



**TOWN OF PERINTON**

1350 TURK HILL ROAD. FAIRPORT, NEW YORK 14450-8796  
(585) 223-0770, Fax: (585) 223-3629, [www.perinton.org](http://www.perinton.org)

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

MEETING DATE \_\_\_\_\_

**APPLICATION FORM – SPECIAL USE PERMIT - Town Board**

**See attached instructions/requirements**

**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** \_\_\_\_\_

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

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11. The criteria used by the Town Board of the Town of Perinton are set forth in Section 208-54 of the Zoning Law. Special Use Permits can only be granted where the proposed is already a permitted use, but requires Town Board approval. That approval can only be given when the applicant offers proof that his proposed use will not violate any of the following factors:

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, magnitude of the use, 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: \_\_\_\_\_

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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: \_\_\_\_\_

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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. \_\_\_\_\_

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**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** \_\_\_\_\_

3/21/19



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(585) 223-0770, Fax: (585) 223-3629, [www.perinton.org](http://www.perinton.org)

To: Applicant

Re: \_\_\_\_\_  
Location of project/project name

Dear Sir or Madam:

Attached please find Monroe County Department of Planning and Development Referral Form & criteria for the above mentioned project.

Please fill out completely and return the original to the Office of Code Enforcement & Development (Attn: Planning Board Secretary) with your submittal, so that Town staff may sign the document so that you can send it in to the County to the address as noted on the application on page 1. Please note from the County application that you are also required to provide them with appropriate number of complete copies of your submittal, as indicated on their application.

If the applicant has not received the comments from the County by noon on the date of the public hearing, it is the responsibility of the applicant to inquire with the County as to the status and have them sent to the Town Office of Code Enforcement & Development.

Comments must be received from the County prior to the public hearing, or final approval may not be granted.

Thank you for your prompt attention to this matter.



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### **Monroe County Development Referral Form Criteria**

- The land use application affects real property that is within 500 feet of the boundary line of any city, village, or Town;
- The land use application affects real property within 500 feet of the boundary of any existing or proposed county or state park, or other recreation area;
- The land use application affects real property within 500 feet of the right-of-way of any existing or proposed county or state parkway, thruway, expressway road, or highway;
- The land use application affects real property within 500 feet of the right-of-way of any stream or drainage channel owner by the county or for which the county has established channel lines;
- The land use application affects real property within 500 feet of an existing or proposed boundary of any county or state owned land on which a public building or institution is situated;
- The land use application affects real property within 500 feet of a boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the Agriculture and Markets Law. *General Municipal Law §239-m(3), and §239-n(3).*



**MONROE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT**

**DEVELOPMENT REFERRAL FORM**

**SUBMITTAL INSTRUCTIONS**

Referrals are reviewed weekly by the MCDP&D and the Monroe County Development Review Committee (DRC). Applications must be received by 12:00 p.m. Friday. Any submittals received after 12:00 p.m. Friday will be distributed to the DRC in the next review cycle. Incomplete applications will be held for ten business days for correction. If not corrected within this time frame they will be returned to the municipality.

Direct all submittals and questions to: Monroe County Department of Planning and Development, Planning Division, CityPlace, 50 West Main Street, Suite 8100, Rochester, New York 14614-1225, Phone (585) 753-2000, Fax (585) 753-2028.

**SUBMITTAL CHECKLIST** *(Please check all that apply)*

- Referral form completed in full, clearly printed or typed, signed by municipal representative.
- 5 copies of plan sets folded to 8 ½"x11" with title block showing, including overall site plan showing phased development; or 5 copies of text amendment or new local law.
- If there is a wetland or protected stream on the property include extra copy of plan set (making a total of 6 sets).
- All information obtained by the municipality pertaining to this application (letter from agent, environmental assessment forms, agricultural data statement, etc.) is attached.
- Airport Referral Form (for projects subject to MCDP&D review under Section 239-m of the New York State (NYS) General Municipal Law (GML) and Section C5-4A of the County Charter).  
See [www2.monroecounty.gov/planning-index.php](http://www2.monroecounty.gov/planning-index.php) for forms & more information.

**Note:** According to State Law, Monroe County is allowed 30 days to respond to this application.

**MUNICIPAL INFORMATION**

Municipality:				
Referring Board:	<input type="checkbox"/> Planning	<input type="checkbox"/> Zoning	<input type="checkbox"/> Town/Village Board	<input type="checkbox"/> City Bureau Zoning/Planning
Date of Board Hearing for action:		Preferred Response Date:		
Please discuss any special concerns or additional information the municipality has with this application:				

**CERTIFICATION**

With the following signature I certify that this application provides a complete description of the proposed local action and is a complete application pursuant to NYS GML Article 12b, Section 239-m,1(c).

Referring Official Signature:				
Print Name:			Title:	
Phone No.:		Fax No.:		E-mail:

**MONROE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT  
DEVELOPMENT REFERRAL FORM, PAGE 2**

**PREVIOUS DRC REVIEW NUMBER:** \_\_\_\_\_

**PROJECT APPLICANT**

	Owner/Applicant	Agent
Name:		
Business:		
Address:		
City/State/Zip Code:		
Telephone No.:		
E-mail Address:		

**PROJECT INFORMATION**

Project Name:			
Project Description:			
Project Address or Intersection:			
Tax Account Number(s):			
Type of Development ( <i>Check only one, even though more than one type may apply.</i> )			
<input type="checkbox"/> Residential: ( <i>If Residential, check below box for all that apply</i> ) <input type="checkbox"/> Conversion to Residential <input type="checkbox"/> Senior Housing <input type="checkbox"/> Special Needs Housing	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Public Services	
	<input type="checkbox"/> Commercial	<input type="checkbox"/> Recreation & Entertainment	
	<input type="checkbox"/> Community Service	<input type="checkbox"/> Vacant Land	
	<input type="checkbox"/> Industrial	<input type="checkbox"/> Wild, Forested, Conservation Lands & Public Parks	
	<input type="checkbox"/> Other (explain):		
Project Size			
Project Acreage:		Proposed Gross Floor Area:	
Number of Units:		Number of Lots:	Max. Structure/Equipment Height:
Permits: Will this project require any permits from the following agencies? ( <i>Note: Permit application should be submitted directly to the agency.</i> )			
<input type="checkbox"/> Army Corps of Engineers	<input type="checkbox"/> MC Dept. of Health	<input type="checkbox"/> MC Dept. of Env. Services	
<input type="checkbox"/> NYS Dept. of Environmental Conservation	<input type="checkbox"/> NYS Dept. of Transportation	<input type="checkbox"/> MC Dept. of Transportation	
<input type="checkbox"/> Other (explain):			
Known environmental issues/resources on site:			

**TYPE OF REFERRAL** (*Please check all appropriate boxes.*)

Planning/Zoning Referral ( <i>Subject to review under NYS GML Sec. 239-m &amp; n and County Charter C5-2.B(4) &amp; (5).</i> )	
<input type="checkbox"/> Code Revision	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Special Permit/Variance
<input type="checkbox"/> Subdivision	
<input type="checkbox"/> Airport Referral ( <i>Subject to review under County Charter Sec. C5-4.A. Attach Airport Referral Form.</i> )	

**FOR MCDP&D USE ONLY**

<b>Copy Only</b>	Airport	MCDOH	Post Mark Date:		Referral No.:	
Agriculture	Comm. Dev.	MCDOT	Date Received:		Reviewer:	
Army Corps	Econ. Dev.	NYSDOT	DRC Due Date:			
Canal Corp.	MCDES	NYSDEC	Notes:			
	Parks					
	Public Safety					
	Real Property					

**PROCEDURES FOR FILING AN APPLICATION  
TO APPEAR BEFORE THE TOWN BOARD**

1. Applicant obtains application form from Secretary to the Boards or Code Enforcement & Development staff (located at Office of Code Enforcement & Development or Perinton website at <http://www.perinton.org/Boards/TwnBrd/forms/> and fills it out with complete detailed information as requested. Also, complete short E.A.F. form. Print or type. EAF is available at [Link](#) to Short EAF & Long EAF - parts 1, 2 & 3. Monroe County Development Referral form is required. See attached for criteria & instructions.

Monroe County Development Referral Form is available at:

<https://www2.monroecounty.gov/files/planning/Planning/Development%20Review%20Form%202018%20Fillable.pdf>

The Town Board cannot make a decision on an application until it has received a report back from the Monroe County Department of Planning.

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. Code Enforcement & Development 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 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 Office of Code Enforcement & Development.

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 Office of Code Enforcement & Development at 223-0770.

**WHEN IN DOUBT, PLEASE CALL THE TOWN CLERK OR THE OFFICE OF CODE ENFORCEMENT & DEVELOPMENT 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 staff located in the Office of Code Enforcement & Development, 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 Code Enforcement & Development (CED) staff.

Applications are available in the Town Hall in the office of CED 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>

and 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 staff in the Office of Code Enforcement & Development. EAF is located at: [Link](#) to Short EAF & Long EAF - parts 1, 2 & 3
- 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 Director of Code Enforcement & Development.
- 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.**