Town Of Wallkill
99 Tower Drive-Building A
Middletown, NY 10940-2026

ZONING BOARD OF APPEALS

ZBA APPLICATION DIRECTIONS

Application must be completed with property owner signature or signed by property owner on record, application fee and all other requirements listed below must be completed before application can be submitted or processed by the ZBA.

Application submitted must include:

1) Complete application with all necessary information required, all signatures, notarized and all fee's included
2) 10 Hard copies and digital PDF Map of the property/project involved. Must be drawn to scale, you may bring PDF version of map on a CD or USB, it can also be emailed.
   A) Show all building or project dimensions
   B) All yard setbacks and dimensions of the lot
   C) Section -Block - Lot number from latest tax map

ZBA Procedure:

- It is a two month procedure for a variance to be processed.
- The applicant or anyone concerning the project must attend both ZBA meetings.
- The Preliminary Review and the Public Hearing are scheduled every second Monday of the month at 7:30pm, at the Town of Wallkill 99 Tower Dr, Building A
- After preliminary review applicant must bring proof of mailing from post office of all labels mailed out to surrounding neighbors or properties.
- Final approval or denial of variance will be decided at the Public hearing by the Zoning Board members.

Preliminary Review:

- Board will review applications with applicant.
- Board will present issues, concerns, or suggestions regarding the project
- If applicant or any one concerning the project is unable to attend for any reason, the review will be held at next meeting.

Public Hearing:

- Public hearing is scheduled after applicant has attended the Preliminary review
- Applicant must mail out public notice with labels provided by the Assessors
- The public notice must be sent out 10 days prior to the public hearing date
- The labels will be provided by the Assessors Dept. a few days after the first meeting
- A fee is calculated for the labels by the Assessors Dept. based on the labels
- The assessors will contact the applicant once the labels are ready to be picked up
- Board will make final decision after hearing the public and discussing any final questions or concerns
- Variances expire after six months. Applicant must apply for a six month extension if project is unable to be completed for any reason within the six month period

If you may have any other questions or concerns you may contact the ZBA office at (845) 692-7800 ext 141, or by email at zoningboard@townofwallkill.com.

Zoning Board Fee Schedule

(Adopted by Town Board resolution #85 of 2016)

Residential:

All residential Variances - ***$550.00***

Residential Variance includes- Use, Area, Interpretation
(I.e. decks, sheds, pools, fences, additions, and accessory buildings/structures, etc.)
Residential fee of $550.00 includes Publishing cost, attorney review cost, as well as the application fee. (Labels fee not included)

(Additional charges may be billed if necessary to cover additional attorney fees)

Commercial:

All Commercial Variances - ***$825.00***
Commercial variances includes- Use, Area, Interpretations and Signage

Commercial fee of $825.00 will include publishing cost and application, and a $400.00 escrow deposit for attorney review. The applicant is responsible for the attorneys review cost at a charge of $200/hr. (Labels fee not included)

(Additional charges may be billed if necessary to cover additional attorney fees)

Extension fee

Residential	$25.00
Commercial	$50.00

(Adopted by town board resolution #160 of 2012)

Public Notice Label Process

After the applicant has attended the preliminary review with the Zoning board, the applicant is responsible for mailing the public notice to the surrounding property owners. The Assessors Dept. will provide applicant with list of labels to be used for notification purposes.

- After preliminary review the Assessors Dept. will provide the applicant with the required Labels.
- The Assessors Dept. will contact the applicant once the labels are completed. This process may take 7-10 days. You may contact the Assessor's office to get an estimated time of completion or for any question regarding the Labels at (845)692-7810.
- Upon completion of Labels you will be notified of fee, you may pay by cash or check, which should be made out to the Town of Wallkill.

Mailing List fee schedule

Labels:	Fees:
1-10	$10.00
11-20	$20.00
21-30	$30.00
31-40	$40.00
41-50	$50.00
51-60	$60.00
61-70	$70.00

This is a service provided for the applicant, by the Town of Wallkill. The Assessors and Zoning Departments work in correlation to provide this information to the applicant as soon as possible. We will do our best to provide this service in a timely manner with no inconvenience to the applicant.

Zoning Board Application

APPEAL #_____

1	Application Date	
2	Applicant(s) Name	
3	Address	
4	Phone Number	
5	Email Address	
6	Property Owners Name	
7	Property Address	
8	Phone Number	
9	Email Address	
10	Date owner acquired the property	
11	Tax Map Location (Section-Block-Lot)	
12	Street Address	
13	Zoning District (circle one)	RA / RA-1/ R1/ R2/ R-AH/ RM-B/ NC/ TC/ OR/ HC/ ENT-L/ ENT
14	Lot Size and Acreage	
15	Soil Type described in Town Code	
16	Application fee	(Check or Cash) Amount-$_____

Appeal Request:

Any Appeal is made or requested by the applicant for the following:

☐ Interpretation of the Zoning Law

☐ Commercial Variance

☐ Use Variance

☐ Sign Variance

☐ Area Variance

☐ Residential (Decks, Shed, Pool, Addition, Accessory bldg. /structure) ☐ (New Structure)

☐ Accessory building larger than 28ft x 28ft

Other:

_____

_____

_____

Front / Side / Rear / Yard setback from_____ to_____ Section_____

Front / Side / Rear / Yard setback from_____ to_____ Section_____

Front / Side / Rear / Yard setback from_____ to_____ Section_____

Front / Side / Rear / Yard setback from_____ to_____ Section_____

Lot area from _____to _____Section_____

State reason and purpose for Request:

_____

_____

_____

Applicant must print and submit Environmental Assessment Form. This form must be filled out by going to the following link and following the steps given: www.dec.ny.gov/eafmapper

Has this proposal appeared before the Planning Board? ☐ YES ☐NO

Property taxes up to date with the Town of Wallkill? ☐ YES ☐NO _____

Property owner must have their signature notarized on this application:

Owners Signature: _____ Notary Public: _____

Sworn to before me this date: _____

☐ Applicant same as owner

State of New York
County of Orange

Building Inspector signature: _____ Date: _____

APPLICANT DISCLOSURE FORM – ORANGE COUNTY, NY REVIEW UNDER SECTION 239-M OF GENERAL MUNICIPAL LAW

The following is information relative to the below named project which is presently pending before the _____ (City/Town/Village) of _____ (Planning/Zoning/City/Town/Village) _____ Board.

Title of Project: _____

Municipality: Town/Village/City of _____

(underline one of above)

Nature of Owner or Owners (LLC, Corporation, Partnership, Joint Venture, natural person, professional corporation or other type of business entity or combination of the above):

_____

The names of the Members, Officers, Shareholders, Directors, Beneficial Owners owning at least five percent of the Stock or Membership or Partnership Interest or Beneficial interest in the project are:

_____

_____

_____.