



**Town of Fishkill Department of Planning  
and Economic Development**  
**807 Route 52 - Fishkill, NY 12524-3110**  
**Phone: (845) 831-7800 ext. 3328**  
**Fax: (845) 831-2964**

**Procedures and Requirements Governing  
Site Development Plan and Special Use Permit Applications**

**Note:**

All applicants to the Planning Board must schedule an informational meeting with the Town Planning Department and/or Town Zoning Administrator **prior to** submitting an application.

The Planning Board meets regularly on the 2<sup>nd</sup> Thursday of each month. All Applications for Site Development Plan and/or Special Use Permit approvals must be submitted in accordance with the current Town of Fishkill Planning Board Meeting Schedule.

An application for Site Development Plan and/or Special Use Permit approval can be made by submitting the following by mail or in person to the Planning Department.

1. One (1) original and seven (7) copies of the completed ***Site Development Plan and Special Use Permit Application***. Any request for waivers of required information must be included together with the reason for such request.
2. Seven (7) copies of the drawings detailing the proposed ***Site Development Plan***. The drawings should be at a scale of 1" = 20' where possible and drawn on a map size no larger than 24" x 36". The Applicant shall describe the nature and intensity of the proposed use together with any pertinent information that is not shown on the drawings. Please refer to the Application Requirements on the next page.
3. One (1) original and seven (7) copies of the ***Applicant Disclosure Form***. Please utilize the link on the Town of Fishkill website to obtain a copy of the Applicant Disclosure Form.
4. One (1) original and seven (7) copies of the completed ***Environmental Assessment Form***. The completion of a Full Environmental Assessment Form or Short Environmental Assessment Form shall be the decision of the Planning Department and/or the Town Engineer. Please utilize the link on the Town of Fishkill website to obtain a copy of the appropriate Environmental Assessment Form.
5. One (1) set of ***mailing labels indicating the adjacent property owners' names and addresses for properties within 500' of the project site***.
6. ***Required Fees*** (Application Fees and Escrow Deposit) in accordance with the current Town of Fishkill Fee Schedule, please see the following pages of this document for pages of the current Town of Fishkill Fee Schedule that pertain to Site Development Plan and Special Use Permit Application). A full copy of the current Town of Fishkill Fee Schedule is available on the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov) or at the Town Hall in the Town Clerk's Office.

The **entire completed application package** will be reviewed by the Town Planner and Town Zoning Administrator for conformance with the requirements of the Town Zoning Code and all other applicable regulations and/or standards of the Town of Fishkill.



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1. Title, giving names(s) and address(es) of the Applicant and the person responsible for the preparation of the drawings, with the date of issue.
2. Area Map Inset at a scale of 1" = 200', showing all properties and property owners' names within 500' of the project site. A Tabular Index must be shown indicating the property owners' names, addresses and Tax Map Parcel Numbers of property owners as previously mentioned.
3. Existing and proposed contours at two foot intervals. These may be submitted on separate sheets, if deemed appropriate by the Planning staff.
4. A Plot Plan at a scale of 1" = 20' and **no** larger than 24" x 36" shall include:
  - a. All metes and bounds descriptions, zoning district designation(s), north arrow and abutting property owners, purpose of proposed development (including uses, tenants and other pertinent information).
  - b. All main and accessory structure locations and setbacks from the property lines.
  - c. Location and types of all pertinent features such as shrubbery, trees, lighting, screening, curbing, refuse storage, recycle bins, storm drainage, well and/or water supply lines, sewage disposal system, fire hydrants, etc.
  - d. Location and dimensions of parking and loading areas showing individual parking spaces and numbers.
  - e. Typical cross sections and details of curbing, sidewalks, catch basins, parking areas, roadways, etc.
  - f. Building elevations including actual color samples for **all** exterior building finishes, materials and sign details.
  - g. Any division(s) of building(s) into units of separate occupancy.
5. The Data Table Inset must include:
  - a. Property area to nearest 100 square feet.
  - b. Building coverage - square footage and percent of total area.
  - c. Pavement coverage - square footage and percentage of total area.
  - d. Total impervious coverage percentage.
  - e. Open space - square footage and percentage of total area.
  - f. Parking Requirements in accordance with Chapter 150-69 of the Town of Fishkill Town Code.

The Town Planning Board Secretary will schedule all completed application packages for Planning Board review by placing the proposal on the Planning Board's next available agenda. Within forty-five (45) days of receipt of the completed application package, the Planning Board shall schedule a public hearing on the proposal. Within sixty-two (62) days of the closing of the public hearing, the Planning Board shall forward its findings and shall notify the Applicant as to whether the proposal has been approved, disapproved or approved with modifications. Within seven (7) days, the Planning Board shall also file a copy of its findings in the Office of the Town Clerk. The Planning Board's findings regarding a preliminary application shall expire six (6) months from the date of approval if no application for final approval is submitted within such period, except where such time limit is extended by mutual consent of the Applicant and the Planning Board.

# ***TOWN OF FISHKILL FEE SCHEDULE***



## **TOWN BOARD:**

Town Supervisor:	Joan A. Pagonos
Councilperson:	Steve V. Ferguson
Councilperson:	Robert LaColla
Councilperson:	Brian Callahan
Councilperson:	Heather Malvarosa

**Adopted on: February 05, 2011**

*These pages are taken from the Town of Fishkill Fee Schedule. The entire Fee Schedule is available on the Town's website at [www.fishkill-ny.gov](http://www.fishkill-ny.gov), under the category of Download Town Forms and under the Town Clerk's Department. You may also purchase a copy of the entire Fee Schedule from the Town Clerk's Office.*

**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**F. SITE PLAN (Chapter 150)**

Filing for Application:

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00
For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft over 100,000 square feet	\$ 2,500.00
For up to ten (10) parking places, add	\$ 50.00 per required parking space
For the next 490 parking spaces, add	\$ 20.00 per required parking space
For over 500 spaces, add	\$ 15.00 per required parking space
Recreation Fee in Lieu of Land	\$ 5,000.00 per dwelling unit
Recreation Fee	\$ 3,000.00 per dwelling unit
(if approved on-site recreation area)	
Downstream Drainage Fee	\$ 1,000.00 per 5,000 sq. ft. of disturbance
(as certified to the Town by the Project Engineer, subject to review by the Town Engineer)	
Retroactive Approval Fee	\$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).

Readoption of Approval Fee \$250.00

Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

**Adjustment of Recreation Fees and Downstream Drainage Fees Upon Reapproval**

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee and Downstream Drainage Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee and Downstream Drainage Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee or Downstream Drainage Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

\*\*\* See **Revision Fees** as noted \*\*\*

**Note 1:**

For all Site Plan applications please see the "Escrow Funds" section of this document.

**Note 2:**

Site Development Inspection Fees (Section 150-59C, Page 15091)

As a condition of Site Development approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses and upon completion.

**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**F. SITE PLAN (Chapter 150)**

**Note 3:**

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current fee Schedule rather than on the year of application.

**Note 4:**

To avoid double payment, Recreation and Downstream Drainage Fees are not applicable to the extent that such fees are charged by a Subdivision approval component of the project.

**Note 5:**

Fees for legal ads are to be paid for by the applicant.

**Note 6:**

All Fees are non-refundable.

**G. SPECIAL USE PERMIT (Chapter 150)**

**Filing for Application:**

For each structure up to 5,000 square feet	\$ 1,500.00
For each structure of 5,001-10,000 square feet	\$ 2000.00
For each structure of 10,001-15,000 square feet	\$ 2,500.00
For each structure of 15,001-20,000 square feet	\$ 3,000.00
For each structure of 20,001-25,000 square feet	\$ 3,500.00
For each structure of 25,001-50,000 square feet	\$ 5,000.00
For each structure of 50,001-75,000 square feet	\$ 7,500.00
For each structure of 75,001-100,000 square feet	\$ 10,000.00
For each 25,000 sq. ft over 100,000 square feet	\$ 2,500.00

For up to ten (10) parking places, add \$ 50.00 per required parking space

For the next 490 parking spaces, add \$ 20.00 per required parking space

For over 500 spaces, add \$ 15.00 per required parking space

The following apply if the Special Use Permit includes dwelling units:

Recreation Fee in Lieu of Land \$ 5,000.00 per dwelling unit

Recreation Fee \$ 3,000.00 per dwelling unit

(if approved on- site recreation area)

Downstream Drainage Fee \$1,000.00 per 5,000 sq. ft. of disturbance

(as certified to the Town by the Project Engineer, subject to review by the Town Engineer)

Retroactive Approval Fee \$ 500.00

For Planning Board approval of project applications for work already commenced or completed prior to the issuance of a formal resolution of approval for Site Development Plan or Special Use Permit from the Planning Board (this fee is in addition to the above listed fees).

Readoption of Approval Fee \$250.00

Applied in event of the Project Sponsor's failure to perform required or expected actions to maintain the active status or progress of the proposed project. This fee shall not apply in the event that project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

**SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING**

**G. SPECIAL USE PERMIT (Chapter 150) (continued)**

**Adjustment of Recreation Fees and Downstream Drainage Fees Upon Reapproval**

In the event of a reapproval by the Planning Board, upon the expiration of an earlier granted approval or reapproval, the applicant shall pay the differential if any between (a) the Recreation Fee and Downstream Drainage Fee prevailing at the time of the new reapproval, and (b) the Recreation Fee and Downstream Drainage Fee charged at the time of the preceding approval or reapproval. With respect to discretionary extension of approvals or reapprovals, there shall be no step-up of a previously charged Recreation Fee or Downstream Drainage Fee, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

\*\*\* See **Revision Fees** as noted \*\*\*

**Note 1:**

For all Special Use Permit applications, please see the "Escrow Funds" section of this document.

**Note 2:**

Special Use Permit Inspection Fees (Section 150-34-B, Page 15053):

As a condition of Special Use Permit approval, an inspection fee in an amount determined necessary by a Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing all private roads, sidewalks, water supply, sewerage, and storm drainage systems, grading, landscaping, and all other site improvements, not including building construction, shall be paid to the Town of Fishkill. Such fee shall be used to cover costs incurred by the Town of Fishkill in conducting inspections of such development as it progresses, and upon completion.

**Note 3:**

Recreation Fees (in all cases) will be established by the Town Board on the basis of the current Fee Schedule rather than on the year of application.

**Note 4:**

Fees for legal ads are to be paid for by the applicant.

**Note 5:**

All Fees are non-refundable

**Note 6:**

To avoid double payment, Recreation and Downstream Drainage Fees are not applicable to the extent that such fees are charged by a Subdivision or Site Plan approval component of the project.

**J. REVISION FEES - DMUD, SITE PLAN, LAND USE DEVELOPMENT PERMIT, SPECIAL USE PERMIT & SUBDIVISION**

All revisions to previously approved plans/plats which alter the Planning Board's Approval in a significant way as determined by the Town Planning Department or Town Engineer \$2,500.00

All revisions to previously approved plans/plats which alter the Planning Board's approval in a minor way as determined by the Town Planning Department or Town Engineer \$1,000.00

All items/plans which are only for discussion by the Planning Board (excluding revisions to previously approved plans or plats). \$ 100.00

**SECTION V - ESCROW FUNDS**

**A. GENERAL**

In order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other Consultation Fees incurred by the Town of Fishkill with respect to matters before the Planning Board or the Town Board are borne by the applicants. Escrow Funds will be submitted by the applicants. Upon filing an application for either Subdivision, Site Plan, Rezoning, or Special Use Permit, the applicant shall deposit with the Town Planner a sum of money in accordance with the table below. The Town Planner shall authorize payment of all fees charged by any professionals employed by the Planning Board or Town Board with respect to the applicant's project. Said fees shall be submitted by voucher and paid as approved by the Town Planner or Town Supervisor. The Town Planner shall refund to the applicant any funds remaining on deposit at the conclusion of the project. If the Escrow Fund is depleted to the amount found in Subparagraph "B" herein, prior to completion of the project reviews, the applicant shall reimburse the Escrow Fund as stated therein. If the applicant fails to reimburse the Escrow Fund, the Planning Board or the Town Board shall cease all reviews of the applicant's development. The Town shall not schedule such an applicant for appearances before the Planning Board or the Town Board to discuss any application. This policy shall be strictly enforced by the appropriate Town officials. A Certificate of Occupancy shall not be issued unless all professional fees incurred by the applicant's project have been paid.

**SECTION V - ESCROW FUNDS**

**B. CALCULATION OF ESCROW FUND**

<b><u>Type of Application</u></b>	<b><u>Initial Deposit</u></b>	<b><u>Depleted to</u></b>	<b><u>Replenishment</u></b>
A. Pre-Planning Meeting	\$1,000.00		
B. Planning Board Discussion	\$100.00	(Applied at discretion of Planning Dept.)	
C. Minor (1-5 lots)	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
D. 6-15 lots	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2,500.00
E. Over 15 lots	\$ 25,000.00	\$ 5,000.00	Current Bills + \$5,000.00
F. Lot line realignments	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
G. Minor additions < 2,000 s.f.	\$ 2,500.00	\$ 1,000.00	Current Bills + \$1,000.00
H. All residential plans	\$ 25,000.00	\$ 5,000.00	Current Bills + \$5,000.00
I. All other plans	\$ 25,000.00	\$ 5,000.00	Current Bills + \$5,000.00
J. Land Use Development Permits	\$1,500.00	\$600.00	Current Bills + \$1,500.00
K. Special Use Permits	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2,500.00
L. Rezoning (w/o Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2,500.00
M. Rezoning (w/ Planning Board)	\$ 25,000.00	\$ 5,000.00	Current Bills + \$5,000.00

**Note:** Applicants seeking multiple approvals for a related Project may consolidate to a single escrow account by written request only. Escrow replenishment amounts will convert to the level of the greater escrow exposure rate.