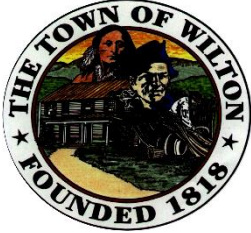


TOWN OF WILTON  
22 TRAVER ROAD  
WILTON, NY 12831-9127  
(518) 587-1939, Ext. 211

LISA CLOSSON  
ZONING CLERK



**CODE REVISION COMMITTEE**

**June 8, 2023**

**Present:** John McEachron, Chairman/Deputy Supervisor/Town Board, Duane Bogardus, Councilman, Scott Dussault, Brett Hebner, Connor Krueger, Mark Mykins, Senior Building Inspector/Code Enforcement Officer, Chris Ramsdill, Zoning Board, Ryan Riper, Town Engineer, and Richard Spackmann.

**Discussion Topics:**

- Discussion on Agriculture with Animals §129-176 V. to include distinction on size and quantity of agriculture animals including bees.
- Discussion on proposed changes to §129-147, Minor or amended site plan approval:
  1. D. (a) from Minimum of \$~~300~~-500. and (b.) ~~Per square foot, if~~ more than 1,000 square feet of structure modification: \$0.50/sq.ft..
  2. Add E. **Minor or amended site plan requests shall not be reviewed until final submission of the original project is complete.**
- Discussion on proposed changes to §129-169 Temporary merchants:
  1. A. Licensing; permits. Notwithstanding the provisions of this section, all licensing and registration requirements contained in Chapter ~~85~~ shall apply to all temporary merchants. No permit shall be issued to conduct sales as a temporary merchant unless the applicant satisfies the conditions of this section and secures a temporary merchant certificate from the Director of Planning. No permit shall be issued for more than ~~four~~ five months within a one-year period; no permit shall be issued for consecutive ~~four~~five-month periods within a two-year period, unless approved by the Planning Board. [Amended 11-7-2002]
  2. Add G. **Fees. The Temporary merchant certificate for administration and inspection shall be \$150.**
- Discussion on proposed changes to §129-146, Submission and review procedure:
  1. **See attached**
  2. Discussion on storm water as green space, and parking
  3. C-1 zone has 25% green space
  4. Discussion on sunset clause for commercial sites
- Discussion on proposed changes to Chapter 63, Fees:
  1. **See attached**
  2. Requires Town Board Approval
  3. Discussion on Escrow accounts and who maintains

4. Discussion on using shall or can and defining multiple in proposed §63-4 A.(4)
5. Traffic mitigation fees will be assessed when the town wide traffic study is completed
- Discussion on proposed changes in Chapter 129, Zoning
  1. §129-4
    - Automobile Wrecking Yard: ~~Area/premises dedicated to the dismantling, disassembling or storage of motor vehicles, trailers, tractors construction or excavation machines. Used for storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.~~
    - Dwelling: A building designed or used as the living quarters for one or more families. The terms "dwelling," "one-family dwelling," "multiple dwelling," "two-family dwelling," "dwelling unit" or "dwelling group" shall not be deemed to include a motel, rooming house, bed-and-breakfast or tourist home/cabin.
    - Dwelling, one family: A residential building containing not more than one dwelling unit surrounded by open space on the same lot and meets the provisions of the New York State Uniform Fire Prevention and Building Code, is on a permanent foundation and consisting of at least ~~720~~750 square feet of living space, excluding an accessory building or use; see "dwelling unit."
      - Change is due to 1500 sq. ft. requirement for two family dwellings.
    - In-law Apartment: (Current)A second dwelling unit ~~in~~located within an existing single-family detached dwelling for use as a complete, independent living facility with provision within the in-law apartment for cooking, eating, sanitation and sleeping.
      - Discussion on distinction of In-Law Apartment and Accessory Apartment
    - ~~Mobile Home: Any portable vehicle which is designed to be transported on its own wheels or those of another vehicle, which is used, designed to be used and capable of being used as a detached single family residence and which is intended to be occupied as living quarters, containing sleeping accommodations, a flush toilet, a tub or shower, kitchen facilities and plumbing and electrical connections for attachment to outside systems, and with a minimum of 720 square feet of living space.~~
    - Change to: Manufactured Home: A factory manufactured unit built on or after June 15, 1976, and conforming to the requirements of HUD Manufactured home construction and safety standards, 24 CFR part 3280, 4/1/93, transportable in one or more sections which in the traveling mode is 8 feet or more in width, 40 or more feet in length or, where erected on site is 320 square feet minimum, constructed on a permanent chassis and designed to be used with or without a permanent foundation.
      - Discussion on distinction of Modular Home and Manufactured Home
    - Nonconforming Use: A building, structure or land lawfully occupied by a use that does not conform to the ~~regulations of the district in which it is situated.~~regulations of the zoning district in which it is situated, prior to enactment of this chapter.
  2. §129-14 through §129-18 should be relocated to the Town Code and taken out of the Zoning Ordinance.
  3. §129-105, Continuation of lawful uses. [Amended 11-7-2002] The lawful use of any building or land existing at the time of the enactment of this chapter may be continued although such use does not conform ~~with~~ to the provisions of this chapter. Normal maintenance, repairs and alterations incidental to a building or other structure containing a nonconforming use are permitted, provided that they do not extend the area or volume of space occupied by the nonconforming use.
  4. §129-109, Expansion [Amended 11-7-2002]
    - A. Any nonconforming use may be expanded, subject to the approval of the Planning Board

after a public hearing. Application fees shall apply to all expansion requests. The Planning Board may require site plan review and approval.

B. Maximum allowable expansion for nonconforming use shall be:

(1) Nonresidential: 100% of the ~~square-footage area of the use~~ existing on May 6, 1974, **so long as such expansion does not result in additional non-conforming uses of the same or different.** Adequate proof of square footage **that existed in 1974,** shall be the property owner's responsibility, subject to verification of the Town of Wilton.

(2) Residential: 100% of the ~~square-footage area of the use~~ existing on May 6, 1974, **so long as such expansion does not result in additional non-conforming uses of the same or different** Adequate proof of square footage shall be the property owner's responsibility, subject to verification of the Town of Wilton.

OR

**§129-109, Expansion/Extension: Nonconforming use shall not be enlarged beyond the area occupied by such use at the time of this chapter.**

- Discussion on workforce housing, parking, and chicken law/small livestock
  1. Add workforce housing to apartment complex's which are only allowed in the Hamlet zone.
- Discussion on Density bonus in conservation subdivisions
- Discussion on lot size for square footage to be acreage, ie: 43,560 (1 acre) sq. ft. instead of 40,000 sq. ft. lot size.
- Discussion on well water versus municipal water and density bonus
- Discussion on cost of hooking up to municipal water and sewer
- Discussion on leftover 10 acre lots in the town and making them 60,000 sq. ft. instead of 40,000 sq. ft.

Next meeting-July 13, 2023

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

6/20/2023

Formatted: Right

Field Code Changed

§ 129-146 **Submission and review procedure.**

- A. Prior to the issuance of a building permit for any permitted or special permitted use or the subdivision of land in a commercial or industrial zone, the Planning Board shall conduct a site plan review of the proposed site. The plan shall be in accordance with this section.
- B. Criteria for determining whether or not the resulting parcels constitute a subdivision and are thereby subject to this article.
- (1) Persons subject to this article are any one owner or group of persons acting in concert as part of a common scheme or plan who owns the original parcel(s) in question individually or collectively.
- (2) Parcels subject to this article:
- (a) Original parcels.
- (b) Resulting parcels.
- (c) Unrecorded parcels not shown on the Town of Wilton Tax Map.
- (d) Organized parcels and resulting parcels which are not contiguous but are not separated by more than 600 feet measured along the front property line, which are of common ownership or owned by more than one person or corporation, acting in concert as part of a common purpose or plan, individually or collectively.
- (3) Mall anchor subdivision exclusion (parcels not subject to this article). In instances where an enclosed regional shopping mall has previously received site plan approval from the Planning Board, a transfer of title to individual store(s), with or without associated parking, which creates no exterior changes from the approved site plan, involves only a store or stores, each exceeding 50,000 square feet of gross floor area, and involves no further subdivision of said store shall not be deemed to be a subdivision of land under this article, nor shall the resulting or original parcels be deemed to be not in compliance with applicable setback, frontage, lot size, off-street parking or similar area requirements as a result of such transfer.
- C. Function. It is the function of the site plan to illustrate the intended design, arrangement and uses of the land to be improved and to describe the effect the proposal will have on the physical, social and economic environment of the community.
- D. Review procedure. The review of commercial and industrial site plans is divided into four phases: presubmission, conceptual application, preliminary application and final application. The applicant shall obtain the subdivision and site plan submission checklist from the Planning Board secretary for use in preparing the submissions.
- (1) Presubmission conference.
- (a) The Building Inspector shall refer the prospective commercial or industrial developer to the Secretary of the Planning Board who shall schedule a presubmission conference for the next regularly scheduled Planning Board meeting. The purpose of the presubmission conference is to give the Planning Board and the applicant an opportunity to gain a perspective on the proposal's ramifications. This conference is beneficial to both parties because the community will gain knowledge of the applicant's intent, and the applicant shall learn his/her responsibilities before either is committed to significant outlays of time or capital. **[Amended 11-10-2005]**

- (b) At the presubmission conference, the applicant shall provide the Planning Board with basic data regarding the proposal. At a minimum, the applicant shall provide a map showing the important existing natural and man-made features in and around the site and a sketch plan showing the major features of the proposal.
- (c) All commercial and industrial site plans shall be required to have a minimum of 35% of the site to be used as green space, minimum of 25% in the C-1 zoning district.
- (2) Conceptual application for site plan approval.
  - (a) An application for conceptual site plan approval shall be made in written form to the Planning Board. The conceptual site plan review focuses on engineering concepts as well as environmental characteristics of the proposed site location. The conceptual fee is due at the time of the first submission. ~~Two full size and 15 eleven inch by seventeen inch copies of the site plan shall be submitted, and 15 copies of EAF and application~~ Submission requirements are listed on the application form. **[Amended 6-6-1996; 8-1-2019]**
  - (b) Planning Board action on conceptual site plan application.
    - [1] Within 62 days of the receipt of an application for conceptual site plan review, the Planning Board shall approve, disapprove or approve with modifications the conceptual site plan application. The Planning Board's action shall be in the form of a written statement to the applicant. **[Amended 6-6-1996; 8-1-2019]**
    - [a] Formal approval: the Planning Board should not give formal approval with resolution.
    - [2] The Planning Board's statement may include recommendations of desirable modifications to be incorporated in the preliminary site plan application, of which conformance with said modifications shall be considered a condition of approval. If the conceptual site plan application is disapproved, the Planning Board's statement shall contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and the resubmission to Planning Board after it has been revised or redesigned.
    - [3] Approval of the conceptual site plan application relates only to the general ideas presented for the project and is neither legally formal nor binding upon the Planning Board. Additional modifications to the project which were not specifically required under the approval of the conceptual site plan application may be required for approval of the preliminary and/or final application for site plan approval. **[Added 8-1-2019]**
  - (c) Conceptual site plan requirements shall be as follows:
    - [1] Zoning information, including all lot requirements and setbacks and parcel areas.
    - [2] Project location map, site map with adjacent property owners and uses, parcel area and Tax Map numbers.
    - [3] Stormwater management concept, including state and federal wetland limits, floodplain limits, future position of major stormwater facilities. **[Amended 11-10-2005]**
    - [4] Wastewater control concept.
    - [5] Water supply concept, including minimum separation distances.
    - [6] Street alignment, including sight distance, rights-of-way, easements and turnarounds/cul-de-sac.

- [7] Environmental assessment form (EAF) to comply with SEQRA.
- [8] Site statistics such as square feet of building, percent of green space, number of parking spaces and percent of building coverage.
- (3) Preliminary application for site plan approval.
  - (a) ~~Three full copies and two copies of the general layout sheet(s) of the~~The application for preliminary site plan approval shall be made, in writing, to the Planning Board. The application may be presented at the next regularly scheduled Planning Board meeting following the preliminary submission. The preliminary application shall not be accepted for review unless all requirements outlined in the conceptual approval have been met. The preliminary application shall be accompanied by the appropriate fee according to the schedule of fees. Submission requirements are listed on the application form. [Amended 6-6-1996]
  - (b) A public hearing shall be required for all commercial and industrial subdivisions prior to preliminary approval. This public hearing shall be scheduled by the Planning Board after confirmation by the Director of Planning and Engineering that the preliminary submission is complete.
  - (c) No modification of existing stream channels, filling of lands or wetlands, grading or removal of vegetation or excavation of soils for the construction of site improvements shall begin until the developer has received preliminary site plan approval and a negative declaration on file as required by SEQRA. [Amended 11-10-2005]
  - (d) Failure to comply shall be construed as a violation of this Chapter 129, and where necessary, final site plan approval may require additional review and modification, the removal of unapproved site improvements or the revegetation of the site.
  - (e) An application shall be accompanied by copies of the information drawn from the following requirements as well as other items determined necessary by the Planning Board in the conceptual approval. The required preliminary site plan shall be prepared by a professional engineer, architect or land surveyor.
- [1] Preliminary site plan requirements:
  - [a] The title of the drawing, including the name and address of the applicant and person responsible for the preparation of such drawing.
  - [b] The North arrow, scale and date.
  - [c] Boundaries of the property plotted to scale.
  - [d] Existing watercourses, wetlands and floodplains.
  - [e] A grading and drainage plan, showing existing and proposed contours.
  - [f] The location, proposed use and height of all buildings.
  - [g] The location, design and construction materials of all parking and truck loading areas, with access and egress drives thereto.
  - [h] Provision for pedestrian access.
  - [i] The location of outdoor storage, if any.

- [j] The location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
- [k] A description of the method of sewage disposal and the location of design and construction materials of such facilities.
- [l] A description of the method of securing public water and location, design and construction materials of such locations.
- [m] The location of fire and other emergency zones, including the location of fire hydrants.
- [n] The location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy.
- [o] The location, size and design and construction materials of all proposed signage.
- [p] General landscaping plan and planting schedule which identifies the location and proposed development of all buffer areas, including an indication of existing vegetative cover.
- [q] The location and design of outdoor lighting facilities.
- [r] A designation of the amount of building area proposed for retail sales or similar commercial activity.
- [s] A traffic assessment study.
- [t] Other elements integral to the proposed development, as considered necessary by the Planning Board, including identification of any state or county permits required for the project's execution.
- [u] Design of stormwater management facilities, including a statement regarding downstream impacts for the ten- and twenty-five-year-storm events. **[Amended 11-10-2005]**
- [v] Stormwater pollution prevention plan. A stormwater pollution prevention plan (SWPPP) consistent with the requirements of §§ **129-205** through **129-210** of this chapter shall be required for site plan approval. The SWPPP shall meet the performance and design criteria and standards in § **129-206**. The approved site plan shall be consistent with the provisions of Article **XXVIII** of this chapter. **[Added 12-7-2006 by L.L. No. 4-2006]**
- [2] Planning Board review of preliminary site plan application. The Planning Board's review of the preliminary site plan application shall include but shall not be limited to the following:
  - [a] The need of the proposed use.
  - [b] The adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, channelization structures and traffic controls. Planning measures shall be taken to help alleviate congestion and improve traffic flow to and from proposed retail and office developments. This can be done by consolidating driveways and/or providing service road systems to developments along major arterials such as U.S. Route 9 and Route 50. If several retail/office developments are being constructed on adjacent properties, a shared access could be provided between the parcels. If enough traffic is channelized to a combined driveway, a traffic signal may be warranted to provide safe and easy access to and from the retail and office developments. This type of access is similar to that found in strip malls or plazas where access is limited but still provided to the major roadway.
  - [c] The adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

- [d] The location, arrangement, appearance and sufficiency of off-street parking and loading.
- [e] The location, arrangement, size, design and general site compatibility of buildings, lighting and signage.
- [f] The compliance of stormwater and drainage facilities to the NYSDEC stormwater regulations. **[Amended 11-10-2005; 8-1-2019]**
- [g] The adequacy of water supply and sewage disposal facilities.
- [h] The adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise-detering buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.
- [i] The protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features, as determined by the Town of Wilton or its agent. **[Amended 7-2-1997]**
- [j] The adequacy of fire lanes and other emergency zones and the provision of fire hydrants.
- [k] Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
- [3] The Planning Board may consult with the Town Building Inspector, Fire Commissioners, Environmental Management Council, Town Highway Superintendent, Town Engineer and/or designated engineering consultants for the Town, other local and County officials and the New York State Health Department, Department of Environmental Conservation and Department of Transportation.
- [4] Referral to the County Planning Board. Prior to taking action on the preliminary site plan application, the Planning Board shall refer a copy of the application to the Saratoga County Planning Board for its review in accordance with § 239 of General Municipal Law.
- [5] Planning Board action on preliminary site plan application.
- [a] Within 62 days of the receipt of a complete application for preliminary site plan review, the Planning Board shall act on it. The Planning Board shall approve, disapprove or approve with modifications the preliminary site plan application. The Planning Board's action shall be in the form of a written statement to the applicant. **[Amended 6-6-1996]**
- [b] The Planning Board's statement may include recommendations of desirable modifications to be incorporated in the final site plan application; conformance with said modifications shall be considered a condition of approval. If the preliminary site plan application is disapproved, the Planning Board's statement shall contain the reasons for such findings. In such a case, the Planning Board may recommend further study of the site plan and resubmission to the Planning Board after it has been revised or redesigned.
- (4) Planning Board review of final site plan application. After receiving approval, with or without modifications, of the preliminary site plan application, the applicant may submit a final detailed site plan application to the Planning Board for approval. The final site plan application shall conform substantially to the approved preliminary site plan and shall include any modifications that were required as a result of the preliminary site plan review.
- (a) Planning Board action on final site plan application. Within 62 days of the receipt of a complete final site plan application, the Planning Board shall approve or disapprove the final site plan application. Five copies of the final site plan application are required. The final site plan shall be prepared by a licensed professional engineer, architect or land surveyor. **[Amended 6-6-1996]**

- [1] Upon approval of the final site plan, the applicant shall submit to the Town one set of Mylars and ~~three~~ at least one set of prints, all having original stamps and signatures of the professional engineer, architect and surveyor. The Planning Board shall endorse its approval of the final site plan and the Town shall forward-retain one Mylar and one print set, any remaining print set(s) provided shall be returned to the applicant, to the Planning Board Secretary, one copy to the Director of Planning and Engineering, one copy to the Building Inspector and one copy to the applicant.
- [2] Upon disapproval of the final site plan, the Planning Board shall so inform the Building Inspector, and the Building Inspector shall deny the applicant any building permits for the project. The Planning Board shall also notify the applicant, in writing, of its decision and its reasons for disapproval.
- (b) If the preliminary site plan application is approved without modifications, the final site plan application procedure may be waived by the Planning Board.
- (5) The applicant shall have his design engineer certify in writing that the project was constructed in substantial conformance with the approved plan prior to the issuance of a certificate of occupancy by the Building Department. As-built drawings or record drawings of the work installed shall be furnished to the Town within four weeks from the date of issuance of the certificate of occupancy. One set of Mylars and two sets of prints are required.

(6) Expiration of Review.

(a) The Site Plan approval granted shall expire eighteen (18) months from the date of the official signature of the Planning Board Chairperson unless a Building Permit is secured, and work has commenced on the approved activity. All work must be completed within two years of issuance of a building permit unless:

[1] A different, specified time limit is established during project review by the Planning Board and included in the approval; or

[2] The applicant requests ~~an~~one extension of time needed to secure a building permit. Such request shall be granted at the discretion of the Planning Board.

[3] In reviewing the request of an applicant for a renewal or extension the Planning Board shall determine whether good cause for such renewal or extension has been shown by the applicant, and shall consider, among other things, the following:

[a] Whether there has been any change to the Town's Comprehensive Plan in that area of Town.

[b] Whether there has been any change to the Zoning Code in that area of Town.

[c] Whether a moratorium has been enacted in that area of Town.

[d] Whether the applicant has used due diligence in proceeding within the previously granted time period for completion.

[e] Whether there has been a material change in the character of the neighborhood.

[f] Whether there are any circumstances beyond the reasonable control of the applicant that have impacted on the applicant's ability to complete the project within the previously granted time period for completion.

[4] The extension of a building permit shall be at the discretion of Code Enforcement.

E. Subdivision and site plan submission checklist. [Note: This checklist is not intended to be all-inclusive of items required for a complete submission. In cases of discrepancies or inconsistencies between the Code of the Town of Wilton ("Code") and this checklist, the more inclusive or detailed list shall apply. For an updated checklist which applies more completely to an individual project, contact the Director of Planning and Engineering.]

(1) Conceptual review.

(a) Site data.

[1] Zoning.

[2] Minimum lot size and yard setbacks.

[3] Project location map.

[4] Parcel area.

[5] Adjacent property owners and uses.

[6] Tax Map number.

[7] Site statistics on subdivision map or site plan with items such as:

[a] Number of lots.

[b] Average lot size.

[c] Linear foot of road.

[d] Minimum lot size.

[e] Square footage of building, including basement area.

[f] Percentage of green space.

[g] Number of parking spaces.

[h] Percentage of building coverage.

[8] Verification that conceptual plan was sent to the emergency squad and Fire Department for their review and comments.

(b) Other references.

[1] New York State Route 50 Corridor Study.

[2] Town of Wilton N.Y.S. Route 9 Corridor Landscaping Study.

[3] Article **XXVII**, Timber, Soil and Stream Regulations, of this chapter.

[4] Article **IV**, Road and Utility Design Standards, of Chapter **109**, Subdivision of Land.

DRAFT

- (c) Stormwater management.
  - [1] Drainage concept.
  - [2] Water quantity attenuation and quality treatment (where required) in accordance with NYSDEC GP 02-01. **[Amended 11-10-2005]**
  - [3] Floodplain limits.
  - [4] NYSDEC/federal wetland limits.
  - [5] Effect on adjacent wells.
- (d) Wastewater control.
  - [1] Existing sanitary sewers and septic systems.
  - [2] Subsurface disposal (septic systems).
  - [3] Percolation tests and test pits.
  - [4] Groundwater table location.
- (e) Water supply.
  - [1] Existing water mains (public or private).
  - [2] Wells (NYSDOH standards for quantity and quality).
  - [3] Separation requirements between septic system and wells.
- (f) Street alignment.
  - [1] Sight distances at proposed roadway entrances.
  - [2] Horizontal and vertical roadway alignments.
  - [3] Compliance with Town Comprehensive Plan.
  - [4] Right-of-way widths.
  - [5] Existing or proposed easements.
  - [6] Turnarounds and cul-de-sac standards.
- (g) SEQRA.
  - [1] Type of action (unlisted, Type I or Type II).
  - [2] Environmental assessment form.
- (h) Drainage and grading.
  - [1] All roadside drainage shall be in a closed drainage system and grades shall slope uniformly from edge of the road to the property lines.

- [2] On Route 50, along the front setback, berms shall be placed at a height of three feet above the curb elevation wherever possible.
- (i) Utilities. [**Amended 11-10-2005**
- [1] All project utilities shall be placed underground, and wherever possible, existing utilities shall be moved from an overhead location to an underground location.
- (2) Preliminary review.
- (a) Site data.
- [1] Name and address of applicant.
- [2] Overall site and lot areas.
- [3] Title blocks and North arrow.
- [4] Signature blocks for the appropriate agencies.
- [5] Survey notes and data including topographical survey (United States Geological Survey datum).
- [6] Legend of existing and proposed configurations on plan.
- [7] All boundary and lot lines, rights-of-way, center lines of roads and easements to show bearings and distances.
- [8] NYSDOH and Town standard notes.
- [9] Subdivision street names (coordinate street names with the appropriate fire district, highway department and emergency squad).
- [10] Postal addresses (lot numbers shall be same as postal addresses).
- [11] Street signs, site/building sign locations, size and text.
- [12] Site lighting.
- [13] Landscaping.
- [a] Street trees shall be placed at maximum of 35 feet on center along the front property line.
- [b] Coniferous trees shall be planted in drifts at a minimum of 35 feet on center along the front parking areas.
- [c] Additional landscaping shall be used in appropriate areas, as directed by the Planning Board.
- [14] Streams, wetlands and floodplains.
- [15] Traffic assessment or study.
- [16] Location, use and height of all structures.
- [17] Parking, truck loading, pedestrian access and outdoor storage.
- [18] Energy distribution facilities.

- [19] Site details such as retaining walls and fences.
- [20] Comments from emergency squad and Fire Department on plans.
- [21] Submit postal verification form. **[Added 5-7-1998]**
- (b) Wastewater control.
- [1] Design of sanitary sewers and/or septic systems.
- [2] Profiles (United States Geological Survey datum).
- [3] Details (manholes, trench, etc.).
- [4] Design notes (general and material specifications).
- [5] Septic system (deep hole and percolation test data).
- [6] Verification of submission to Wilton Water and Sewer Authority.
- (c) Water supply.
- [1] Design of water main or wells. (Wells to be upgrade of septic system.)
- [2] Water main crossing of other utilities to be shown on profiles with minimum vertical separations of 18 inches.
- [3] Details (hydrants, blowoffs, water service, thrust blocks, etc.).
- [4] Design notes (general and material specifications).
- [5] Hydrant flow test data.
- [6] Water source, storage and distribution for fire control.
- [7] Verification of submission to Wilton Water and Sewer Authority.
- (d) Stormwater management.
- [1] Design of stormwater facilities for the Channel Protection Volume (one-year twenty-four-hour event), the Overbank Flood Protection Volume (ten-year twenty-four-hour event), and the Extreme Storm (one-hundred-year twenty-four-hour event), and the Water Quality Volume according to the NYSDEC GP 02-01. **[Amended 11-10-2005]**
- [2] Cross sections of retention or detention facilities.
- [3] Profiles showing storm sewer design.
- [4] Details for construction phase, temporary, and post-construction stormwater management practices. **[Amended 11-10-2005]**
- [5] Design notes (general and material specifications).
- [6] Hydraulic computations.
- [7] Soil erosion and sediment control measures, including details and locations. **[Amended 11-10-2005]**

- [8] Grading plan, including lot grading.
- (e) Street alignment and design.
- [1] Horizontal and vertical curve data.
- [2] Profiles (United States Geological Survey datum).
- (f) Public hearing/SEQRA.
- [1] Public hearing is set only after submission is deemed complete.
- [2] Payment of traffic mitigation fees have a bearing on SEQRA determination.
- (g) Drainage and grading.
- [1] All roadside drainage shall be in a closed drainage system and grades shall slope uniformly from edge of the road to the property lines.
- [2] On Route 50, along the front setback, berms shall be placed at a height of three feet above the curb elevation wherever possible.
- (h) Utilities. **[Amended 11-10-2005]**
- [1] All project utilities shall be placed underground, and wherever possible, existing utilities shall be moved from an overhead location to an underground location.
- (i) All conceptual review checklist items.
- (3) Final review.
- (a) All Town and review agencies' comments should be substantially addressed at this time.
- (b) All of the Town Engineer's comments should be addressed from the preliminary review.
- (c) Professional stamp(s)/original signature(s) needed on final two sets of plans/one set of Mylars that the Town shall retain.
- (d) All conceptual and preliminary review checklist items.
- (e) Final language for protective covenants or deed restrictions.
- (4) Map signature.
- (a) All fees are to be paid before the subdivision map or site plan is signed by the Planning Board Chairman.
- [1] Park and recreation fees.
- [2] Final approval fees.
- [3] Traffic mitigation fees.
- [4] Other outstanding fees.
- (b) Outside regulatory agency approvals must be obtained prior to map signature.

- [1] New York State Department of Environmental Conservation.
  - [2] New York State Department of Health.
  - [3] New York State Department of Transportation.
  - [4] Saratoga County Sewer District No. 1.
  - [5] Town of Wilton Water and Sewer Authority.
  - [6] United States Army Corps of Engineers.
  - [7] Capital District Transportation Authority.
  - [8] Others as may be applicable.
- (5) Post-approval requirements.
- (a) Notify Town and pay inspection fees prior to starting work.
  - (b) Stormwater management inspection and access. Obtain requirements from Town. **[Added 11-10-2005]**
  - (c) Certification of installation by a P.E. that project was constructed in substantial conformance with the approved plan is required prior to the issuance of the certificate of occupancy (CO).
  - (d) Submission of as-builts is required four weeks after CO.
  - (e) Submission of eleven-by-seventeen-inch map of subdivision showing road and lots.
- F. Upon review of specific aspects of each individual project, the Planning Board may, at its discretion, add, delete or modify the submission requirements mentioned above.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

## Chapter 63 Fees

6/13/2023  
6/13/2023

Formatted: Font: 28 pt

Formatted: Centered

**[HISTORY: Adopted by the Town Board of the Town of Wilton 11-17-1997; amended in its entirety 6-2-2016. Subsequent amendments noted where applicable.]**

Formatted: Font: 28 pt

### GENERAL REFERENCES

Building construction administration — See Ch. 43.

Subdivision of land — See Ch. 109.

Zoning — See Ch. 129.

### § 63-1 Residential building permit.

The rate for residential building permits shall be \$0.20 per square foot of floor area; a minimum fee of \$50 shall be required. Floor area shall include any basement, carport, garage and canopies but shall not include a cellar, subcellar or nonhabitable attic. Floor area shall be based on the outside dimensions of the building. Renewal of all residential buildings permits shall be \$100.

### § 63-2 Nonresidential building permit.

The rate for nonresidential building permits shall be \$0.30 per square foot of floor area; a minimum fee of \$150 shall be required. Square footage shall include any basement, cellar, subcellar and canopies, decks, patios, etc., but shall not include a crawl space. Square footage shall be based on the outside dimensions of a building, not living space. Fees will not be reimbursed after application approval.

### § 63-3 Subdivision review.

A. The fee for subdivision review shall be as follows:

- (1) Application. (Note: The application fees are designed to cover secretarial and executive costs incurred by the Town of Wilton; these fees do not cover any engineering review costs.)
  - (a) Conceptual/preliminary: ~~\$20-30~~ per living unit; minimum fee of ~~\$300-500~~ as per proposed plan. This application fee shall be due at the time of application.
  - (b) Final: After final subdivision plan approval, but prior to submission of the final subdivision plan for signature, a fee of ~~\$150-200~~ per living unit is due.
- (2) Review fees shall be based on the number of living units as follows:
  - (a) In-house Town review fee (when Town is primary reviewer) due at concept submission:

Number of units	Fee Amount
1 to <del>\$49</del>	<del>\$130-175</del> per living unit
<del>6 to 50</del>	<del>\$120 per living unit</del>

Formatted Table

**Number of units**

**Fee Amount**

~~51-50~~ or more

~~\$100-120~~ per living unit or a minimum of \$6,000

Formatted Table

[1] The total review fee is due at conceptual submission.

(b) When outside consultant is primary reviewer:

[1] In-house Town administrative fee: ~~\$2,000~~

**Number of units**

**Fee Amount**

~~1 to 5~~

~~\$40 per living unit~~

~~6 to 50~~

~~\$35 per living unit~~

~~51 or more~~

~~\$30 per living unit or a minimum of \$1,750~~

[2] Outside consultant review escrow: Prevailing rates shall apply. An escrow account shall be established for the fees of an outside consultant.

B. Park and recreation: \$1,200 per new living unit, due at the time final approval is obtained.

C. If the Planning Board determines that additional and/or special review is required, it may, at its discretion, call in an independent engineering firm and/or special consultants. The costs of these services shall be borne by the owner/developer.

D. Payment of all fees shall be made prior to the signing of any Mylars by the Town of Wilton.

E. All engineering fees incurred for projects that are withdrawn by the applicant or disapproved by the Board shall be payable by the applicant at the time of withdrawal or disapproval. Projects that are dormant for over one year shall be reviewed and engineering review fees assessed for those projects.

F. This section pertains to all approved subdivisions, whether residential, commercial or industrial. In the case of commercial or industrial subdivisions, fees shall be based on a per lot unit basis rather than per living unit and no park and recreation fees shall be due.

G. Additional fees for projects under the jurisdiction of the Wilton Water and Sewer Authority shall apply.

H. Pursuant to NY Town Law Art. 16, § 276, failure to file final plat with the County Clerk within 62 days from signature of the Planning Board Officer on Mylars constitutes expiration of subdivision approval. If approval expires, the subdivision plans must be resubmitted and ~~any-all~~ fees shall be reassessed by the Planning Department.

I. When adding a building lot, charge all subdivision fees. When merging two lots into one or adjusting a lot line, charge a minimum fee of \$300.

J. See also § 63-14, Traffic mitigation fees, and § 63-15, Inspection fees.

§ 63-4 **Nonresidential site plan review.**

A. The fee for nonresidential site plan review shall be as follows:

(1) Application. (Note: The application fees are designed to cover secretarial and executive costs incurred

by the Town of Wilton; these fees do not cover any engineering review costs.)

**Area**

**(building footprint per floor)**

(square feet)	Fee
<del>0 to 4,999</del>	<del>\$250</del>
<del>5,000 to 9,999</del>	<del>\$500</del> <u>750</u>
10,000 <del>to 29,999</del> <u>and over</u>	\$0. <del>06-08</del> per square foot
<del>30,000 to 99,999</del>	<del>\$0.04 per square foot or a minimum of \$1,800</del>
<del>100,000 and over</del>	<del>\$0.03 per square foot or a minimum of \$4,000</del>

Formatted Table

- (a) The total application fee is due at the site plan application/conceptual submission stage.
- (2) Review fees:
- (a) In-house Town review, when Town is primary reviewer. (The Town reserves the right to adjust in-house Town review fee for cases involving renovations, amended site plans or other unusual circumstances.)

DRAFT

**Area**

**(building footprint per floor)**

(square feet)	Fee Amount
0 to 4,999	<del>\$1,000</del> <u>1,250</u>
5,000 to 29,999	\$0.25 per square foot or a minimum of <del>\$1,400</del> <u>1,500</u>
30,000 and over	\$0.10 per square foot or a minimum of \$7,500

- [1] For minor or amended site plan, see § **129-147**.
- (b) When outside consultant is primary reviewer:
- [1] In-house Town administrative/review fee. (The Town reserves the right to adjust in-house Town administrative/review fee for cases involving renovations, amended site plans or other unusual circumstances.): \$2,000

**Area**

~~(building footprint per floor)~~

~~(square feet)~~

**Review Fee**

~~0 to 4,999~~

~~\$400~~

~~5,000 to 29,999~~

~~\$0.08 per square foot~~

~~30,000 and over~~

~~\$0.04 per square foot or a minimum of \$2,400~~

[2] Outside consultant review escrow: Prevailing rates shall apply. An escrow account shall be established for the fees of an outside consultant.

(3) Construction inspection fee: \$0.20 per square foot or a minimum of ~~\$200~~\$500. Fee can be adjusted for very small projects requiring minimal inspection.

(4) For ~~multiple~~<sup>2</sup> or more preliminary reviews and/or presentation before the Board there can be a review fee assessed at \$250 for each review at the discretion of the Planning Board.

B. If the Planning Board determines that additional and/or special review is required, it may, at its discretion, call in an independent engineering firm and/or special consultants. The costs of these services shall be borne by the owner/developer.

C. Payment of all fees shall be made prior to the signing of any Mylars by the Town of Wilton.

D. All engineering fees incurred for projects that are withdrawn by the applicant or disapproved by the Board shall be payable by the applicant at the time of withdrawal or disapproval.

E. Projects that are dormant for over one year shall be reviewed and engineering review fees assessed for those projects.

F. There are no park and recreation fees.

G. Additional fees for projects under the jurisdiction of the Wilton Water and Sewer Authority shall apply.

H. See also § **63-14**, Traffic mitigation fees, and § **63-15**, Inspection fees.

**§ 63-5 Planned development or cluster development site plan review.**

A. The fee for PUD or cluster development site plan review shall be as follows:

(1) Application. The sum of the subdivision and/or commercial and industrial application fees. If encompassing residential and commercial development, the sum of the two, calculated separately, shall apply. (NOTE: The application fees are designed to cover secretarial and executive costs incurred by the Town of Wilton; these fees do not cover any engineering review costs.)

(2) Review fees: the sum of the subdivision and/or commercial and industrial review fees. If encompassing residential and commercial development, the sum of the two, calculated separately, shall apply.

(3) Minor amendment to a PUD shall be \$500. The review fee for an engineer and/or attorney shall be assessed and all cost borne by the owner/developer.

- B. Payment of all fees shall be made prior to the signing of any Mylars by the Town of Wilton.
- C. Park and recreation: \$750 per new living unit, due at the time final approval is obtained.
- D. Additional fees for projects under the jurisdiction of the Wilton Water and Sewer Authority shall apply.
- E. See also § **63-14**, Traffic mitigation fees, and § **63-15**, Inspection fees.

§ 63-6 **Senior living communities.**

- A. The fee for senior living communities site plan review shall be as follows:
  - (1) Application. (NOTE: The application fees are designed to cover secretarial and executive costs incurred by the Town of Wilton; these fees do not cover any engineering review costs.)
    - (a) Conceptual/preliminary: ~~\$29-30~~ per living unit; minimum fee of ~~\$300-500~~ as per proposed plan. This application fee shall be due at the time of application.
    - (b) Final: After final site plan approval, but prior to submission of the final site plan for signature, a fee of ~~\$150-200~~ per living unit is due.
  - (2) Review fees shall be based on the number of living units as per the subdivision review fee schedule in § **63-3**.
- B. Park and recreation: \$750 per living unit, due at the time final approval is obtained; assisted-living facilities: \$250 per living unit.
- C. If the Planning Board determines that additional and/or special review is required, it may, at its discretion, call in an independent engineering firm and/or special consultants. The costs of these services shall be borne by the owner/developer.
- D. Payment of all fees shall be made prior to the signing of any Mylars by the Town of Wilton.
- E. All engineering fees incurred for projects that are withdrawn by the applicant or disapproved by the Board shall be payable by the applicant at the time of withdrawal or disapproval.
- F. Projects that are dormant for over a year shall be reviewed and engineering fees assessed for those projects.
- G. Additional fees for projects under the jurisdiction of the Wilton Water and Sewer Authority shall apply.
- H. See also § **63-14**, Traffic mitigation fees, and § **63-15**, Inspection fees.

§ 63-7 **Payment procedure.**

- A. The schedule of fees is based on a per-unit basis which shall be paid by the developer in payments at the following set rates.
  - (1) One hundred percent of the total review fee (includes fees and/or escrow amounts, to be paid with separate checks) shall be paid to the Town of Wilton Planning Board at the time of submission of the conceptual site/subdivision plan.
  - (2) The preliminary submission shall not be accepted by the Town unless 100% of the total review fee has been paid. If the Town is the primary reviewer, the Town review fee (from the appropriate fee schedule) shall be due. If an outside consultant is the primary reviewer, the Town review fee and consultant escrow amount shall be due. All of the fees collected by the Town of Wilton shall be retained by the Town to help defray the cost of the Town's in-house review.

B. All escrow amounts collected by the Town of Wilton shall be placed in an escrow account. The Town shall be authorized to pay the costs for reviews from the money on deposit in the account in order for the Town to defray the cost of the review services. Upon completion of the approval process, should monies remain in the escrow account, following the outside consultant's final billing for the project, they shall be returned to the owner/developer. If monies on deposit prove to be insufficient for the review (including any SEQRA review), the owner/developer shall deposit monies in an amount sufficient to cover the additional review costs as may be required. If the Town is the primary reviewer and determines that additional review by an outside consultant is required, these additional costs for outside consultant review shall be borne by the owner/developer. The estimated fee for this additional review shall promptly be escrowed by the developer with the Town prior to the additional review taking place. The Town review fees shall not decrease as a result of these additional costs borne by the owner/developer.

§ 63-8 **Soil and woodland conservation.**

A. Application fee: ~~\$200~~250.

B. Review fee: ~~\$200~~300.

- (1) Projects under one acre shall not require a review fee because this size project does not have to appear before the Town Planning Board.
- (2) If the applicant has already obtained a subdivision or preliminary approval, both the application fee and the review fee shall be waived.
- (3) This review fee is a lump sum amount which is paid to the Town at the time of application.
- (4) If the Town requires the assistance of an outside consultant, the cost incurred for such services shall be paid by the applicant. The outside consultant's estimated fee shall be escrowed with the Town at the time of application.

§ 63-9 **SEQRA review; environmental impact statements.**

The Town of Wilton reserves the right to set up an escrow account for a given project when it has received a positive declaration according to SEQRA. Due to the direct relationship between the cost of preparing an environmental impact statement (EIS) and the specific characteristics of the lands to be used, a set price per unit cannot be estimated. When a large project is submitted to the Town and receives a positive declaration, the Town shall estimate the cost of review and supply this information to the applicant. Upon completion of the EIS, should monies remain in the account following the Town Engineer's and/or Town Attorney's final billing for the project, they shall be returned to the applicant/developer. If monies on deposit prove to be insufficient for the EIS, the applicant/developer shall deposit monies in an amount sufficient to cover the additional costs as may be required.

§ 63-10 **Zoning Board of Appeals application.**

A. The application fee for Zoning Variance applications to the Zoning Board of Appeals shall be as follows:

(1) Area variance.

(a) Residential: \$50.

(b) Commercial:

[1] Three hundred dollars for projects of an estimated completed value of less than \$300,000.

[2] Five hundred dollars for projects of an estimated completed value of more than \$300,000.

(2) Use variance.

(a) Residential: \$100.

(b) Commercial:

[1] Seven hundred and fifty dollars for projects of an estimated completed value of less than \$300,000.

[2] One thousand two hundred and fifty dollars for projects of an estimated completed value of more than \$300,000.

(3) Signs: \$100. The sign application fee shall be separate from any other application fees to the Zoning Board of Appeals.

B. The application fee for special permit applications to the Zoning Board of Appeals shall be as follows:

(1) Residential: \$50.

(2) Commercial:

(a) Three hundred dollars for projects of an estimated completed value of less than \$300,000.

(b) Five hundred dollars for projects of an estimated completed value of more than \$300,000.

C. The application fee for interpretation applications to the Zoning Board of Appeals shall be \$50.

D. If the Zoning Board determines that additional and/or special review is required, it may, at its discretion, call in an independent engineering firm and/or special consultants. The costs of these services shall be borne by the owner/applicant.

**§ 63-11 Zoning change requests.**

All expenses incurred to process a zoning change request shall be borne by the party(ies) making the request. Expenses shall include but are not limited to public notifications, environmental assessment form and/or environmental impact statement preparation, SEQRA filing requirements and engineering reviews, if the aforementioned measures are deemed necessary by the Planning Board or Town Board. A minimum fee shall be assessed and shall be payable at the time of application as follows:

A. Rezoning requests for properties with a value of less than \$300,000: \$500.

B. Rezoning requests for properties with a value of more than \$300,000: \$750.

**§ 63-12 Conditional use permits.**

The fee for a conditional use permit shall be \$100.

**§ 63-13 Sign permits.**

The fee for a sign permit shall be \$3 per square foot, with a minimum sign permit fee of \$100.

**§ 63-14 Traffic mitigation fees.**

A. Mitigation fees shall be the primary source of funding for implementation of the required traffic improvements. These fees shall be implemented through State Environmental Quality Review Act (SEQRA) procedures. The use of development mitigation fees allows the Town of Wilton to collect necessary dollars to make improvements related to Town-wide traffic study.

(1) Mitigation fees.

- (a) The mitigation fees for each development type are broken down as follows:

**Summary of Mitigation Fees**

<b>Land Use</b>	<b>Mitigation Fees</b>
Residential (single-family)	\$524 per unit
Residential (apartments)	\$330 per unit
Residential (condominiums/ townhouses)	\$300 per unit
Senior living	\$197 per unit
Assisted-living facilities	\$110 per bedroom
Hotel	\$343 per room
Industrial/Commercial	\$0.50 per square foot
Office	\$0.78 per square foot
Retail	\$1.30 per square foot
Service	\$0.86 per square foot
Self-storage units	\$0.14 per square foot

DRAFT

- (b) For uses not shown above, the Town will use the ITE Trip Generation Manual (most recent edition) to calculate the fee using the appropriate average trip generation rate.
- (2) Classification of a project shall be determined by the Town of Wilton, and the following shall be followed when applicable:
- (a) When a property is changing a use classification, as defined by the traffic mitigation fees, the traffic mitigation fee shall be based on the square footage of any existing or new structure, along with any

approved additions, less the required traffic mitigation fee for the current use, based on existing structures. However, based on these calculations the applicant shall not be entitled to a credit.

- (b) Fees for structural additions to existing sites shall be based only on the additional square footage. This applies only if the use of the property stays within the same mitigation fee category.
- (c) When a property is subdivided and an existing residence is located on one of the new parcels created by the subdivision, only one parcel shall be exempt from a traffic mitigation fee and park and recreation fee.

B. Fee schedule.

(1) Residential projects.

- (a) Total fee shall be due upon final approval, prior to the signing of any Mylar.
- (b) (Reserved)
- (c) If a project is to be filed in phases, as approved by the Planning Board, all lots shown on the mylar shall be paid as if the phase was a separate project. For example: if a mylar shows the entire project in four phases the entire project shall be used as the basis of determining the fee payment; however if only one phase of a project is shown on the mylar the number of lots in that phase shall determine the fee payment.

(2) Commercial projects. Projects where the fees are based on the square footage of a structure shall be due as follows:

- (a) Total fee shall be due upon final approval, prior to the signing of any Mylar.

§ 63-15 **Inspection fees.**

A. The Town of Wilton inspection fees for residential subdivision projects or other projects involving the construction of roads shall be based on the following fee schedule:

- (1) Town roads: \$3 per linear foot.
- (2) The Town Engineer and Highway Superintendent can require 100% field inspection by a consultant of the Town's choice, paid for by the developer/owner through a Town escrow account.

B. For nonresidential or senior living community projects, the fee schedule is as follows:

- (1) Site inspection fee: ~~\$0.450.20~~ per gross square foot of building floor area or a minimum fee of ~~\$150200~~.
- (2) The Town reserves the right to adjust this inspection fee for cases involving very small projects that may require minimal inspection.

C. In both cases (residential and nonresidential), if off-site improvements are required, an additional fee shall be calculated by the Town for the inspection of these off-site improvements. In cases where the Town requires the use of an outside consultant to perform inspections, the per-linear-foot fee would still be paid to the Town. The Town shall be authorized to pay the consultant from this fee, with any remaining amounts retained by the Town to cover its administrative costs. If the inspection fee proves to be insufficient for the inspection work, the owner/developer shall deposit monies in an amount sufficient to cover the additional inspection costs. These additional monies shall be deposited immediately so that the construction and inspection work may continue. The initial inspection fees shall be fully paid prior to any construction activity taking place on the project.

- D. The Building Department and the Department of Planning and Engineering shall be given a minimum of 24 hours' and preferably 48 hours' notice to schedule inspections. Contractors, who find that work to be inspected is not complete, shall give said Department sufficient notice to reschedule appointments/inspections. The Building Department and the Department of Planning and Engineering may impose a fine on contractors who make appointments for inspections and then do not notify said Department if, for some reason (including work not being completed), the inspection should have been cancelled or postponed. The amount of the fine shall be \$100 per violation and shall be payable, at the discretion of the Department, before additional inspections are made. If outstanding fines have been imposed and remain unpaid, no certificate of occupancy or certificate of compliance shall be issued. All fines are the responsibility of the applicant even if the inspection appointments have been made by subcontractors or other interested parties.
- E. Stormwater maintenance fee. On projects where the Town will take on maintenance responsibilities of stormwater management areas (basins) and/or practices, the applicant is required to pay ~~\$2,500~~\$3,000 per stormwater management area or practice prior to final approval. The applicant shall maintain said stormwater management areas and perform required maintenance per NYSDEC stormwater permit standards until the letter of credit expires. Maintenance and required inspections shall be performed per NYSDEC stormwater permit standards until notice of termination is filed.

**§ 63-16 Sidewalk installation fee. Reserved.**

~~For all parcels receiving site plan approval in the H-1 and CR-2 Zones, a one-time, lump sum fee of \$40 per linear foot along the proposed sidewalk's path less any paved areas this path will cross, per the approved site plan, shall be paid prior to signing of Mylars/prints (i.e., final or minor site plan approval).~~

**§ 63-17 Questions regarding fees.**

- A. All questions regarding the amount of fees charged in this chapter shall be addressed to the Wilton Town Board.
- B. Fees will not be reimbursed or altered for revisions after application is made.

**§ 63-18 Stormwater management fees.**

- A. Fees for land development activities. Any applicant submitting a SWPPP to the Town for a land development activity or land disturbance required a NYSDEC SPDES construction permit shall submit a fee to the Town based upon the acreage of the buildable area in accordance with the following schedule:

<u>Acreage of Buildable Area</u>	<u>SWPPP Review Fee</u>
<u>Under 5 acres</u>	<u>\$650</u>
<u>5 to 10 acres</u>	<u>\$1,000</u>
<u>Over 10 acres</u>	<u>\$1,000, plus \$500 for every 5 acres above 10 acres</u>

<u>Acreage of Buildable Area</u>	<u>SWPPP Construction Inspection Fee</u>
<u>Under 5 acres</u>	<u>\$2,750</u>
<u>5 to 10 acres</u>	<u>\$3,750</u>

Acreage of Buildable Area

SWPPP Construction Inspection Fee

Over 10 acres

\$6,500

B. For all land development activities to be completed in multiple phases over time, the applicant, in addition to the fee provided above in Subsection A, shall pay the Town an additional \$500 for each subsequent phase after the first phase of the project, to be paid prior to the start of construction of each subsequent phase.

DRAFT