

Town of Marshall
Zoning Board of Appeals
2651 State Route 12B, P O Box 233, Deansboro, New York 13328

Applying for a Special Use Permit

Confirm that it is appropriate to apply for a special use permit. Refer to the Zoning Ordinance of the Town of Marshall. A special use permit can be issued only for uses stipulated in the Zoning Ordinance. Consult the Codes Enforcement Officer if clarification is needed.

Complete the special use permit application in full

Complete the agricultural data statement (See Town Law, Article 16 § 283-A)

Complete Part 1 of The Environmental Assessment Form

State Environmental Conservation Law (SEQR) requires the identification and mitigation of significant environmental impacts. Environmental assessments are standardized through use of the Environmental Assessment Form (EAF).

http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seaf.pdf

For information about SEQRA go to <http://www.dec.ny.gov/permits/357.html>

Prepare the map(s)

Write a check payable to the Town of Marshall for the application fee.

Provide 7 copies of the completed application (application form, Agricultural Data Statement, Environmental Assessment Form, map and application fee) to the Codes Enforcement Officer with a request that the application be presented to the Zoning Board of Appeals at its next regular meeting. To come before the ZBA, the application must be received by the chair of the ZBA a minimum of 10 days prior to a meeting at which it will be considered.

The applicant, or the applicant's representative, must be present at the ZBA meeting to present and explain the proposed project and to answer questions.

Town of Marshall
Zoning Board of Appeals
2651 State Route 12B, P O Box 233, Deansboro, New York 13328

The Processing of an Application for a Special Use Permit

When an application for a Special Use Permit has been submitted to the Zoning Board of Appeals the probable processing of the application will include all or some of the following steps.

The ZBA will decide if the application is complete.

The environmental impact will be assessed as required and in accordance with the NYS State Environmental Review Act (SEQRA).

The ZBA will submit the application to the County Planning Department for its assessment.

The ZBA will schedule a public hearing on the application, when it deems the application complete.

The ZBA will convene a public hearing on the application.

The ZBA will determine what conditions and restrictions, if any, must be met in connection with the special use permit.

The ZBA will make a final decision on the application within 62 days of the conclusion of the public hearing. The hearing may be continued over an extended period of time.

The ZBA will inform the Codes Enforcement Officer of its decision and file a copy of the decision in the office of the Town Clerk. A copy of the decision will be supplied to the applicant.

The ZBA will inform the County of its decision.