



Village of Wappingers Falls
Office of Planning and Zoning
2582 South Avenue, Wappingers Falls, NY 12590
(845) 297-5277 Fax: (845) 296-0379

SPECIAL USE PERMIT APPLICATION

Part 1 – to be completed by all Applicants Date: _____

NAME OF PROJECT: (ex: Doe Accessory Apartment) _____

APPLICANT:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

PROPERTY OWNER:

Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

PROPERTY INFORMATION:

Address: _____

Parcel ID #: _____ Parcel size: _____

Zoning District: _____ Current use: _____

If this application seeks a special use permit for an accessory dwelling (apartment), complete and attach Part 2 of this form, including the affidavit included as Exhibit A thereto.

If this application seeks a special use permit for any use other than an accessory apartment, complete and attach Part 3 of this form.

Every application must be accompanied by an owner affidavit in the form set forth on the next pages.

The Planning Board of the Village of Wappingers Falls generally meets in regular session on the first Thursday of each month. In order to be placed on a Planning Board agenda for any given month, the original and ten (10) copies of a completed application form and all necessary supporting documentation, together with the required fee, must be received by the Zoning Enforcement Officer no later than noon on the date 15 days prior to the next-scheduled meeting of the Planning Board. There shall be no exceptions. The Zoning Administrator will review each application for completeness. Incomplete applications will not be placed on an agenda. The Zoning Administrator is without authority to vary this rule. Early submissions are encouraged so that, if deficiencies are noted, applicants have sufficient time to revise their submission to correct them and be placed on that month's agenda.

Application fees and escrow fees shall be paid by separate checks, each made payable to the "Village of Wappingers Falls." No application will be deemed complete or placed on an agenda until such fees have been received by the Village.

I certify that I have read the foregoing and that the information submitted is true and accurate to the best of my knowledge:

Applicant

OWNER'S AFFIDAVIT

This affidavit must be signed by all owners of record of the property.

State of _____)
) ss.:
County of _____)

_____ being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for special permit approval and that the statements contained therein are true to the best of my/our knowledge and belief.

2. *(If applicable)* That I/we hereby authorize _____ to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.

3. That I/we understand that by submitting this application for special permit approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.

4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Village related to this application.

5. That I/we understand that I/we, and any of our contractors and representatives, shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application, and with non-compliance with any provision of the Village Code.

6. I/we acknowledge that approval of the plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, Code Enforcement Officer or Zoning

Administrator, and any duly authorized representative of the Village of Wappingers Falls, to enter the property for the purposes of inspection for compliance with the approved application and any provision of the Village Code, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that, by submitting this application, the approval of said application, including the commencement of any work related to the approved plan, is an express waiver of any objection to authorized Village official(s) entering the property for the purpose of conducting inspections.

6. That I/we understand that the Planning Board intends to rely on the foregoing representations in making a determination to issue the requested special permit approval.

Under penalty of perjury, I/we declare that I/we have examined this affidavit and that it is true and correct.

Owner

Owner

Sworn to before me on the
____ day of _____, 2019

Notary Public

Part 2

(To be completed if a special use permit is sought for an accessory apartment)

1. Briefly describe the proposed use.

2. Will the accessory apartment be contained within the existing dwelling or is an addition proposed? If an addition is proposed, how many square feet are proposed to be added?

3. Is the primary use of the property as a single-family dwelling? _____

4. When was the primary residence built? _____

5. Is there a certificate of occupancy for the primary dwelling unit? _____

6. Will the owner of the single-family dwelling occupy either the main dwelling unit or the accessory apartment? _____

7. How many square feet is the primary dwelling unit? _____

8. How many square feet is the proposed accessory apartment? _____

9. How many bedrooms will the accessory apartment contain? _____

10. Pursuant to §151-18 of the Village Code, an occupant of at least one of the dwelling units shall be the father, mother, son or daughter (including legally adopted), brother, sister, grandparent or grandchild of the occupant of the accessory apartment. State the relationship between the occupant(s) of the main dwelling unit and the accessory apartment. _____

Part 2, continued

11. Either the primary dwelling unit or the accessory apartment must be the principal residence of the persons identified in the preceding question. Will this requirement be met? Explain. _____

12. How many parking spaces are available on site? _____

13. How many residents of driving age reside in the primary dwelling unit? _____

14. Were any variances or special use permits previously granted for this property? If so, please describe them. _____

15. Is the property served by municipal water and sewer? If not, describe the adequacy of these utilities for the additional use. _____

**Supporting Documentation
to be submitted with an Application for a
Special Use Permit for an Accessory Dwelling (Apartment)**

1. A plot plan to convenient scale showing lot lines, the dimension(s) of all existing structures, and the location and dimensions of any proposed structures or additions.
2. If the proposal for the accessory apartment is made in conjunction with the development of a lot, a formal site plan must be submitted that complies with the site plan requirements found in the Village Code. The site plan must be signed by licensed professional engineer and shall show all required information, unless otherwise specified by the Zoning Board of Appeals. Note: site plan approval will be required to be obtained from the Planning Board.
3. An EAF short form (or long form if deemed necessary).
4. For any special use permit application that constitutes a land development activity, attach a storm water pollution prevention plan.
5. A copy of the deed for the property showing the current ownership.
6. Documentation sufficient to establish that the premises for which the special use permit is sought is the owner's principal place of residence.
7. Documentation sufficient to establish that the access to the proposed accessory apartment is not observable from the street, unless there is a single access to the principal dwelling unit and proposed accessory apartment from the front of the building with a split access inside the building.
8. Complete and return the affidavit attached hereto as Exhibit A acknowledging that the special use permit, if granted, will terminate upon the death of the owner or upon the transfer of title to said premises or if the owner no longer occupies the premises as their principal residence. This affidavit will be binding upon the owners, their heirs or distributes, executors, administrators, successors and assigns.
9. The owner's affidavit.
10. Photographs of the existing structure(s) are helpful but not required.

ACCESSORY APARTMENT ONLY

Exhibit A – Affidavit of Ownership

(Each owner of the property must complete a separate affidavit.)

STATE OF NEW YORK)
) ss.:
 COUNTY OF DUTCHSS)

I, _____, hereby swear or affirm under penalty of perjury as follows:

1. I am the owner of the property located at _____
2. I have applied to the Planning Board of the Village of Wappingers Falls for a special use permit to have an accessory apartment at this location.
3. The property is my principal residence.
4. The occupants of the accessory apartment will comply with the requirements of §151-18.
5. There will be only one accessory apartment on the property, for a total of no more than two dwelling units (principal and accessory).
6. I hereby specifically acknowledge that the special use permit, if granted, will terminate upon my death, or upon the transfer of title to said premises, or if I no longer occupy the premises as my principal residence.
7. The special use permit, if granted, also will terminate if the use is discontinued for a period of 12 months for any reason, or if all required improvements are not made within one year from the date of issuance.
8. I further acknowledge that the terms and conditions of any special use permit that may be granted shall be binding upon me, my heirs, distributees, executors, administrators, successors and assigns.
9. The statements made by me in the application to which this affidavit is attached are incorporated by reference as if fully set forth herein.

_____ (sign)
 _____ (print name)

Sworn to before me this _____
 day of _____

 Notary Public

Part 3

(To be completed if a special use permit is sought for any use other than an accessory dwelling unit. Attach additional sheets if necessary.)

1. Describe the proposed use.

2. Will the proposed use utilize the entire site or only a portion thereof? Describe.

3. Are any new structures proposed to be constructed? If yes, describe.

4. How many vehicle trips per day is the proposed use anticipated to generate? ____

5. How will the proposed use affect the development of the district in which it is located?

6. Were any variances or special use permits previously granted for this property? If yes, please describe. _____

7. Describe how the proposed use is compatible with the principles of the zoning district in which it is located, the purposes set forth in this chapter, and the goals of the Comprehensive Plan of the Village of Wappingers Falls.

8. Describe how the proposed use is compatible with the adjoining properties and with the natural and man-made environment.

9. Describe how the height of buildings, walls, fences and the nature and extent of landscaping on the site are such that the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

10. Describe how the height of buildings, walls, fences and the nature and extent of landscaping on the site are such that the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings.

11. Describe how parking areas will be of adequate size for the proposed use, properly located and suitably screened from adjoining residential uses, and how

appropriate vehicular circulation and infrastructure for the proposed use, including accessibility to fire, police, and emergency vehicles and sufficient water supply and appurtenances, will be provided.

12. Will the proposed use generate any noise, fumes, vibration or other characteristics greater than would be the operations of any allowed use not requiring a special permit?

13. What will be the overall impact of the proposed use on the site and its surroundings, considering environmental, social and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances?

14. Is the location of the proposed use consistent with the goal of creating a healthy mix of uses that enhances the viability of the Village?

15. Is the property located in the historic district or adjacent to a historic structure?
If yes, describe the compatibility of the proposed use with the historic character and use of the structure or structures and the historic character of the site and in the surrounding area.

**Supporting Documentation for a
Special Use Permit other than for an Accessory Dwelling**

1. A plot plan to convenient scale showing lot lines, the dimension(s) of all existing structures, and the locations and dimensions of any proposed structures.
2. If the proposed special use is in conjunction with the development of a lot, a formal site plan must be submitted that complies with the site plan requirements found in the Village Code. The site plan must be signed by a licensed professional engineer and shall show all required information, unless otherwise specified by the Planning Board.
3. An EAF short form (or long form if deemed necessary).
4. For any special use permit application that constitutes a land development activity, attach a storm water pollution prevention plan.
5. A copy of the deed for the property showing the current ownership, and copies of any easements for the property.
6. The owner's affidavit.
7. Photographs of the existing structure(s) are helpful but not required.

