



TOWN OF FORT EDWARD

118 BROADWAY P.O. BOX 127 FORT EDWARD, N.Y. 12828-0127

OFFICE – 518.747.5212 -----FAX 518.747.2493

BOUNDARY LINE ADJUSTMENT APPLICATION

(Clerk's Office Use Only)

APPLICATION NO: _____ DATE : _____

FEE PAID: _____

Requirements, Fees and Instructions (Please use dark blue or black ink)

The application must be filled out completely and in every respect with ALL questions answered and ALL required attachments before the Town can officially accept the application for processing. If the application is incomplete, it will be returned to you for completion or inclusion of the deficient information.

Use this application for any project which requires approval by the Town of Fort Edward Planning Board for a Boundary Line Adjustment as defined by the local code. If the property or boundary line adjustment causes or creates a non-conformity on either parcel, you must first make application and receive approval from the Town of Fort Edward Zoning Board.

Boundary Line Adjustment: The transfer of a small amount of land to an adjacent landowner which does not create an additional parcel or lot of land and is in compliance with the provisions of Section 87-3A of the Town of Fort Edward Land Subdivision Regulations.

CONDITIONS/APPLICABILITY

A. A boundary line adjustment is a subdivision of a lawfully existing parcel but shall not require subdivision approval, Site Plan Review or an Area Variance provided that all of the following conditions are met:

1. The proposed Boundary Line Adjustment Area is adjacent to and shares at least a portion (more than a point) of common boundary line with the Receiving Parcel; and
2. The Boundary Line Adjustment Area is of a size and configuration that could not reasonably accommodate the construction of a single-family dwelling, barn, garage, commercial building or similar structure and
3. The Boundary Line Adjustment would not cause or increase any deficiency or non-conformity in minimum lot size, road frontage, building setbacks, maximum allowable lot coverage or any other criteria listed in Article IV of the Town of Fort Edward Zoning Law, Town of Fort Edward • 118 Broadway • Fort Edward, NY 12828 • 518-747-5212

in either the Granting or Receiving Parcel, though it may reduce the degree of non-conformity in an existing non-conforming Receiving Parcel; and

4. The Boundary Line Adjustment would not allow for any increase in the number of principal buildings on the resulting, merged parcel; and

5. The grantee of the Boundary Line Adjustment Area would be the same as the landowner of the Receiving Parcel; and

6. The owners of the Granting Parcel and the owners of the Receiving Parcel all consent in writing to the Boundary Line Adjustment; and

7. The Boundary Line Adjustment Area would be merged with and become a part of the Receiving Parcel and would not have any separate legal existence, or be capable of being conveyed, other than for the purpose of merger with the Receiving Parcel; and

8. Prior to merger with the Receiving Parcel there shall be no right to build any structure upon a Boundary Line Adjustment Area or otherwise exercise any of the rights that would be associated with a lot which has received subdivision approval from the Planning Board.

B. The deed or boundary line adjustment agreement describing the Boundary Line Adjustment Area must contain a covenant stating that the conveyance is a Boundary Line Adjustment and that the Boundary Line Adjustment Area is to merge with and into the adjacent Receiving Parcel, resulting in a single unified parcel, and may not otherwise be sold or separately conveyed, and must state that these covenants “run with, touch and concern the land”.

C. The Planning Board shall have the authority to review a proposed property transfer to determine whether the transfer would meet the requirements to qualify as a Boundary Line Adjustment and whether all necessary information has been provided.

The Planning Board shall determine whether to hold a Public Hearing on the proposed Boundary Line Adjustment. If a Public Hearing is to be held, notice of the hearing shall be published at least ten (10) days in advance and a copy of the Notice of Public Hearing shall be mailed at least ten (10) days in advance to the owner (as shown on the Town's Assessment Roll) of each parcel any portion of which is located within 500 feet of either the Granting Parcel or Receiving Parcel or both.

THIS APPLICATION IS SUBJECT TO REVIEW AND APPROVAL BEFORE ISSUANCE OF ANY VALID PERMITS FOR YOUR PROJECT. TO ENSURE TIMELY REVIEW OF YOUR APPLICATION PLEASE COMPLETE THIS FORM IN ITS ENTIRETY AND PROVIDE WITH THIS APPLICATION ALL OF THE REQUIRED INFORMATION AND DOCUMENTATION IN ACCORDANCE SUBMISSION REQUIREMENTS OF CHAPTER 87 OF THE TOWN CODE FOR THE APPLICATION STAGE BEING SUBMITTED.

FOR ALL APPLICATIONS PROVIDE THE FOLLOWING INFORMATION/DOCUMENTS;

- A survey map drawn at an appropriate scale and showing the Granting and Receiving Parcels and proposed Boundary Line Adjustment Area and all buildings, wells, septic systems, driveways, fences and other structures and site improvements on the Granting and Receiving Parcels. Such survey map shall be prepared, stamped and signed by a surveyor licensed in New York State and shall be in a form acceptable for filing in the Washington County Clerk's Office.
- Applicant(s) shall submit copies of the latest deeds for the Granting and Receiving Parcels and: (1) a draft of a proposed Boundary Line Adjustment Agreement or (2) a draft of a deed conveying the Boundary Line Adjustment Area and a draft of a deed of merger combining and merging the Boundary Line Adjustment Area with the Receiving Parcel into one, single unified parcel
- Agricultural Data Statement (as applicable)
- Authorization of Agent (as applicable)
- Copy of Variance(s) or Special Use Permit Approvals (as applicable)
- EAF (NYSDEC Environmental Assessment Form, short or long form, as applicable)

Please submit the original plus (11) eleven copies of your Application and supporting documentation to the Town Clerk's Office for distribution to the Planning Board and Consultants for review and consideration.

GENERAL INFORMATION

Project Location and Information

Number and Street Addresses: _____

Zoning District: _____

Tax Map Number(s): _____

Current Use of the Property/Building(s): _____

Property Owner - Granting Parcel

This Owner is Applicant/Co-Applicant

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Property Owner - Receiving Parcel

This Owner is Applicant/Co-Applicant

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Agent Identification

Agent is Applicant

Name: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Brief description of proposed project:

Total Existing Acreage of Granting Parcel: _____

Total Proposed Acreage of Granting Parcel: _____

Total Existing Acreage of Receiving Parcel: _____

Total Proposed Acreage of Receiving Parcel: _____

GRANTING PARCEL DATA

Lot, Yard and Height Regulations (Bulk Requirements)

Item	Required	Existing	Proposed
Lot Size (acres)			
Lot Width (ft)			
Lot Depth (ft)			
Front Yard (ft)			
Side Yard - One (ft)			
Side Yard - Both (ft)			
Rear Yard (ft)			
Building Coverage			
Building Height			

RECEIVING PARCEL DATA

Lot, Yard and Height Regulations (Bulk Requirements)

Item	Required	Existing	Proposed
Lot Size (acres)			
Lot Width (ft)			
Lot Depth (ft)			
Front Yard (ft)			
Side Yard - One (ft)			
Side Yard - Both (ft)			
Rear Yard (ft)			
Building Coverage			
Building Height			

Are there any zoning violations or existing non-conforming conditions on the properties?

Yes No

If yes, please explain:

Describe the current condition of the parcels [buildings, brush, woods, vacant, use, etc.]:

UTILITIES

Electrical: Underground Overhead
Sewage Disposal: Onsite Septic Municipal Sewer
Potable Water: Private Well Municipal Water
Combustion Fuel: Fuel Oil Propane Natural Gas Other: _____

SITE PLAN REQUIREMENTS

Will the proposed project include or alter or change site conditions related to the following (check all that apply)?

- | | |
|--|---|
| <input type="checkbox"/> Traffic | <input type="checkbox"/> Lighting |
| <input type="checkbox"/> Runoff/Drainage | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Grading | <input type="checkbox"/> Utilities (electric, gas, water, sewage, etc) |
| <input type="checkbox"/> Impervious | <input type="checkbox"/> Site Access |
| <input type="checkbox"/> Building Coverage | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Roads/R.O.W. | <input type="checkbox"/> Easements |
| <input type="checkbox"/> Screening/Buffers/Fences | <input type="checkbox"/> Pedestrian Accommodations/Sidewalks |

Additional Comments:

Are there any previous Town, Planning, or Zoning Board determinations made regarding this property? **Yes** **No**

If yes, please explain:

Will the relocation of the property boundary cause any setback encroachment for any buildings or structures or any subsurface utilities (septic system components, etc) or any other non-conformity related to the existing or proposed improvements?

Yes **No**

If yes, please explain:

SIGNATURE PAGE

To the best of my knowledge, the statements contained in this application, together with the plans and specifications and other supporting documentation submitted are a true and complete statement of all related information and that all provisions of the Building Codes, the Zoning Ordinance, and all other local, state, and federal laws pertaining to the proposed application shall be complied with, whether specified or not.

The Planning Board may employ consultants, legal counsel, professional engineers, and/or inspection services for their assistance and advice in the review of any application before it and for such purposes as the Planning Board may require therefor, including but not limited to; on site investigation, evaluation and inspection, verification of the accuracy of information submitted, evaluation of the adequacy of plans, of the sufficiency of submitted reports; flood hazard evaluation; study of the impact of proposals upon the resources and environment of the Town; preparation and/or review of any environmental impact statements; review of the design and layout of improvements; inspection of installed improvements; and such other services or technical assistance as the Planning Board shall deem necessary for its review of such application, and for the administration of the Town, County, State, and Federal regulations in relation thereto. The Applicant authorizes the Planning Board, as it deems necessary, to employ such assistance and agrees to reimburse the Town for the costs and fees associated with any requested consultants to assist them in their review and consideration of the application, whether it be for either technical or legal purposes. When appropriate the Planning Board shall have the authority to request a deposit from the Applicant for the cost and fees associated with consultants in advance of the review.

It is understood that the Applicant shall satisfy all requirements of the application approval or decision, if granted, and conditions applicable to such prior to issuance of any Certificates of Occupancy or Certificates of Compliance.

Date: _____

Name: _____

Signed: _____