

Town of New Paltz Planning Board

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Adele Ruger, Chair

The purpose of this Information Sheet is to guide you through the application process.

The Planning Board is a board of review to which the Town Board and the State of New York have delegated powers by law to review a project which involves land use and development, including but not limited to site plans and subdivisions. There are seven Planning Board members who are appointed by the Town Board for a term of 7 years each on rotating schedules, at no remuneration. They are residents of the New Paltz community. The Planning Board ordinarily meets twice per month: the second and fourth Monday of each month.

When first visiting the Planning Board office you will receive an application packet, the contents of which are described below. You may have already visited the office of the town's code enforcement officer and building inspector and received relevant information on code and building regulations regarding your project. In that instance, the Building Inspector will have also forwarded a transmittal notification to the Planning Board office on her findings. This information will be included in the board's review process. The Municipal Code Officer and building inspector will be involved throughout the Planning Board's review by having material referred to him/her for their opinions and recommendations. This facilitates your process through their department when you are ready for a building permit.

The Intake Process

NOTE: It is permissible to appear once before the board informally for a free Conceptual Review on a large, complex, or unusual project PRIOR to making a formal application. This is the exception rather than the rule and requires advance approval of the Chair. This would give you the opportunity to obtain direction from the board as you prepare your formal application material. This conceptual plan review takes place at the beginning of a regularly scheduled Planning Board meeting.

The formal application packet contains the following:

1. Application form with a list of the necessary documents (e.g., application fee, photocopy of your deed, letter of intent form, letter of agent form if someone else will represent you, survey map or site plan or subdivision plat of the subject property depicting your proposed project and the existing features).
2. Site Plan or Subdivision Checklist which must be completed and returned with the completed application packet for in-house review.
3. Environmental Assessment Form (short or long version - depending on the size or complexity of your project), an Agricultural Data Statement, and Stormwater Management Plan and Report).

You should be aware that the board might require you to supply additional information after reviewing your application material with you at your first appearance. In these instances, specific instructions to assist you will be provided.

Upon completing the application packet it will be returned to the Planning Board office and it will be reviewed by the Secretary for completeness. This does not constitute acceptance. The Chair and the board will then review the packet. When they accept it as complete, the application will begin movement through the process. If there are significant deficiencies in the packet, you may be required to correct them before the application can be accepted and scheduled for a meeting appearance.

The Actual Review Process

First Review Session:

Your first meeting with the board is to familiarize the members with your project by direct discussion with you and/or your agent. At this time you may use visual, narrative, or written material to support your presentation.

Referral to Board Consultants/Escrow Accounts:

Some projects require consultant review by the town's engineers, environmental planner, or attorney. In this instance, the reasons will be explained to you or your agent by the board, and the process of establishing an escrow account to cover the additional costs will be initiated. Essentially, the consultants will be asked to do a preliminary review and develop comments in writing which will be relayed to you. You will receive monthly statements showing the status of your account. The account will be reconciled during the review process and prior to final approval. All fees must be paid prior to the Chair signing the maps. Referrals will be made for comment from the relevant town and other jurisdictional agencies: county planning, highway, water, sewer, fire, etc.

Public Hearing:

If everything is in order and all questions of the board are satisfied, the board will direct their Secretary to schedule a public hearing for your project for the next regular monthly meeting. If the Planning Board determines that additional matters need to be addressed before a public hearing can be scheduled, the application will be tabled as incomplete to allow you time to develop the responses to the board's questions and return to a subsequent meeting. The PB office will remain in contact with you during this period. If

you take no action or do not make responses to inquiries on the status of your return to the board with the requested information within three months, the PB may require that the board consider denial or abandonment of your project, and make an entry as such into the record. Alternatively the board may discuss with you the option of withdrawing the project without prejudice until you are ready to proceed.

At the public hearing, abutting property owners may appear pursuant to a notice sent to them by the board office; other members of the public are also allowed by law to attend and may introduce information to the record, or simply request information about the project. If there are additional matters to address pursuant to the opening of the public hearing, discussion will be tabled and the hearing will be extended to allow you time to address the matters and return to the board at a subsequent meeting.

If no adverse environmental impacts or other impediments are discovered, the board will close the public hearing and a vote will be taken.

Post-approval process:

If your application is approved, the approval by the Planning Board may contain conditions which need to be met either prior to the signing of the maps by the Chair or issuance of a building permit, or issuance of a C.O.

Some conditions might be: payment of all fees to include escrow or recreation fees, County Health Department or other jurisdictional agency approvals (e.g. highway curb cuts).

When the conditions have been met, your maps will be accepted for the Chair's signature and processing. Specific directions will be supplied to you relevant to your particular project. If the conditions pertain to the construction phase, the building department will receive a written copy of those conditions for inclusion in their site inspections. If the nature of your application has been a subdivision (including lot line revisions), you are required to file the approved signed maps with the County Clerk, and the board office will supply you with a guide sheet to help you gather the documents you need for this filing.

If the nature of your application has been a site plan, signed maps are required for in-house use only, and you will receive specific instructions after the approval at the time you prepare your final maps. No filing at the county is required.

Denial of application:

A denial is also possible if conditions for approval cannot be met. Every alternative will be examined, and every opportunity given to you to provide substantive data to address the prevailing circumstances. If the application still cannot be approved at this time, an opportunity to withdraw the application **without prejudice** will be offered to you, rather than have it receive a denial pursuant to a vote: the advantage to you here is that you might be able to return at some future time prepared to respond sufficiently to the difficulties encountered, and an approval at that time will require only a majority vote of the board. A denial with the current application would require a **unanimous** vote by the board, first to be able to appear, and then also to achieve approval, pursuant to NYS Town Law.

Assessment Information:

If you file approved subdivision maps at the county clerk's office before March 1st, it will be identified as subdivision on the roll for the forthcoming year. If not filed before March 1st it will be apportioned. If you have any further questions on this matter, please feel free to contact our Town Assessor at 255-0103. Additionally, if one or several of the subdivided lots are to be sold, you will need specific figures for your closing settlement. We hope this brief summary helps you to understand the process. If at any time during the process you have questions, you are invited to contact the Planning Board office. We will do our best to assist you.