

ZONING

*122 Attachment 1*

**Village of Montgomery**

**FEE SCHEDULE**

**[As amended through 1-4-1988]**

The following schedule of planning and zoning fees shall be established:

A. Zoning Board of Appeals matters:

- (1) Area variances: \$275.
- (2) Use variances: \$375.
- (3) Interpretations: \$375.

B. Planning Board matters:

(1) Site plan review:

(a) Residential: \$300 for first two dwelling units; \$375 for first three dwelling units; plus \$50 for each dwelling unit thereafter.

(b) Nonresidential:

[1] The greater of:

[a] Minimum of \$150 plus \$0.15 per square foot of building floor area for each square foot beyond 300 square feet; or

[b] One hundred dollars per acre or any part thereof for each of the first three acres, plus \$50 for each additional acre; or

[2] Use a reasonable market value standard as provided hereafter for building permit fees.

(2) Special exception use applications: \$300.

(3) Minor subdivision applications:

(a) For two lots: \$300.

(b) For three lots: \$375.

(c) For four lots: \$450.

(d) Engineering charges relating to inspection of improvements:

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- [1] Five percent of the amount of the estimated cost of required public improvements.
- [2] Three percent of the amount of the estimated cost of nonpublic improvements which will connect with municipal systems or facilities.
- [3] Any amounts paid hereunder and not expended for the reasonable and necessary costs of inspection shall be refunded.
- [4] The amounts required to be paid hereunder shall be deemed to be initial deposits, and the applicant shall be responsible for any additional reasonable and necessary expenses incurred by the municipality.

### (4) Major subdivision applications:

- (a) Sketch plan review: \$100.
- (b) For five lots: \$625.
- (c) For each additional lot: \$62.50.
- (d) Engineering charge: as for minor subdivision.
- (e) Recreation fees in lieu of parkland: the sum of \$250 for each additional lot created, unless otherwise determined by the Board of Trustees.

### C. Local laws resulting from application or petition:

- (1) Zone change local law: \$375 for lands of one acre or less, plus \$300 for each additional acre or part thereof.
- (2) Annexation:
  - (a) Nonrefundable deposit due with filing of annexation petition: \$500; plus
  - (b) Any and all reasonable and necessary expenses beyond \$500 incurred by the municipality, to be paid at such times as the municipality may determine.
- (3) Miscellaneous local laws: \$325.

### D. Building inspector fees:

- (1) Building permits:
  - (a) Fee shall be based on square feet in each level or floor of a proposed building or structure and using outside dimensions: \$50 or \$0.20 per square foot, whichever is greater.
  - (b) Fee based on market value.

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[1] Whenever the Building Inspector determines that basing fees on square footage is impractical or inappropriate because of the design or nature of a particular building or structure, then the Building Inspector shall use the reasonable market value of the completed building or structure to arrive at the fee payable according to the following schedule:

Value	Fee
Up to \$2,000	\$15.00
\$2,000 to \$4,999	\$25.00
\$5,000 to \$9,999	\$50.00
\$10,000 to \$25,000	\$50.00 for first \$10,000 plus \$4.00 for each additional \$1,000 or fraction thereof
Over \$25,000	\$3.00 for each additional \$1,000 or fraction thereof

[2] In determining reasonable market value the Building Inspector may make use of affidavits of the applicant, appraisals submitted by the applicant, personal knowledge of and/or experience in construction and resale value or such other information as he or she may deem credible.

(2) Certificates of occupancy:

Basis	Fee
Value	
Up to \$2,000	\$3.00
Per additional \$1,000 or fraction thereof	\$1.00
Otherwise (each use)	\$100.00

(3) Temporary certificates of occupancy:

- (a) First: \$20.
- (b) Second: \$50.

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- (c) Third and subsequent: \$100.
- (4) Demolition permits:
  - (a) For buildings or structures with up to 150 square feet of floor area: \$25.
  - (b) For each additional square foot: \$0.10.
- (5) Fire prevention and safety inspections:
  - (a) For buildings containing more than two dwelling units: \$50 for first two units and \$20 for each additional unit.
  - (b) For nonresidential buildings: \$100.
- (6) Floodplain development permits: \$150.
- (7) Fence inspection and certificate of compliance: \$5.
- (8) Title search: \$25.
- E. Freshwater wetlands permits: \$150.
- F. Reacquaintance fee: \$75.
- G. SEQR compliance:
  - (1) Environmental impact statement preparation/review deposit: \$500.

This schedule may be modified from time to time by resolution of the Board of Trustees.

Except in the case of area variances, the fees established pursuant to this schedule shall be deemed to be minimum fees and any additional expenses actually incurred by the village for professional consultations, hearing notices and other nonministerial expenses shall be imposed on the applicant and paid prior to the endorsement of an approved subdivision plat or site plan, or the issuance of any building permit, or the issuance of certificates of occupancy or inspection, or the filing of any applicable local law with the Secretary of State.

This schedule shall be filed with the Village Clerk.

The fees required pursuant to this schedule shall apply to all applications filed hereafter and all pending incomplete applications.