



**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
Subdivision and Resubdivision
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 2nd Thursday of each month. All Applications for Subdivision and/or Resubdivision approvals must be submitted in accordance with the current Town of Fishkill Planning Board Meeting Schedule.

APPLICATION REQUIREMENTS:

An application for Subdivision and/or Resubdivision 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 ***Subdivision & Resubdivision Application***. Any request for waivers of required information must be included together with the reason for such request.
2. Seven (7) copies of the ***Subdivision Plat detailing the proposed subdivision or resubdivision***. The drawings should be at a scale of 1" = 20' where possible and drawn on a map size no larger than 24" x 48".
3. One (1) original and seven (7) copies of the completed ***Applicant Disclosure Form***. Please utilize the link of 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 Subdivision and Resubdivision Applications). A full copy of the current Town of Fishkill Fee Schedule is available on the Town's website at www.fishkill-ny.gov or at the Town Hall in the Town Clerk's Office.



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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.

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. Pagones
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, 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.

I. **SUBDIVISION OF LAND (Chapter 132)**

Filing for Application for Approval of Subdivision Plat:

1 - 4 lots	\$ 1,500.00
5 - 10 lots	\$ 2,500.00
11 – 15 lots	\$ 3,500.00
Each additional lot over 16	\$ 250.00 per new lot
Recreation Fee in Lieu of Land	\$ 5,000.00 per new lot
Recreation Fee	\$ 3,000.00 per new lot
(if approved on-site recreation area)	
Downstream Drainage Fee	\$ 1,000.00 per 5000 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 on the following page ***

Note 1:

For all Subdivision applications, please see the "Escrow Funds" section of this document.

Note 2:

Subdivision Inspection Fees (Section 132-18F)

To offset the costs incurred by the Town in conducting inspections, all applicants for approval of subdivisions involving the construction of streets and/or other improvements shall be required to submit an inspection fee, payable to the "Town of Fishkill", in an amount equal to one (1) dollar per linear foot of new road to be constructed as a condition of plan approval.

Note 3:

On-Site Water and Sewerage Systems (Section 132-18).

An additional inspection fee in an amount determined necessary by the Town Engineer, but not in excess of seven percent (7%) of the estimated cost of constructing the on-site water supply and sewerage systems serving the subdivision and including integral off-site portions of the systems necessary to connect to existing Town facilities shall be paid by the developer to the Town of Fishkill. Such fees shall be used to cover costs incurred by the Town in conducting inspections of such systems as they progress and upon completion.

Note 4:

Recreation and Downstream Drainage 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 5:

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

Note 6:

All Fees are non-refundable.

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.

B. CALCULATION OF ESCROW FUND

<u>Type of Application</u>	<u>Initial Deposit Depleted to</u>		<u>Replenishment</u>
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	\$ 1000.00	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.