



**Town of Fishkill
Planning Department
807 Route 52 - Fishkill, New York
12524-3110
Phone: (845) 831-7800 ext. 3328
Fax: (845) 831-6040**

FOR OFFICE USE ONLY

Application No.: _____
Fees Paid: _____
Application Fee: _____
Escrow Deposit: _____

**Land Development Permit Application
Beacon Hills Zoning District**

1. Is this application for:

(a) A new proposal? Yes No

(b) A revision of a previously approved Land Use Development Permit? Yes No

(If yes, please describe) _____

(c) Property's Street Address: _____

(d) Property's Grid No.: _____ Map No.: _____ Lot No.: _____

(e) Location of Property: _____

(f) Property's Acreage/Square Footage: _____

2. Brief Description of Requested Action: _____

(a) Are there any waivers requested? Yes No (If yes, please describe)

(b) Are there any variances requested? Yes No (If yes, please describe)

(c) Has this property been the subject of past Town Board, Planning Board or Zoning Board of Appeals application(s) and/or approvals? Yes No (If yes, please describe)

(d) Is the proposed activity to be phased or developed in one (1) phase?

3. Applicant's Information:

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____

4. Property Owner's Information:

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____

If corporation, please supply name of agent: _____

5. Representative's Information:

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____ License Number: _____

STATEMENT OF CONFORMANCE:

I/We, the undersigned, in making an application to the Town of Fishkill for approval for the activity stated and described in this application have reviewed the laws and regulations of the Town of Fishkill to the extent that they are applicable to this proposal and understand that:

- **NO** building construction and/or alteration may be started **prior to the issuance of a Building Permit.**
- **NO** Building Permit may be issued and **NO** site development work may be started and **NO** use may be established, **until a Land Development Permit Approval has been granted and Final Site Development Plan drawings have been endorsed by the Town of Fishkill Planning Board Chairman.**
- **NO** building or premises or part thereof may be used or occupied **until a Certificate of Occupancy has been issued by the Town of Fishkill Building Inspector.**
- **ALL** building construction and all site development **must conform to the plans and specifications approved by the Town of Fishkill. No deviation or revision to an approved plan may occur without the prior approval of the Town of Fishkill.**

Applicant's Signature

Date

Representative's Signature

Date

Note: It is the responsibility of the Applicant to notify the Town of Fishkill Building Inspector, for the purpose of inspection at each stage of work. Please check with the Town of Fishkill Building Department for specific instructions concerning your project.

LAND OWNER'S AUTHORIZATION: (Must be notarized by a Notary Public)

I/We, the undersigned, agree that the information herein and attached is true. I/We, the undersigned, do hereby permit officials and/or consultants of the Town of Fishkill to enter the property to complete a thorough review of this application.

I/We, the undersigned hereby authorize the Applicant to act as my/our agent and understand that we are bound to the terms of § 150.56.6 of the Code of the Town of Fishkill.

Land Owner's Signature

Date

NOTARY PUBLIC SIGNATURE:

Sworn to before me this _____ day of _____, 20_____

Notary Public Signature

Notary Public Stamp

**Land Development Permit
Beacon Hills Zoning District**

Application Requirements and Checklist

This checklist is provided as a list of minimum requirements for submitting a Land Development Permit Application. Please refer to Town Code § 150-56.6 for detailed procedures and requirements for applying for a Land Development Permit. This checklist serves to help you and the Town of Fishkill Planning Board expedite the processing of your permit application.

An informational meeting must be scheduled with the Planning Board Secretary, Town Building Inspector and Town Engineer **prior to** the submission of a Land Development Permit Application.

The following shall be submitted:

- One (1) original and ten (10) copies of the Land Development Permit Application form.
- Eleven (11) copies of the site plan(s) for the proposed activities, drawn at a scale of not less than 1" = 40'.
- One (1) original and ten (10) copies of the Long Environmental Assessment Form.
- One (1) compact disc (CD) containing copies of the entire Land Development Permit Application submittal. All documents contained on the CD must be in PDF format.

The Site Plan(s) submitted with a Land Development Permit Application shall:

- Be prepared by a New York State licensed land surveyor;
- Depict all proposed improvements to the property and are prepared and certified by a professional engineer, a landscape architect, an architect or certified erosion and sediment control professional licensed by the state of New York;
- Depict the location of the proposed area of disturbance and its relationship to property lines, easements, buildings, roads, walls, wetlands, floodplains and streams, if any, within 100' of the boundaries of said property;
- Indicate the existing topography of the proposed area of disturbance at a contour interval of not more than 2'. Contours are shown for a distance of 50' beyond the limits of the proposed area of disturbance, or greater than 50' if determined by necessary by the Town of Fishkill Planning Board Engineer.
- Indicate the proposed final contours at a maximum contour interval of 2', locations of proposed structures, underground improvements, proposed surface materials or treatment, underground improvements, proposed surface materials or treatment and dimensional details of proposed erosion and sediment activities, as well as the calculations used in the siting and sizing of sediment basins, swales, grassed waterways, diversions and other similar structures.
- Indicate the existing topography of the entire watershed tributary to the proposed area of disturbance, presented at a scale of not more than 500' per inch. An inset map scale of not more 2,000' per inch may be used to show the entire watershed, if needed. This map shall show existing and if required by the Town of Fishkill Planning Board Engineer, proposed controls and diversions of upland water.

- A soil and slopes map must be submitted and shall:
 - Indicate existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Dutchess County. Generalized slope areas for slopes 0% to 15% - 15% to 25% and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map.
 - The depth to bedrock and depth to water table shall be identified in all areas of disturbance.
- A Stormwater Pollution Prevention Plan (SWPPP) for controlling stormwater runoff and pollutants from a site during and after construction activities. The design, testing, installation, maintenance and remove of erosion control measures shall adhere to these standards and any conditions of the Town of Fishkill Town Code § 150-50.6 Beacon Hills District and the Land Development Permit. This plan shall:
 - Describe or depict the temporary and/or permanent structural and vegetative measures that will be used to control erosion and sedimentation for each stage of the project, from land clearing to the finished stage.
 - Delineate the area of the site that will be disturbed and shall include a calculation of the acreage or square footage to be disturbed.
 - Include a map drawn at a scale of not less than 1" = 40' showing the location of erosion and sediment control measures, swales, grassed waterways, diversions and other similar structures.
 - Provide dimensional details of the proposed erosion and sedimentation facilities as well as the calculations used in the siting and sizing of the sediment basins, swales, grass waterways, diversions and other similar structures.
 - Include a timetable and schedule for completion and installation of all elements of the erosion control plan, together with a schedule for completion of the construction and disturbance proposed by the Applicant.
 - Provide an estimate for the cost of implementing all elements of the erosion control plan.
 - Provide a maintenance schedule for erosion control measures.
 - Provide the temporary practices that will be converted to permanent control measures.
 - Include an implementation schedule for staging temporary erosion and sediment control practices, including the timing of initial placement and duration that each practice should remain in place.
 - Include the Name(s) of the receiving water(s).
 - Include the delineation of SWPPP implementation responsibilities for each part of the site.
 - Include a description of structural practices of design to divert flows from exposed soils, store flows, or otherwise limit runoff and the discharge of pollutants from the exposed areas of the site to the degree attainable.
 - Include existing data that describes the stormwater runoff at the site.

- Include a description of each postconstruction stormwater management practice.
 - Include a site map/construction drawing(s) showing the specific location(s) and size(s) of each post construction stormwater management practice.
 - Include a hydrologic and hydraulic analysis for all structural components of the stormwater management system for the Applicant design storms.
 - Include a comparison of postdevelopment stormwater runoff conditions with predevelopment conditions.
 - Include dimensions, material specifications and installation details for each post construction stormwater management practice.
 - Include a maintenance schedule to ensure continuous and effective operation of each postconstruction stormwater management practice.
 - Include maintenance easements to ensure access to all stormwater management practices at the site for the purpose of inspection and repair. Easements shall be recorded on the plan and shall comply in all respects with the Town of Fishkill Town Code § 130-14.
 - An inspection and maintenance agreement binding on all landowners served by the on-site stormwater management measures in accordance with Town Code § 130-16.
 - Include a written summary of all neighboring or downgrade parcels from which drainage easements are necessary or in the alternate a statement as to why no drainage easements are necessary from such properties.
 - Include the details of any surface or subsurface drainage systems proposed to be installed, including special erosion measures designed to provide for proper surface or subsurface drainage, both during the performance of the work and after its completion.
 - Include any special reports deemed necessary by the Town of Fishkill Planning Board Engineer to evaluate the application, include but not limited to soil details, geologic details or hydrologic studies.
 - Include a written narrative explaining the nature of the proposal, include any future development anticipated for the property whether alternative locations exist for the proposed activity.
 - Provide for compliance with the State Pollutant Discharge Elimination System (SPDES) General Permit GP-02-01 as hereinafter amended or revised.
 - Include copies of all applications, permits and approvals required by any other local, state or federal agency associates with the construction and site work/disturbance by the Applicant.
-
- Town of Fishkill Applicant Disclosure Form
 - Application Fee and Escrow Deposit submitted in accordance with the Town of Fishkill's Current Fee Schedule.

TOWN OF FISHKILL FEE SCHEDULE



TOWN BOARD:

Town Supervisor:	Robert P. LaColla
Councilperson:	Brian Callahan
Councilperson:	Kurt Buck
Councilperson:	Tony Curry
Councilperson:	Timothy Tuttle

Adopted on: October 16, 2013

(The following pages are from the Town's Current Fee Schedule. A full copy of the Town's Fee Schedule is available on the Town's website at www.fishkill-ny.gov)

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING

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

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 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 prevailing at the time of the new reapproval, and (b) the Recreation 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, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

*** See Revision Fees as noted on Page 12 ***

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 Fees are not applicable to the extent that such fees are charged by a Subdivision or Site Plan approval component of the project.

H. LAND USE DEVELOPMENT (Chapter 150)

Filing for Application for Approval of Land Use Development Permit: \$1,500.00

Retroactive 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 a Land Use Development Permit from the Planning Board (this fee is in addition to the above listed Application Fee.

SECTION I - BUILDING, CONSTRUCTION, PLANNING AND ZONING

H. LAND USE DEVELOPMENT (Chapter 150) (continued)

Readoption of Approval Fee \$ 250.00

Applied in the 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 the project delays are beyond the control of the Project Sponsor as determined by the Planning Board.

****See Revision Fees****

Note 1:

For all Land Use Development Permit Applications see the “Escrow Funds” section of this document.

Note 2:

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

Note 3:

All fees are non -refundable.

I. SUBDIVISION OF LAND (Chapter 132)

Filing for Application for Approval of Subdivision Plat:

1 - 4 lots	\$ 1500.00
5 - 10 lots	\$ 2500.00
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 (if approved on-site recreation area)	\$ 3,000.00 per new lot

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 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 prevailing at the time of the new reapproval, and (b) the Recreation 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, unless such fees were erroneously computed and collected by the relevant agency or officer of the Town.

***** See Revision Fees as noted on Page 12 *****

Note 1:

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

SECTION IV - MISCELLANEOUS FEES

B. DOG CONTROL

	<u>State</u>	<u>Local</u>	<u>Total</u>
Spayed/Neutered	\$ 2.50	\$ 4.50	\$ 7.00
Un-spayed/Un-neutered	\$ 10.50	\$ 4.50	\$ 15.00
Pure Bred License - State Fee	\$ 25.00		
Plus Local Fee (0-10 Dogs)	\$ 10.00		
(11-25 Dogs)	\$ 20.00		
(26 and over)	\$ 25.00		
Redemption of Seized Dogs			
First Offense	\$ 50.00		
Second Offense	\$100.00		
Third Offense & thereafter (within 1 year)	\$200.00		
Inoculation by SPCA/Vet Clinic	up to \$ 55.00		

Note 1:

Residents over age 65 are exempt from local fee.

C. PEDDLING AND SOLICITING (Chapter 112)

Application Fee:				\$ 50.00 (non-refundable)
<u>Activity</u>	<u>Per Week</u>	<u>Per Month</u>	<u>Per Year</u>	
Peddling on foot	\$10.00	\$25.00	\$100.00	
Peddling w/handcart or pushcart	\$25.00	\$50.00	\$200.00	
Peddling w/vehicle (1 person)	\$25.00	\$50.00	\$200.00	
Each helper to person peddling with vehicle \$ 5.00	\$40.00		\$ 50.00	

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

<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	\$150.00 (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	\$ 3,000.00	\$ 1,500.00	Current Bills + \$1,500.00
E. Over 15 lots	\$ 5,000.00	\$ 2,000.00	Current Bills + \$3,000.00
F. Lot line realignments	\$ 1,500.00	\$ 500.00	Current Bills + \$ 500.00
G. All residential plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
H. All other plans	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
I. <u>Land Development Permits</u>	\$1,500.00	\$ 500.00	Current Bills + \$1,000.00
J. Special Use Permits	\$ 7,500.00	\$ 3,000.00	Current Bills + \$4,000.00
K. Rezoning (w/o Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$2500.00
L. Rezoning (w/ Planning Board)	\$ 10,000.00	\$ 2,500.00	Current Bills + \$5000.00

Note: Amounts stated above may be increased as deemed appropriate by the Planning Board Administrator. 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.

C. REVISIONS

These Regulations may be revised by the Town Board of the Town of Fishkill by Resolution.

Fees are refundable when the Town Board deems that they should be refunded.