

TOWN OF TONAWNADA  
PERFORMANCE STANDARDS USE PERMIT REQUIREMENTS

Any use or expansion of existing uses within designated “Performance Standards” Zoning Districts within the Tonawanda require, as a minimum, the submittal of a “Performance Standards Use Permit” application.

The application form must be completed, signed and notarized, and submitted to the Building Department with all required exhibits (as listed on the application form) and a non-refundable \$200.00 application fee.

Dependent upon the scope of the project proposed, the requirement for a Performance Standards Use Permit may be waived by the Town Board (upon such determination by the Supervising Building Inspector). Should a project be deemed “waived”, the review process should be completed within thirty (30) days of the date of application.

Should a proposed project require a Performance Standards Use Permit, it must first be reviewed by the Town Planning Board and Environmental Review Committee (concurrently with review by the Town’s Engineering, Highway, Water Resource and Police Departments, as applicable).

After review, the Town Board determines whether a permit is approved, approved w/modification, or denied.

Thus, the permitting process could take up to ninety (90) days.

**TOWN OF TONAWNADA**  
**PERFORMANCE STANDARDS USE PERMIT APPLICATION**

Application No. PS - \_\_\_\_\_

Zoning for Subject Premises -     **(PS)** Performance Standards     **(GI)** General Industrial

Address \_\_\_\_\_ SBL # \_\_\_\_\_

Applicant Name \_\_\_\_\_

Applicant Address \_\_\_\_\_ Phone \_\_\_\_\_

Owner Name & Address \_\_\_\_\_

Environmental Assessment Form (SEQR) Required? \_\_\_\_\_ Submitted \_\_\_\_\_

Action subject to General Municipal Law 809 disclosure? \_\_\_\_\_

Action subject to General Municipal Law 239 .m review? \_\_\_\_\_

Unless otherwise noted, please submit NINE (9) COPIES of the following documents for review:

- \_\_\_\_\_ 1) APPLICATION FORM (signed & notarized by owner and applicant).
- \_\_\_\_\_ 2) STATEMENT DESCRIBING THE EXISTING & PROPOSED USE of property
- \_\_\_\_\_ 3) LEGAL SURVEY of recent date
- \_\_\_\_\_ 4) LEGAL DESCRIPTION of property
  
- \_\_\_\_\_ 5) SITE DEVELOPMENT PLAN (prepared by a NYS licensed architect, engineer, surveyor or attorney, as appropriate), including:
  - a) Title block, including title, scale, date, applicant name, owner name, preparers name
  - b) Size and location of lot
  - c) Existing & proposed structures or other facilities (including equipment, storage, & activities related to the property use)
  - c) Curb cuts, access drives, and vehicle parking spaces
  - d) Lines of existing streets & sidewalks immediately adjacent to the site
  - e) Names & addresses of properties immediately adjacent to the site
  - f) Existing & proposed landscaping including size & type of plantings
  
- \_\_\_\_\_ 6) PLANS & ELEVATIONS (as necessary for proposed development)
- \_\_\_\_\_ 7) STATEMENT signed by owner stating approval of application/use
- \_\_\_\_\_ 8) ENVIRONMENTAL ASSESSMENT FORM (SEQR)
- \_\_\_\_\_ 9) ADDITIONAL DRAWINGS OR OTHER INFORMATION as may be requested by the Supervising Building Inspector, Town Planning Board, or the Town Board
- \_\_\_\_\_ 10) \$ 200.00 NON-REFUNDABLE APPLICATION FEE

.....  
**APPLICATION REC'D. BY BUILDING DEPARTMENT** \_\_\_\_\_

**REVIEWED BY BUILDING COMMITTEE - WAIVED** \_\_\_\_\_ **PERMIT REQ'D** \_\_\_\_\_  
DATE \_\_\_\_\_

**PLANNING BOARD RECOMMENDATION -APPROVED \* APP'D W/MODIF \* DENIED**  
DATE \_\_\_\_\_

**TOWN BOARD ACTION - APPROVED \* APP'D WITH MODIFICATION \* DENIED**  
DATE \_\_\_\_\_

PLEASE ANSWER THE FOLLOWING QUESTIONS:

(PERFORMANCE STANDARDS USES ARE NOT PERMITTED WHICH EXCEED THE FOLLOWING STANDARDS (AS MEASURED AT THE SUBJECT PROPERTY LINE)):

- A) Will noise be emitted in excess of sixty-five decibels?..... YES NO
- B) Will any odor be emitted which endangers the health, comfort, safety, or welfare of any person or which has a tendency to cause injury or damage to property , business, or vegetation?..... YES NO
- C) Will dust or dirt be emitted which endangers the health, comfort, safety, or welfare of any person or which has a tendency to cause injury or damage to property, business, or vegetation?..... YES NO
- D) Will smoke be emitted in excess of Ringelmann Chart No. 2?..... YES NO
- E) Will any noxious gases be emitted which endanger the health, comfort, safety, or welfare of any person or which have a tendency to cause injury or damage to property, business, or vegetation?..... YES NO
- F) Cause, as a result of normal operations, a vibration which creates displacement of 0.003 of an inch?..... YES NO
- G) Utilize lighting or signs which create glare which could impair the vision of a driver of any motor vehicle?..... YES NO

(NO PERFORMANCE STANDARDS USE SHALL BE PERMITTED IF THE OPERATIONS OF SUCH USE WOULD):

- A) Cause a fire, explosion, or safety hazard?..... YES NO
- B) Cause an adverse environmental impact or a hazard to the safety, health, or well being of any person?..... YES NO
- C) Cause the violation of any portion of the New York State Uniform Fire Prevention & Building Code?..... YES NO
- D) Cause the violation of Local Law 1-73 as amended, regulating the use of public and private sewers and drains in the Town of Tonawanda?..... YES NO
- E) Cause anything to be done which would create a violation of any law, ordinance, rule, or regulation of the Town of Tonawanda, County of Erie, or the State of New York?..... YES NO

The undersigned solemnly swears that all statements made herein are true and that all drawings submitted correctly show the situation involved in this application. Further, that it is understood that additional information may be required by the Building Department, Planning Board, and/or the Town Board of the Town of Tonawanda, New York

Subscribed and sworn to before me this

\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Notary Public, Erie County, New York

\_\_\_\_\_  
Record Owner

\_\_\_\_\_  
Address