



Town of Malta
Building & Planning Department
2540 Route 9
Malta, NY 12020
(518) 899-2685

Special Use Permit

Project #: _____

2023

Business/Project Name: _____

Address/Location: _____

Applicant:

Name: _____ Address: _____

Telephone #: _____ Fax #: _____ Email: _____

**** Owner Authorization must be provided if you do not own the property.**

Property Owner (if different):

Name: _____ Address: _____

Telephone #: _____ Fax #: _____ Email: _____

Business Representative: _____ Address: _____

Telephone #: _____ Fax #: _____ Email: _____

Date property was acquired by the applicant: _____

Site:

Parcel identification # (SBL#) of lots included: _____ Zone: _____

Proposed Use: _____

Hours of Operation: M _____ Tu _____ W _____ Th _____

F _____ Sat _____ Sun _____

Employees: _____ Parking needed: _____ Parking Provided: _____

Previous Use if applicable: _____

Describe any easements or other restrictions on this property: _____

Name(s) of Previous Owner(s): _____

Applicant/Business Representative: Signature: _____ **Date:** _____

Property Owner: Signature: _____ **Date:** _____

Office use only

Fee \$ _____ Paid: Yes No Escrow Amount \$ _____

Application Status: Complete Incomplete Reason: _____ Reviewer's initials _____

Preliminary Discussion

A preliminary meeting must be conducted with a Town Planner prior to the submittal of an application. An accurate map will be required at this point to allow for the discussion of the layout, as well as all zoning and site requirements. All maps submitted to the Planning Board must be prepared and stamped by a NYS licensed professional engineer/surveyor.

Application Requirements (complete and submit the following checklist of required application components**)**

- A completed Special Use Permit application
- A narrative of proposed Use
- All applicable fees - For 2023 the fee for Special Use Permit is \$ 500.00
- The names and addresses of owners of all property who are contiguous, abutting or adjacent or who are across an established road from the proposed boundaries.
- Agricultural Data Statement (Any Special Use Permit within an Agricultural District or within 500 feet of an Agricultural District)
- A Short Environmental Assessment Form (attached)
- Agency Permitting: Any permit applications required by local, state or federal agencies must be submitted with this application
 - Correspondence with NYS DEC Confirming the locations of all state wetland boundaries
 - Correspondence with the Army Corps of Engineers confirming the locations of all federal wetland boundaries
 - NYS DEC must be contacted to request the known locations of all rare threatened or endangered species
 - US Department of Fish and Wildlife must be contacted to request the known locations of all rare threatened or endangered species
 - The NYS Office of Park, Recreation, and Historic preservation must be contacted to determine the presence of cultural resources
- Proposed Signage: Signage must be submitted in detailed renderings depicting lighting, landscaping, orientation, location, material, size and colors
- Site Plan: Where applicable, a site plan must be provided that has been previously approved by the Planning Board
- 16 copies and one (1) digital copy of the Special Use Permit application and narrative**

TOWN OF MALTA
AGRICULTURAL DATA STATEMENT AND CONTROL FORM
Agricultural District No. 2

Certain lands in the Town of Malta lie in an area that has been designated as an Agricultural District. Section 283-a of the New York State Town Law requires any application for a Special Permit, Site Plan, Use Variance or Subdivision on property within such a District containing a farm operation or on property with boundaries within five hundred (500) feet of a farm operation located in such a District to include an Agricultural Data Statement. All such applications must be referred to the Saratoga County Planning Board in accordance with Section 239-m and 239-n of the General Municipal Law.

“Farming operations” are defined by Section 301. Article 25AA of the New York State Agriculture and Markets Law as “... the land used in agricultural production, farm buildings, equipment and farm residential buildings.”

PART 1 (completed by Applicant)

- A. Name of Applicant: _____
- B. Address: _____
- C. Description of Project (attach a brief narrative describing the project)
- D. Location of Proposed Project (tax map number): _____
- E. Names and address of owners of land within Agricultural District #5 containing Farm Operations and located within five hundred (500) feet of the project property.

| | Name | Address | Tax Map # |
|----|-------|---------|-----------|
| 1. | _____ | _____ | _____ |
| 2. | _____ | _____ | _____ |
| 3. | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ |

- F. Attach a tax map showing the site of the proposed project relative to the location of the Farm Operations identified above.

PART II (to be completed by Municipal Review Agency)

Type of Submission: Special Permit ___ Use Variance ___ Site Plan ___ Subdivision ___
Review Agency: Zoning Board of Appeals ___ Planning Board ___ Town Board ___

PART III (to be completed by Municipal Review Agency)

Consistent with Section 283-a(3) of the Town Law, written notice of the application described in Part I has been provided to the owners of land identified in the Agricultural Data Statement.

Date Notice Mailed: _____

PART IV (to be completed by Municipal Review Agency)

Consistent with Section 293-a(5) of the Town Law, the Clerk of the Municipal Review Agency identified in Part II must refer all applications requiring an Agricultural Data Statement to the County Planning Board.

Date Notice Mailed: _____

Pursuant to § 167-38.1 C - The Planning Board may approve a special use permit only if the proposed use:

- Is listed as a permitted special use in the appropriate zoning district;
- Conforms to the standards and design requirements specified in the Code and the Master Plan for that particular zone;
- Will not have an undue adverse effect upon adjacent property, the character of the neighborhood and surrounding areas, traffic conditions, parking, utility facilities, or other matters affecting the public health, safety, welfare or convenience of the public;
- Will not create operations or uses that will be considered objectionable to nearby properties by reason of noise, fumes, vibrations, illumination or other outward effects on others in the zone
- Complies with any other requirements within the zone;
- Will be in harmony and promote the general purpose and intent of the Master Plan;
- Will not adversely affect the short-term and long-term cumulative impacts on the environment;
- Will be able to mitigate to the satisfaction of the Board any adverse or irreversible impacts on the environment, including any growth-inducing aspects of the proposed use;
- Will not adversely affect unique and irreplaceable assets or resources of the area;
- Will be serviced adequately (as determined by the Board) by essential public facilities and services, including, but not limited to, highways, streets, parking spaces, public transportation, police, ambulance and fire protection, drainage structures, solid waste management and refuse disposal, water and sewers, groundwater protection, schools, energy conservation, as well as any other additional services as the Board deems appropriate. In reaching these determinations, the Board shall consider:

(a) The extent to which the use is in harmony with and promotes the general purposes and intent of the current Comprehensive (Master) Plan and this chapter and its effect on the health, welfare and safety of the Town of Malta and its residents.

(b) That the character of the existing uses and approved future development in the district and the peculiar suitability of the neighborhood/location for the proposed special use.

(c) That the conservation of property values and the encouragement of the most appropriate use of land are exercised.

(d) That the proposed site provides adequate parking facilities to protect against increased congestion and parking on public streets and highways, including hazardous traffic and/or parking conditions.

(e) That the availability of adequate and proper public or private facilities for water and for the treatment, removal or discharge of sewage, refuse, or effluent (whether liquid, solid, gaseous, or otherwise) that may be caused by or as a result of the proposed use.

(f) Whether the use, or materials incidental thereto or produced, may give off obnoxious odors, smoke or soot or will cause disturbing emissions of electrical charges, dust, light, vibration or noise detrimental to the public health, safety and general welfare.

(g) Whether operations of the special use will cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities, if existing or if proposed by the Town or by other government agencies.

(h) That the proposed use will not interfere with the preservation of the general character of the neighborhood in which such building is to be placed or such use is to be conducted.

(i) Whether a hazard to life, limb or property because of fire, flood, erosion or panic may be created by reason of or as a result of the use or by the structures to be used thereon or by the inaccessibility of the property or structures thereon for the convenient entry and operation of fire and other emergency apparatus or by the undue concentration of assemblage of persons upon such plot.

(j) Whether the use of the structures to be used therefore will cause an overcrowding of land or undue concentration of population.

(k) Whether the physical characteristics and topography of the proposed site make it suitable for the proposed special use.

(l) Whether the use to be operated is in such proximity to a church, school, theater, recreational area or other place of public assembly so as to constitute a danger to the health, safety or general welfare of the people of the Town of Malta.

(m) Whether the proposed special use provides sufficient landscaping and/or other forms of buffering to protect surrounding land uses where necessary

*****The Planning Board may request additional items as may be required to complete its review*****

*****Incomplete Applications Will Not Be Accepted For Review*****

(Applications submitted by deadline will be evaluated for completeness and placed on the agenda at the discretion of the Planning Dept.)

| <u>2023 Planning Board Meeting Schedule</u> | |
|--|-----------------------------|
| Application Deadline | Meeting Date |
| Friday, November 18, 2022 | Tuesday, December 20, 2022 |
| Friday, December 16, 2022 | Tuesday, January 24, 2023 |
| Friday, January 27, 2023 | Tuesday, February 28, 2023 |
| Friday, February 24, 2023 | Tuesday, March 28, 2023 |
| Friday, March 24, 2023 | Tuesday, April 25, 2023 |
| Friday, April 28, 2023 | Wednesday, May 24, 2023 |
| Friday, May 26, 2023 | Tuesday, June 27, 2023 |
| Friday, June 23, 2023 | Tuesday, July 25, 2023 |
| Friday, July 28, 2023 | Tuesday, August 22, 2023 |
| Friday, August 25, 2023 | Tuesday, September 26, 2023 |
| Friday, September 22, 2023 | Tuesday, October 24, 2023 |
| Friday, October 27, 2023 | Tuesday, November 21, 2023 |
| Friday, November 17, 2023 | Tuesday, December 19, 2023 |
| Friday, December 15, 2023 | Tuesday, January 23, 2024 |
| Friday, January 26, 2023 | Tuesday, February 27, 2024 |

* All deadlines and meeting dates are subject to change