

TOWN OF HARPERSFIELD
LOCAL LAW NO. 001 OF 2006

TOWN OF HARPERSFIELD SITE PLAN
REVIEW LAW

APPROVED BY: THE HARPERSFIELD TOWN BOARD –
DECEMBER 4, 2006.

AMENDED AND RE-ADOPTED AS LOCAL LAW NO. 001 OF
THE YEAR 2017.

TOWN OF HARPERSFIELD

LOCAL LAW NO. 001 OF THE YEAR 2006

TOWN OF HARPERSFIELD SITE PLAN REVIEW LAW

Article I

Introductory Provisions

Section 1.010 Enactment. The Town Board of the Town of Harpersfield, Delaware County, New York, does hereby ordain and enact the Town of Harpersfield Site Plan Review Law pursuant to the authority and provisions of Section 10 of the Municipal Home Rule Law and Section 274-a of the Town Law.

1.020 Short title. This local law shall be known as the "Town of Harpersfield Site Plan Review Law." The Town of Harpersfield is hereinafter referred to as the "Town".

1.030 Intent and Purpose. Through site plan review, it is the intent of this local law to promote the health, safety and general welfare of the Town. A clean, wholesome, attractive environment is declared to be of importance to the health and safety of the inhabitants of the Town and, in addition, such an environment is deemed essential to the maintenance of the quality of life in the Town and the general welfare of its inhabitants. It is further the intent of this local law to ensure optimum conservation, protection, preservation, development and use of the natural and man-related resources of the Town, by regulating land use activity within the Town through review and approval of site plans consistent with the adopted Town of Harpersfield Comprehensive Plan. It is not the intent of this local law to prohibit per se any land use activity but to allow all land use activities which will meet standards set forth in this local law. It is the intent of this Article to promote and encourage good design standards, adequate site amenities and visual and physical qualities in residential, commercial and industrial development.

1.040 Authorization of the Planning Board to review site plans. The Planning Board is hereby authorized to review and approve or disapprove site plans for land uses within the Town as hereinafter designated pursuant to and in accordance with the standards and procedures set forth in this local law.

1.050 Costs. Cost incurred by the Planning Board for consultation fees or other extraordinary expenses including but not limited to engineering, legal, architectural, planning or traffic engineering services in connection with the review of the proposed site plan shall be charged to the

applicant. The applicant shall deposit into an escrow account, established by the Town specifically for this purpose, a sufficient amount to be used solely by the Town of Harpersfield to retain the qualified experts needed for adequate review of the proposal as determined by the Planning Board.

Article II Applicability And Definitions

Section 2.010 Applicability of review requirements. All new land use activities within the Town, including erection of signs, shall require site plan review and approval before being undertaken except the following:

1. Construction of one or two family dwelling and ordinary accessory structures outside those lands included in a New York Certified Agricultural District.
2. Additions or accessory structures to existing residential properties.
3. Landscaping or grading which is not intended to be used in connection with a land use reviewable under the provisions of this local law.
4. Ordinary repair or maintenance or interior alterations to existing structures or uses.
5. Exterior alterations or additions to existing non-residential or non-agricultural structures which would not increase the square footage of the existing structure by more than 25% of the building footprint.
6. The sale of agricultural produce and temporary structures related to sale of agricultural produce.
7. Garage, lawn and porch sales.
8. Agriculturally related structures as defined under the New York State Uniform Fire and Building Code Regulations including, but not limited to barns, storage sheds, and silos.
9. Interior alterations that do not substantially change the nature or use of an existing commercial or industrial structure.

Any person uncertain of the applicability of this local law to a given land use activity may apply to the Code Enforcement Officer for such determination. Should an applicant disagree with the determination of the Code

Enforcement Officer, they can apply for review by the Planning Board for a written jurisdictional determination.

2.015 Proposed residential projects in a New York State - Certified Agricultural District not subject to Subdivision Regulations. Where a single or two family dwelling is proposed within a New York - Certified Agricultural District and no subdivision review is required, the project may be subject to this local law if it meets the criteria below. The applicant shall state on the application for a building permit whether the proposed project is a single or two family residential use located within a New York State - Certified Agricultural District. On receipt of the building permit application, the Code Enforcement Officer shall determine if the site meets the criteria below and require a site plan review application by the Planning Board. The Planning Board shall review this application as per Section 4.020, below. If any of the following criteria are met or exceeded when a single or two family dwelling is proposed within a New York Agricultural District, site plan review will be required:

1. More than 50% of the parcel has slopes greater than 15%.
2. More than 50% of the parcel is constrained with wetlands, floodplains, streams or open water such as ponds or lakes.
3. The parcel is within 100' of an active livestock or horse barn, barnyard, feeding area or pasture.

2.020 Effect on existing uses. This law does not apply to uses and structures which are lawfully in existence as of the date this local law becomes effective. Any use which would otherwise be subject to this law that has been discontinued for a period of two years or more shall be subject to review pursuant to the terms of this law before such use is resumed. Any use or structure shall be considered to be in existence provided the same has been substantially commenced as of the effective date of this local law and fully constructed and completed within one year from the effective date of this local law.

2.030 Change of uses. Any change in the use, other than a single or two family residence, to a use involving any site plan modification including but not limited to an increased or different requirements for parking, an increase or change in impervious surface area, proposed erection of a new sign, proposed establishment of additional exterior lighting, proposed structural enlargement, or proposed additional site plan improvements is subject to site plan review.

2.040 Relationship of this law to other laws and regulations.

This local law in no way affects the provisions or requirements of any other Federal, State or local law or regulation. Where this local law is in conflict with any other such law or regulation, the more restrictive shall apply.

2.050 Definition.

"Agricultural Data Statement" is a written identification of farm operations within an agricultural district located within 500 feet of the boundary of property upon which a site plan review is being conducted, as provided in Section 305-a of the Agricultural and Markets Law of the State of New York. An "Agricultural Data Statement" shall include the following information: the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundary of the property upon which the project is proposed; and a tax map or other maps showing the site of the proposed project relative to the location of farm operations identified in the Agricultural Data Statement.

"Agriculturally-Related Structure" means any building or structure used exclusively for non-residential, agricultural purposes. This shall include, but is not limited to barns, silos, storage or machinery sheds, or irrigation or pump houses.

"Family" means a person or persons related to each other by blood, marriage or adoption, or any number of persons, irrespective of any such relationship, which nonetheless functions as the equivalent of such a family, living together as a single housekeeping unit.

"Land Use Activity" means any construction or other activity which changes the use or appearance of land or a structure or the intensity of use of land or a structure. "Land Use Activity" shall explicitly include, but not be limited to, the following: new structures, expansions to existing structures, new uses, changes in or expansions of existing uses, roads, driveways and excavations for the purpose of extracting soil or mineral deposits. This shall include, but is not limited to residential structures, commercial buildings, residential or commercial accessory structures, signs, parking lots, communication towers, mines, roads and wind mills.

"New York State - Certified Agricultural District" is a district created under Article 25-AA of the Agriculture and Markets Law with the intent to provide for the protection and

enhancement of agricultural land as a viable segment of the local economy and environmental resource of major importance.

"One-family dwelling" means a complete self-contained residential unit for permanent habitation by one-family only, and containing one or more rooms and facilities for living including cooking, sleeping and sanitary needs.

"Structure" means any object constructed, installed or placed on land to facilitate land use and development or subdivision of land, such as buildings, sheds, signs, tanks and any fixtures, additions and alterations thereto.

"Structure, accessory" means any structure designed to accommodate an accessory use but detached from the principal structure, such as, a free standing garage for vehicles accessory to the principal use, a storage shed, garden house or similar facility.

"Two-family dwelling" means two complete, but separate, self-contained residential units each intended for permanent habitation by one-family only in a single structure having a common wall roof, wall or ceiling and containing separate rooms and facilities for living including cooking, sleeping and sanitary needs.

Any term used in this local law which is not defined hereinabove shall carry its customary meaning or that according to the New York State Building Code unless the context otherwise dictates.

ARTICLE III Site Plan Review

Section 3.010 Procedures - Generally. Prior to receiving a building permit and undertaking any new land activity except uses specifically excepted in section 2.010 of this local law, a site plan approval by the Planning Board is required. Applicants for site plan approval are encouraged to prepare a sketch plan and attend the sketch plan conference as hereinafter set forth. Applicants must comply with all other procedures and requirements of this local law. Five copies of the site plan application shall be made in writing to the Planning Board. The application shall be presented no fewer than five (5) working days prior to the next regularly scheduled Planning Board meeting.

3.020 Sketch Plan. A sketch plan conference shall be held between the Planning Board and the applicant prior to the preparation and submission of a formal site plan. The intent of such a conference is to enable the applicant to inform the Planning Board of his/her proposal prior to the preparation

of a detailed site plan; and for the Planning Board to review the basic site design concept, advise the applicant as to potential problems and concerns and to generally determine the information to be required on the site plan. In order to accomplish these objectives, the applicant shall provide the following for a sketch plan:

1. A statement describing the project, giving evidence of compatibility with the Town of Harpersfield Comprehensive Plan and a time period for completion of the project. It will also include a rough sketch showing the locations and dimensions of principal and accessory structures, parking areas, access signs (with descriptions), existing and proposed vegetation, and other planned features; anticipated changes in the existing topography and natural features; and, where applicable, measures and features to comply with flood hazard and flood insurance regulations;
2. An area map showing the parcel under consideration for the site plan review, and all properties, subdivisions, streets, rights-of-way, easements and other pertinent features within 200 feet of the boundaries of the parcel; and
3. A topographic or contour map of adequate scale and detail to show site topography with contour intervals of at least 20 feet.

3.030 Application Requirements. An application for site plan approval shall be made in writing to the Chairman of the Planning Board and shall be accompanied by information contained on the following checklist. Where the sketch plan conference was held, the accompanying information shall be drawn from the following checklist as determined necessary by the Planning Board at said sketch plan conference.

SITE PLAN CHECKLIST:

1. Title of drawing, including name and address of applicant and person responsible for preparation of such drawing;
2. North arrow, scale and date;
3. Boundaries of the property plotted to scale;
4. Existing buildings and right-of-ways;
5. Rock outcrops, depth of bedrock, soil characteristics, watercourses, and grading and drainage plan, showing existing and proposed contours. Show all slopes in excess of 15%;

6. Location, architectural design, type of construction, proposed use and exterior dimensions of all buildings;
7. Location, number, design and type of construction of all parking and truck loading areas, showing access and egress, including those spaces dedicated for handicapped parking;
8. The locations of all present and proposed public and private ways, driveways, sidewalks, ramps, curbs, paths and other pedestrian access. The Planning Board may require a traffic study when average daily traffic is proposed to increase by more than 100 cars per day;
9. Location of outdoor storage, and location, type and screening details for all waste disposal containers, if any;
10. Location, design and construction materials of all existing or proposed site improvements including drains, culverts, catch basins, head walls, end walls, hydrants, detention ponds, drainage swales, retaining walls and fences. This shall include an erosion and stormwater control plan to prevent the pollution of the surface of ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table and flooding of other properties, as applicable. This plan must comply with the New York Guidelines for Urban Erosion and Sediment Control and if more than one acre of a site is disturbed, must be permitted by the New York State Department of Environmental Conservation. Where appropriate, the Planning Board may request soil logs, percolation test results and storm runoff calculations;
11. Description of the method of sewage disposal and location, design and construction materials of such facilities;
12. Description of the method of securing potable water and location, design and construction materials of such facilities;
13. Location of fire and other emergency zones, including the location of fire hydrants, if any;
14. Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy;
15. Location, size, height, materials and design and type of construction of all proposed signs;

16. Location and proposed development of all buffer areas, including existing vegetative cover and buffers designed to protect stream corridors, if present;
17. Location, height, design, intensity and bulb type of outdoor lighting facilities;
18. Identification of the location and amount of building area proposed for retail sales or similar commercial activity;
19. General landscaping plan and planting schedule. The landscaping plan should show existing natural features that may influence the design of the proposed use such as rock outcrops, single trees eight or more inches in diameter located within any area where clearing will occur, forest cover and water sources and all proposed changes to these features. Water sources include ponds, lakes, wetlands, watercourses, aquifers, floodplains and drainage retention ponds;
20. An estimated project construction schedule;
21. Record of application for and status of all necessary permits from other governmental bodies;
22. Identification of any permits from other government bodies required for the project's execution;
23. While development in the floodplain should be avoided, if the proposed project is located within a floodplain, all site plans for development shall be in conformance with the provisions of the FEMA Flood Insurance Study, adopted as Town of Harpersfield Local Law No. 02 of the year 1985, Flood Damage Prevention.
24. An Agricultural Data Statement as defined in this local law;
25. Snow storage area.
26. Disclosure of Industrial Development Agency funding, tax exempt status or tax abatements are to be sought in conjunction with this project.
27. A Full Environmental Assessment Form as required by SEQRA. A short Environmental Assessment Form will be sufficient for proposed single and two family residences located in a New York - Certified Agricultural District.
28. Other elements integral to the proposed development as

may be considered necessary in the particular case by the Planning Board.

3.035 Waiver. The Planning Board may elect to conduct a less intensive review for minor types of projects that do not generate significant amounts of traffic, and or that have little or no potential adverse impacts to neighboring properties and uses, including agriculture. The Planning Board may waive any requirements in Section 3.030 for the site plan submitted for approval. Any such waiver, which shall be subject to appropriate conditions as determined by the Planning Board, may be exercised in the event any such requirements are found not to be requisite in the interest of public health, safety or general welfare, or inappropriate to a particular site plan. In no case shall a waiver be more than a minimum easing of requirements and in no instance shall it result in any conflict with the adopted Town of Harpersfield Comprehensive Plan and shall not nullify the intent and purposes of this site plan review law. Any request for a waiver of applicant requirements must be made in writing to the Planning Board, must demonstrate that compliance would cause undue hardship, and shall be determined at the time of the sketch plan. Requirements of this local law may not be waived except as properly voted by the Planning Board.

3.040 Required fee. An application for site plan review shall be accompanied by a fee as determined by the Town Board. At the regular meeting of the Town Board on December 2, 2007, Page 269, a motion to adopt Site Plan Review Application fees of \$100.00 for a commercial site and \$50.00 for a residential site in an agricultural district was made by Councilman Robert Reeve Jr. seconded by Councilman Harold Bedford with all voting Aye.

ARTICLE IV Review Standards

Section 4.010 General standards and considerations.

The Planning Board's review of the site plan shall include, as appropriate, but is not limited to, the following general considerations and shall ensure compatibility between the proposal and the Town of Harpersfield Comprehensive Plan (The Planning Board shall refer to rural siting guidelines established in the Town's Plan, Pages 65 and 66:

1. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs. Structures that are visible from public roads shall be compatible with each other and with traditional structures in the surrounding area in architecture (including but not

limited to roof style and facades), massing and placement, shall harmonize with traditional elements of the area, and shall avoid features such as flat roofs, large expanses of undifferentiated facades and long plain wall sections. Architectural design shall be in keeping with the small-town architectural character of the area. Exterior lighting fixtures shall minimize glare and use design features such as, but not limited to, fully shielded fixtures to prevent light from shining directly onto neighboring properties or public ways. Structures should be optimally placed to protect important viewsheds.

2. Adequacy, arrangement, and compliance with the Town Driveway Regulations of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls, and adequacy of snow storage and ease of snow removal. The Town Planning Board shall forward these plans to the Road Review Committee, who shall review these proposed plans within the time frames established in the Site Plan Review process.
3. Location, arrangement, appearance and sufficiency of off-street parking and loading.
4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.
5. Adequacy of stormwater and drainage facilities.
6. Adequacy of water supply and sewage disposal facilities.
7. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation. Landscaping shall be an integral part of the project area. To the extent practical, existing trees and other vegetation shall be conserved and integrated into the landscape design plan. Landscaping shall buffer incompatible uses such as large-scale commercial uses and residences.
8. Adequacy of fire lanes and other emergency zones to provide emergency access to structure(s) and the provision of fire hydrants if necessary.
9. Protection of adjacent or neighboring properties against noise, glare, unsightliness or nuisances.
10. Protection of solar access on adjacent or neighboring properties.

11. Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion.
12. Overall impact on the neighborhood including compatibility of design consideration.
13. Special attention to the adequacy and impact of structures, roadways and landscaping in areas of steep slope and along ridgelines.

4.020 Specific standards and considerations. The following specific standards shall apply in conjunction with proposed single or two family residences located within a New York State - Certified Agriculture District. The Planning Board's review of the site plan for these uses shall include, as appropriate, but is not limited to, considerations of section 4.010 and the following general considerations and shall ensure compatibility between the proposal and the Town of Harpersfield Comprehensive Plan:

1. The Planning Board will assess overall impact on existing agricultural operations within the district.
2. The landscaping plan will show a landscaped buffer of sufficient width to be provided by the proposed residential use.

ARTICLE V

Public Hearing, Referral, and Planning Board Decision

Section 5.010 Public hearing. The Planning Board may conduct a public hearing on the site plan if considered desirable by a majority of its members. Such hearing shall be held within 62 days of the receipt of application for site plan review and shall be advertised in the Town's official newspaper, or if there is none, in a newspaper of general circulation in the Town at least five (5) days before the public hearing. The Planning Board shall give notice to the applicant at least ten (10) days before the public hearing.

5.020 Referrals to County Planning Board. At least ten days before such hearing, a copy of the application and any accompanying documents shall also be sent to the Delaware County Planning Board for its review, as required by Section 239-m of the General Municipal Law, where any site plan review application affects real property lying within five hundred (500) feet of the Town boundary, or of the boundary of any existing or proposed County or State park or other recreational area, or of the right-of-way of any existing or proposed County or State parkway, expressway, road or highway, or of the existing or proposed right-of-way of any

stream or drainage channel owned by the County or for which the County has established channel lines, or of the existing or proposed boundary of any County or State owned land on which a public building or institution is situated. In the event a public hearing is not required, such proposed action shall be referred before final action is taken thereon. No action shall be taken upon any matter referred to the Delaware County Planning Board until said Board shall have made a recommendation thereon to the Town Planning Board or thirty (30) days shall have elapsed since the date of referral. If the County Planning Board disapproves the proposal or recommends modification thereof, the Town Planning Board shall not act contrary to such disapproval or recommendation except by a vote of a majority plus one (1) of all members and after the adoption of a resolution fully setting forth the reasons for such contrary actions. If significant changes have been made by the Planning Board or applicant to a site plan after the Delaware County Planning Board review has been completed, the Planning Board shall refer the site plan application to the County Planning Board for a new review under Section 239-m.

5.030 Compliance with State Environmental Quality Review Act. The Planning Board shall comply with the provisions of the State Environmental Quality Review Act under Article 8 of the Environmental Conservation Law and its implementing regulations.

5.040 Planning Board decision. [Within 62 days of receipt of the application for site plan approval or if a public hearing is held within 62 days of that public hearing, the Planning Board shall render a decision]. In its decision the Planning Board may approve, approve with modifications or disapprove the site plan. The time period in which the Planning Board must render its decision can be extended by mutual consent of the applicant and the Planning Board.

1. Approval. Upon approval of the site plan, and payment by the applicant of all fees and reimbursable costs due the Town and not yet paid, the Planning Board shall endorse its approval on a copy of the site plan and shall file it and a written statement of approval within 5 business days with the Town Clerk. A copy of the written statement of approval shall be mailed to the applicant by certified mail, return receipt requested.

A. The Town Planning Board will approve the site plan, provided that it finds the facts submitted with the site plan establish that:

(1) The location, nature and intensity of the use involved shall be such that it will be in harmony

with the orderly development of the Town as proposed in the Comprehensive Plan, and the location and nature of buildings, walls and fences will not discourage the appropriate development and use of adjacent land and buildings.

- (2) Existing streets are suitable and adequate to carry anticipated traffic generated by the proposed use and in the vicinity of the proposed use.
- (3) The proposed use will not be detrimental to personal safety within the area, the natural characteristics of the site or area, and present surrounding uses.
- (4) The general standards under Section 4.010.

2. Approval with modifications. The Planning Board may conditionally approve the final site plan. The Planning Board shall have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to a proposed site plan. Upon its approval of said site plan, any such conditions must be met in connection with the issuance of permits by applicable enforcement agents or officers of the Town.

A copy of the written statement containing the modifications required by the conditional approval will be mailed to the applicant by certified mail, return receipt requested. After adequate demonstration to the Planning Board that all conditions have been met, and payment by the applicant of all fees and reimbursable costs due the Town, the Planning Board shall endorse its approval on a copy of the site plan and shall immediately file it and a written statement of approval shall be mailed to the applicant by certified mail, return receipt requested.

3. Disapproval. Upon disapproval of the site plan the decision of the Planning Board shall immediately be filed with the Town Clerk and a copy thereof mailed to the applicant by certified mail, return receipt requested, along with the Planning Board's reasons for disapproval.

Section 5.050 Planning Board Decision When Reviewing Single Or Two Family Homes Located In A NY Certified Agricultural District. The application for site plan review shall be presented no fewer than five (5) working days prior to the next regularly scheduled Planning Board meeting. The applicant shall supply a sketch plan to the Planning Board showing the environmental or farming features in relation to the parcel and proposed house site as detailed in 2.015. The Planning Board shall review this application at their next

regularly scheduled Planning Board meeting. Adjacent farm and farmland owners shall be notified as to this meeting. No public hearing is required and the Planning Board may make a final decision according to 5.040(1-3) on the site plan at that meeting.

ARTICLE VI

Appeal Of Planning Board Decision

Section 6.010 Appeal procedure. Any person aggrieved by any decision of the Planning Board or any Officer, Department, Board or Bureau of the Town, may apply to the Supreme Court for review by proceeding under Article 78 of the Civil Practice Law and Rules. Such proceedings shall be instituted within thirty (30) days after the filing of a decision in the office of the Town Clerk.

ARTICLE VII

Miscellaneous Provisions

Section 7.010 Enforcement Officer. The Town Board may appoint an Enforcement Officer to carry out the duties assigned by this local law or by any additional regulations adopted pursuant to section 7.020 hereof. If appointed, the Enforcement Officer shall be responsible for the overall inspection of site improvements with the Planning Board and other officials and agencies, as appropriate.

7.020 Amendments.

1. The Town Board may on its own motion, on petition, or on recommendation of the Planning Board, after public notice and hearing, amend this local law pursuant to all applicable requirements of law.
2. All proposed amendments originating by petition, or by motion of the Town Board, shall be referred to the Planning Board for a report and recommendation thereon. The Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time shall be deemed to constitute a recommendation for approval of the proposed amendment.

7.030 Integration Of Procedures. Whenever the circumstances of proposed development require compliance with this Site Plan Review Law and with any other local law, ordinance or requirement of the Town, the Planning Board shall attempt to integrate, as appropriate, site plan review as required by this local law with the procedural and submission requirements for such other compliance.

7.040 Enforcement. No Certificate of Occupancy shall be issued until all improvements shown on the approved site plan are installed. Any persons, corporation, partnership, association or other legal entity who shall violate any of the provisions of this local law, or any conditions imposed by a permit pursuant hereto shall be guilty of an offense and subject to a fine of not more than two hundred fifty dollars (\$250.00) or by penalty of two hundred fifty dollars (\$250.00) to be recovered by the Town in a civil action. Every such person or entity shall be deemed guilty of a separate offense for each day such violation, disobedience, omission, neglect or refusal shall continue. The Town of Harpersfield Code Enforcement Officer is hereby authorized to issue appearance tickets for violations of this local law and any orders or approvals issued under this local law.

7.050 Performance Bond or Other Security. No Certificate of Occupancy shall be issued until all improvements shown on the site plan are installed or a sufficient performance guarantee has been posted for improvements not yet completed. This sufficiency of such performance guarantee shall be determined by the Town Planning Board after consultations with the Town Board, Zoning Officer, Town Attorney and/or other appropriate parties.

7.060 Expiration of Site Plan Approval. Site plan approval shall automatically terminate one (1) year after the same is granted unless a building permit has been issued and there is physical evidence to demonstrate that the project is in progress. An applicant may request one six month extension of this time frame.

7.070 Consultant Review. The Planning Board may consult with the Town Building Inspector, Fire Commissioners, environmental organizations, Highway Departments Superintendents, Town Engineer, other local and county officials, the New York State Health Department, Department of Environmental Conservation, the New York City Department of Environmental Protection, and the New York State Department of Transportation. The Planning board may hire a consultant, if needed, to review plans.

7.090 Severability. The provisions of this local law are severable. If any article, section, paragraph or provision of this local law shall be invalid, such invalidity shall apply only to the article, section, paragraph or provision(s) adjudged invalid, and the rest of this local law shall remain valid and effective.

7.010 Effective Date. This local law shall become effective upon the date it is filed in the Office of the New York Secretary of State. Local Law filed with the Secretary of State on December 15, 2006. Amendment filed with the Secretary of State on August 4, 2017.

TOWN OF HARPERSFIELD

FEEES FOR SUBDIVISION REVIEW AND APPROVAL.

SKETCH PLAN REVIEW..... NO CHARGE.
MINOR SUBDIVISION PLAT..... \$60.00 PER APPLICATION.
MAJOR SUBDIVISION PLAT..... \$120.00 PER APPLICATION.
\$20.00 PER LOT.
INSPECTION FEE (AS REQUIRED)..... NO CHARGE.

UPDATED ON DECEMBER 3, 2007.

State of New York)
County of Delaware)
Town of Harpersfield)

I, Linda E. Goss Town Clerk of the Town of Harpersfield,
Delaware County, New York, Do Hereby Certify that:

(1) At a meeting of the Town Board held November 6, 2006 the
Town Clerk was authorized to place a legal notice in The
Daily Star of a Public Hearing to consider adoption of Local
Law No.001 of 2006 (copy of published notice attached).
Motion was made by Catherine Straus and seconded by Harold
Bedford and unanimously adopted. The proposed local law in
the final form adopted on November 6, 2006 was handed to the
Town Supervisor and each council member by Linda E. Goss,
Town Clerk on November 6, 2006.

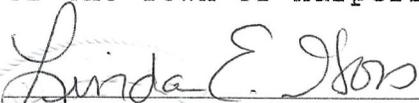
(2) The legal notice was published in The Daily Star on
November 20, 2006 and posted at the Town Clerk's Office.

(3) A Public Hearing was held December 4, 2006 at 8:01 PM.

(4) The local law was adopted by the following members of
the board: James Eisel Sr., Harold Bedford, Morris Riddell
Jr., Catherine Straus and Robert Reeve Jr. all voting Aye.
No Nays.

(5) The paperwork to file the local law was presented to
George Marcus, Town Attorney December 11, 2006.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal
of the Town of Harpersfield this 11th day of December 2006.



Town Clerk

