

Village of Baxter Estates Fee Schedule

Edited and Adopted by the Board of Trustees
On September 6, 2023

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A. Buildings Department Fees

A.1. Construction Permit Fees

A.1.a. Plan Review Fee

Basic Plan Review

Upon submittal of a plan for plan review, a plan review fee (60% of the total construction permit fee, as calculated in the Construction Permit Fee Schedule) shall be collected. Before the permit is issued, the balance of the total permit fee must be paid in full.

Additional Plan Review

Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the Superintendent of Buildings' hourly rate.

A.1.b. Construction Permit Fee Schedule

For the following projects - New or expanded driveway, sidewalk, patio, deck, retaining wall, shed, awning, pool or hot tub, or accessory structure (200 square feet or more):

\$200 Application Fee + \$100 Certificate of Occupancy/ Certificate of Completion Fee + \$1.00 per square foot of construction

For small projects less than or equal to 1,000 square feet: \$200 Application Fee + \$100 Certificate of Occupancy/Certificate of Completion Fee + \$2.00 per square foot of construction

Example/ Kitchen, Bathroom

For large projects more than 1,000 square feet: \$200 Application Fee + \$100 Certificate of Occupancy/Certificate of Completion Fee + \$2.00 per square foot of construction for the first 1,000 square feet + \$3.00 per square foot for area greater than the first 1,000 square feet

Example/ New Construction, Building, Additions, Alterations, Remodels, Fire Repairs, Renovations, and other structures

For any project not included above:

- \$200 Application Fee + \$100 Certificate of Occupancy or Certificate of Completion Fee plus 1% of estimated cost of construction
To determine estimated cost of construction, the value to be used shall be the total value of all construction work including materials and labor.
Example/ central or ductless air conditioning, antenna, boiler replacement, cesspool replacement, fire sprinklers, fireplaces, elevators, septic tank replacement, sewer installation, oil tank replacement, replacement of windows with structural modifications, and demolition

A.1.c. Construction Permit Amendment

An approved building permit may be amended for a time based fee of \$120/hour multiplied by the number of hours or fraction thereof required by the Superintendent of Buildings to review and make a determination on the proposed amendment.

A.1.d. Construction Permit Extension or Renewal

Construction permits expire one year from date of issuance. A construction permit for work in process may be extended, for a period of nine months, upon application at least 30 days prior to expiration, at a fee equivalent to 50% of the original issue fee. Only one extension of nine

months duration is allowed, after which a new construction permit is required. An expired construction permit for work not started may be renewed within one year of expiration at a fee equivalent to 50% of the original issue fee.

A.1.e. Refunds to Fees Paid By Applicants

If a Building Permit applicant requests in writing to withdraw and/or close out an issued and outstanding building permit with respect to which all fees and deposits have been paid by the applicant, and no construction work has been commenced on the permitted project, and such request to withdraw is submitted within 120 days of the date of issuance of such permit, then the applicant shall be entitled to a refund equal to the balance of the permit fee paid after deducting therefrom (i) 15% of the amount paid, to cover associated Village administrative expenses, and (ii) all costs and expenses, if any, incurred by the Village to third parties, including, without limitation, the Village Engineer and the Village Attorney, in connection with the permitted project. Should the amount deducted exceed the original balance paid then (the difference is due before the permit can be abandoned/there is no refund issued).

A.1.f. Legalization of Non-permitted Construction

When construction without a permit is discovered, a legalization fee plus current construction permit fees based on current construction permit fee schedule is required to determine building code compliance. The structure must be made compliant with the current building code. New constructions that need to achieve building code compliance will require an additional construction permit and fee based on the current construction permit fee schedule.

Permit	Fee
Fences	\$150.00
Projects up to 1,000 sq. ft.	\$300.00
Projects over 1,000 sq. ft.	\$600.00

A.1.g. Additional Stand Alone Permits

Permit	Fee
Cellar (finishing of) Permit	\$1,000.00
Curb Cut Permit	\$250.00
Driveway Replacement Permit (not including new or expanded)	\$300.00
Dumpster/Pod Permit	\$75.00 for duration of construction project
Fence Permit	\$150.00 for new; \$125.00 for replacement
Generator Permit	\$500.00
Oil to Gas Conversion (includes new boiler)	\$500.00
Patio Permit less than 200 sq. ft.	\$300.00
Pool or Hot Tub Permit less than 200 sq. ft.	\$300.00
Pool or Hot Tub Permit 200 sq. ft. or more	Construction Permit plus \$5000.00 surety bond
Reroofing/Residing Permit	\$500.00
Shed less than 200 sq. ft.	\$300.00
Sidewalk Replacement Permit	\$300.00
Sign Permit	\$100.00 plus \$2.50 per square foot
PV Solar Panels/System Permit	\$100.00
Street Opening Permit	\$350.00 plus \$5000.00 surety bond

A.1.5. Tree Removal Permit Fees & Village Tree Relief Fund Deposit

Tree Removal Permitⁱ - One or two trees is \$50.00; each additional is \$25.00 plus refundable Tree Relief Fund deposit in a sum of not less than \$250.00 per tree, subject to increase by the Tree Commission when specific facts and circumstances of an application warrant, in the Commission’s discretion reasonably exercised, a larger sum in order to further the purposes and intent of Section 161-702(A) of the Village Code.ⁱⁱ The fees established for Tree Removal Permits shall apply for permits that shall be valid for the one year period commencing with the date of issuance, conditioned upon (i) removal of the subject tree(s) to be completed within 90 days from date of issuance, and (ii) planting of any and all replacement trees required as a condition of such permit to be completed within one year from date of issuance, as evidenced by inspection by a Member of the Tree Commission or a Building Department Official. If a Tree Removal Permit expires due to the applicant’s failure to remove the subject tree(s) within such 90-day period, then upon request of the applicant, the Village Tree Relief Fund deposit shall be returned to the applicant and any removal thereafter shall require the applicant to submit a new Tree Removal Permit Applications and all associated fees and deposits.ⁱⁱⁱ

A.2. Annual Inspection Fees

Outdoor Pool and/or Hot Tub \$50.00 permit fee to be valid through December 31st

A.3. Certificate of Occupancy, Certificate of Completion Fees

\$100.00 Certificate of Occupancy or Certificate of Completion Fee applicable to all Construction Permits, not including Standalone Building Permits whereas a flat fee applies.

A.4. Letters in Lieu of a Certificate of Occupancy

Structures built prior to 1953 may be inspected, and if found to be conforming structures a Letter in Lieu of a Certificate of Occupancy will be issued. Any additions or alterations made to the structure after 1953 require certificates and may be legalized as described above to have certificates issued. The inspection fee is \$250.00 for residential structures and \$375.00 for commercial structures.

A.5. Document Search and Copy Fees

Documents

Title Search Fee

Search and Copy Fee

\$75.00 plus reproduction cost of any oversized documents requested (larger than 8.5” x 11”)

Reproduction fee of any documents 8.5” x 11” or smaller

\$0.25 per page

ⁱ Trees with a diameter of seven (7) inches or greater at a point five (5) feet above ground level require a permit and are classified as a Class B Tree per the Village Code Chapter 161 entitled "Tree Preservation and Protection".

ⁱⁱ Fee established per Board of Trustees Resolution Dated April 5, 2018.

ⁱⁱⁱ Per Board of Trustees Resolution Dated May 3, 2018.

A.6. Fees for Telecommunications Towers and Small Wireless Facilities

Each owner and operator of a telecommunications tower and/or antenna, other than with regard to Small Wireless Facilities, shall pay the following fees:

- (a) Each owner and operator of a tower shall pay to the Village an annual fee of \$2,000.00 for such tower and an annual fee of \$500.00 for each antenna on such tower.
- (b) Each owner and operator of an antenna not located on a tower shall pay to the Village an annual fee of \$750.00 for such antenna.

Each owner and operator of one or more Small Wireless Facilities shall pay the following fees:

- (a) The application fee shall be \$500.00 for a Small Wireless Facility on an existing structure. If the application includes more than one Small Wireless Facility on an existing structure, there shall be no charge for the first five Small Wireless Facilities on existing structures and an additional \$100.00 fee for each Small Wireless Facility on an existing structure included in the application in excess of five.
- (b) The application fee shall be \$1,000.00 for each Small Wireless Facility that will not be attached to an existing structure.
- (c) There shall be an annual fee of \$2,000.00 for each Small Wireless Facility.

B. Board of Zoning Appeals (BZA) Fees

B.1. BZA Application Fees

<i>Application</i>	<i>Fee</i>
Residential / Commercial Variance	\$500.00

B.2. BZA Application Deposits

In addition to the non-refundable BZA Application Fee, an initial deposit to cover stenographic, legal, administrative, and other related services is required and must be replenished as needed. Any monies not expended will be refunded to the applicant after all expenses incurred by the application have been paid. Notwithstanding the foregoing, with respect to each application for which a public hearing is required, in the event that said public hearing is adjourned to a second or subsequent session, the applicant shall make an additional deposit, which must be received prior to the re-opening of the adjourned public hearing, in an amount equal to the sum of (i) all amounts incurred by the Village with respect to such application for which the applicant is responsible that exceed all deposits previously made by such applicant for such application, plus (ii) \$1,000; provided, however, that the BZA Chairperson may waive the requirement for the additional \$1,000, in the Chairperson’s reasonable discretion.

If the Village is to incur any expenses associated with the hearing or permitting process after such deposit is refunded, the amounts due shall be certified by the Village Clerk, and shall be due and payable within thirty (30) days after written demand for payment thereof shall be delivered by the Village Clerk, by certified mail, return receipt requested, to the applicant and to the last record owner of the property affected, as evidenced by the then-current real property assessment rolls for the Village. All outstanding amounts shall incur interest at the same rate as delinquent real property taxes after such thirtieth day. All such unpaid amounts certified by the Village Clerk, together with accumulated interest, shall constitute a lien and charge upon the parcel or parcels of real property within the Village with respect to which such application or

request is made, and may be collected by civil action, lawsuit or proceeding in the name of the Village. ^{iv}

<i>Property Type</i>	<i>Deposit</i>
Residential Properties	\$1,500.00
Commercial Properties	\$3,000.00

C. Planning Board Fees

C.1. Planning Board Application Fees

<i>Application</i>	<i>Fee</i>
Residential / Commercial	\$500.00

C.2. Planning Board Application Deposit

In addition to the non-refundable Planning Board Application Fee, an initial deposit of \$2,000.00 for both residential and commercial property types is applicable to cover stenographic, legal, administrative, and other related services is required and must be replenished as needed.

Any monies not expended will be refunded to the applicant after all expenses incurred by the application have been paid. Notwithstanding the foregoing, with respect to each application for which a public hearing is required, in the event that said public hearing is adjourned to a second or subsequent session, the applicant shall make an additional deposit, which must be received prior to the re-opening of the adjourned public hearing, in an amount equal to the sum of (i) all amounts incurred by the Village with respect to such application for which the applicant is responsible that exceed all deposits previously made by such applicant for such application, plus (ii) \$1,000; provided, however, that the Planning Board Chairperson may waive the requirement for the additional \$1,000, in the Chairperson's reasonable discretion.

If the Village is to incur any expenses associated with the hearing or permitting process after such deposit is refunded, the amounts due shall be certified by the Village Clerk, and shall be due and payable within thirty (30) days after written demand for payment thereof shall be delivered by the Village Clerk, by certified mail, return receipt requested, to the applicant and to the last record owner of the property affected, as evidenced by the then-current real property assessment rolls for the Village. All outstanding amounts shall incur interest at the same rate as delinquent real property taxes after such thirtieth day. All such unpaid amounts certified by the Village Clerk, together with accumulated interest, shall constitute a lien and charge upon the parcel or parcels of real property within the Village with respect to which such application or request is made, and may be collected by civil action, lawsuit or proceeding in the name of the Village. ^v

C.3. Planning Board Application Tree Restoration Fee Deposit

Applicant is also required to pay a tree restoration fee deposit for any Class B tree(s)^{vi} removed due to new construction per Chapter 161 of the Village Code. The restoration fee deposit is equal to the sum of not less than \$250 per tree, subject to increase by the Planning Board when

^{iv} Per Local Law 3 of 2011 – Establishing Unpaid Fees and Costs as A Lien Against Property

^v Per Local Law 3 of 2011 – Establishing Unpaid Fees and Costs as A Lien Against Property

^{vi} Trees with a diameter of seven (7) inches or greater at a point five (5) feet above ground level require a permit and are classified as a Class B Tree per the Village Code Chapter 161 entitled "Tree Preservation and Protection".

specific facts and circumstances of an application warrant, in the Planning Board's discretion reasonably exercised, a larger sum in order to further the purposes and intent of Chapter 161.