

Adopted February 1, 2018

TOWN BOARD OF THE TOWN OF SHAWANGUNK

RESOLUTION

ADOPTING FEE SCHEDULES PURSUANT TO  
LOCAL LAW NO. 7 of 1989  
(LAND USES)

At a regular duly noticed meeting of the Town Board held on the 1st day of February 2018 at the Town Hall, Central Avenue, Wallkill, New York, at which time a quorum was present, a motion was made by Councilman Robert Miller and seconded by Councilman Brian Amthor and the following voting in favor, Supervisor Valk, Councilmen Amthor, Miller, DeWitt & Watkins, and the following voting against (None), the following resolution was declared duly adopted.

RESOLVED, that the following findings be made:

WHEREAS, the Town of Shawangunk has expended and continues to expend substantial time and money to process and review real property developmental and improvement applications made to the various boards, departments and officials of the Town, and

WHEREAS, the Town of Shawangunk must comply with all federal, state and local laws, rules, regulations and ordinances in review of any application seeking approval of developmental plans, construction permits and local law interpretations, and

WHEREAS, the Town Board determines that it is in the public interest for the particular applicant to bear the reasonable costs of the Town review process of the particular application, and

WHEREAS, the Town Board determines that pursuant to Local Law No. 7 of 1989, a schedule of fees and escrow procedures shall be promulgated and periodically updated to address the public interest as set forth above, and

NOW, THEREFORE, BE IT RESOLVED:

- I. A Fee Schedule for the Zoning Board of Appeals shall be as follows:
  - A. Variances: Base Fee \$350  
  
Appeals - Base Fee \$350
  - B. Additionally, in the event that the Zoning Board of Appeals seeks the review of professional consultants in respect of any part of the application, the applicant shall post a cash escrow to ensure the reimbursement of the Town for such reasonable consulting fees and disbursements. All escrows shall be funded and administered per Section VI below.

- C. The additional expenses for the review under SEQRA for any Zoning Board of Appeals application shall be as set forth in Section III of this Resolution.

**II. A Fee Schedule for the Planning Board shall be as follows:**

**A. Special Exception Use Applications**

- 1. For commercial uses, industrial uses and all other non-residential uses (except Cell Towers):

(a) Base Fee for proposed or existing structures: Where such uses involve construction of buildings and other structures or where the use of existing buildings, structures or land is proposed to be changed: Base Fee of \$750 plus \$200 for the first 1,000 square feet of floor area or fraction thereof, plus \$.08 per square foot for the next 9,000 square feet of floor area or fraction thereof plus \$.01 per square foot for each additional square foot, plus in addition thereto \$.01 per square foot for parking, unloading and traffic circulation areas.

(b) Base Fee for uses not involving structure: In addition to the above fee, where such uses also involve open land uses including, without limitation, material storage areas, substantial drainage ways, landscaping areas, buffer areas, utility lines/corridors and other open land uses necessary to the operation of the use, an additional fee shall be calculated as follows:

Base Fee of \$750 plus \$200 for the first 1000 square feet of open land area or fraction thereof devoted to such use, plus \$.08 per square foot for the next 9,000 square feet of open land area or fraction thereof devoted to such use, plus \$.005 (one-half cent) for each additional square foot of open land area devoted to such use including the change of such use.

- 2. For residential uses requiring a Special Exception Use permit:

(a) Base Fee of \$750 plus \$100 per dwelling unit upon application and the additional sum of \$50 per dwelling unit prior to final approval.