

# TOWN OF UNION VALE PLANNING BOARD

## APPLICATION PROCEDURES

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### Meetings

The Town of Union Vale Planning Board meets the second Thursday of every month starting at 7:30 p.m. Meetings are cancelled when there is no business pending before the Board.

Special meetings may be called by the Planning Board Chair and shall be noticed pursuant to the Open Meetings Law (*always check "Public Notices" on the town's website: [www.unionvaleny.us](http://www.unionvaleny.us)*)

If any meeting is cancelled due to a lack of quorum, inclement weather or other conflict, the meeting may be re-scheduled on a different night (other than the regular meeting night) and shall be noticed pursuant to the Open Meetings Law (*always check "Public Notices" on the town's website: [www.unionvaleny.us](http://www.unionvaleny.us)* ).

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### Process

No Applicant will placed on the Planning Board Agenda without a **Request for a Planning Board Work Session** or a completed **Application** being submitted in advance by the deadline: 12:00 p.m. (noon), two weeks before the second Thursday of each month.

### Work Session

All new applicants will be expected to request a *Work Session* with the Planning Board. This one-hour work session with the Planning Board Chair and the Union Vale Code Enforcement Officer will also include the Town of Union Vale engineering and/or legal professionals (one or both as needed) and will allow applicants to get a general idea of some of the conceptual and technical issues that may need to be addressed during the review process. It is a cost effective way to get an overview of potential hurdles.

**Non-refundable Fee: \$500**

The *Work Session Request* must be submitted and should be accompanied by your plans, photos, diagrams with dimensions, survey and material samples, if applicable to the project.

## **Complete Application**

The core function of the Planning Board (PB) of the Town of Union Vale is to oversee, on behalf of the Town Board, *Site Plan Reviews, Major and Minor Subdivision Reviews, Special Use Permits* and *Lot Line Changes* as well as to render advisory opinions on any matter referred to the PB by the Town Board. For any of these projects, an Applicant must submit a *Complete Application* and an *Application Fee*. The Application Fee covers administrative costs and includes four Planning Board meetings (not including the *Work Session*) plus a Public Hearing. A \$250 fee will be payable for each meeting in excess of four (the *Work Session* is not included in the meeting count).

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## **Deadlines**

All submittals are due no later than 12:00 p.m. (noon) on the Thursday **two weeks prior** to the scheduled Planning Board work session/regular meeting. There shall be no exceptions.

## **Application Submittals**

All applications shall include the following:

- 1) Original and **11** copies of completed application (must be signed and dated)
- 2) Short Form Environmental Assessment Form (EAF)
  - a. Applicants are advised that the Planning Board may require a Long Form Environmental Assessment Form where the Board determines that the Short Form does not provide sufficient information.
- 3) Copy of Deed of Property (if applicable)
- 4) Three full scale sets of maps and **7** half scale prints depicting the proposed activity and prepared in accordance with the requirements of the Town Zoning law and Subdivision Regulations. Maps must be signed by a professional Engineer.
- 5) Survey information shall be recent or recently re-certified by a New York State Licensed Surveyor.
- 6) Agricultural Data Statement, if applicable.
- 7) A digital copy, in pdf, jpeg or tiff format, of all applications and re-submissions including forms, documents and maps must be submitted on a CD, flash drive or via email.

## **Application Procedures**

- 1) All applications and submittals are formally received as of the date of the next regular meeting.
- 2) All submissions must contain enough engineering data to enable a proper engineering and planning review in accordance with Zoning Law. If maps either

- fail to comply with the code requirements or are so deficient as to fail to support a proper engineering and planning review, the result may be the denial of approval and the requirement of a new application with applicable fees.
- 3) A public hearing will be set only after the Board is satisfied that the applicant has addressed all comments to the satisfaction of the Board.
  - 4) Prior to making a decision on the application, the Planning Board shall make a determination of significance under the State Environmental Quality Review Act (SEQRA). The Planning Board may open the public hearing prior to the determination of significance in order to obtain public comment on the issues of environmental concern.
  - 5) Decisions of approval or disapproval will be made no more that sixty two (62) days after the closing of a public hearing on a complete application. The decision of the Planning Board will be filed with the Town Clerk within five (5) business days of the date of the decision.
  - 6) Disapproval of an application will require the resubmission of a preliminary application if the applicant wishes to pursue further consideration of the plan.
  - 7) Conditional approval of a Plat will expire on the one hundred eightieth (180<sup>th</sup>) day after the conditional approval for no more that two (2) additional periods of ninety (90) days each, if the request is warranted and received in a timely manner.
  - 8) The Plat will be void if it is revised after Planning Board Chair signature is applied. No changes, erasures, modifications or revisions shall be made on any Plat after the Plat has been signed by the Board. If the recorded plan contains any changes, the Plat shall be considered void, and the Planning Board shall take action to remove the Plat from the county records.

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## Fees

A \$500 flat fee is required for the *Work Session*. The fee will be used to pay the cost of the Consultant fees incurred by the town for Consultants to review the project in a *Work Session*. Thereafter, the Planning Board will assign escrow fees according to the fee schedule. All other Application fees are due at the time the *Complete Application* is submitted.

Application and Administrative fees are not refundable. Any remaining Escrow fees will be returned at the end of a project. The Planning Board tries not to overestimate required escrow fees. Fees shall be paid with separate checks to cover 1) *Administrative / Application Fees* and 2) *Escrow Funds*, to cover the use of professional Consultants used in the review process.

*Recreation Fees* are due and payable at the time of Final Subdivision Approval. Checks should be deposited with the Land Use Secretary and made payable to the "Town of Union Vale". The amounts should be those as recommended by the Planning Board in accordance with the approved *Fee Schedule* (below).

## **Escrow Fund Policy**

In order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other Consultants' Fees incurred by the Town of Union Vale with respect to matters before the Planning Board or Zoning Board or Town Board or any other Town of Union Vale agency or Department (each, individually, a "Board") are borne by the applicants and not the taxpayers of the town, Escrow Funds shall be submitted by the applicants in every instance described herein.

The Chairperson of a Board shall authorize requests for payment of all fees charged by any Consultants employed by their Board with respect to the applicant's project. "Consultants" shall include without limitation, attorneys, engineers, planners, wetland review professionals, Town Committees, Town officials and any other services used by the reviewing Board(s) for purposes of (1) engineering, technical, land use planning, environmental or legal reviews of the adequacy or substantive details of applications for any permit or approval and/or (2) to assist in assuring or enforcing an applicant's compliance with the terms and conditions or any such permits or approvals. Upon filing an application for any of the following: Subdivision, Site Plan, Rezoning, Lot line Realignment, Wetland Permit, Special Use Permit or any other principal or ancillary land use or development permits or approvals permitted or required under the Town Code, and prior to being placed on the agenda, the applicant shall deposit with the Land Use Secretary or Clerk of the respective Board from which it seeks action, a sum of the money in accordance with the table below.

### **The billing and withdrawal process will be handled as follows:**

The Town of Union Vale Consultants will review each project and make specific comments both in writing and verbally during any meeting they attend; after which, they submit a billing statement. Their billing statement will be submitted by voucher and will detail the scope of work and time involved (number of hours) to review specifics including any research involved, etc. Billing will occur on a monthly basis and the Town will pay Consultants by debiting Applicant's escrow account. Applicants will receive a monthly Escrow Report with Consultant bills attached. Applicants must communicate with the Land Use Secretary if there are any billing questions before the next scheduled meeting concerning their project. If no questions are raised, it will be assumed the Applicant understands each bill.

*All Planning and Zoning related invoices shall be submitted to the Land Use Secretary, Chairperson of respective Board and Town Supervisor by email with hard copy to follow.*

All escrow accounts will be required to be replenished to initial balances once the account is drawn down to approximately 20% of the original deposit. The Town shall not schedule any applicant for appearances before any Board to discuss any application unless

and until the Escrow funds have been paid. In the case of a site plan or subdivision application, in no event shall the Chairperson sign the final site plan or subdivision plat until all Consultant fees incurred by the applicant have been paid. In all cases, a Certificate of Occupancy shall not be issued unless and until all Consultant fees incurred by the applicant have been paid.

Upon completion or withdrawal of a project and upon certification by the Land Use Secretary of the Board indicating that there are no outstanding professional fees yet unbilled or unpaid, any funds remaining on deposit at the conclusion (*“conclusion” is defined as when the Chair signs off on the plat or a Certificate of Occupancy is issued*) or withdrawal of the project shall be refunded to the applicant.

Escrow fees may be waived, only upon express resolution of the reviewing Board wherein such Board clearly finds that the subject application is not of such substantial nature as to require consultant review. If at any time during the review process, the Board determines that consultant review is necessary or appropriate, then, notwithstanding any waiver previously granted, it may invoke the provisions of the preceding paragraphs which shall be fully applicable as if no waiver had ever been granted.

## TOWN OF UNION VALE ESCROW FEE SCHEDULE

In order to ensure that the cost of any Engineering, SEQR Experts, Planning, Legal or other Consultants' Fees incurred by the Town of Union Vale with respect to matters before the Planning Board or Zoning Board or Town Board or any other Town of Union Vale agency or Department (each, individually, a "Board") are borne by the applicants and not the taxpayers of the town, Escrow Funds shall be submitted by the applicants in every instance described herein.

The Town of Union Vale Planning Board, Zoning Board and Town Boards will compute the initial escrow charge in accordance with the following fee schedule. As escrow funds are depleted down to 20% of your initial deposit, you will be asked to replenish your escrow account before being placed on the calendar for the next Board meeting.

| Application Type                        | Initial Amount                  |
|---|---------------------------------|
| Work Session with Planning Board        | \$500                           |
| Subdivision - Minor (2-5 lots)          | \$1500                          |
| Subdivision – Medium (6-15 lots)        | \$8000                          |
| Subdivision – Major (over 16 lots)      | \$17,500                        |
| Lot Line realignments/adjustment        | \$1500                          |
| Special Use Permit Only                 | \$2500                          |
| Site Plan:                              |                                 |
| Multi-Family Residential                | \$1,000 per unit up to 20 units |
| Commercial (up to 3000 square feet )    | \$5,000                         |
| Commercial (up to 10,000 square feet)   | \$10,000                        |
| Variances:                              |                                 |
| 1. Area                                 |                                 |
| Residential (per variance)              | \$750                           |
| Commercial (per variance)               | \$1,250                         |
| 2. Use                                  | \$2,500                         |
| ZBA Interpretation (per Interpretation) | \$1,000                         |
| Petition for Re-zoning:                 |                                 |
| Zoning Law Text Amendment               | \$500                           |
| Zoning District Map Amendment           | \$1,000                         |

**Please Note Administrative Fees:**

NEWSPAPER PUBLICATION AND CERTIFIED MAILINGS – are all costs paid by Applicants

MAILING LIST – to be supplied by Planning Board

First 25 parcels: \$75

Each parcel after 25: \$ 1