

TOWN OF HIGHLANDS PLANNING BOARD



APPLICATION PACKET & CHECKLIST

**COMPLETED APPLICATION MUST BE
SUBMITTED A MINIMUM OF 3 WEEKS (21
CALENDAR DAYS) PRIOR TO THE MEETING
DATE IN ORDER TO INSURE BEING PLACED
ON THE MEETING AGENDA**

(MEETINGS ARE GENERALLY HELD THE 3RD THURSDAY OF
EACH MONTH AT 7:00 PM)

TOWN OF HIGHLANDS PLANNING BOARD
APPLICATION AND CHECK-LIST INSTRUCTIONS

The following instructions are intended to assist Planning Board applicants by outlining the basic procedures and requirements by which the Board conducts the review of applications submitted. Included is a “check-list” so that incomplete applications and unnecessary delays can be avoided. Please bear in mind, however, that this checklist is not a substitute for the provisions of the Zoning Ordinance or the Subdivision Regulations which both contain specific requirements as to the contents of applications, etc. Before making an application to the Planning Board, an applicant and/or those representing the applicant should completely familiarize themselves with those requirements.

1. **Meetings:** The regular meeting of the Town of Highlands Planning Board is generally held on the third (3rd) Thursday of each month at 7:00pm at the Town Hall, 254 Main Street, Highland Falls, NY 10928. Changes in this schedule are announced to the public as early as possible. You can verify that the meeting will be held by calling the Town Clerk’s office at 845-446-4280 ext. 310.
2. **Submittals:** The Town Building Department receives and processes applications for the Planning Board. The Department can be reached at Town Hall at 845-446-4280 ext. 316 from the hours of 8:30am to 4:30pm. The Department will either assist you in the processing of your application or relay your communication to the Planning Board Chairperson for reply.
3. **Deadlines for submittal:** Formal applications to the Planning Board for either preliminary approval or final approval of the project must be filed at least three (3) weeks (21 calendar days) prior to the meeting date requested by the applicant. Submittals must include seven (7) copies of the completed application and ten (10) copies of the map or plat required by the appropriate section of the Town Code/regulations, together with a check payable to the “Town of Highlands” for the required application fee in the minimum amount set forth in the check-list attached. If the required numbers of copies are not submitted or if the minimum application fee is not paid at the time of the submission, the application will be rejected. Upon review of the application, the appropriate application fee will be calculated and the applicant will be notified if an additional sum must be paid in order for the Planning Board to receive the total application fee and commence review of the application.
4. **Applicable regulations:** The principal applications with which the Planning Board is concerned are: Subdivisions (Town Subdivision Regulations); Special Exception Use permits (Section 210-10 of the Town of Highlands Zoning Ordinance); Site-Plan approval (Section 210-21 of the Town of Highlands Zoning Ordinance); and Erosion Control/Stormwater Management permits (Chapter 101 and 164 of the Town of Highlands Code). Often, a project requires more than one of these approvals. To the extent possible, the Planning

Board will review a project applying these several separate sections of the Town Code simultaneously. Each of these regulations contains specific requirements for Planning Board applications and applicants should be sure to familiarize themselves with those requirements. If more than one (1) type of approval is requested (e.g. Site-Plan approval and Special Exception Use approval) the requests can be combined in one single application form.

5. **Informal reviews:** The Planning Board encourages informal reviews of a proposed project, before a formal application is filed, as a means for potential applicants to gain a sense of the Board's concerns regarding the project. The benefits of such informal reviews include avoiding unnecessary delays and verifying the extent of technical information that will be necessary for the Board to conduct their formal review of the project. The Planning Board generally allows for informal reviews at all of its meetings, provided that the Board's chairperson has been notified of the desire to be placed on a meeting agenda at least one (1) week prior to the meeting date. Such requests should be presented to the Building Department, where they will be forwarded to the Planning Board chairperson. There are no requirements as to what materials must be presented for informal review; however it is recommended that at least two (2) copies be provided to the Board of a map or sketch of the property with a rough outline indicating the proposal. Additional information may be helpful and add to the productiveness of the informal review process. No fee is charged for an informal review of a potential project/application, however there will be no review by the Board's professional consultants until a formal application is properly filed with the appropriate fees.
6. **Certification:** The maps accompanying a formal application must be signed and sealed by the Surveyor or Engineer, licensed in the State of New York, who prepared them. An unsigned or unsealed map will not be accepted. Also, in cases where the applicant does not currently own the property subject to the proposed project, an endorsement form must be submitted that specifically authorizes the applicant to seek the approval on behalf of the owner.
7. **Referrals:** Certain projects may require referral by the Planning Board to the Town's Zoning Board of Appeals for variance or interpretation of the Town Zoning Ordinance. Also, the Orange County Planning Department must be consulted, and referral may be necessary, when projects are in the vicinity of municipal boundaries, State parklands, State or County highways, State or County land on which public buildings are situated, or regulated watercourses.
8. **Fees and Escrow deposits:** Pursuant to Local Law No. 2 of 1994, the Planning Board is authorized to require applicants to deposit estimated costs of the Board's engineer, planner, attorney, or other professional for reviews of the application. Each application is accordingly required to be accompanied by an initial minimum \$750.00 escrow deposit for the costs of professional review. The Board will secure the professionals' cost estimates once an initial review has been completed and advise the applicant if additional funds are required to

be paid based on the estimates. The applicant will additionally be advised if review costs exceed the amounts on deposit and be required to deposit additional funds to cover the excess costs. Planning review fee deposits shall be placed in a separate non-interest bearing account by the Town Comptroller. All vouchers submitted by professional consultants shall be reviewed and audited by Town officials in the same manner as other charges. Payment will be approved of only such fees as are reasonable in amount and are necessarily incurred by the Planning Board in connection with the review. A fee shall be considered reasonable in amount if it bears a reasonable relationship to fees prevailing in the surrounding geographical area for similar services on similar projects. In determining similarity of services and projects, the Town may consider the size of the project and installations, the topography, soil conditions, drainage conditions, surface water conditions, other site constraints, the nature of the improvements to be installed or constructed, the nature of the planning, landscaping, engineering or legal issues arising in the factual context of the application. In determining whether the fees were necessarily incurred, the Planning Board may consider, in addition to the factors listed above, the nature of the materials provided by the applicant, the manner in which the service relates to the issues which must be decided by the Board in reviewing the application, whether the service provided reasonably assists the Board in performing a function required by law or regulation, and such other factors as may be relevant in the factual context of the application. Records shall be maintained showing all amounts deposited and all amounts paid from the escrow account and all bills and vouchers submitted by the Board's professional consultants. The applicant's account shall in no case be billed for more than has actually been expended for consultant review fees and review fees attributable to environmental reviews under the State Environmental Quality Review Act (SEQR) shall in no event exceed the maximum amounts to be charged pursuant to the SEQR regulations.

9. **Public Hearing:** Formal applications for Subdivision approval, Site-Plan approval or a Special Exception Use permit will require a Public Hearing. When the date of the Public Hearing has been fixed you will be advised of the requirements for the posting and mailing of a notice of the Public Hearing. These requirements are part of the State and local statutes and must be complied with. Failure to strictly comply with them will delay the Board from holding the Public Hearing. After the Public Hearing is held, the Planning Board will make a decision on the application within the statutory timeframe or agreed upon extension.
10. **SEQR (State Environmental Quality Review Act):** In addition to the Town Codes, your project may also be subject to SEQR review. You will be advised by the Board if there is such a requirement. If there is such a requirement it must be strictly complied with and no permits will be issued or approvals granted until the SEQR review process has been completed.
11. **Approval:** At the conclusion of the Planning Board's review of the application,

and upon the board finding the project acceptable, a “resolution of approval” will be prepared by the Planning Board. Upon review and acceptance by the applicant of any attached conditions or requirements, the resolution will be voted on by the Board for approval or disapproval. In the event that the Board votes to approve the application, the applicant must submit a final revision of approved plat/plan, incorporating all required changes, plus necessary copies, for signature and stamping by the Planning Board chairperson. Additional fees due must be deposited prior to signing and stamping of final drawings. Any unexpended escrow deposits may be returned to the applicant after the final drawings are signed and stamped and all fees have been verified as paid.

12. **Additional fees:** When a Planning Board application is approved, a standard condition of the approval is that the applicant must deposit with the Town the remaining amount required for the Town’s consultant fees in connection with the project. This amount will generally not exceed four percent (4%) of the cost of the “site improvements” included in the project, as estimated by the Board’s Engineer. Also, “fees in lieu of parklands” may be required to be deposited for each lot or dwelling unit approved. No final approval will be granted, no map will be signed, and no Building Permit may be issued for the project until these fee deposits are made.

The following consultants currently represent the Town of Highlands Planning Board:

Attorney:
Rider, Weiner & Frankel, P.C.
New Windsor, NY

Engineer:
McGoey, Hauser & Edsall Consulting Engineers, PC
New Windsor, NY

Planner:
Garling Associates, AICP
Goshen, NY

TOWN OF HIGHLANDS PLANNING BOARD APPLICATION CHECKLIST

TO BE COMPLETED, SIGNED AND SUBMITTED WITH APPLICATION

1. _____ TEN (10) COLLATED COPIES OF EXECUTED AND NOTARIZED APPLICATION.
2. _____ TEN (10) FOLDED COPIES OF THE SIGNED/SEALED MAP OR PLAT
3. _____ THREE (3) SEQR ENVIRONMENTAL ASSESSMENT "SHORT" FORM
4. _____ MINIMUM APPLICATION FEE: \$250.00 SUBDIVISION
(CHECK PAYABLE TO \$250.00 SITE-PLAN
"TOWN OF HIGHLANDS") \$300.00 SPECIAL USE PERMIT
\$100.00 EROSION CONTROL PERMIT
5. _____ MINIMUM ESCROW FEE FOR PROFESSIONAL SERVICES \$1200.00 (SEPARATE
CHECK) NOTE THAT THIS IS AN INITIAL FEE AND ADDITIONAL FUNDS MAY BE REQUIRED.
ESCROW FEE FOR EROSION CONTROL PERMIT \$500.00
6. _____ COPY OF DEED(S) TO THE PROPERTY
7. _____ ENDORSEMENT FORM, SIGNED BY OWNER, IN CASES WHERE APPLICANT IS NOT
CURRENT OWNER
8. _____ COMPLETED CHECKLIST

INCOMPLETE APPLICATIONS WILL BE RETURNED WITHOUT REVIEW
THIS LIST IS A GUIDE ONLY

APPLICANT'S SIGNATURE & DATE

SIGNATURE & DATE OF AUTHORIZED PERSON

FOR OFFICE USE ONLY

RECEIVED STAMP

APPLICATION FOR PLANNING BOARD SITE-PLAN / SUBDIVISION APPROVAL

Date: _____

1. Property Location
Street Address: _____
Tax Map ID# Section _____ Block _____ Lot _____
2. Zoning District of Property _____
3. Name, MAILING ADDRESS and phone number of applicant:

4. Name and address of owner of record, if different than applicant

Attach copy of deed:
(If applicant and owner are different, complete and attach owner's endorsement form)

5. Does proposed action involve a planning or zoning decision? ___Yes ___No
If yes, indicate decision required:
___Zoning Amendment ___Zoning Variance ___Special Exception Permit
___Subdivision ___Site-Plan ___Erosion Control Permit ___Lot-line change

6. Give a brief description of proposal _____

7. Present use of premises: _____

8. Proposed use of premises: _____

9. Size of Parcel (acres or square feet): _____

10. Dimensions of Parcel (approx.): _____

11. Number of residential lots proposed: _____, number of dwelling units proposed: _____

11. If commercial, square feet of floor area proposed: _____
12. Number of off-street parking spaces provided: _____
13. Do premises adjoin residential zoning districts or uses? ___ Yes ___ No
14. What, if any, extension of municipal services and/or utilities would be required?
 Water_____ Sanitary Sewer_____ Storm Drainage_____ Streets_____
15. Describe any easements or other restrictions on property. (Attach additional sheet if Needed). _____

16. Indicate whether property is within 500' of a municipal boundary, State Park, State or County Highway, State or County Land on which a public building is situated or watercourse): _____
17. Name and address of qualified professional who prepared the plan:

18. Has property received any approval from the Town Planning Board or Consolidated Zoning Board of Appeals within the last three (3) years ___ Yes ___ No

 NAME OF APPLICANT

 SIGNATURE OF APPLICANT

APPLICATION COMPLETED BY

TOWN OF HIGHLANDS
PLANNING BOARD APPLICATION - CERTIFICATION

I _____, being duly sworn, deposes and says that (s)he resides at
(No. and Street)_____ Town of _____
County of _____, State of New York. That (s)he has signed the foregoing
application as owner or the duly authorized officer/agent of the owner; that the statements
contained in said application are true.

Signature of Applicant

Sworn before me this ____ day of _____ 20____

NOTARY PUBLIC – STATE OF NEW YORK

FOR OFFICE USE ONLY
RECEIVED STAMP

NOTE: COMPLETE APPLICATION MUST SEQR E.A.F. FORM FILLED OUT AND ATTACHED

OWNER'S ENDORSEMENT

(complete and attach only to applications submitted by tenants, contractors, potential buyers, owner's representatives or other non-owners of record)

COUNTY OF ORANGE

SS:

STATE OF NEW YORK

_____ being duly sworn, deposes and says

that he/she resides at _____
(Owner's Address)

in the County of _____ and State of _____

and that he/she is (the owner in fee) or (_____ of the
(Official Title)

_____ Corporation which is the owner in fee)

of the premises described in the foregoing application and that he/she has authorized

_____ to make the foregoing application for project
(name of applicant)

approval as described herein.

Sworn before me this

_____ day of _____, 20_____

Notary Public

Owner's Signature