



Town of North Hempstead

Department of Planning and Environmental Protection



210 Plandome Road, Manhasset, NY 11030-2326

www.northhempsteadny.gov

Special Use Permit - Submittal Requirements

The Town Code identifies several land use actions that require a Special Use Permit from the Town Board. These include, but are limited to, the following:

Specific zoning districts:

- [§70-96.6 - 'Hospital'](#): to permit more than two towers on a main hospital complex building;
- [§70-97.21 - 'Open Space Recreation District'](#): to provide a snack bar, concession stand or full-service restaurant;
- [§70-114 - 'Business-AA'](#): recreational building or outdoor facility;
- [§70-140 - 'Business-B'](#): retail use greater than 85,000 s.f., motor vehicle repair shop;
- [§70-148.5 - 'Waterfront Business'](#): hotel, boathouse, mixed-use building, restaurant without mooring slips, retail grocery or delicatessen greater than 2000 s.f.,
- [§70-151 & 70-163 - 'Planned Industrial Park'](#): gasoline service station, commercial recreation, hotel, parking structure, or outdoor storage of vehicles;
- [§70-172 & 70-173 - 'Industrial-A'](#): outdoor storage of vehicles; storage of flammable liquids, above-ground utility connection;
- [§70-184 - 'Modified Planned Industrial Park'](#): above-ground utility connection;
- [§70-188 - 'Industrial-B'](#): storage of flammable liquids, sale of petroleum products, concrete recycling, yard waste processing;
- [§70-195.22 - 'Port Washington Business Overlay'](#): mixed-use building, density bonus for certain architectural features.

Multiple zoning districts:

- [§70-203\(P\)](#) - gasoline service station, convenience store, self-service pump island;
- [§70-203\(T\)](#) - drive-through facility;
- [§70-203\(U\)](#) - below-grade parking structure.

Please reference the relevant Town Code Sections prior to submitting any applications to the Planning Department as this would provide the most up-to-date information.

All proposals must start with a commercial building permit application to be filed with the Building Department. A Notice of Disapproval will be issued indicating that Town Board approval is required along with any areas of non-compliance with the zoning code. Any required variances must be obtained from the Board of Zoning Appeals before a Town Board hearing may be scheduled. If a site plan review is required in addition to the special use permit, both hearings may be scheduled concurrently.

Application process:

Contact the Planning Department at planning@northhempsteadny.gov if you intend to file an application and a link to the application form will be provided. Be advised, the application cannot be filed unless the Building Department has performed an initial review and has indicated that Town Board approval is required. **Applications will not be scheduled for a hearing until all required documents have been submitted and all fees are paid in full.**

As each type of special use permit may have differing submittal requirements, reference the respective Town Code section and contact the Planning Department prior to submittal to confirm the documentation needed. Information from the Notice of Disapproval will be needed to complete the application. Certain documents already submitted with



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the building permit or variance applications may be re-used if there are no changes. Documents marked with a white checkbox are required for all applications. Documents with a gray checkbox might not be required for certain applications.

<input checked="" type="checkbox"/>	<p>Site Plan/Drawing Set: The drawing sheets may be uploaded individually or as a single document and should show the following where applicable:</p> <ul style="list-style-type: none"> • Title/Cover Page- Reference §70-219(D)(1) for specific details • Site Plan– Reference §70-219(D)(2) • Floor Plans- Reference §70-219(D)(3) • Building Elevations- Reference §70-219(D)(4) • Building Perspectives and/or Photo Simulations- Reference §70-219(D)(5) • Landscape Plan: Reference §70-219(D)(6) • Drainage/Sediment & Erosion Control Plan- Reference §70-219(D)(7) • Lighting/Photometric Plan- Reference §70-219(D)(8) <ul style="list-style-type: none"> • <i>All plans and drawings must have the seal and signature of the appropriate professional(s) licensed in the State of New York.</i> • <i>All plans and drawings must include an original drawing date, as well as all revision numbers and dates.</i> • <i>All plans and drawings must include an approval box, located in the exact place on all plans and drawings.</i>
<input checked="" type="checkbox"/>	<p>Short or Full Environmental Assessment Form: Environmental assessments are standardized through the Environmental Assessment Form (EAF) created by the New York State Department of Environmental Conservation. Unlisted Actions require a Short Environmental Form. Type I Actions require the Full form. EAFs already filed with the Board of Zoning Appeals may be re-utilized.</p>
<input checked="" type="checkbox"/>	<p>300-foot Radius Map/List of Surrounding Property Owners: Ownership information, as indicted on the latest Nassau County Assessment Roll, can be obtained by searching each Section, Block, and Lot on the public computers in the office of the Receiver of Taxes. Alternatively, radius maps and lists of owners can be obtained from Nassau County’s Department of Assessment for a fee.</p>
<input checked="" type="checkbox"/>	<p>Survey of Premises: Property surveys must 1) be prepared by a NYS licensed land surveyor and must have the original seal and signature of the surveyor; 2) include spot elevations at the existing building corners, along the property boundaries at 25-foot intervals and at every change in direction of the property line; 3) show all existing conditions on and above the ground; and 4) provide dimensions and setback distances for all buildings and structures.</p>
<input checked="" type="checkbox"/>	<p>Trip Generation Table or Traffic Impact Study: Include tables of project-generated trips at all relevant peak hours. When applicable, include capacity and level-of-service analysis at the nearest signalized intersections for, at a minimum, AM weekday peak, PM weekday peak and Weekend mid-day peak periods.</p>



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<input checked="" type="checkbox"/>	Water and Sewer Availability Letters: For construction or expansion of habitable buildings: letters must be obtained from the applicable water and sewer providers confirming they have the necessary system capacity. A letter approving the service connection is not needed at this time.
<input checked="" type="checkbox"/>	Restrictive Covenants: Copies of any <i>covenants & restrictions</i> recorded against the property deed must be submitted.
<input checked="" type="checkbox"/>	Applications/approvals for curb cuts or street access: from the appropriate agency (TNH Highway Department, Nassau County DPW or NYS Department of Transportation as applicable)
<input checked="" type="checkbox"/>	Conformance to Community Visioning Plan: for communities with an adopted plan, a statement explaining how a proposal conforms to the plan is required.
<input checked="" type="checkbox"/>	Affidavit of Authorized Representation: An Affidavit of Authorized Representation is required if anyone other than the property owner (lessee, tenant, contract vendee, etc.) will be filing the application on behalf of the owner.

Filing Fees - Applications must be paid in full before a hearing will be scheduled. Special Permit fees are in addition to any required site plan application fee.

Gasoline Service Station – construction or substantial alteration.....	\$500.00
Gasoline Service Station – convenience store	\$350.00
Gasoline Service Station – self-service pump island(s).....	\$250.00
Drive-through facility	\$750.00
All other categories.....	\$500.00



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Notification of Hearing Requirements

Notices must be mailed to surrounding property owners. Reference [§70-219\(F\)\(2\)](#) and [§70-240](#) for the most up-to-date information on mailing requirements. The Planning Department *does not* provide a notice letter, only the Town Board resolution setting the hearing date with the form of notice. The notice letter must be on the applicant's letterhead and include the applicant's signature. You may transfer information directly from the Board resolution or you may provide a copy as an attachment. This letter must be sent by registered or certified mail no less than 10 nor more than 20 days prior to the hearing date to all landowners within a radius of 300 feet of the subject property. If a hearing is adjourned to a later date, you must send new notices, but these need only be sent by first class mail.

You must post a Sign on the property. Reference [§70-219\(F\)\(3\)](#) for the most up-to-date information on posting requirements. All required signs must be posted at least 10 days prior to the hearing date and must contain the time, date, and place of the hearing. A sign must be posted on each street frontage or waterway and must be legible by all passing vehicles. If the sign is destroyed or removed, you are required to replace it as soon as possible. The Town *does not* provide the signs.

Documents required prior to Hearing

The documents, on the following page, must be emailed to the Planning Department ***NO LATER THAN 5 DAYS BEFORE YOUR HEARING*** to verify that you have noticed your application in accordance with the Town Code.

<input checked="" type="checkbox"/>	Fully executed and notarized Affidavit of Mailing
<input checked="" type="checkbox"/>	All Date Stamped Certified Mail Receipts
<input checked="" type="checkbox"/>	A copy of the notice that was mailed Fully executed
<input checked="" type="checkbox"/>	Affidavit of Sign Posting
<input checked="" type="checkbox"/>	Photograph of Posted Sign from each right-of-way



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Hearing

Town Board Meetings are typically held on Thursday evenings at 7:00PM at Town Hall: 220 Plandome Road, Manhasset. Meetings are live streamed on the Town's website. The meeting agenda and all draft resolutions will be posted on the Town's website prior to the hearing. All final resolutions will be numbered and usually posted the following day. Contact the Planning Department for more information on Town Board Resolutions or Hearing Procedures.

Expiration Date

In accordance with [§70-219.1\(C\)](#), following Town Board approval, the applicant has up to three years to reach the next significant milestone in the review process, which is usually the Building Permit. For sufficient cause, the Town Board may grant six-month extensions. Applicants must thoroughly document why they are unable to conform to the prescribed time limits and must file for the extension prior to their expiration date (we recommend at least sixty days in advance).