

ZONING BOARD OF APPEALS

AREA VARIANCE CHECKLIST

THE FOLLOWING ITEMS MUST BE PRESENTED TO THE ZONING ADMINISTRATOR, IN ORDER TO BE PLACED ON A ZONING BOARD OF APPEALS AGENDA

- ___ Application: Must state if the applicant is the owner, if not, consent will be required Applications MUST be typed.
- ___ Signatures: Must be original signatures.
- ___ Letter of Consent: If required
- ___ EAF: Short Form if required
- ___ Survey: Supply survey of property. Must show all setbacks to house and all structures from property lines.
- ___ Application Fee: Application fee may be paid in cash, check, check, or money order written out to the 'Town of Wappinger' in the amount of \$375.00 for residential and \$1,000.00 for commercial applications. Credit cards are accepted with a fee added. (Separate checks are required for application fees and escrow, if required.)
- ___ Escrow: Escrow may be paid in cash, or if paying by check, it must be a certified check, bank check, or money order written out to the 'Town of Wappinger' (Separate checks are required for application fees and escrow)
- 8 Plans: Number of Plans to be delivered with application to ZBA Secretary. Include a copy by PDF.
- ___ Easements: Copy of any easements and/or restrictive covenants placed on the plat.
- ___ Plans: Professional drawings as applicable for all proposed structures, including proposed elevations.
- ___ Plot Plan: Residential Plot Plan, must include the following:
a. Setbacks to each side property line, front and rear setbacks to property line. In the case of a corner property, you will have two front yards, one side and one rear yard.
b. Show all structures on plot plan, such as sheds, detached garage, pool and decks.
- ___ Plot Plan: Commercial Plot Plan should include the following:
a. Lot dimensions, buffer zones, landscaped areas, signs, right of way, streams, wetlands, drainage and easements.
b. All existing and proposed buildings, additions, or other structures with their dimensions.

- c. Include a bulk table of zoning data. Including zoning district, required setbacks, existing and proposed building coverage, impervious coverage, height, and other pertinent zoning restrictions, and specifying whether the existing and/or proposed improvements comply with the zoning requirements, or specify the degree of noncompliance.
- d. Material samples. Example: siding, stone, roof.

____ Accessory Apartments: Full plans of the entire house showing both proposed condition and condition with apartment removed and combined with primary occupancy. List square footage of existing house and square footage of proposed apartment.

____ Garages: For all garages over 600 sf, floor plan showing elements (car, yard equipment, etc) to be placed within the structure. Provide an architectural of what the garage will look like.

Missing items may keep your application from being placed on an agenda.

Additional items that will be included in your application when it is sent to the Zoning Board of Appeals:

____ Building Permit Application

____ Inspection Report by Building or Zoning Inspector

At the first meeting the applicant will be given a Public Hearing sign to be placed on their property. They will also receive the public hearing notice, along with a list of their surrounding neighbors. Instructions are included in the packet.

**TOWN OF WAPPINGER
AREA VARIANCE(S) APPLICATION**

**APPLICATION TO ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, DUTCHESS COUNTY, NEW YORK**

Appeal # _____
Date: _____
Fee: _____
Escrow: _____

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

I (We) _____, of
(Name of Appellant(s))

_____,
(Mailing Address) *(Tel. Nos. Home/Work)*

**HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION/ACTION OF THE ZONING ADMINISTRATOR, DATED _____, 20__
AND DO HEREBY APPLY FOR AN AREA VARIANCE(S).**

Premises located at _____
(Address of Property)

(Grid Nos.) *(Zoning District)*

1. **RECORD OWNER OF PROPERTY** _____
(Name)

(Address) *(Phone Number)*

OWNER CONSENT: Dated: _____ Signature: _____

Printed: _____

THE APPLICANTS APPEAL, AS PERMITTED BY STATE LAW, CONCERNS THE
FOLLOWING:

- _____ DENIAL OF A BUILDING PERMIT – NEW STRUCTURE
- _____ DENIAL OF A BUILDING PERMIT - TO CURE A VIOLATION
- _____ TOWN OF WAPPINGER PLANNING BOARD

VARIANCE REQUESTED FOR THE CONSTRUCTION OF: _____

VARIANCE REQUESTED FOR THE LEGALIZATION OF: _____

DATE OF ZONING ENFORCEMENT LETTER: _____

STATE THE REASON YOU ARE APPLYING FOR THE VARIANCE(S): _____

2. **VARIANCE(S) REQUEST:**

VARIANCE NO. 1

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED: _____

REQUIRED SETBACK: _____

APPLICANT(S) CAN PROVIDE: _____

THUS REQUESTING A VARIANCE OF: _____

TO ALLOW: _____

VARIANCE NO. 2

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED SETBACK: _____

APPLICANT(S) CAN PROVIDE: _____

THUS REQUESTING A VARIANCE OF: _____

TO ALLOW: _____

VARIANCE NO. 3

I (WE) HEREBY APPLY TO THE ZONING BOARD OF APPEALS FOR A VARIANCE(S) OF THE FOLLOWING REQUIREMENTS OF THE ZONING ORDINANCE.

(Indicate Article, Section, Subsection and Paragraph)

REQUIRED SETBACK: _____

APPLICANT(S) CAN PROVIDE: _____

THUS REQUESTING A VARIANCE OF: _____

TO ALLOW: _____

APPEAL CONCERNS THE FOLLOWING PROPERTY - RESIDENTIAL PROPERTIES ONLY
ENTIRE SECTION MUST BE COMPLETED
STRUCTURES UNDER 144 SF, REQUIRE ONLY 10 FT TO THE SIDE AND REAR PROPERTY LINES

Zoning District:	Minimum allowed by Town Code	Current Setback	New Setback	Variance Required
Front Yard Setback (R-10, 25 ft) (R-15 & R-20 - 35 ft) (R-40 & R-80, 50ft.) (R3-A, 75 ft) (R-5A – 100ft.) (RMF-3 & RMF-5, 50 ft.) STATE OR COUNTY ROADS REQUIRE A 75 FT FRONT SETBACK IN ALL DISTRICTS	ft.	ft. in.	ft. in.	ft. in.
Rear Yard Setback (R-10, 25 ft) (R-15, 30ft) (R-20 - 40 ft) (R-40 & R-80, 50ft.) (R3-A, 50 ft) (R-5A – 100 ft.) (RMF-3 & RMF-5, 50 ft.)	_____ ft.	__ ft. __ in.	__ ft. __ in.	__ ft. __ in.
Side Yard Setback (R-10, 12 ft) (R-15, 15 ft) (R-20, 20 ft) (R-40, 25 ft) (R-80, 40 ft.) (R3-A, 50 ft) (R-5A, 50 ft.) (RMF-3, 50 ft.) (RMF-5, 25 ft.)	_____ ft	__ ft. __ in	__ ft. __ in	__ ft. __ in
Maximum building coverage (R-10, 25%) (R-15, 20%) (R-20, 15%) (R-40, 12%) (R-80, 10%) (R3-A, 7%) (R-5A, 5%) (RMF-3, 30%.) (RMF-5, 45%)	_____ %	_____ %	_____ %	_____ %

3. **REASON FOR APPEAL** *(Please substantiate the request by answering the following questions in detail. Use extra sheet, if necessary):*

A. IF YOUR VARIANCE(S) IS (ARE) GRANTED, HOW WILL THE CHARACTER OF THE NEIGHBORHOOD OR NEARBY PROPERTIES CHANGE? WILL ANY OF THOSE CHANGES BE UNDESIRABLE OR A DETRIMENT TO THE NEIGHBORHOOD.? PLEASE EXPLAIN YOUR ANSWER IN DETAIL.

B. PLEASE EXPLAIN WHY YOU NEED THE VARIANCE(S). IS THERE ANY WAY TO REACH THE SAME RESULT WITHOUT A VARIANCE(S)? PLEASE BE SPECIFIC IN YOUR ANSWER.

C. HOW BIG IS THE CHANGE FROM THE STANDARDS SET OUT IN THE ZONING LAW? IS THE REQUESTED AREA VARIANCE(S) SUBSTANTIAL? IF NOT, PLEASE EXPLAIN, IN DETAIL, WHY IT IS NOT SUBSTANTIAL.

D. IF YOUR VARIANCE(S) IS (ARE) GRANTED, WILL THE PHYSICAL ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT BE IMPACTED? PLEASE EXPLAIN, IN DETAIL, WHY OR WHY NOT.

E. HOW DID YOUR NEED FOR AN AREA VARIANCE(S) COME ABOUT? IS YOUR DIFFICULTY SELF-CREATED? PLEASE EXPLAIN YOUR ANSWER IN DETAIL.

Property within 500' of any of the following? If so, they are to be notified.

_____ Town of Fishkill _____ Town of Poughkeepsie _____ Town of East Fishkill

_____ Village of Wappinger _____ Town of LaGrange

_____ State or County Road (Rt 9, Rt 9D, Rt 376,
DC Route 28, DC Rt 92, DC Rt 93, DC Rt 94,
DC Rt 104 and DC Rt 1

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: _____
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 _____ **DATED:** _____
(Appellant)

SIGNATURE _____ **DATED:** _____
(If more than one Appellant)

.....
.....

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

1. THE REQUESTED VARIANCE(S) () **WILL** / () **WILL NOT** PRODUCE AN UNDESIRABLE CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD.
2. () **YES** / () **NO**, SUBSTANTIAL DETRIMENT WILL BE CREATED TO NEARBY PROPERTIES.
3. THERE () **IS (ARE)** / () **IS (ARE) NO** OTHER FEASIBLE METHODS AVAILABLE FOR YOU TO PURSUE TO ACHIEVE THE BENEFIT YOU SEEK OTHER THAN THE REQUESTED VARIANCE(S).
4. THE REQUESTED AREA VARIANCE(S) () **IS (ARE)** / () **IS (ARE) NOT** SUBSTANTIAL.
5. THE PROPOSED VARIANCE(S) () **WILL** / () **WILL NOT** HAVE AN ADVERSE EFFECT OR IMPACT ON THE PHYSICAL OR ENVIRONMENTAL CONDITIONS IN THE NEIGHBORHOOD OR DISTRICT.
6. THE ALLEGED DIFFICULTY () **IS** / () **IS NOT SELF-CREATED**.

**CONCLUSION: THEREFORE, IT WAS DETERMINED THE REQUESTED VARIANCE
BE
() GRANTED () DENIED.**

Reasons: _____

The ZBA further finds that a variance of _____ from Section of the Zoning Code _____ is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse impacts upon the neighborhood or community, for the following reasons:

Condition No. 1. _____

Adverse impact to be minimized: _____

Condition No. 2: _____

Adverse impact to be minimized: _____

() FINDINGS & FACTS ATTACHED.

DATED: _____

ZONING BOARD OF APPEALS
TOWN OF WAPPINGER, NEW YORK

BY: _____
(Chairman)

PRINT: _____

RECORD OF VOTE

	MEMBER NAME	AYE	NAY
Chair	John Lorenzini	_____	_____
Co-Chair	David Barr	_____	_____
Member	Tom DellaCorte	_____	_____
Member	Don Denardo	_____	_____
Member	Christopher Hernandez	_____	_____

TOWN OF WAPPINGER
ZONING BOARD OF APPEALS
OWNER'S CONSENT
AFFIDAVIT TO BE COMPLETED BY OWNER

State of _____ }
County of _____ } ss:

_____ being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Zoning Board of Appeals approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize _____, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Zoning Board of Appeals approval that I/we expressly grant permission to the Zoning Board of Appeals and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Zoning Board of Appeals action.
4. That I/we understand that by submitting this application I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and any of our contractors and representatives shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from non-compliance with the approved application, and with non-compliance with any provision of the
6. Town Code. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Zoning Board of Appeals, the Building Inspector, the Planning Department, the Zoning Administrator, and any duly authorized representative of the Town of Wappinger, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Town Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that by submitting this application, and by approval of said application, including the commencement of any work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
7. That I/we understand that the Zoning Board of Appeals intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Applicant/Owner

Applicant/Owner

Notary Public

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			

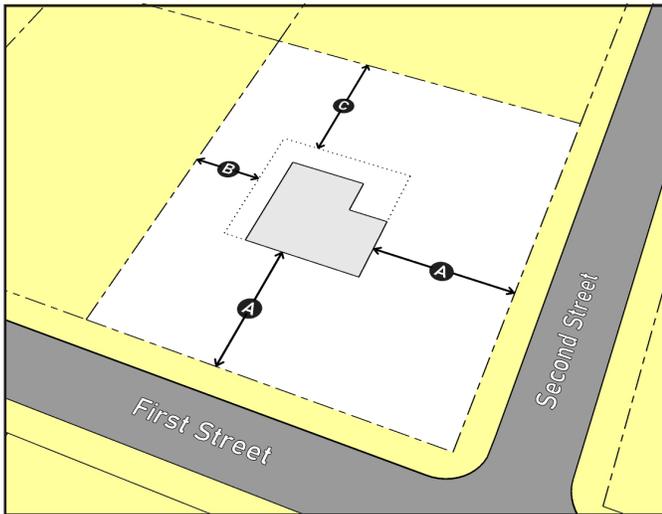
<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</p> <p>If Yes, identify: _____</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation services available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>9. Does the proposed action meet or exceed the state energy code requirements?</p> <p>If the proposed action will exceed requirements, describe design features and technologies:</p> <p>_____</p> <p>_____</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>10. Will the proposed action connect to an existing public/private water supply?</p> <p>If No, describe method for providing potable water: _____</p> <p>_____</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>11. Will the proposed action connect to existing wastewater utilities?</p> <p>If No, describe method for providing wastewater treatment: _____</p> <p>_____</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>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?</p> <p>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?</p>	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
<p>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?</p> <p>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?</p> <p>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p> <p>_____</p> <p>_____</p>	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 Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban 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, <ul style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: _____ Date: _____</p> <p>Signature: _____ Title: _____</p>		

R-40 One-Family Residence District

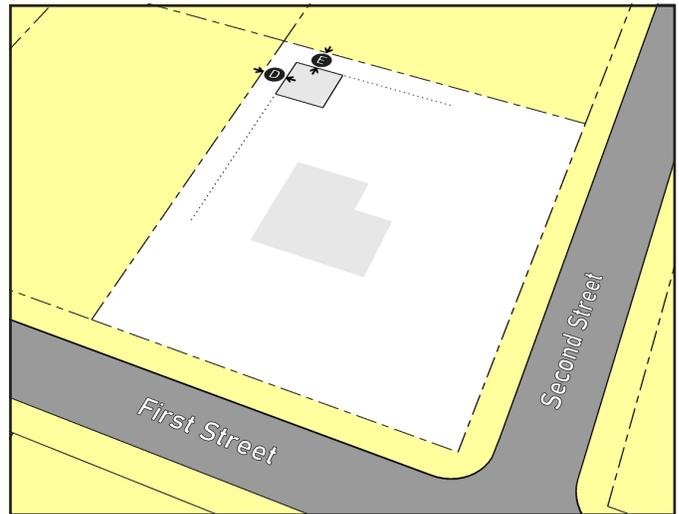
Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	50'
B Side yard [min]	25'
C Rear yard [min]	50'



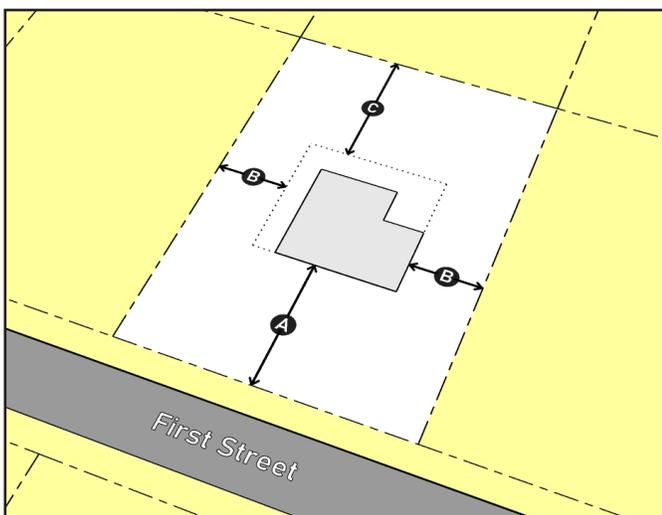
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	10'
E Rear yard [min]	10'

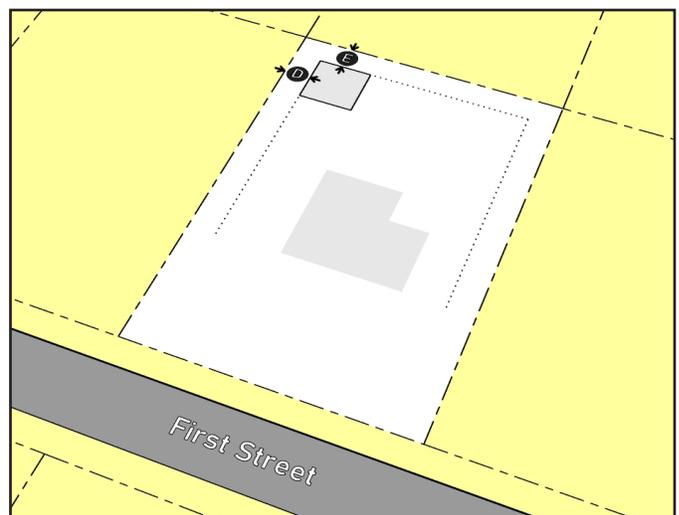
Notes - For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
 - Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	50'
B Side yard [min]	25'
C Rear yard [min]	50'



ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

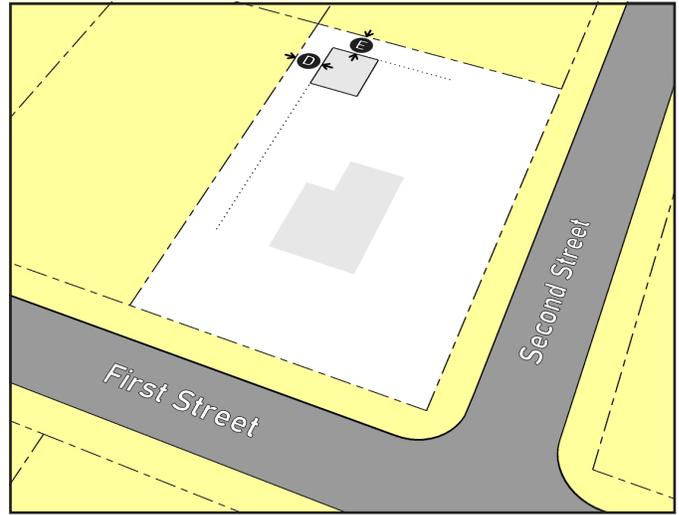
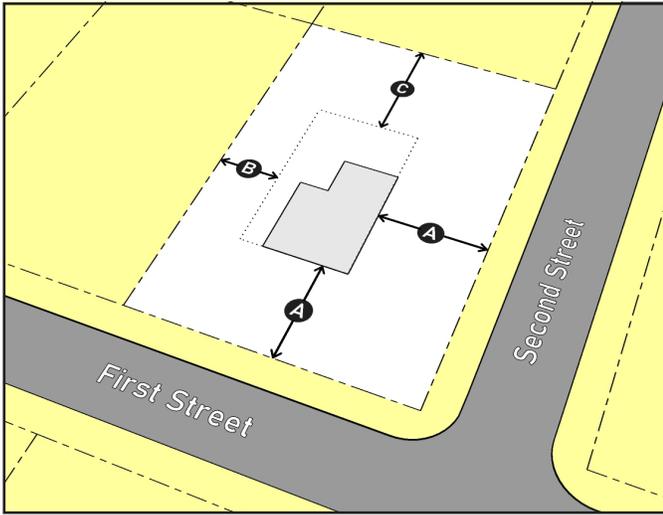
D Side yard [min]	10'
E Rear yard [min]	10'

Note - Accessory structures above this size must comply with the primary structure setback requirements.

R-20 One-Family Residence District

Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

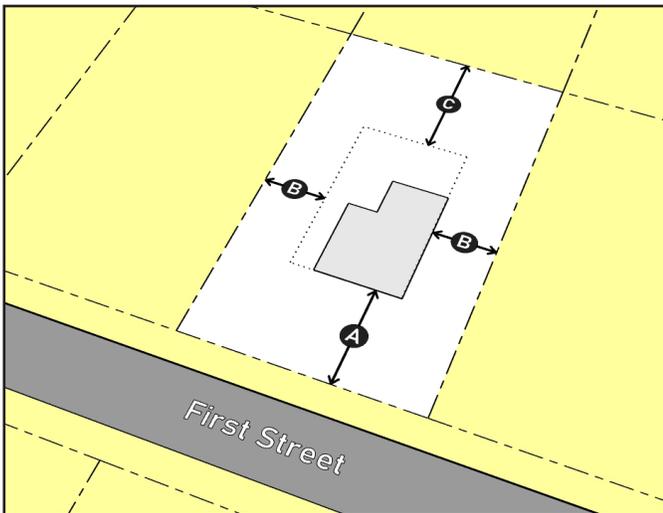
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	10'
E Rear yard [min]	10'

- Notes**
- For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
 - Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	20'
C Rear yard [min]	40'

ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

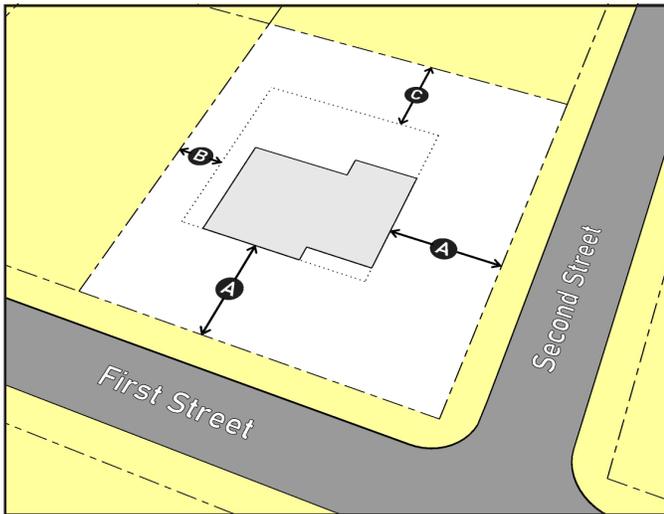
D Side yard [min]	10'
E Rear yard [min]	10'

- Note**
- Accessory structures above this size must comply with the primary structure setback requirements.

R-15 One-Family Residence District

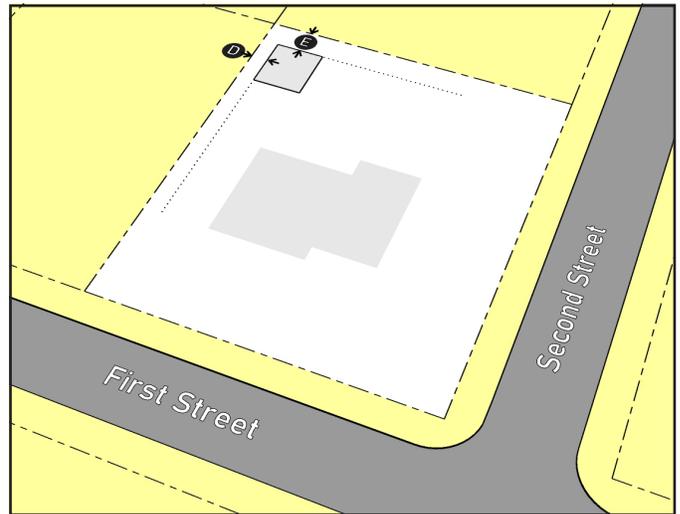
Building Placement and Composition

CORNER LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	15'
C Rear yard [min]	30'



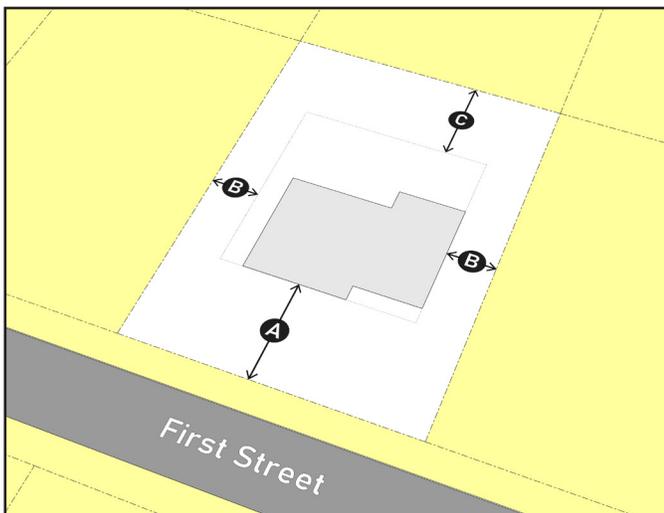
ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	6'
E Rear yard [min]	10'

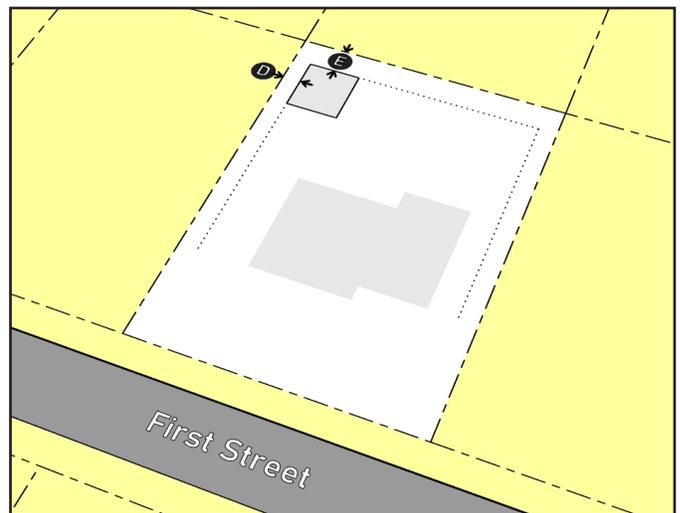
- Notes**
- For a Corner Lot, the back yard and side yard can be determined by the Owner in consultation with the building department. This decision is then formalized by the placement of an accessory structure such as a shed, garage, pool, etc.
 - Accessory structures above this size must comply with the primary structure setback requirements.

INTERIOR LOT



PRIMARY BUILDING SETBACKS

A Front yard from front line of street [min]	35'
B Side yard [min]	15'
C Rear yard [min]	30'



ACCESSORY BUILDING SETBACKS

Accessory Building < 15' high and < 144 sq.ft.

D Side yard [min]	6'
E Rear yard [min]	10'

- Note**
- Accessory structures above this size must comply with the primary structure setback requirements.

**Town of Wappinger
Planning Board and Zoning Board of Appeals
CURRENT FEE SCHEDULE
2023**

PLANNING DEPT. FEES

Subdivision Fees:

Subdivision Application Fee: \$1500, plus \$250 per lot.

Recreation Fee: For 1 - 9 lots, \$5,000.00 per lot;
For 10 or more lots, the Planning Board shall determine whether to require the reservation of land or payment of \$5,000.00 per lot.

Lot Line Realignment: \$500 plus escrow

Lot Consolidation: \$500 plus escrow

Site Plans:

Site Plan Application Fee: \$1500, plus \$250 per 1000 sq. ft. of gross floor area of the building, plus \$20.00 per parking space.

Amended Site Plan

Application Fee: \$750, plus \$250 per 1000 ft of floor area, plus \$20.00 per parking space

Conceptual Fees: \$250.00 No escrow

Architectural Fee: \$250 Minor -- no escrow (Determined by ZA)

Architectural Fee: \$250 Major - \$2,000 escrow

Special Use Permit Fees:

Residential Fee: \$1,000.00 per application.

Commercial Fee: \$1,500.00 per application.

Amended Special Use Permit:

Residential Fee: \$500.00 per application.

Commercial Fee: \$750.00 per application

Accessory Apartment Fee: \$750.00 per application.

ZONING DEPT. FEES

Variance Fee: (Resident) Area/Use Variance Fee: \$375.00 per application.
(Commercial) Area/Use Variance Fee: \$1,000.00 per appl.

Interpretation Fee:

Residential	\$150.00 per application.
Commercial	\$500.00 plus escrow

All application fees are non-refundable.

Copy work: \$.25 per page

Please note that all applicants will be billed by the local newspaper for their legal notice.

Escrow Funds: See attached schedule

Effective date: August 2023

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 Town of Wappinger Zoning Law 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 filling an application for either subdivision or site plan, special permit approval, or for a building permit or certificate of occupancy, the applicant shall deposit with the Town Controller, via 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 review fees charged in connection with the post-approval inspection and review of the project have 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 the 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	\$ 5,000.00
3 - 10	\$10,000.00
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	\$ 5,000.00
3,001 to 20,000	\$10,000.00
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) \$2,500.00

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.**

\$1000.00

**Administrative Regulation
of the Town of Wappinger
Planning Board
Requirement for Escrow Funds
Page 2**

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:

A) <u>Number of lots</u>	<u>Amount</u>
0 - 2	\$ 5,000.00
3 - 10	\$ 10,000.00
11-35	\$16,875.00
> 35	\$26,250.00

Site Plans:

B) <u>Square Footage</u>	<u>Amount</u>
Up to 3,000	\$ 5,000.00
3,001 to 20,000	\$10,000.00
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

Dated: August 21, 2023

**Planning Board
Town of Wappinger
2026
Meeting & Submission Dates**

**BUSINESS MEETINGS – Begin at 7:00pm
WORKSHOP – Commences at 6:00pm
(Workshop time may change. Please check website)**

Meeting Dates

**Monday, January 5, 2026
*Wednesday, January 21, 2026
Monday, February 2, 2026
Monday, March 2, 2026
Monday, March 16, 2026
Monday, April 6, 2026
Monday, April 20, 2026
Monday May 4, 2026
Monday, May 18, 2026
Monday, June 1, 2026
Monday, June 15, 2026
Monday, July 20, 2026
Monday, August 17, 2026
*Wednesday, September 2, 2026
Monday, September 14, 2026
Monday, October 5, 2026
Monday, October 19, 2026
Monday, November 2, 2026
Monday, November 16, 2026
Monday, December 7, 2026**

Submission Dates

**December 1, 2025
*Wednesday, December 17, 2025
Monday, January 5, 2026
Monday, February 2, 2026
Monday, February 16, 2026
Monday, March 2, 2026
Monday, March 16, 2026
Monday, April 6, 2026
Monday, April 20, 2026
Monday, May 4, 2026
Monday, May 18, 2026
Monday, June 15, 2026
Monday, July 13, 2026
*Wednesday, August 5, 2026
Monday, August 10, 2026
Monday, September 7, 2026
Monday, September 14, 2026
Monday, October 5, 2026
Monday, October 19, 2026
Monday, November 2, 2026**

- *** Due to Holiday or Town Board Meeting**
- **PLEASE BE AWARE**, Submissions are due by noon on the submission date.
- **Planning Board** meetings are held on the **1st and 3rd Monday** of each month unless there is a holiday on that Monday, and then it will move to **Wednesday** of the same week.
(Revised 11/03/25)