



TOWN OF PERINTON

1350 TURK HILL ROAD. FAIRPORT, NEW YORK 14450-8796

(585) 223-0770, Fax: (585) 223-3629, www.perinton.org

NUMBER _____ FEE \$ _____
(verify fee with staff)

MEETING DATE _____

APPLICATION FORM – REZONING – TOWN BOARD

See attached instructions/requirements/procedures

1. APPLICANT

Name _____ Phone _____

Street & Number _____ City _____ Zip _____

Interest in Property: _____ Owner _____ Lessee _____ Other _____

2. OWNER (if other than applicant)

Name _____ Phone _____

Street& Number _____ City _____ Zip _____

3. ATTORNEY (If represented)

Name _____ Phone _____

Street& Number _____ City _____ Zip _____

4. INTEREST: Does any officer or employee of the State of New York, County of Monroe, or Town of Perinton

have any interest in the owner/applicant or the subject property?

Yes _____ No _____ Explain INTEREST _____

If yes, who? Name _____ Address _____

5. LOCATION: Street Address or Legal Description (subdivision and lot number)

6. **SIZE OF PARCEL:** _____

7. **PRESENT USE OF PROPERTY:** _____

8. **ZONING DISTRICT:** _____ **TAX ACCOUNT#** _____

9. **Describe specifically the nature of your request** _____

10. **Describe the location, use and size of structures and other land use within 100 feet of the boundaries of the subject property** _____

11. The criteria used by the Town Board of the Town of Perinton are set forth in Section 265 of the Town Law.

A. You must show that your proposal will be in harmony with the general purpose and intent of the Zoning Ordinance of the Town of Perinton, considering the location, the nature and intensity of the operations involved in or conducted in connection with it, and the size of the subject property with respect to the streets giving access to the subject property.

Will your proposed use be detrimental to the neighborhood due to Location? NO _____ YES _____

The nature or magnitude of use? NO _____ YES _____

Inadequate access to property? NO _____ YES _____

If yes to any of above, explain how it will be detrimental. If effect can be lessened in some manner, explain how: _____

B. Will your proposed use tend to depreciate adjacent property or alter or be detrimental to the character of the neighborhood?

NO _____ YES _____

If yes , explain how it will be detrimental. If effect can be lessened in some manner, explain how:

C. Will your proposed use create a hazard to health, or the general welfare of the neighborhood or significantly alter the flow of traffic? NO _____ YES _____

If yes, explain how. If effect can be lessened in some manner, explain how. _____

12. You must show that your proposal will be in harmony with the general purpose and intent of the Comprehensive Plan of the Town of Perinton. Please provide a brief narrative that describes to relation of the proposal to the most recent update of the comprehensive plan.

I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed and the premises used as stipulated in this request.

Signature of Applicant: _____ **Date** _____

Printed name of Applicant _____

Property Owner (If other than applicant)

I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

Signature of property owner _____ **Date** _____

Printed Name of property owner _____

3/23/19

PROCEDURES FOR FILING AN APPLICATION
TO APPEAR BEFORE THE TOWN BOARD

1. Applicant obtains application from Secretary to the Boards or Building & Codes Department or Perinton website at <http://www.perinton.org/Boards/TwnBrd/forms/> and fills it out with complete detailed information as requested.

Applicant is required to complete E.A.F. form. Confirm with Director of Planning or Building & Codes Director if EAF required is a short form or long form. Print or type. EAF is available at <https://www.dec.ny.gov/permits/6191.html> to Short EAF & Long EAF - parts 1, 2 & 3. Applicant shall fill out parts 1, 2 & 3. Applicant shall sign part 1, and sign part 3 as preparer.

Applicant is required to submit an application to Monroe County for their review and comment. Development Referral Form is available at:

Monroe County Development Review Online - NEW - effective 6/15/2020

<https://www2.monroecounty.gov/planning-guide>

- **Criteria - Monroe County Department of Planning & Development**
<https://www.perinton.org/files/Data/Documents/Forms/DRC%20Criteria.pdf>

Comments must be received from Monroe County prior to the public hearing, or the Public Hearing on this request will need to be rescheduled to a date after the Town has received Monroe County comments.

2. The original application, along with 11 copies, shall be returned to the Secretary to the Boards with application fee. (see fee schedule for pricing at <http://www.perinton.org/government/fees> or contact Secretary to the Boards or Town Clerk at 223-0770 to determine cost). Attach to each application, letter of intent, copies of maps, plans, and any required supporting documentation. If address of property is different than applicant's address, show that on map and plans. Please return application in person; they may not be mailed in, as there is paperwork to be completed at the time of submission.

3. Applications will not be put on an agenda for a public hearing if any of the above items or information is missing. The Town Clerk will notify the applicant of the meeting date at which they should appear. A meeting date will NOT be scheduled when the application is submitted.

4. Building & Codes Department staff will post a notice of application received sign at the front property line two weeks prior to the public hearing.

5. The Town Clerk will place a legal notice in the proper newspaper, advertising applicant's name, location, and request.

6. Town staff, Town Board, Planning Board and Conservation Board members may inspect the property to review the application request.

7. The next step is that the applicant or agent of the applicant must appear before the Town Board on the scheduled date to explain what they would like to do. The meetings are held on the second and fourth (4th) Wednesday of each month starting at 7:30 P.M, unless otherwise noted.

At the hearing, any party may appear in person or by agent or attorney. The Town Board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination, as in its opinion ought to be made for the premises, and to that end shall have all the powers of the officer from whom the appeal is taken. Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of such ordinances, the Town Board shall have the power in passing upon appeals, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the use, construction or alteration of buildings or structures or the use of land, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

8. A notification letter is mailed out by the Town Clerk to each applicant stating the Board's decision. Several days may elapse after a meeting before notification is mailed out, depending on the number of applications and other duties that the Town Clerk is responsible to fulfill as Secretary of the Town Board.

9. Should an applicant desire to know the outcome of the Board's action before receiving a formal notice, they may call the Town Clerk at 223-0770.

Minutes of Board meetings are not final until approved by the Board members at a future meeting and then filed with the Town Clerk.

10. Next step, if applicable, is to obtain a Building Permit from Building & Codes Department.

In addition, it may be necessary to obtain a Certificate of Occupancy prior to occupying or starting operations. This can be verified by checking with the Building & Codes Department at 223-0770.

WHEN IN DOUBT, PLEASE CALL THE TOWN CLERK OR THE BUILDING & CODES DEPARTMENT AT 223-0770.

PLEASE REVIEW PRIOR TO SUBMISSION of a Town Board application:

Review Perinton Town Code requirements at: <http://www.perinton.org/codes/>

We encourage you to review all requirements for submission to Town Board with the Director of Planning and the Director of Building & Codes Department prior to submitting any documentation to ensure a smoother process. Please contact the Town Clerk or the Secretary to the Boards at 223-0770 with any questions you may have regarding the process and meeting information. Code related questions should be directed to Building & Codes Director.

Applications are available in the Town Hall in the Building & Codes Department or you may download and print them off of our website at: <http://www.perinton.org/Boards/TwnBrd/forms/>

You are required to submit the following:

- Original and 11 (eleven) copies of letter of intent addressed to the Town Board with a written description of what your request is. Type or print.
- Original and 11 (eleven) copies of this application. Type or print. Application must be signed in ink by both owner of the parcel and the applicant, if the applicant is not the owner.
- Application must state who the current owner of the parcel is, and the name of the person or company must match the name on the current deed to the parcel.
- If the owner of the property is unable to sign the application & supporting documentation for some reason, then an owner authorization to make application form is required to be used instead. This document is available at the Town website at:

<http://www.perinton.org/Boards/TwnBrd/forms>

This document is required to be filled out and signed in ink by the owner of the parcel, if the applicant is not the owner.

- Original and 11 (eleven) copies of short EAF form. Type or print. EAF must be signed in ink by both owner of the parcel and the applicant, if the applicant is not the owner. The short form is to be used for Unlisted Actions only. The full form is to be used for all other actions as specified under the S.E.Q.R law. If you are unsure if this form is required, or which form to fill out, please check with the Director of Planning or the Director of Building & Codes Department. EAF is located at: <https://www.dec.ny.gov/permits/6191.html> to Short EAF & Long EAF - parts 1, 2 & 3. The applicant is required to fill out parts 1, 2 & 3, and sign part 1, and sign part 3 as preparer.
- Twelve (12) copies of instrument survey map/site plan.
- One (1) copy of deed when current owner of the parcel took title to the property. This should be the packet marked original.

- If there are any special reports required, such as SWPPP, traffic report, water report, engineering report, etc., 5 copies of each one required must be submitted. If you are unsure if you are required to submit any of these documents, please check with the Director of Planning and the Director of Building & Codes Department.
- All of this documentation must be assembled into individual packets. The packet that is the original must be clearly marked original.
- A non-refundable fee shall accompany this application. See current fee schedule to verify cost of application at <http://www.perinton.org/government/fees> or contact Secretary to the Boards or Town Clerk at 223-0770.
- Please remember that the documents that you are submitting are public records and if you do not want your phone number or e-mail address to be a part of the public record, do not put it on the form. Please give staff the information and we will keep it electronically.
- When you do submit an application, it will be reviewed at a later date by Town staff to determine if it is a complete application. **Please note that you are not on an official agenda until such time as that determination has been made.**

PROCEDURAL INFORMATION FOR REZONING APPLICATION

Applications to the Perinton Town Board for rezoning a parcel(s) of land are subject to the following procedures:

1. Applicant obtains application from Secretary to the Boards or Building & Codes Department or Perinton website at <http://www.perinton.org/Boards/TwnBrd/forms/> and fills it out with complete detailed information as requested.

Applicant is required to complete E.A.F. form. Confirm with Director of Planning or Building & Codes Director if EAF required is a short form or long form. Print or type. EAF is available at <https://www.dec.ny.gov/permits/6191.html> to Short EAF & Long EAF - parts 1, 2 & 3. Applicant shall fill out parts 1, 2 & 3. Applicant shall sign part 1, and sign part 3 as preparer.

Applicant is required to submit an application to Monroe County for their review and comment. Development Referral Form is available at:

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- **Criteria - Monroe County Department of Planning & Development**
<https://www.perinton.org/files/Data/Documents/Forms/DRC%20Criteria.pdf>

Comments must be received from Monroe County prior to the public hearing, or the Public Hearing on this request will need to be rescheduled to a date after the Town has received Monroe County comments.

2. The original application, along with 11 copies, shall be returned to the Secretary to the Boards with application fee. (see fee schedule for pricing at <http://www.perinton.org/government/fees> or contact Secretary to the Boards or Town Clerk at 223-0770 to determine cost). Attach to each application, letter of intent, EAF, concept plan of development, copies of maps, plans, and any required supporting documentation. The request should identify the current zoning and the proposed zoning, along with the intended use of the property. Please return application in person; they may not be mailed in, as there is paperwork to be completed at the time of submission.

3. The Town Board **may** consider the application and set a date for an Order for Hearing.

4. The Applicant appears before the Town Board to present the request for rezoning and request that a date be set for the Public Hearing. The Applicant should present information in support of the request to the Board at this time, providing a general overview of the project.

5. The Town Board may deny the application, take no action on the application or set a Public Hearing date. This date is generally 1 month later.

6. No less than 3 weeks prior to the date of the Public Hearing, the Applicant must provide the Town Clerk with a legal description of the property based upon a survey of the property.
7. Building & Codes Department staff will post a notice of application received sign at the front property line two weeks prior to the public hearing.
8. The Town Clerk will place a legal notice in the proper newspaper, advertising the request.
9. The Public Hearing is held at which time the Applicant makes a presentation giving rationale for the rezoning and describing the proposed use of the property. Maps showing the property in question and the zoning and use of the surrounding properties are recommended.
10. Following the Public Hearing, the Town Board refers the matter to the Planning Board and Conservation Board for their review on the proposed rezoning at a regularly scheduled meeting of each of those Boards.
11. The Applicant should provide the Planning Board Secretary an electronic copy and (8) copies of the proposed project for distribution to the Planning Board and Conservation Board. The Applicant should attend both of those meetings and make a presentation. The Planning Board and Conservation Board will make a recommendation to the Town Board.
12. The Town Board will consider the recommendation of the Planning Board, the Conservation Board, Monroe County Planning Board, and the public comments and make a decision at a subsequent meeting.