

Section 8 - Other Reviews, Permits & Approvals

This section identifies other types of reviews, permits or approvals that will or may be necessary prior to, during or after all local zoning and planning approvals have been received.

SEQRA Review

New York State Environmental Conservation Law requires that before any agency, including Municipal Boards, Municipal Planning Boards and Municipal Z.B.A.s, undertake, fund or approve any action, they must review and determine what environmental impacts may result from such action. This review is commonly referred to as the State Environmental Quality Review Act or SEQRA. The specific types of actions that require this review are found within the statutes under Type 1 actions or unlisted actions. These actions would include all local reviews of special use permits, site plan reviews, subdivisions and variances.

As part of any application for any of these actions, the applicant must fill out either a short or long form Environmental Assessment Form. These forms should be included in the application package that you receive from the local zoning officer/Code Enforcement Officer. They are also available on-line.

At the very earliest stages of review, the decision making board should complete part two of these forms. If no identifiable adverse environmental impacts are identified during this review, a negative declaration is adopted by that board and the SEQRA review is completed. However, if any adverse impacts are identified, a positive declaration must be made by the local board and a draft environmental impact statement (DEIS) must be prepared by the applicant. This document should analyze in depth all potentially significant environmental impacts, alternatives to the proposed project. And it should propose mitigation measures. If such a determination is made, it would be best to seek the services of a local attorney or engineer to assist with the preparation of this document.

After this document is completed, the decision making board must review it and make a determination that is completely addresses all identified issues. It must now be made available to the public for review and comment and a public notice of such must provide for a minimum of 30 days for this public participation. The decision making board may hold a public hearing on the draft document and if held, the comment period must extend a minimum of 10 days after such hearing.

The Final Environmental Impact Statement (FEIS) is the responsibility of the decision making board. A local board can adopt the DEIS as its own FEIS. The decision making board must certify that all adverse impacts identified in the DEIS

and in public comments have been avoided or for those that cannot be avoided that the impacts have been minimized. Actions included in the FEIS that will eliminate or minimize impacts must be specifically spelled out in the FEIS.

This review process can take anywhere from one month to several months to complete depending on the scope and complexity of the proposed project.

County Planning Board Review

In addition to the various reviews and approvals required at the town, village and city level, certain actions must be referred to the Columbia County Planning Board for a determination of whether or not the proposed projects has a countywide or inter-community impact. The local referring agency may not take final action on your project if this referral is required, until the County Planning Board has responded. This Board meets on the third Tuesday of every month at 7:30 p.m. at the County Government Offices, 401 State Street in the City of Hudson. These referrals made pursuant to General Municipal Law Sections 239 (l) & (m) are the responsibility of the local board that is reviewing the project, however those referrals must be received no later than 12 days prior to the regularly scheduled meeting. If they are not received within that timeframe, review and discussion of the proposal will be deferred until the following month's meeting. For further information on these required referrals, contact Senior Planner Patrice Perry at (518) 828-3375.

Driveway or Curb Cut Permits

Whenever a new building is proposed on vacant lands, access to that parcel from a town road, village or city street or a county or state highway, a permit must be received for the driveway that will intersect with any of these municipal streets or roadways. The permit will authorize work undertaken within the boundaries of the roadway's right of way. For town roads and village and city streets, the contact person for these permits is often the local highway superintendent.

For driveways entering on to a County road, the permit is obtained from the Columbia County Department of Public Works, Engineering Division, located on Route 23B in the Town of Greenport. For application information, contact: Dean Knox, Director of Engineering at (518) 828-7011.

If the driveway will intersect with a state highway, the permit is obtained from the N.Y.S.D.O.T. Office located on Route 66 in the Town of Greenport. For application information, contact: Joseph Visconti, Permit Engineer at (518) 828-9401.

Please keep in mind that several municipalities within the County do not require that the permit be obtained prior to submittal of you project to the local boards, but nearly all of them will require that this driveway/curb cut permit has been issued before final approval of the project is granted.

Wetland Permits

Wetland permits will be required whenever state or federally regulated wetlands are disturbed or encroached upon. Generally speaking, disturbing wetlands should be avoided if at all possible. Permitting disturbances can be very time consuming and costly depending upon the type of wetland and the size of the disturbance. The type of permit required will vary with the specifics of the disturbance.

State wetlands are regulated by the NYSDEC and have almost all been mapped in Columbia County. Each Town Clerk should have access to the State wetlands maps for their town, as well as the Columbia County Soil and Water Conservation Office at 1024 Route 66 in Ghent, phone (518) 828-3375.

Federal wetlands are regulated by the Army Corp of Engineers (ACOE) and are largely unmapped in Columbia County. If they have been mapped, information about these wetlands may be available from the County Soil and Water Conservation Office or directly from the ACOE's field office in Troy, New York, phone (518) 266-6350. If there are wetlands onsite and have not been mapped, part of the disturbance permit process will be their mapping at your cost.

Stormwater Permits

If your project disturbs areas larger than one acre, a State Pollution Discharge Permit (SPDES) for Stormwater will be required from the NYSDEC, permit GP-02-01. This permit ensures that storm flow runoff generated by the developed parcel will be adequately treated and released at or below predevelopment rates. This permit also ensures that erosion and sediment associated with construction activities are adequately controlled and mitigated. Most often these permits are handled by professional design consultants.

Sanitary Discharge Permits

If your business will be generating wastewater flows larger than 1,000 gallons per day, and will be discharging into an onsite septic system, then a General SPDES permit will be required from the NYSDEC, permit # GP-95-01. This permit is typically applied for in conjunction with the system design reviewed and approved by the Columbia County Department of Health.