



# VILLAGE of GOSHEN, NEW YORK

276 MAIN STREET, GOSHEN, NEW YORK 10924

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[www.villageofgoshen-ny.gov](http://www.villageofgoshen-ny.gov)

## MAYOR

Kyle P. Roddey

## TRUSTEES

Edward Char

Christopher E. Gurda

Michael D. Nuzzolese

Peter Smith

## VILLAGE CLERK

Margaret G. Strobl

## POLICE CHIEF

James C. Watt

## BLDG. INSP.

Theodore L. Lewis III

## D.P.W. SUPT.

R. Scott Birney

## ATTORNEY

David A. Donovan, Esq.

## JUSTICE

Rory K. Brady, Esq.

## **PLANNING BOARD APPLICATION**

PLEASE RETURN APPLICATION WITH THE FOLLOWING:

1. APPLICABLE FEES (FEE SCHEDULE ATTACHED)
2. LETTER OF REQUEST FOR APPEARANCE BEFORE THE BOARD
3. TEN (10) COPIES OF SITE PLAN (OR SUBDIVISION PLAN).
4. TEN (10) COPIES OF E.A.F. OFF-LINE (SEE ATTACHED).
5. LETTER OF AUTHORIZATION IF APPLICANT IS NOT THE OWNER OF THE PROPERTY. (FORM ATTACHED),

ALL APPLICATIONS SUBMITTED FOURTEEN (14) DAYS BEFORE THE SCHEDULED MEETING BY NOON ON THAT DATE. SEE SCHEDULE OF MEETINGS AND IN-BY DATES (ATTACHED).

VILLAGE OF GOSHEN  
PLANNING BOARD APPLICATION

Project Name: \_\_\_\_\_

Location/Tax Lot:    Section \_\_\_\_\_    Block \_\_\_\_\_    Lot \_\_\_\_\_

Zoning District: \_\_\_\_\_

Property Owner's Name & Address:

\_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

Applicant's Name & Address:

\_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

Type of Approval Sought (check all that apply):

Site Plan	_____	Subdivision	_____
Conditional Use	_____	Flood Plain Development	_____
ADD	_____	Work Session Only	_____

Date of Application: \_\_\_\_\_

Application Fee: \_\_\_\_\_

Long EAF Review Fee: \$50.00 ✓ \_\_\_\_\_

Initial Professional Escrow Fee: \_\_\_\_\_

ADD Fee: \_\_\_\_\_

Conditional Use Fee: \_\_\_\_\_

Flood Plain Development Fee: \_\_\_\_\_

The undersigned owner/applicant hereby acknowledges that they have read and understand the attached Sections (2-163, 2-166) of the Village Code with respect to Planning Board and Inspection fees, and that they are responsible for the subject fees whether the application is approved or denied.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

(3)

\$500.00 for first three dwelling units/lots;

Plus \$100.00 for each dwelling unit/lot thereafter.

- b. Nonresidential: ✓  
\$100.00 minimum plus \$0.15 per square foot of building floor area each square foot beyond 300 square feet; plus
- c. Flood plain development application: \$150.00 plus escrow;
- d. Architectural design district application: \$100.00 plus escrow;
- e. Conditional use application: \$300.00 plus escrow;
- f. ~~Work session fee: \$175.00;~~  
May be applied to consultant's fees charged against the proposal.

(i) The board of trustees hereby adopts the following fee schedules set out in this division. (L.L. No. 3-1992, § 1, 3-23-92)

**Sec. 2-162. Zoning board of appeals matters.**

Fees for zoning board of appeals matters shall be as follows:

- (1) Residential area variances for anticipated cost of construction less than \$5,000.00: \$200.00.
- (2) Commercial or industrial area variances and residential area variance where anticipated cost of construction exceeds \$5,000.00: \$275.00.
- (3) Use variances: \$375.00.
- (4) Interpretations: \$200.00.

(L.L. No. 3-1992, § 2, 3-23-92)

Cross references—Zoning, app. A; zoning board of appeals, app. A, art. XIII; administration and enforcement of the zoning provisions, app. A, art. XIV.

**Sec. 2-163. Planning board matters.**

Minimum fees for planning board (PB) matters shall be as follows:

- (1) Application:
  - a. Residential:
    - \$300.00 for first two dwelling units/lots;

(2) In addition to the above, an initial escrow amount to cover the costs of obtaining and securing professional consultations, hearing notices and other services deemed appropriate by the board as necessary to assure proper review of proposals before the board. The following professional escrow fees shall be established at the time of filing of the application;

- a. Residential: \$300.00 per dwelling unit or subdivision lot as applicable.
- b. Nonresidential: ✓
  - 1. A. \$300.00 minimum plus \$0.15 per square foot of building area, plus
    - B. \$300.00 per acre of any part thereof
  - 2. Nonresidential subdivision: \$250.00/lot;
  - 3. Flood plain development (FPD) permits: \$350.00
  - 4. Architectural design district (ADD) permits: \$400.00
  - 5. Conditional use: \$400.00

Additional fees for detailed SEQR, ADD, FDP or other reviews are to be anticipated for complex projects and projects

located in environmentally or historically sensitive areas. The applicant/project sponsor is responsible for all fees charged by the board.

(3) Escrow accounts: ✓

- a. Professional escrow fees as noted in section 2-163(1), (2) shall be paid in full at the time of the application.
- b. Escrow accounts which have been depleted to less than 30 percent of the initial escrow fee shall be replenished by the applicant to 50 percent of the initial escrow fee prior to appearance before the planning board. At no time shall the planning board entertain or approve an application which does not have positive escrow balance.
- c. Unexpended escrow account funds shall be refunded to the applicant within 90 days of final action of the planning board upon written request by the applicant.
- d. Escrow accounts shall be tracked for each application before the board in accordance with the following schedule:
  1. 14 days before PB meeting: application deadline;
  2. 12 days before PB meeting: PB secretary to notify village treasurer of applicants requesting to be placed on the upcoming agenda;
  3. Ten days before PB meeting: village treasurer to notify PB secretary of escrow account status for active applications;
  4. Eight days before PB meeting: PB secretary to notify applicants, in writing, of the required escrow replenishment figure.

(4) Improvement inspection fees: Charges relating to consultant's inspection of improvements to be paid prior to final approval:

- a. Five percent of the amount of the estimated cost of required public improvements.

- b. Three percent of the amount of the estimated cost of nonpublic improvements, which will connect with municipal systems or facilities.
- c. Any amounts paid hereunder and not expended for the reasonable and necessary costs of inspection shall be refunded.
- d. The amounts required to be paid hereunder shall be deemed to be initial deposits and the applicant shall be responsible for any additional reasonable and necessary expenses incurred by the village.

(5) The village is hereby empowered to tax/levy any past due planning board fees.

(6) No village permit, approval or certificate of occupancy or compliance shall be granted to any property, applicant or entity in arrears with respect to planning board review fees.

(7) The village board may modify the above referenced fee schedule by simple resolution as it deems appropriate to reflect current conditions and expenses.

(L.L. No. 3-1992, § 3, 3-23-92; L.L. No. 5-1999, § A, 12-13-99; L.L. No. 6-2003, § 2, 10-27-03)

Cross references—Subdivisions, ch. 46; application for minor subdivision, § 46-66; subdivision preliminary layout for major subdivisions, § 46-81; site development plan review, app. A, art. X; conditional use review, app. A, art. XI; zoning board of appeals, app. A, art. XIII; administration and enforcement of the zoning provisions, app. A, art. XIV.

**Sec. 2-164. Local laws resulting from application or petition.**

Fees regarding local laws resulting from application or petition shall be as follows:

(1) Zone change local law: \$375.00.

(2) Annexation:

- a. Nonrefundable deposit due with filing of annexation petition \$500.00; plus
- b. Any and all reasonable and necessary expenses beyond \$500.00 in-

provided in this ordinance, and any and all such uses shall be subject to site plan approval, after a public hearing and compliance with the State Environmental Quality Review Act, and in accordance with this article.

Notwithstanding the foregoing, no site plan approval shall be required for the construction of, alteration to, or use of a single-family dwelling in the R-1, R-2, R-3 and RR zoning districts.

The planning board may, in any case where it deems it advisable, and after written notice to adjoining property owners, waive the requirement of a public hearing prior to action upon a site plan application.

(L.L. No. 7-1992, § 2, 7-13-92)

ARTICLE XI. CONDITIONAL USE  
REVIEW\*

Sec. 11.1. Approval by planning board required; conditions.

The uses listed in the use table, column C, are conditional uses permitted only upon approval by the planning board in accordance with the procedures and standards herein. After approval, such uses shall be deemed permitted uses in the districts wherein located, subject to any conditions attached thereto.

Sec. 11.2. Applications.

Applications for conditional use approval pursuant to this article shall be on forms prescribed by the planning board. Such application shall accompany the application for preliminary or final site development plan approval.

The preliminary or final site development plan and conditional use application may be processed concurrently. Fees for conditional use application shall be in accordance with the standard schedule of fees of the Village of Goshen.

\*Cross reference—Fees for matters regarding planning and planning board matters, § 2-163.

 Sec. 10.2. [Applicability.]

In all zoning districts of the Village of Goshen, no structure, land or lot shall be used, and no building or part of a building shall be erected, which is arranged, intended or designed to be used, in whole or in part, for any purpose, except as

Failure to submit the full payment required shall render the application incomplete for all purposes.

(L.L. No. 3-1992, § 10, 3-23-92)

**Sec. 2-169. State environmental quality review act compliance.**

Whenever environmental analysis required pursuant to the provisions of the state environmental quality review act (SEQRA), or any local law implementing SEQRA, all expenses relating to the environmental analysis shall be borne by the applicant. Fees shall be established pursuant to a resolution of the board of trustees, the planning board or the zoning board of appeals, whichever assumes a lead agency role in a manner consistent with Title 6 of NYCRR 617 et seq.

(L.L. No. 3-1992, § 11, 3-23-92)

Cross references—Environment, ch. 18; environmental impact review procedure, § 18-26 et seq.; freshwater wetlands, § 18-56 et seq.

State law reference—State environmental quality review, Environmental Conservation Law § 8-0101 et seq.

**Sec. 2-170. Refunds, reimbursements.**

Any prepaid fees shall not be reimbursable or refundable except upon written authorization to the board of trustees and upon a finding by the board of trustees, in its discretion, that the prepaid fees should be reimbursed or refunded.

(L.L. No. 3-1992, § 12, 3-23-92)

**Sec. 2-171. Payment prior to filing of maps, review of applications.**

No board shall permit the filing of any map with the county clerk until all fees due under this division have been paid. No application shall be considered by a reviewing board if fees remain unpaid.

(L.L. No. 1-1990, § 5, 2-9-90)

**Sec. 2-172. Delinquent payments; interest.**

If an applicant fails to pay a fee when due, interest thereupon shall be paid to the village at the rate of ten percent per annum.

(L.L. No. 1-1990, § 6, 2-9-90)

**Sec. 2-173. Compliance; written agreement.**

Every applicant upon submission of any application for review shall acknowledge in writing his understanding of this division and his agreement to comply herewith in such form as may be required by the board of trustees.

(L.L. No. 1-1990, § 7, 2-9-90)

**Sec. 2-174. Payment of engineer, consultant fees.**

No certificate of occupancy shall be issued by the building department of the village until all engineer and consultant fees have been paid in full to the village.

(L.L. No. 1-1990, § 8, 2-9-90)

Cross reference—Buildings and building regulations, ch. 10.

**Secs. 2-175–2-195. Reserved.**

# 2013 SEQRA SUMMIT

## LINKS TO ONLINE RESOURCES

The new short and long EAFs can be found online here:

<http://www.dec.ny.gov/permits/70293.html>

The draft EAF workbooks can be found online here:

<http://www.nysfeaf.net/>

NYSDEC's FAQ on the new EAFs, copy included, can be found online here:

<http://www.dec.ny.gov/permits/93240.html>

**NOTE:** INTO EFFECT ON OR ABOUT

10/7/13

Applicants are to go on line and  
obtain new forms

In effect for November PB Mtg. (11/19/13)

## AFFIDAVIT OF PRESENTATION

STATE OF NEW YORK )

COUNTY OF ORANGE )

RE: Tax Map # \_\_\_\_\_ Zone \_\_\_\_\_

\_\_\_\_\_, being duly sworn depose

and say:

I hereby authorize \_\_\_\_\_ to represent my  
Site Plan/Subdivision application before the Village of Goshen  
Planning Board.

\_\_\_\_\_  
(signature of owner)

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Notary