

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does hereby set the 15th day of November, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to afford all interested parties an opportunity to be heard and seek public comment concerning an amendment to the Town Code Chapter 105, entitled “Fees”, in regard to Chapters 68, 177 and 210. The proposed local law will be available to review in full at the Town Clerk’s Office, Monday – Friday between the hours of 8-4 and also on our website in the legal notices section where it will be attached to this notice.

AND PLEASE ALSO TAKE NOTICE, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action requiring no SEQRA review; and

AND PLEASE ALSO TAKE NOTICE, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

Felicia Salvatore, Town Clerk
Town of Poughkeepsie
November 2, 2017

RESOLUTION 11:1 - # 6 OF 2017

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 15th day of November, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider amendments by local law to the Town Code Chapter 105, entitled "Fees"; and

BE IT FURTHER RESOLVED, that the proposed amendments are attached hereto and incorporated herein, with the language to be added underscored and the language to be deleted ~~stricken~~, and the Town Board does hereby waive a verbatim reading of said amendments and does direct said proposed amendments be spread across the record as if it, in fact, had been read verbatim; and

BE IT FURTHER RESOLVED, that the aforesaid action is a Type II Action requiring no SEQRA review; and

BE IT FURTHER RESOLVED, that said amendments, if adopted, will take effect immediately upon filing with the Secretary of State.

Dated: Nov. 1st 2017

Moved: Ann Sheridan

Seconded: Michael Cifone

Ayes 7 Nays 0

JEN/mem

t-10/27/2017

m-11/1/2017

G:\mllegal\2017\November\Nov 1\chapter105-amend-sd.doc

	AYE	NAY
Councilman Renihan	✓	_____
Councilman Carlos	✓	_____
Councilman Conte	✓	_____
Councilman Cifone	✓	_____
Councilman Lepore	✓	_____
Councilwoman Shershin	✓	_____
Supervisor Baisley	✓	_____

BE IT ENACTED by the Town Board of the Town of Poughkeepsie:

Section 105-4. "Fees", of the Town Code is hereby amended as follows:

C. Chapter 68, Building Construction. Add a new fee type to paragraph "2 Commercial" as follows:

(2) Commercial:

Type	Fee
New commercial buildings and additions (includes multiple dwellings)	\$250, plus \$0.40 per square foot up to 50,000 square feet plus \$0.30 per square foot over 50,000 square feet
Permit renewal	\$250 plus \$0.10 per square foot
<u>Commercial solar energy public utility project</u>	<u>\$0.04 per square foot of solar panel fascia</u>
Renovations/alterations	\$200
Level 1 alterations	Plus \$0.20 per square foot
Level 2 alterations	Plus \$0.25 per square foot
Level 3 alterations	Plus \$0.30 per square foot
Re-roofing not involving replacement or repair of sub-roof	Plus \$0.10 per square foot

S) Chapter 177, Subdivision of Land. Add a new subparagraph "1.e." as follows:

1. Subdivision application:

- a. Pre-application/sketch discussion: \$250 per Planning Board meeting.
- b. Minor (two lots) subdivision: \$750 plus \$250 per Planning Board meeting.
- c. Major (three lots or more) subdivision, preliminary approval: \$750, plus \$300 per new lot (i.e., no fee for the first lot). [Example for a ten-lot subdivision: \$750 plus \$300 times nine lots = \$3,450] plus \$250 per Planning Board meeting.
- d. Major (three lots or more) sub division, final approval: \$400, plus \$200 per new lot (i.e., no fee for the first lot). [Example for a ten-lot subdivision: \$400 plus \$200 times nine lots = \$2,200] plus \$250 per Planning Board meeting.
- e. Re-approval of a minor subdivision, a major preliminary subdivision, or a major final subdivision application where: 1) the time limit to extend approval of such application has expired; and 2) the application for re-approval is identical to the application originally approved by the Planning Board; and 3) there are no current

violations of the Town Code involving the property that is the subject of the re-approval application; and 4) the expiration of the original approval has occurred less than one hundred eighty (180) days before the date on which the application for re-approval is received by the Planning Board: ten (10%) percent of the amount of the original application fee plus \$250 per Planning Board meeting.

- V) Chapter 210, Zoning. Add new paragraphs "4", and "5" and renumber the following paragraph as follows:
- 1) Pre-application discussion: \$250 per Planning Board meeting.
 - 2) Site plan application for a nonresidential project, or the nonresidential portion of a mixed-use project: \$500, plus \$250 per 1,000 square feet of gross building area, plus \$250 per Planning Board meeting.
 - 3) Site plan application for a residential project, or the residential portion of a mixed-use project: \$500, plus \$200 per dwelling unit plus \$250 per Planning Board meeting.
 - 4) Site plan application for a commercial solar energy public utility project: \$500 plus \$250 per 10,000 square feet, or part thereof, based on the total square footage of the solar panel fascia proposed for such project, plus \$250 per Planning Board meeting.
 - 5) Re-approval of a site plan application for a residential, a non-residential, and a mixed-use project where: 1) the time limit to extend approval of such application has expired; and 2) the application for re-approval is identical to the application originally approved by the Planning Board; and 3) there are no current violations of the Town Code involving the property that is the subject of the re-approval application; and 4) the expiration of the original approval has occurred less than one year before the date on which the application for re-approval is received by the Planning Board: ten (10%) percent of the amount of the original application fee plus \$250 per Planning Board meeting.
 - 6) Amended site plan applications:
 - a) For review of a previously approved plan but not including an amendment required to cure a violation: \$250, plus \$150 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$150 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.
 - b) For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$500 plus \$150 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$150 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.
 - c) For review of a plan where work was commenced without having first obtained site plan approval: \$750 plus \$250 per 1,000 square feet of gross building area for a nonresidential project, or the nonresidential portion of a mixed-use project; plus \$250 per dwelling unit for a residential project, or the residential portion of a mixed-use project; plus \$250 per Planning Board meeting.
 - 7) Recreation fees in lieu of land: \$5,000 per each new single family residential dwelling, or \$1,250 per bedroom for any multi-family and two-family dwelling.
 - 8) Accessory apartment: \$250.

- 9) Home occupation subject to registration only: No fee.
- 10) Home occupation subject to special permit approval only: \$250.
- 11) All other special use permits for uses proposed for a residential premises: \$250.
- 12) All other special use permits for uses proposed for a nonresidential premises: \$500.
- 13) Architectural review not a part of site plan review: \$150 plus \$250 per Planning Board meeting.
- 14) Special meeting of the Planning Board: \$250 per meeting.
- 15) Special meeting of the Zoning Board of Appeals: \$250 per meeting.
- 16) Special meeting of the Town Board: \$250.
- 17) Business park application: \$500.
- 18) Zoning Map amendment application: \$2,000, plus \$250 per Town Board meeting.
- 19) Zoning code text amendment application: \$2,000, plus \$250 per Town Board meeting.
- 20) Overlay district application: \$2,000, plus \$250 per Town Board meeting.
- 21) Land contour permit application:
 - a) Minor:
 - (i) New application: \$800.
 - (ii) For review of a previously approved plan but not including an amendment required to cure a violation: \$500.
 - (iii) For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$500, plus \$50 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting (where required).
 - (iv) For review of an application where work was commenced without a permit: \$500, plus \$100 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting (where required).
 - b) Major:
 - (i) New application: \$800, plus \$75 per 1,000 square feet of land surface area plus \$250 per Planning Board meeting.
 - (ii) For review of a previously approved plan but not including an amendment required to cure a violation: \$500, plus \$100 per 1,000 square feet of land surface area plus \$250 per Planning Board meeting.
 - (iii) For review of a previously approved plan required to cure a violation where work was not performed in accordance with a prior approved plan: \$600, plus \$150 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting.
 - (iv) For review of an application where work was commenced without a permit: \$800, plus \$200 per 1,000 square feet of land surface area, plus \$250 per Planning Board meeting.
- 22) Area variance for a single-family residential premises: \$100.
- 23) Area variance for other than a single-family residential premises: \$300.
- 24) Use variance: \$800.

- 25) Interpretation: \$800.
- 26) Permits of use:
 - a) Garage sale permits: \$10.
 - b) Fence permits: \$10.
 - c) Tent sale permit: \$100.
- 27) Sign permits:
 - a) Temporary signs: \$2 per square foot; \$50 minimum fee.
 - b) Permanent freestanding sign, hanging sign: \$5 per square foot per side; \$75 minimum fee.
 - c) Permanent wall (building-mounted) sign: \$5 per square foot; \$75 minimum fee.
- 28) Sign erector's license: \$50.
- 29) Zoning Code: \$0.25 per page.
- 30) Zoning Map: \$50.
- 31) Zoning compliance letter:
 - a) Residential: \$100.
 - b) Nonresidential: \$250.
- 32) Rebuild letter:
 - a) For single-family residential premises: \$100.
 - b) For other than single-family residential premises: \$250.
- 33) Determination of legal nonconformity:
 - a) For Zoning Administrator determination: \$150.
 - b) For application to Zoning Board of Appeals: \$500.
- 34) Biannual inspection of accessory apartments:
 - a) Residential: \$50.
 - b) Commercial: \$100.
- 35) Rescission of a stop-work order:
 - a) First: \$150.
 - b) Second: \$200.
 - c) Third: \$250.
 - d) More than three: \$300 each.