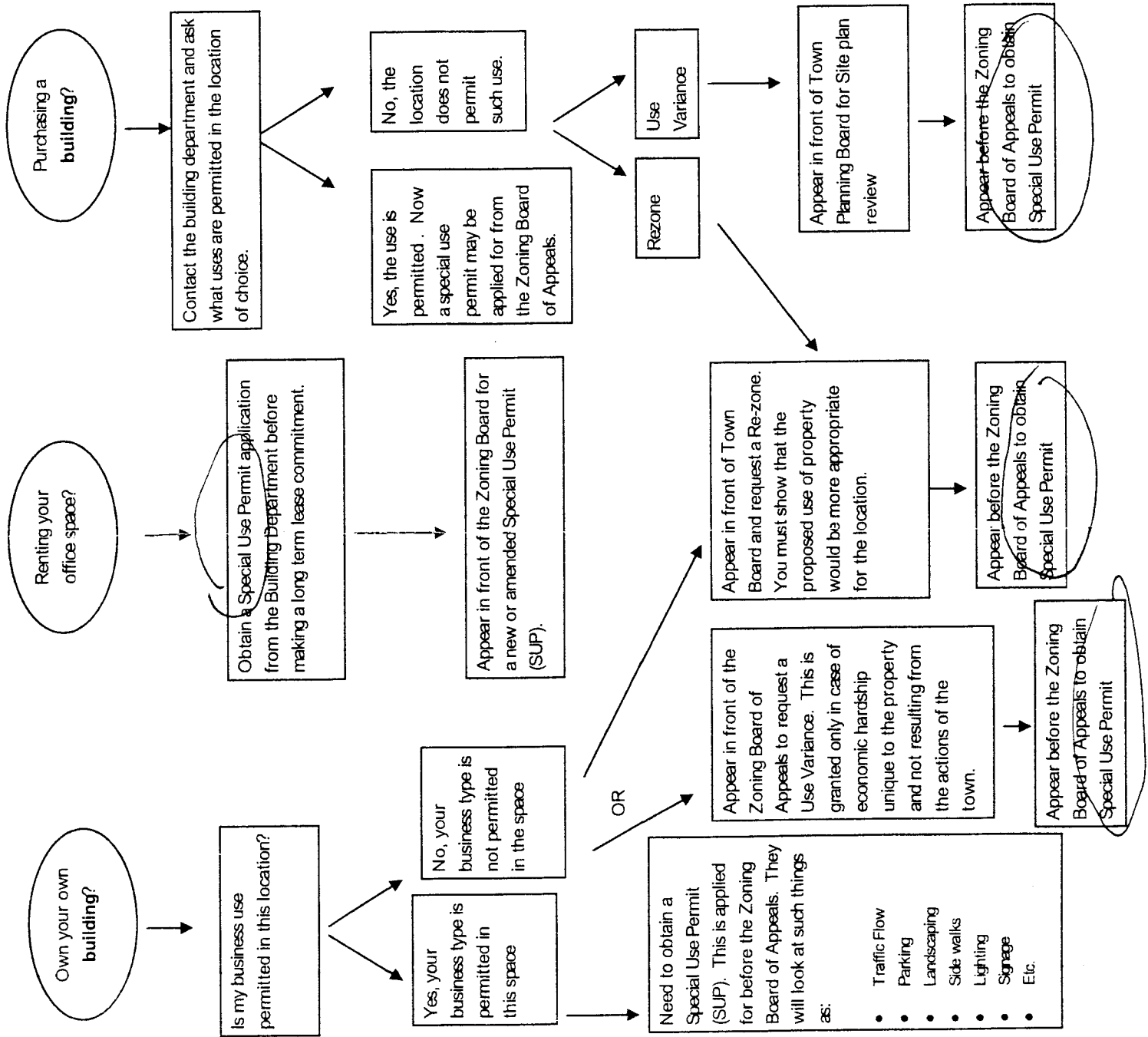


The Town of Guilderland Approval Process for Business and Commercial Uses:



ATTACHMENT E.

ROADMAP FOR BUSINESS IN GUILDERLAND/GCC & TOG

Roadmap for Business in Guilderland

Document Developer



The Town of GUILDERLAND

Guilderd
Chamber of Commerce
"In Business for Business"

Roadmap for Business in Guilderland

Introduction

The Town of Guilderland and the Guilderland Chamber of Commerce welcome new businesses to our town. We hope that this 'road map' can serve as a useful tool for you in making your business a part of our community.

If you wish to establish an office or store in Guilderland, you must be aware of the steps you will need to take to obtain the necessary permits before you purchase or lease property. In many instances, a business can be deemed a 'turn key' operation, for which no approvals are necessary. Often, all that may be required is a building permit for repairs or renovations. However, in cases where the proposed site required variances from the Town Zoning Law and/or a change of zoning law and/or change of zoning classification, the process can be time consuming.

In order to obtain a full appreciation of your legal requirements before applying for approvals, we encourage you to become familiar with the Town's Zoning Law. A copy of the zoning law is available at Town Hall and can be purchased for \$10.00. A copy of the current zoning law is also available at our chamber office. The text of the zoning law is also available in the 'Town Codes' section of the Guilderland Town Website, www.guilderland.org

Step 1: Information Discussion with Town

Town officials always welcome informal discussions with applicants who wish to establish businesses in Guilderland. When you have located a site, your first step would be to visit the Town's Building Department to obtain the paperwork required for approvals. Be sure to provide full details on your proposed operations so that you can receive all the information you will need to proceed with whatever applications are needed for your project.

If your project requires more than a building permit, then a visit to the Town Supervisor's office may be in order. This would be the case if a Special Use Permit, a variance from the Town Zoning Law, or a change of zone are required.

The Town Supervisor may also recommend that an applicant appear before the Economic Development Advisory Council, which provides businesses with an informal, non-binding forum to discuss the project with a group of people that represent the Town, the Chamber and the business community. Council members are experienced with the approval process and can provide suggestions as to how to proceed in a mutually beneficial way. The formal means necessary to obtain Town approvals would be discussed.

Step 2: Change of Zone

In some instances, a project cannot be located at a particular site because its uses are not permitted within that zoning district. In this case, the property must first undergo a change of its zoning classification before the project can be considered. Such a change can only be approved by the Town Board.

The steps needed to obtain a change of zone are beyond the scope of this brief overview. Compliance with the standards adopted by the State of New York are required and a change can occur only after the matter is reviewed in depth by the Town Board following a public hearing. The next step would be to obtain a Special Use Permit through the Town's Zoning Board of Appeals.

Step 3: Special Use Permit

The Town Zoning Law outlines the review procedures necessary to obtain a Special use permit. An application for Special Use Permit, filing fee and all required documentation must be submitted to the Building Department. The matter will then be scheduled for public hearings before the Town's Zoning Board of Appeals (ZBA), the Town Planning Board, the Albany County Planning Board, and any other agencies within the state or county that might have jurisdiction in the case.

The Town Planning Board reviews the application for purposes of making a Site Plan Review for the Zoning Board of Appeals. This consists of a presentation before the Planning Board which makes general recommendations about the project as well as the potential areas of concern that should be explored in depth by the Zoning Board of Appeals. The Planning Board's review often takes one hour or less.

The Town Planning Board also works closely with the Guilderland Conservation Advisory Council (GCAC), which reviews matters from an environmental conservation perspective. An applicant may be requested to submit the matter to the GCAC, which is also a relatively brief

presentation. Once the ZBA receives the recommendations of the Town Planning Board, the Albany County Planning Board (and any other county or state agencies that have jurisdiction over the matter), the ZBA will be in a position to consider a Special Use Permit request.

Conclusion

It is the Chamber's goal, to support businesses in the process of establishing themselves within the legal requirements of the Town. The formal and informal steps just outlined ensure that the new business owner will benefit from those who have experience and dedication to appropriate commercial development within the Town. The Guilderland Chamber of Commerce takes pride in its role as a facilitator in this process and is available to assist you in your new endeavor.

Different circumstances relative to the nature of your proposed new business operation and the location you anticipate operating it from will affect the pattern of the Town approvals that will be required. Requests for zoning changes are dealt within by the Town Board. Subdivision approvals and reviews of site plans to ensure compliance within overall land use requirements are dealt with by the Planning Board. The Zoning Board of Appeals processes requests for variances from the Zoning Code based on either land use or area requirements, and also issues new and amended Special use permits that govern the special requirements (lighting, signage, landscaping, parking spaces, etc.) associated with a business operation.

The particular requirements that may apply to your individual situation should be reviewed with Town officials prior to the investment of significant funds on a business proposal. You should contact Town Hall to discuss your project in advance with local officials, who can advise you as to the steps needed to process all necessary approvals in a time and cost efficient manner.