

Resolution 37 of 2010

TOWN BOARD OF THE TOWN OF RHINEBECK

RESOLUTION

JUNE 28, 2010

WHEREAS, on December 29, 2009, the Town Board of the Town of Rhinebeck (the "Town Board") enacted a new Zoning Law and a new Wetlands Law, which in part calls for certain required submissions and steps in the Town's planning review process which are new and/or changed;

WHEREAS, a number of the fees charged in the planning review process of the Town of Rhinebeck (the "Town") have not been adjusted for a number of years; and

WHEREAS, Town Planning Consultant, Art Brod of PLANNERS EAST Incorporated, and Michael Trimble, Planning Board Chairman, have studied the Town's fees for various steps in the planning review process and recommend an update by the Town Board of the current fee schedule as posted on the Town's web-site both to reflect the Town Board's adoption of the captioned Town Code Chapter 101, Subdivision of Land, Chapter 120, Wetlands, and Chapter 125, Zoning, on December 29, 2009, and better ensure in tandem with Local Law No. 2 of the Year 2006 that expenses incurred by the Town in the administration of its land use and development review responsibilities under these Chapters and review of applications made thereupon are borne by those benefiting from applications made and not by the general public;

Now therefore, be it **RESOLVED**:

The Town Board, upon its determination that the adoption of an updated fee schedule is a Type II Action under SEQRA for which environmental review is precluded, adopts effective immediately upon certification by the Town Clerk the fee schedule as follows in the column entitled "NEW" and directs the posting of the updated fee schedule on the Town's web-site and the distribution of copies thereof to the Zoning Enforcement Officer, Planning Board and Zoning Board of Appeals:

FEE SCHEDULE	CURRENT	NEW
Subdivision		
• Pre-Application Conference		
Four (4) or fewer lots	\$100	\$100
Five (5) or more lots	\$200	\$200
• Sketch Plan Review & Classification*		
Minor	\$150	\$150, plus \$100 for each new lot or principal dwelling unit, not to exceed \$750
Major	\$350	\$150, plus \$100 for each new lot or principal dwelling unit, not to exceed \$750

* Posting of initial escrow deposit may be required at time of application in accordance with Local Law No. 2 of the year 2006.

FEE SCHEDULE	CURRENT	NEW
• Application for Subdivision Plat Approval**		
Minor Subdivision	\$150, plus \$50 for each new lot or dwelling unit proposed	\$250, plus \$250 for each new lot or principal dwelling unit proposed
Major Subdivision		
- Preliminary Plat	\$150, plus \$50 for each new lot or dwelling included in preliminary	\$250, plus \$250 for each new lot or principal dwelling unit
- Final Plat	N/A	\$250, plus \$100 for each new lot or principal dwelling unit
• Payment in lieu of Recreation Land	\$1,500	\$3,000 for each new lot or principal dwelling unit
Special Use Permit		
• Pre-Application Conference		
Multi-family or commercial development, including mining	N/A	\$200
All others	N/A	\$100
• Application for Special Use Permit		
Conventional Subdivision *	N/A	\$250
All others **	\$150	\$250 plus \$150 for each Special Use Permit requested beyond the first in a combined application

** Posting of initial escrow deposit is required at time of application in accordance with Local Law No. 2 of the year 2006.

FEE SCHEDULE	CURRENT	NEW
Site Plan		
• Pre-Application Conference		
Multi-family or commercial development, including mining	N/A	\$200
All others	N/A	\$100
• Sketch Plan Conference		
Signs & accessory special permit uses	N/A	N/A
All others	N/A	\$250
• Application for Site Plan Review and Approval		
Existing building – addition and/or other exterior building or site modifications **	\$150 plus \$75 for each 1,000 s.f., or part thereof, of gross floor area proposed	\$250 plus \$100 for each 1,000 s.f., or part thereof, of gross floor area proposed
New building **	\$150 plus \$75 for each 1,000 s.f., or part thereof, of gross floor area proposed	\$250 plus \$100 for each 1,000 s.f., or part thereof, of gross floor area proposed
Non-resident buildings defined by NYS Agriculture & Markets Law as farm use *	N/A	\$250
Amendment of Approved Site Plan – sign, lighting and/or landscaping only	N/A	\$100
• Payment in lieu of Recreation Land	N/A	\$1,500 for each dwelling unit, if not previously subject to payment under Subdivision Plat Approval

FEE SCHEDULE	CURRENT	NEW
Certificate of Demolition or Removal		
• Pre-Submission Conference	N/A	\$100
• Application for Certificate of Demolition or Removal	N/A	\$250
• Application for Certificate of Economic Hardship	N/A	\$250
Administrative Review		
• Appeal by Party with Standing of Order, Requirement, Decision, Interpretation or Determination under the Zoning Law made by the Zoning Enforcement Officer*	\$150 plus steno cost, if any	\$250 – both fee and escrow deposit, if any, are refundable if ZBA acts to set aside ZEO’s action
Variance		
• Use Variance**	\$250	\$500
• Area Variance*	\$150	\$250 plus \$100 for each Area Variance requested beyond the first within a combined application
Change of Non-Conforming Use*	N/A	\$250
Wetlands Permit		
• Pre-Submission Conference	N/A	\$100
• Application for Wetlands Permit**	N/A	\$250 plus \$100 for each 0.1 acre, or portion thereof, of proposed disturbance within wetland or 100-foot buffer

FEE SCHEDULE

CURRENT

NEW

Initial Escrow Deposit Amounts

- Subdivision Applications \$100 per lot or dwelling unit \$250 for each new residential lot or principal dwelling unit
- Site Plan Review 2.0% of estimated cost greater of \$500 or 0.1% of estimated project cost
- Special Use Permit \$500 \$500
- Use Variance Determined by Town consultant at time of application \$500 or such greater amount as determined by ZBA at time of application
- Petition for Rezoning Determined by Town consultant at time of application \$500 or such greater amount determined by Town Board at time of application
- SEQRA Compliance 0.5% of estimated cost 0.5% of estimated project cost, not including land
- Inspection of Improvements N/A 2.0% of estimated project cost

MOTION BY: Joe Gelb

SECONDED BY: Gina Fox

Town Board Member	AYE	NAY
Tom Traudt		<i>absent</i>
Dan Staley	✓	
Bruce Washburn	✓	
Joe Gelb	✓	
Gina Fox	✓	

Resolution Certified:

Barbara Cunningham
Barbara Cunningham, Town Clerk

Date: 7/13/10