

**ZONING BOARD OF APPEALS
INTERPRETATION
CHECKLIST**

THE FOLLOWING ITEMS MUST BE PRESENTED ON THE SUBMISSION DATE:

- Application: Must state if the applicant is the owner, if not, consent will be required
- Signatures: Must be original signatures
- Letter of Consent: If required
- EAF: Short Form is required (Environmental Assessment Form)
- Survey: Survey of property is required
- Application Fee: Application fee may be paid in cash, check or by credit card. Checks over \$500.00 must be a certified check, bank, or money order made payable to the "Town of Wappinger" (Separate checks are required for application fees and escrow)
- Escrow: Escrow may be paid in cash, or if paying by check, it must be certified check, bank, or money order made payable to the "Town of Wappinger" (Separate checks are required for the application fees and escrow)
- Plans: Number of Plans to be delivered with application to ZBA Secretary

TOWN OF WAPPINGER



PLANNING BOARD & ZONING BOARD OF APPEALS

20 MIDDLEBUSH ROAD
WAPPINGERS FALLS, NY 12590
PH: 845-297-6256
Fax: 845-297-0579

Application for an Interpretation

Appeal No.: _____

Date: _____

TO THE ZONING BOARD OF APPEALS, TOWN OF WAPPINGER, NEW YORK:

I (We), _____ residing at _____
_____, (phone) _____, hereby,
appeal to the Zoning Board of Appeals from the decision/action of the Zoning Administrator,
dated _____, and do hereby apply for an interpretation.

Premises located at: _____

Tax Grid No.: _____

Zoning District: _____

1. Record Owner of Property:

Address: _____

Phone Number: _____

Owner Consent dated: _____

Signature: _____

Print Name: _____

2. Interpretation Request:

I (We) hereby apply to the Zoning Board of Appeals for an interpretation of the following requirements of the Zoning Code.

(Indicate Article, Section, Subsection and Paragraph)

3. Reason for Appeal (Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):

4. List of attachments (Check applicable information)

- Survey dated: _____, Last revised _____ and Prepared by: _____.
- Plot Plan dated: _____.
- Photos
- Drawings dated: _____.
- Letter of Communication which resulted in application to the ZBA. (e.g., recommendation from the Planning Board/Zoning Denial)
Letter from: _____ Dated: _____
- Other (Please list): _____

5. Signature and Verification

Please be advised that no application can be deemed complete unless signed below. The applicant hereby states that all information given is accurate as of the date of application.

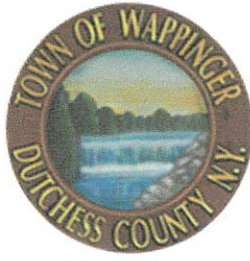
SIGNATURE: _____
(Appellant)

DATED: _____

SIGNATURE: _____
(If more than one Appellant)

DATED: _____

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Owner Consent Form

Project No: _____

Date: _____

Grid No.: _____

Zoning District: _____

Location of Project:

Name of Applicant: _____

Print name and phone number

Description of Project:

I _____, owner of the above land/site/building hereby give permission for the Town of Wappinger to approve or deny the above application in accordance with local and state codes and ordinances.

Date

Owner's Signature

Owner's Telephone Number

Print Name and Title ***

*** If this is a Corporation or LLC, please provide documentation of authority to sign.

If this is a subdivision application, please provide a copy of the deed.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

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ZONING BOARD OF APPEALS

All application fees are non-refundable

Variance Fee:

Residential: Area / Use Variance Fee:
\$375.00 per Application**

Commercial: Area / Use Variance Fee:
\$750.00 per Application**

Interpretations Fee:

Residential: \$150.00 per Application**

Commercial: \$325.00 per Application**

** All applications are subject to an escrow account and associated fees when denied by the ZBA**

Please note that all applicants will be billed by the local newspaper for their Legal Notice.

ALL MAPS MUST BE FOLDED PRIOR TO SUBMISSION

**Administrative Regulation of the Town Of Wappinger
Planning Board/Zoning Board**

Requirement for Escrow Funds

Section 1. Escrow Funds Established

By the authority granted by Section 240-110 of the Wappinger Zoning Ordinance and in order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other consultation fees incurred by the Town of Wappinger with respect to matters before the Planning Board/Zoning Board are borne by the applicants, there is hereby established an Escrow Fund. Upon filing an application for either Subdivision or Site Plan approval, the applicant shall deposit with the Town Controller, a certified check, sum of money in accordance with the table below. The Controller shall pay from these funds the fees charged by any professionals employed by the Planning Board with respect to the applicants project. Said fees shall be submitted by voucher and paid as approved by the Zoning Administrator. The applicant shall deposit additional funds into such account to bring its balance up to 100% of the amount of the full escrow deposit by the last day of each month. If such account is not fully replenished by the last day of the month, the approving agency shall suspend its review of the application. In the case of post-approval inspections and reviews involving construction, the Town may issue a stop work order. No subdivision plat or site development plan shall be endorsed or filed until all professional review fees charged in connection with the review of the project have been reimbursed to the Town. No building permit shall be issued unless all professional review fees charged in connection with the review of the applicant's project have been reimbursed to the town and a new escrow account has been established to cover all post-approval review costs, including but not limited to inspection of construction of roads and driveways. No Certificate of Occupancy shall be issued unless all professional fees charged in connection with the post-approval inspection and review of the project has been reimbursed to the Town. No refunds of any funds remaining on deposit in escrow shall be issued until all pertinent professional review charges have been paid and the final certificate of occupancy has been issued to the project, or where applicable, the road has been accepted by the Town and a one year maintenance period has expired.

Section 2. Calculation of Escrow Fund

For Subdivisions, the applicant shall deposit a sum calculated as follows:

A) <u>Number of Lots</u>	<u>Amount</u>
0-2	\$3,750.00
3-10	\$7,500.00
11-35	\$22,500.00
>35	\$52,500.00

For Site Plans & Regular Special Use Permits, the applicant shall deposit a sum calculated as follows:

B) <u>Square footage</u>	<u>Amount</u>
Up to 3,000	\$3,750.00
3,001 to 20,000	\$7,500.00
20,001 to 50,000	\$22,500.00
> 50,000	\$52,500.00

For Minor Applications, the applicant shall deposit and maintain a sum calculated as follows:

C) \$1,500.00

For Variances, the applicant shall deposit a sum determined by the Zoning Board of Appeals.

For **Road Inspections**, the applicant shall deposit and maintain a sum equal to 3% of the construction costs as estimated by the Town Engineer.

240-112.A.(2) **Application/Petition Fee for Rezoning.**

\$1,000.00

For **Post Planning Escrow**, the applicant shall deposit a sum calculated as follows prior to the Resolution and Maps being signed by the Chairman of the Planning Board.

Subdivisions:

<u>A) Number of lots</u>	<u>Amount</u>
0-2	\$3,750.00
3-10	\$7,500.00
11-35	\$16,875.00
> 35	\$26,250.00

Site Plan:

<u>B) Square Footage</u>	<u>Amount</u>
Up to 3,000	\$3,750.00
3,001 to 20,000	\$7,500.00
20,001 to 50,000	\$16,875.00
>50,000	\$26,250.00

Section 3 Revisions:

This Regulation may be revised by the Planning Board of the Town of Wappinger following a public hearing and approval by the Town Board.

Signed: Bruce Flower, Chairman
Town of Wappinger Planning Board

Updated: September 3, 2020

**Zoning Board of Appeals
Town of Wappinger
2022
Meetings & Submission Dates**

Meeting Dates

Tuesday, January 11, 2022
Tuesday, January 25, 2022
Tuesday, February 8, 2022
Tuesday, February 22, 2022
Tuesday, March 8, 2022
Tuesday, March 22, 2022
Tuesday, April 12, 2022
Tuesday, April 26, 2022
Tuesday, May 10, 2022
Tuesday, May 24, 2022
Tuesday, June 14, 2022
Tuesday, June 28, 2022
Tuesday, July 12, 2022
Tuesday, July 26, 2022
Tuesday, August 9, 2022
Tuesday, August 23, 2022
Tuesday, September 13, 2022
Tuesday, September 27, 2022
Tuesday, October 11, 2022
Tuesday, October 25, 2022
Wednesday, November 9, 2022
Tuesday, November 22, 2022
Tuesday, December 13, 2022

Submission Dates

Tuesday, December 21, 2021
Tuesday, January 11, 2022
Tuesday, January 18, 2022
Tuesday, February 1, 2022
Tuesday, February 15, 2022
Tuesday, March 1, 2022
Tuesday, March 22, 2022
Tuesday, April 5, 2022
Tuesday, April 19, 2022
Tuesday, May 3, 2022
Tuesday, May 17, 2022
Tuesday, May 31, 2022
Tuesday, June 21, 2022
Tuesday, July 5, 2022
Tuesday, July 19, 2022
Tuesday, August 2, 2022
Tuesday, August 23, 2022
Tuesday, September 6, 2022
Tuesday, September 20, 2022
Tuesday, October 4, 2022
Tuesday, October 18, 2022
Tuesday, November 1, 2022
Tuesday, November 15, 2022

PLEASE BE AWARE, submissions are due by noon on the submission date.
Zoning Board of Appeals meetings are held on 2nd and 4th Tuesday of each month unless there is a holiday on that Tuesday at 7:00pm, and then it will move to the Wednesday of the same week.

(Revised 10/15/21)