

**TOWN OF MARTINSBURG
APPLICATION FOR LAND USE PERMIT**

Permit No: _____

1. Applicant Name _____
and Address _____
_____ Phone # _____

2. Location of development or use / Tax parcel number _____

3. Describe the proposed development or use (one or two family dwelling, mobile home, home occupation, septic system, camp, grocery store, etc.) _____

4. District Location (see map; for example: Forest, Agriculture, etc.) _____

5. Construction or use start up date _____

6. Application fee _____

One copy of the plot plan drawn to scale must be submitted. Show dimensions of the lot; location of all buildings and distance from lot lines and center of road; dimensions and capacities of sanitary and water facilities as well as distance between leach field and well, house, and lot lines; and access to and location of public highways.

Signature of applicant _____ Date _____

FOR ENFORCEMENT OFFICERS USE ONLY

Application Approved [] Approved with conditions (see attached) []

* WORK MAY COMMENCE

Application Referred to Planning Board or Town Board [] Application Rejected []

* WORK MAY NOT COMMENCE

Signature of Enforcement Officer _____ Date _____

Final Approval [] STRUCTURE MAY BE OCCUPIED OR LAND USED AS REQUESTED

Signature of Enforcement Officer _____ Date _____

HOW TO OBTAIN A LAND USE/BUILDING PERMIT IN THE TOWN OF MARTINSBURG

- ◆ Request a Land Use Permit from either the Town Clerk, 376-2299 or the Land Use Officer, Michael Pleskach (315)804-4748. The fee is payable to the Town of Martinsburg.
- ◆
- ◆ Review the Town of Martinsburg Development Law. Copy of law is available at the Town Clerk's office.
- ◆ After finding the location of the proposed structure on the Land Use District map, go to the chart on page 9 and determine if the use is allowed for that parcel. (Have a County map available also to make sure of your location.) If the Land Use is permissible, a Land Use Permit will be approved by the Land Use Officer Michael Pleskach.
- ◆ Now contact the County Building Inspector at the Lewis County Planning Department to obtain a building permit, 376-5377. There will be a fee for this permit. You are not allowed to proceed with any construction until a building permit is obtained. An approved Land Use Permit from the Town should be shown to the County Inspector.
- ◆ If the proposed structure is not permitted, the Land Use Permit will be denied. If the permit is denied, contact the Town Planning Board:

Chairman: Michael Colwell - 376-7402
Sec Paul Kelly - 376-6014
Mark Pominville - 376-7354
Carl Golas - 376-7695
William Tarasek – 376-2503

- ◆ Request a meeting of the Planning Board to obtain a Special Use Permit. If a Special Use Permit is denied, you then need to contact the Zoning Board of Appeals:

Chair Richard Leviker - 376-6804
Jane Bush – 376-6359P
Samuel Kriwox - 376-3695
Secretary Jean McGrath – 376-8313
Kenneth Jones – 376-6912

- ◆ If a Variance is not granted, you are not allowed to build.
- ◆ If structure is on a seasonally or minimum maintained road, only a seasonally used facility will be allowed.

Section 420. Land Use District Schedule

District	Specifications for All Uses	
H Hamlet	Lot Frontage:	200 feet, minimum. Where public water is available, the frontage may be reduced to 100 feet.
	Lot Size: Setback of all buildings:	1 acre minimum. Where public water is available, the lot size may be reduced to 20,000 sq. ft. from centerline of state road – 75 feet minimum from centerline of county and town road – 60 feet minimum from side and rear lot lines – 20 feet minimum
A Agricultural	Lot Frontage:	200 feet, minimum. Where public water is available, the frontage may be reduced to 100 feet.
	Lot Size: Setback of all buildings:	1 acre, minimum. Where public water is available, the lot size may be reduced to 20,000 sq. ft. from centerline of state road – 75 feet minimum from centerline of county and town road – 60 feet minimum from side and rear lot lines – 25 feet minimum
RR Rural Residential	Lot Frontage:	200 feet, minimum. Where public water is available, the frontage may be reduced to 100 feet.
	Lot Size: Setback of all buildings:	1 acre, minimum. Where public water is available, the lot size may be reduced to 20,000 sq. ft. from centerline of state road – 75 feet minimum from centerline of county and town road – 60 feet minimum from side and rear lot lines – 25 feet minimum
F Forest	Lot Frontage:	200 feet, minimum. Lots without road frontage may be developed.
	Lot Size: Setback of all buildings:	1 acre, minimum. from centerline of county and town road – 60 feet minimum from side and rear lot lines – 50 feet minimum
WPO Wind Power Overlay	Lot Frontage:	same as underlying zone
	Lot Size:	same as underlying zone
	Setback of all wind power generating structures:	from centerline of any road - 300 feet. from side and rear lot lines - 300 feet, which can be waived by the Planning Board as part of its Special Permit review process if (i)neighboring parcels are also participating in the wind project, or (ii)in the case of a non-participating neighbor, the applicant has secured a development easement from said neighbor. from any existing residential structures - 1000 feet, unless the owner of said residential structure agrees to the lesser setback and consenting to a noise easement.
	Landscaping and Screening:	Appropriate landscaping is required to keep the site in a neat and orderly fashion. Appropriate screening is required to screen accessory structures from adjacent residences.

TOWN OF MARTINSBURG
DEVELOPMENT CODE FEE SCHEDULE
Adopted 6/15/2005

Land Use Permits:

Principal land use	\$ 50.00
Multi-family dwelling	\$ 50.00 plus \$15.00 per living unit
Special use	\$100.00
Including: Commercial, Institutional and Industrial (See Land Use Permit Requirements for complete list)	
Recreational Development: Including campgrounds and camping vehicle parks	
Every 5 years	\$100.00 up to 100 acres;
Every 5 years	\$ 20.00 for every 10 acres added
Junkyard (must be renewed every year)	\$ 50.00 per acre
Gravel Pit (must be renewed every year)	\$ 5.00 per acre
Agricultural structure (new and additions)	\$ 50.00
Accessory structures	\$ 20.00
Alterations	\$ 20.00
Temporary land use	\$ 20.00
Septic systems & septic alterations	\$ 20.00
Swimming pools (in-ground)	\$ 20.00
Outside furnace	\$ 20.00
Auto service station and fuel distribution operation	\$100.00
Non-compliance fee	\$100.00
A copy of the Development Law	\$ 20.00

***In case of fire, no fee charged for temporary land use.**

All applicants who in addition to a permit under the Development Law also require Special Use Permits/Site Plan Review, shall pay an additional fee of \$100.00.

All persons applying to the Board of Appeals for a variance shall pay a fee of \$50.00 for an area variance, \$100.00 for a use variance, or \$50.00 for an interpretation.

All applicants for special use, site plan, subdivision, or variance reviews, shall in addition to all other fees set forth herein, also be required to reimburse the Town the actual costs related to review of the project incurred by the Town, which costs shall include, but not be limited to, cost of public hearing notices, cost of advertising special meetings, consultant fees for engineers, attorneys, planners, etc. Such fees shall be estimated by the Board at the time of application and a deposit made by the applicant. Any fees not so utilized in the review process shall be refunded. In the event that the actual review costs exceed the deposit, no permit under the Development Law of the Town of Martinsburg shall be issued until such deficiency has been paid by the applicant.

Subdivisions (including mobile home park)

Minor subdivision (2 to 5 lots)	
Preliminary review	\$ 50.00
Final review	\$ 25.00 per lot
Major subdivision (6 to 20 lots)	
Preliminary review	\$250.00
Final review	\$ 25.00 per lot
Major subdivision (more than 20 lots)	
Preliminary review	\$500.00
Final review	\$ 25.00 per lot