

ZONING

144 Attachment 1

Town of Orchard Park

Schedule of Zoning Fees

[Amended 5-17-1989; 6-6-1990; 1-2-1991; 10-7-1992; 8-6-1997; 3-17-1999; 10-2-2002; 5-1-2002; 11-19-2003 by L.L. No. 5-2003; 4-7-2004 by L.L. No. 4-2004; 8-3-2005 by L.L. No. 2-2005; 2-1-2006 by L.L. No. 1-2006; 1-16-2008 by L.L. No. 1-2008; 4-27-2011 by L.L. No. 1-2011; 8-24-2011 by L.L. No. 3-2011; 6-18-2014 by L.L. No. 1-2014; 12-17-2014 by L.L. No. 10-2014; 3-4-2015 by L.L. No. 1-2015; 8-16-2017 by L.L. No. 6-2017; 1-17-2018 by L.L. No. 1-2018; 2-5-2020 by L.L. No. 1-2020]

- A. Applications or appeal to the Architectural Overlay District Committee, Conservation Board, Conservation Management Overlay District, Planning Board, Town Board and Zoning Board of Appeals shall be subject to the following fees:
- (1) Fees for initial applications to the Architectural Overlay District Committee, Conservation Board, Conservation Management Overlay District, and Planning Board shall be established by the Town Board at its annual organizational meeting, and are payable to the Town of Orchard Park.
 - (2) Zoning Board of Appeals applications or appeals, applications for variances or appeals shall be accompanied by a fee of \$100 payable to the Town of Orchard Park. Furthermore, if a petitioner requests adjournment of a public hearing which has been published or noticed, said petitioner shall bear the costs incurred to republish or renote said hearing.
 - (3) Applications for public hearings before the Town Board or the Planning Board shall be accompanied by a fee of \$100 payable to the Town of Orchard Park.
 - (4) All above fees in this section shall be considered nonrefundable.
- B. Zoning amendment or change petition.
- (1) Any petition, and the accompanying instruments, to amend or change the zoning regulations relating to parcels of land amounting to five acres or less shall be accompanied by an initial filing fee of \$50. Subsequent to recommendation of the Planning Board and prior to publication in the official Town newspaper, the following fees shall be paid:
 - (a) For areas of 1/2 acre or less: \$50.
 - (b) For areas from 1/2 acre to two acres: \$150.
 - (c) For areas from two to five acres; \$150 for the first two acres and \$50 for each additional acre or fraction thereof.

ORCHARD PARK CODE

- (2) Any petition and the accompanying instruments to amend or change the zoning regulations relating to parcels of land amounting to five acres or more shall be accompanied by the following fees:
 - (a) For areas from five to 10 acres: \$335 for the first five acres and \$30 for each additional acre thereof.
 - (b) For all areas in excess of 10 acres: \$485 for the first 10 acres and \$20 for each additional acre or fraction thereof.
 - (3) The fee for a petition and accompanying instruments for a planned urban unit development shall be \$5,000. The Town of Orchard Park shall refund those fees which are not utilized in reviewing such petition and accompanying instruments for a planned urban development.
- C. Applications for approval of plans for subdivision development shall be accompanied by the following fees:
- (1) For areas less than five acres: \$185 for the first two acres and \$50 for each additional acre or fraction thereof.
 - (2) For areas from five to 10 acres: \$335 for the first five acres and \$30 for each additional acre or fraction thereof.
 - (3) For areas in excess of 10 acres: \$485 for the first 10 acres and \$20 for each additional acre or fraction thereof.
- D. Where the Planning Board chooses to accept moneys from subdividers in lieu of recreation land, the following fee schedule shall apply:
- (1) Any owner who presents a subdivision in an area zoned R-3 or R-4 shall be assessed \$1,400 for each lot in said subdivision.
 - (2) Any owner who presents a subdivision in any area zoned R-2 shall be assessed \$1,650 for each lot in said subdivision.
 - (3) Any owner who presents a subdivision in any area zoned R-1 shall be assessed \$2,250 for each lot in said subdivision.
 - (4) Any owner who presents a subdivision in any area zoned A-1 shall be assessed \$3,250 for each lot in said subdivision.
 - (5) Any developer who secures a building permit for multidwelling units in any zone shall be assessed \$9,000 per acre. In the event that multidwelling units carry senior residence (SR) designation, the assessment shall be directed to an account dedicated to senior activities.
- E. Commercial parking lot fee.

ZONING

- (1) Operators of commercial parking lots shall be obligated to pay an annual fee of \$75. Each permit shall be used for a period commencing June 30 and terminating July 1 of the following year.
- F. Subdivision engineering review fees.
- (1) Subdivisions of 20 lots or less (two reviews): \$50 per lot.
 - (2) Subdivisions over 20 lots (two reviews): \$1,000 plus \$30 per lot (over 20 lots).
 - (3) Multiple dwelling (two or more families): \$50 plus \$50 per unit over two units.
 - (4) Additional reviews after first two initial reviews: \$250 per review.
 - (5) Engineering review of residential lot grading and drainage plan: \$75 per lot.
- G. Commercial engineering review fees.
- (1) Review of site plan: \$100.
 - (2) Review of site plan if detention or utility extension is included: \$400 for the first acre plus \$50 per acre.
 - (3) Additional reviews after first two initial reviews: \$250.
- H. Flood zone development engineering review fees.
- (1) Permit application (any new project in flood zone): \$100 plus \$0.02 per square foot.
 - (2) Flood zone letter: \$25.
- I. Excavation/fill permit engineering review fees.
- (1) Review of grading plan (not required for building permits or public improvement permits): \$150 plus \$75 per acre.
 - (2) Construction site inspection: \$50 plus 2% of construction cost.
- J. Sanitary sewer.
- (1) Engineering review, connection and inspection fees.
 - (a) Residential development: \$250 per lot.
 - (b) Multiunit residential development: \$250 plus \$100 per unit.

ORCHARD PARK CODE

- (c) Commercial projects based on water service size.
 - [1] Less than one-inch water service: \$250.
 - [2] One inch or less than 1.5-inch water service: \$500.
 - [3] One-and-one-half-inch or less than two-inch water service: \$1,000.
 - [4] Two-inch water service: \$1,500.
 - [5] Over two-inch water service: \$2,000.
 - (2) Private mainline extensions; construction inspections.
 - (a) Six-inch sanitary sewer inspection: \$100 per 100 linear feet.
 - (b) Eight-inch sanitary sewer inspection: \$250 per 100 linear feet.
- K. Drainage and Phase II.
- (1) Engineering stormwater pollution prevention plan reviews and construction site inspections - single phase residential and commercial development projects.
 - (a) If design is in conformance with New York State Design Manuals and Town of Orchard Park Standard SWPP plan design plan review:
 - [1] Less than five acres: \$300.
 - [2] Five acres to 10 acres: \$450.
 - [3] More than 10 acres: \$450 plus \$100 for each five acres or portion thereof.
 - Construction inspection.
 - [1] Less than five acres: \$500.
 - [2] Five acres to 10 acres: \$700.
 - [3] More than 10 acres: \$700 plus \$200 for each five acres or portion thereof.
 - (b) If design is not in conformance with New York State Design Manuals and Town of Orchard Park Standard SWPP plan design plan review:
 - [1] Less than five acres: \$600
 - [2] Five acres to 10 acres: \$750.

ZONING

- [3] More than 10 acres: \$750 plus \$100 for each five acres or portion thereof.

Construction inspection.

- [1] Less than five acres: \$500.

- [2] Five acres to 10 acres: \$700.

- [3] More than 10 acres: \$700 plus \$200 for each five acres or portion thereof.

- (2) Engineering stormwater pollution prevention plan reviews and construction site inspections - multiphase residential and commercial development projects.

- (a) When the entire project is first being reviewed and approved by the municipality, use the single phase residential and commercial development project schedule above to determine an initial fee based on the entire acreage of the project to be developed in several phases.

- (b) Add \$500 for each subsequent phase after the first initial phase, to be collected at the beginning of the development of each subsequent phase. This additional \$500 is to be used for construction inspection assuming that the SWPP plan and design plans do not change.

Note: These fees are in addition to the existing site plan or subdivision review/application fee.

- (c) Engineering review of public storm sewer extensions (not part of a commercial or subdivision plan): \$50 plus \$50 per 100 feet or portion thereof.

L. Water.

- (1) Engineering review of a public mainline extension (not part of a commercial or subdivision plan): \$50 plus \$25 per 100 feet or portion thereof.

M. Miscellaneous.

- (1) Rezoning map and description review: \$50.
- (2) Reinspection (called to make inspection, work not completed): \$35 per inspection.