

# City of Olean

## Department of Fire, Buildings, & Emergency Services

### Code Enforcement Division

Olean Municipal Building, Rm. 212  
P.O. Box 668, 101 E. State Street  
Olean, NY 14760  
716-376-5683, 716-376-5707 (fax)

### Application for Site Plan Review

Date Received in Codes: \_\_\_\_\_

Date Forwarded to C. D.: \_\_\_\_\_

Application #: \_\_\_\_\_

Forwarded by: \_\_\_\_\_

#### 1. APPLICATION:

I, \_\_\_\_\_, hereby apply for site plan review and approval of the proposed development located at \_\_\_\_\_

The proposed development consists of the following:

I have read and am familiar with the City of Olean Zoning Law's in regard to the procedures and conditions of Article 9, Section 9.1, which requires site plan review prior to approval.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date Signed and Submitted)

#### 2. ACTION TAKEN BY THE PLANNING BOARD: PRELIMINARY SITE PLAN

(a) On \_\_\_\_\_ The City of Olean Planning Board has determined that the applicant may proceed to acquire the needed application approvals.

(b) Set a Public Hearing for \_\_\_\_\_  
(date) (time) (location)

(c) Application requires County Planning Board approval:  Yes  No

If Yes, Decision by County Board: \_\_\_\_\_

#### 3. ACTION TAKEN BY OLEAN PLANNING BOARD: FINAL SITE PLAN REVIEW

On \_\_\_\_\_, at \_\_\_\_\_, a public hearing was held and on \_\_\_\_\_  
(date) (location) (date)

the Planning Board  Approved  Disapproved the final site plan for application #: \_\_\_\_\_

CONDITIONS FOR FINAL SITE PLAN REVIEW:

#### 4. FORWARDED TO THE CODE ENFORCEMENT OFFICE ON: \_\_\_\_\_

\*\*\* NOTE: All preliminary Site Plan Requirements on the attached form must be completed prior to submittal for review

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**Site Plan Requirements**

*The following list is the minimum criteria that must be present on proposed site plans submitted to the City for review. If the proposed development, doesn't require, or already contains an existing, feature simply indicate this on the preliminary Site Plan drawing. This list contains only the minimum requirements to initiate the review process, and additional information may be required from other divisions within the City, or the reviewing Board. If you have any questions, please contact the City of Olean Code Enforcement Division at 376-5683 for details.*

- Owner's approval and/or property owner's approval
- Title of drawing, name, and address of proposed site
- Property boundaries, and building footprint
- North arrow, scale of drawing, and date
- Flood plain info, if applicable
- Sanitary sewer location, details, and main location and size
- Water service details, main location, and size
- Storm sewer location, details, main location and size
- Buffers, setbacks, and landscaping details (10% green space required)
- Parking lot configuration and number of parking spaces
- Ingress and Egress
- Truck loading dock locations (if applicable)
- Signage and lighting details
- Fire hydrant locations
- Sidewalk details and accessible approaches

## Section 9.1 Site plan review and approval.

9.1.0 Intent. The intent of site plan approval is to authorize the city's planning board to review and approve site plans for uses otherwise permitted by this law in order to determine full compliance with the intent of the standards of this law. The objective is to evaluate site plans in order to minimize conflicts between the site layout and design of proposed uses and existing uses and natural site conditions and thereby minimize any adverse effects affecting the health, safety, and overall welfare of the community.

9.1.1 Authorization. The power to approve, approve with modification, or disapprove site plans for as required by this chapter is vested in the city's planning board. Section 27 of the General City Law of New York State provides legislative authority for the common council to authorize the planning board to review and approve site plans. Prior to issuing a building permit for construction, expansion or change in use of any use, a site plan and supporting documentation shall be submitted to the planning board for its review and approval. The planning board may require that the site plans be prepared by a licensed architect or engineer. Such requirement shall be based on the complexity of the site features and of the proposed structure(s) or land use as related to same.

9.1.2 Applicability and exceptions. Under this article, all new development or land use activities within the city shall require site plan review before being undertaken, except the following:

1. Construction or expansion of a single one-family or two-family dwelling and ordinary accessory structures, and related land use activities.
2. Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this law.
3. Ordinary repair or maintenance or interior alterations to existing structures or uses.
4. Exterior alterations or additions to existing structures which would not increase the square footage of the existing structure by more than 500 square feet.
5. Agricultural or gardening uses not involving substantial timber cutting.
6. All signs (except in conjunction with new development).
7. Garage, lawn and porch unless:
  - a) They last more than three days; or
  - b) They are held at the same place more than three times within 12 months.

9.1.3 Concept plan conference. Concept plan submittal is optional and may be waived by the planning board. The purpose of concept plan submittal is to encourage the person applying for a use to consult early and informally with the planning board in order to save time and money and to make the most of opportunities for desirable development.

9.1.3.1 Requirements. A concept plan, if prepared, shall be submitted in triplicate to the planning board. Before preparing a concept layout, the developer may discuss with the planning board the general requirements as to design of streets, reservations of land, drainage, sewage, water supply, fire protection, and other improvements as well as procedural matters.

Developers of land adjoining state or county highways are advised to consult with the District Engineer of the New York State Department of Transportation or Cattaraugus County Highway Superintendent at the concept layout stage in order to resolve problems of street openings or storm water drainage at the earliest possible stage in the design process. The planning board shall provide written comments on the concept plan of a proposed development and in the course of its review may consult with other interested public agencies.

The concept plan shall include the following information:

1. An area map showing:
  - a. Applicant's entire holdings, that portion of the applicant's property under consideration for development and any adjacent parcels owned by the applicant.
  - b. All properties, their ownership and uses, subdivisions, streets, zoning districts, easements, and adjacent buildings within 500 feet of the applicant's property.
2. A site development plan, including but not limited to:
  - a. Existing natural features such as water bodies, watercourses, wetlands, wooded areas, individual large trees, flood hazard areas.
  - b. Zoning districts, school districts.
  - c. Special improvement districts (water, sewer, lights, fire, drainage and the like).
  - d. Easements.
  - e. All existing built features.
  - f. All proposed buildings, structures and public improvements.
3. A map showing the topography of the site.
4. A soils overlay, if general site grades exceed ten percent or if portions of the site have susceptibility to erosion, flooding or ponding.

The requirement for submission of these documents may be waived at the sole discretion of the planning board.

9.1.4 Preliminary site plan application. Application for preliminary site plan approval shall be made in writing in triplicate to the code enforcement officer. The code enforcement officer shall notify the city clerk of receipt of the application and shall refer the application to the planning

board for its review and approval. For the purposes of this law, the submission date shall be the date of the first planning board meeting following submission to the code enforcement officer.

9.1.5 Preliminary site plan requirements. The preliminary site plan application shall include the information listed below. The planning board may at its discretion waive any preliminary requirements which are not relevant to the proposed use and site.

1. An area map showing that portion of the applicant's property under consideration for development, any adjacent parcels owned by the applicant, and all streets, zoning districts, easements and adjacent buildings within 500 feet of applicant's property.
2. A preliminary site plan shall include the following information:
  - a. Title of drawing, including the name and address of the applicant.
  - b. North arrow, scale and date.
  - c. Boundaries of the project at a scale of not more than 200 feet to one inch.
  - d. Existing natural features such as watercourses, water bodies, wetlands, wooded areas and individual large trees, showing features to be retained.
  - e. Existing and proposed contours at intervals of not more than ten feet.
  - f. Location of proposed land uses and their areas in square feet or acres, the uses proposed and the height of each proposed structure.
  - g. Location of all existing or proposed site improvements including streets, drains, culverts, retaining walls, fences and easements, whether public or private.
  - h. Description of sewage disposal and water systems and the location proposed for such facilities.
  - i. Provision for buffer areas and other landscaping.
  - j. Delineation of residential areas, if proposed, indicating the general extent of each area, a description of the dwelling unit types proposed, and a calculation of residential density in dwelling units per gross acre for each such area.
  - k. Location of all parking and truck-loading areas, showing access and ingress drives.
  - l. The location, design and size of all signs and lighting facilities.
  - m. The approximate locations and dimensions of areas proposed for neighborhood parks or playgrounds, or other permanent open space.
  - n. Building orientation, footprint and elevations.

- o. The location and design of all energy distribution facilities, including electrical, gas and solar energy.
  - p. Provision for energy efficiency.
  - q. Grading and erosion control measures including the proposed location of sediment sink/settling pond and interceptor swales, etc.
  - r. Location and design for stormwater management facilities.
  - s. A drainage report including supporting design data and copies of the engineering computations used to determine the design capacities and performance requirements of drainage facilities.
  - t. The lines and dimensions of all property which is offered, or is to be offered, for dedication for public use, with the purpose indicated thereon, and of all property that is proposed to be reserved by deed covenant for the common use of the property owners of the development.
3. The planning board may require additional information which appears necessary for a complete assessment of the project.
4. The planning board's review of the preliminary site plan shall include, but is not limited to the following considerations:
- a. Adequacy and arrangement of vehicular traffic access and circulation, including emergency vehicle access.
  - b. Location, arrangement, appearance and sufficiency of off-street parking and loading.
  - c. Location, arrangement, size and design of buildings, lighting and signs.
  - d. Relationship of the various uses to one another and their scale.
  - e. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
  - f. Adequacy of storm water and sanitary waste disposal.
  - g. Adequacy of structures, roadways and landscaping in areas susceptible to flooding and ponding or erosion.
  - h. Compatibility of development with natural features of the site and with surrounding land uses.
  - i. Adequacy of floodproofing and flood prevention measures consistent with the flood hazard prevention regulations of the Federal Emergency Management Agency (FEMA).

- j. Adequacy of building orientation and site design for energy efficiency. The extent to which the proposal plan conserves energy use and energy adequate sunlight for use by solar energy systems.
- k. Adequacy of open space for play areas, informal recreation and the retention of natural areas such as wildlife habitats, wetlands and wooded areas.
- l. Adequacy of pedestrian access, circulation, convenience and safety, including compliance with the requirements for access by the physically challenged which are incorporated in the American Disabilities Act (ADA).
- m. Those requirements that apply that are found in Article 10.

In its review of a preliminary site plan, the planning board may consult with the code enforcement officer, fire and police departments, other local and Cattaraugus County officials, and any designated private consultants, in addition to representatives of federal and state agencies including, but not limited to, the soil conservation service, the New York State Department of Transportation (NYSDOT) and the New York State Department of Environmental Conservation (NYSDEC).

9.1.6 Public hearing. Upon the planning board's certification that the preliminary site plan application is complete and satisfactory, the planning board shall schedule a public hearing. Applicants are required to mail notices of such public hearings to the owners or occupants of all lands within a radius of 250 feet from any part of the property for which site plan review is requested. Such notices shall be postmarked at least ten days prior to the date scheduled for the public hearing.

9.1.7 Notification of decision on preliminary site plan. Within 45 days of the public hearing at which a preliminary site plan is considered, the planning board shall act upon it. The planning board's action shall be in the form of a written statement to the applicant stating whether or not the preliminary site plan is approved, conditionally approved, or disapproved. A copy of the appropriate minutes of the planning board shall be a sufficient report. The planning board's statement may include recommendations as to desirable revisions to be incorporated in the final site plan application. If the preliminary layout is disapproved, the planning board's statement will contain the reasons for such findings. In such a case the planning board may recommend further study of the proposal and resubmission of the preliminary site plan.

9.1.8 Final site plan application. After receiving approval, with or without conditions, from the planning board on a preliminary site plan, and approval for all necessary permits and curb cuts from the director of public works and responsible local, county and state officials, the applicant may prepare its final site plan and submit it to the planning board for its review and approval. The planning board, at its discretion, may waive the concept and final application procedure.

If more than one year has elapsed between the time of the planning board's report on the preliminary site plan and submission by the applicant of a final site plan application, and if the planning board finds that conditions have changed significantly in the interim, the planning board may require a resubmission of the preliminary site plan for further review and possible revisions prior to accepting the proposed final site plan application for review. The final site plan

shall conform to the approved preliminary site plan, and shall incorporate any revisions or other features that may have been recommended by the planning board at the preliminary review. All revisions shall be clearly indicated by the applicant.

9.1.9 Notification of decision on final site plan. Within 62 days of the submission of the final site plan, the planning board shall render a decision.

1. Upon approval, the planning board shall endorse its approval on a copy of the final site plan and shall forward it to the code enforcement officer who shall then issue a building permit if the project conforms to all other applicable requirements.

2. Upon disapproval, the planning board shall so inform the code enforcement officer and he shall deny a building permit. The planning board shall also notify the applicant in writing of its decision and its reason for disapproval. A copy of the appropriate minutes may suffice for this notice.

3. Specifications for improvements shown on the site plan shall be those set forth in this law and in other laws, rules and regulations, or in construction specifications of the city.

9.1.10 Time restriction for action on final site plan. The duration of an approved site plan shall be six months or such greater period not to exceed one year as may be specified in the approval by the planning board. Site plan approval may be renewed by the planning board for a period of six months upon written application to the planning board and copied to the code enforcement officer, such application to be submitted prior to the expiration of the site plan approval period.

9.1.11 Failure to comply with any condition of the site plan approval shall constitute a violation of the zoning law subjecting the applicant or any successor in interest in the property for which site plan approval was granted to all penalties set forth in Article 17 of the Zoning Law. The applicant, or any successor in interest the property for which site plan approval was granted shall be required to appear before the planning board for review of the conditions of site plan approval within 30 days. The planning board upon such review may remove or amend the conditions of site plan approval.