



Town of Wilmington

Planning Board

Site Plan Review & Special Use Permit Application

7 Community Center Circle

P.O. Box 180

Wilmington, NY 12997

Phone: 518-946-7174

Fax: 518-946-7124

Instructions: All information requested must be supplied except where not applicable. Ten (10) copies of the completed application for site plan shall be submitted to the Code Enforcement Officer at least two (2) weeks in advance of a scheduled Planning Board meeting. All plans shall be at a scale of one inch equals forty (40) feet or larger scale showing the proposed development and immediate environs.

Site plan review application # _____ Fee: _____ Sketch Plan Review Date: _____

1. **Property Owner's Name:** Jeff Luma **Phone:** 732-236-1745
Mailing Address 5659 NYS Rt 86
City Wilmington State NY Zip 12997
Email jeffreyluma@gmail.com Fax: NA

2. **Representative's Name** _____ **Phone:** _____
Mailing Address _____
City _____ State _____ Zip _____
Email _____ Fax: _____

3. Parcel ID-
Section : 26 Block: 6-1-2 Lot: 100 Zone(s):
Hamlet 2

4. Property location (911 address)* 5659 NYS Rt. Wilmington, NY 12997

*If a 911 address is not available, please describe how to find the property: It's the store located on NYS Rt 86

5. Present use of property (vacant, residential, commercial). Vacant

6. **Description of site plan proposal:** Use as a retail store (High Peaks Cyclery) and Food Truck parked in the parking lot (ADK Food Oasis)

7. Easements or other restrictions on property? Yes No (If yes, attach copy of deed)

8. Is the subject lot within 500 feet of a County or State right-of-way / road, park, municipal boundary, or watershed draining into any County or State facilities, requiring review of the County Planning Board? Yes No

9. Total site area (square footage or acreage): 1.27 acres

Section 1 - Site Plan (use page 1, 2 and 3)

1. Anticipated construction time:

Start: NA Finish: _____ Is the project Phased? _____ # of Phases _____

2. List any other required permits or approvals associated with proposal and their status (APA, DEC).
I don't believe we need any permits. The food truck has their permits to serve food.

3. Existing condition of site (buildings, brush, open field, forest): The building is in excellent working condition. The front portion of the property is a parking lot and the rear is cut grass. The right side of the property borders White Brook. There is a patio in perfect working condition.

4. Character of surrounding lands: There is a home behind the restaurant owned by us. There is a slab of concrete to the left of the property and that is owned by us. White Brook is to the right of the property.

5. Please provide the following information (use additional pages if necessary):

a) Project construction cost estimate NA – no new construction. _____

b) Proposed colors of siding and roof and lighting, if applicable: _____

c) Any additional information pertinent to your site plan request: We plan to have the food truck to the right of the restaurant on the parking lot.

High Peaks Cyclery will be running a retail and guide location out of the retail store. They plan to offer rentals.

6. Ownership intentions, such as purchase options: Leasing to High Peaks Cyclery and ADK Food Oasis.

7. The following are the criteria by which the Planning Board approves any Site Plan Review:

- A) Does the use comply with all other requirements of the zoning ordinance, including the dimensional regulation of the zoning district in which it is proposed to be located?
- B) Is the use in harmony with the general purpose and intent of the zoning ordinance, specifically taking into account the location, character, and size of the proposed use and the description and purpose of the district in which such use is proposed, the nature and intensity of the activities to be involved in or conducted in connection with the proposed use, and the nature and rate of any increase on the burden of supporting public services and facilities which will follow the approval of the proposed use?
- C) Would the establishment, maintenance or operation of the proposed use create public hazards from traffic, traffic congestion, or the parking of automobiles or be otherwise detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to the property and improvements in the neighborhood or the general welfare of the Town?
- D) Would the project have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreation or open space to provide supporting facilities and services made necessary by the project – taking into account the commercial, industrial, education, residential, recreational or other benefits that might be derived from the project?
- E) Would the project adversely impact the public health, safety and general welfare as well as the comfort and convenience of the public in general and residents of the immediate neighborhood?

Prepared by:

Jeff Luma Date: 6-18-2024

Circle one: owner / Representative
Signature [Signature]

Please certify and initial the following:

 X I have reviewed the Site Plan Review Checklist. I understand that my application will not be deemed complete unless all elements are included, unless specific exceptions are deemed acceptable by the Planning Board. I understand that a signed copy of the checklist, as completed by the Code Enforcement Officer in the course of Sketch Plan Review, must be included for this application to be deemed complete.

 X I have reviewed the Site Plan Review Instructions. I understand that my Permit will not be final until the Town of Wilmington conducts a final inspection for compliance with Site Plan Approval.

Section 2 - Special Use Permit (use page 1 and 4)

1. List any other required permits or approvals associated with proposal and their status.
(APA, DEC, Waterfront Consistency).

I don't believe we need any permits. The food truck has their permits to serve food.

2. A short or long Environmental Assessment Form (EAF) or a draft Environmental Impact Statement (EIS), as required by the State Environmental Quality Review (SEQR) is included. () Yes (x) No

3. Any additional information pertinent to your site plan request:

No changes are being made to the property or building.

4. The Planning Board shall consider the following criteria when making a determination for a Special Use Permit: (per Article X of the Zoning Ordinance)

- A) Compatibility of the proposed use with the principles of the district, the purposes set forth in the zoning ordinance, and the goals of the Local Waterfront Revitalization Program (LWRP).
- B) Compatibility of the proposed use with the adjoining properties and with the natural and man-made environment.
- C) Adequacy of parking, vehicular circulation, and infrastructure for the proposed use, and its accessibility to fire, police, and emergency services.
- D) The overall impact on the site and its surroundings considering environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or other nuisances.
- E) Restrictions and/or conditions on design or operation of the use (including hours of operation) necessary either to ensure compatibility with the surrounding uses or to protect the natural or scenic resources of the Town.
- F) Consistency of the location of the proposed use with the goal of creating a healthy mix of uses that enhances the viability of the hamlet and Town.
- G) Compatibility with the historic character and use of the structure or structures and the historic characters of the site and in the surrounding area, if applicable.

Prepared by: Jeff Luma

Date: 6/18/2024

Circle one: owner / representative

Signature 

Please certify and initial the following:

 x I have reviewed the Special Use Permit Instructions. I understand that my Permit will not be final until the Notice of Decision of the Town of Wilmington Planning Board is filed in the office of the Planning Board Clerk.