

[3] Traffic regulatory devices.

[4] Location, number and design of points of ingress.

[5] Accessibility to emergency vehicles, with particular emphasis on proximity to structures, no-parking or -loading zones or areas and provision for turning and free movement.

[6] The proposed use will be provided with adequate supporting services, such as fire and police protection, public and private utilities and all other supporting governmental services necessary and appropriate to the proposed use.

(4) A public hearing shall be held by the Planning Board with respect to all permit applications. Action by the Planning Board shall be completed within 60 days from the closing of the public hearing. The special permit application may be approved, conditionally approved or disapproved. The decision will be forwarded to the Codes Enforcement Officer with a copy to the applicant. Following approval or conditional approval, the Codes Enforcement Officer shall issue a building permit if required, and if the project conforms to all other applicable requirements.

[Amended 3-28-1988 by L.L. No. 3-1988; 3-22-1993 by L.L. No. 5-1993]

**B. Criteria.**

(1) In making a determination as to the compliance with any one or more of the findings and conditions specified in this section, consideration shall be given, but need not be limited, to the following elements:

(a) Geometric characteristics of all structures and related improvements.

(b) Aesthetic characteristics, including design, texture, materials, colors and illumination.

(c) Physical attributes of the site, including size, shape, elevation, topography and natural vegetation.

(d) The Planning Board may impose such conditions on the approval of any application as in its opinion are necessary and reasonable to implement the provisions of this section.



(Please fill out the Application completely)

# Village of Fayetteville

## Planning Board

### Special use Permit Application

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Date Filed: \_\_\_\_\_ Tax Map Number: \_\_\_\_\_ Zone: \_\_\_\_\_

Applicant: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Applicant's Address: \_\_\_\_\_ Email: \_\_\_\_\_

Owner of Property: \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Size of Parcel: \_\_\_\_\_ Width (at road frontage) \_\_\_\_\_ Depth \_\_\_\_\_  
Total Area \_\_\_\_\_ Shape \_\_\_\_\_

Special Use Requested: \_\_\_\_\_

Is the property located within 500 feet of: (Please check one)	YES	NO
A boundary line of the Village of Fayetteville?	( )	( )
An existing or proposed County, State or Highway road?	( )	( )
An existing or proposed County, State Park or Recreation Area?	( )	( )
Right of way or County owned or used stream or drainage channel?	( )	( )
County or State owned lands with public building?	( )	( )
Is the property located within a flood plain or floodway?	( )	( )

Current use of the property: \_\_\_\_\_  
\_\_\_\_\_

Description of proposed use: \_\_\_\_\_  
\_\_\_\_\_

Proposed hours of operation: Mon. \_\_\_\_\_ Tues. \_\_\_\_\_ Wed. \_\_\_\_\_ Thurs. \_\_\_\_\_  
Fri. \_\_\_\_\_ Sat. \_\_\_\_\_ Sun. \_\_\_\_\_

Expected peak hours: Weekday \_\_\_\_\_ Week evening \_\_\_\_\_  
Weekend day \_\_\_\_\_ Weekend evening \_\_\_\_\_

Expected parking needs: \_\_\_\_\_

Expected exterior storage: \_\_\_\_\_

Description of any interior improvements: \_\_\_\_\_  
\_\_\_\_\_

(Please fill out the Application completely)

Description of drainage flows and controls: \_\_\_\_\_

\_\_\_\_\_

Full description of any exterior improvements: \_\_\_\_\_

\_\_\_\_\_

Existing/ Proposed Signage: \_\_\_\_\_

\_\_\_\_\_

A sign application, design, site plan and or survey must be to scale showing the proposed improvement and must be attached to this application.

This original application, with required attachments, including an Environmental Assessment Form, plus ten copies must be received by this office at least 14 days prior to the Planning Board meeting in order to assure a position on the agenda.

**\*ATTENTION APPLICANTS: YOU OR PERSON(S) ACTING ON YOUR BEHALF MUST ATTEND THE SCHEDULED PUBLIC HEARING IN ORDER FOR YOUR APPLICATION TO BE REVIEWED.**

Signature of property owner: \_\_\_\_\_ Date: \_\_\_\_\_

State of New York

County \_\_\_\_\_}

\_\_\_\_\_ being duly sworn, deposes and says that he/she is the person who has signed this application; that he/she is the \_\_\_\_\_, authorized by the said owner to make and file this application; that he/she has read and understands this application; that all statements contained therein are true to the best of his/her knowledge and belief; and the work will be performed in accordance with the application and the plans and specifications filed therewith.

\_\_\_\_\_  
Signature of Applicant

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public \_\_\_\_\_

County \_\_\_\_\_

**\*\*\*\*\*OFFICIAL USE ONLY\*\*\*\*\***

Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_ PAID/ Not Paid

	APPROVED	DENIED	DATE
Code Enforcement review:	_____	_____	_____
Planning Board Review:	_____	_____	_____
Zoning Board of Appeals:	_____	_____	_____
Condition(s) Made Part of Approval: _____			