

TOWN OF RHINEBECK

FENCE PERMIT APPLICATION **PERMIT #** _____

Residential ___ Commercial ___ Farm/Rural ___ Other ___

Applicant _____ TAX GRID # _____

Location _____

Owner of Land/Building _____

Address of Owner _____ Phone _____

Contractor Name _____ Phone: _____

According to the specifications herewith submitted. All provisions of the Zoning Ordinance of the Town of Rhinebeck and the New York State Uniform Fire Prevention & Building Code shall be complied with in connection with this operation whether specified herein or not.

Builder: _____ Phone Number: _____
Cost of Structure \$ _____ Estimated date of completion _____
Fence Dimensions: _____

THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE SITE PLAN showing location of the fence in relation to principal buildings and accessory structures and lot lines.

*** Applicants are responsible to schedule appointments for inspections.**

*** A request must be submitted for a Certificate of Occupancy for the structure described in this application, upon completion thereof and in compliance herewith. *This document also serves as permission for any authorized agent of the Town of Rhinebeck, NY, to enter upon said premises for the purpose of inspection of the construction applied for.***

Signature of Applicant _____ Date _____

Date Received _____ Fee Paid \$ _____

OFFICE USE	ZONING DISTRICT _____
BOHA: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Driveway Permit: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Workmans' Comp. Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Open Violations: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
NYS WET LAND Yes <input type="checkbox"/> No <input type="checkbox"/> # _____	FLOOD ZONE Yes <input type="checkbox"/> No <input type="checkbox"/> FIRM MAP # _____

Authorized Agency Signature and Title _____ Date Issued _____

**Town of Rhinebeck
Application Certification and Authorization**

**CERTIFICATION OF APPLICANT for
Town Board, Planning Board, Zoning Board of Appeals and Building Department**

Application Name: _____ Application/Appeal No. _____

State of New York)
)
County of _____) ss:

I hereby depose and say that all of the statements and factual information in the attached application, and in any other documents submitted in connection with this application, are true and accurate. I understand and agree that the submission of false or inaccurate information to this Board/Department may result in the denial of my application or in the revocation of permits or approvals. I understand that this statement is made under oath.

Applicant signature: _____

Applicant name (printed): _____

Applicant address: _____

Sworn to before me this ____ day
of _____, 20__.

Notary Public

AFFIDAVIT OF OWNER

(Please complete and sign if the person appearing before the Board/Department is not the Owner. This includes, but is not limited to, any consultants for Owner, contract vendees, lessees etc.)

State of New York)
)
County of _____) ss:

I hereby depose and say that I reside at _____ in the County of _____, State of _____. I am the owner in fee of the property which is the subject of this application which is located at the address commonly known as _____ and which bears the following tax grid identification number(s): _____. I hereby authorize _____ to appear before this Board/Department on my behalf and I state under oath that the statements and information to be provided on my behalf by that person are accurate and true.

Owner signature: _____

Owner name (printed): _____

Sworn to before me this ____ day
of _____, 20__.

Notary Public

§ 125-38. Fences, gates, walls and berms.

- A. Fences, gates and walls shall as a permitted use not exceed six feet in height when erected in a required side or rear yard nor exceed four feet in height when erected within 50 feet of the front lot line or highway right-of-way. Except where accessory to agriculture and forestry uses, any fencing which exceeds six feet in height or which consists of a solid fence or wall that does not allow for the passage of views shall be subject to the issuance of a special use permit by the Planning Board in accordance with Article VI of this chapter. **[Amended 7-25-2016 by L.L. No. 5-2016¹]**
- B. All fences, gates and walls within 50 feet of the front lot line or highway right-of-way on a state-designated scenic road or a Town road designated as a critical environmental area (CEA) shall be subject to issuance of a special use permit in accordance with Article VI of this chapter. A list of state-designated scenic roads and Town roads designated as CEAs is available from the Town Clerk at Town Hall.
- C. All fences, gates and walls shall conform to the requirements of Article IV, § 125-25B, as pertains to corner lots where special sight clearance considerations are necessary to protect traffic safety.
- D. All fences, gates, and walls, including new stone walls, shall be located on private property and set back at a suitable distance from the edge of pavement to allow sufficient room for wintertime snow removal. **[Amended 3-12-2018 by L.L. No. 2-2018]**
- E. In any zoning district, all such fences, gates and walls shall have the face of the fence or wall directed toward the abutting property and, unless agreed to in writing by the abutting property owner, be located so as to permit maintenance of both sides of the fence without trespass on the abutting property.
- F. A berm shall be deemed to be a fence, gate or wall within the meaning of this section if the berm is constructed and landscaped to provide a property boundary delineation, protection or privacy to a property owner, and has not received Planning Board approval in accordance with either subdivision plat and/or site plan review and approval procedures. **[Amended 7-25-2016 by L.L. No. 5-2016]**

1. Editor's Note: This local law also amended the title of § 125-38.

- G. Permit required. Except in the case of those farm operations to which § 125-49G of this chapter is applicable, prior to the installation of any fence, gate or wall, a fence permit is required. An application for such fence permit shall be filed with the Zoning Enforcement Officer on an application for, accompanied by both a fee payable to the Town of Rhinebeck in accordance with the current fee schedule and adequate supporting information regarding fence location, height, design and materials to demonstrate compliance with the requirements and standards set forth in this section. Except when an integral part of an overall site plan for development of a site, no fence, gate or wall that fully meets the requirements of this section shall require either special use permit or site plan approval in any zoning or overlay district. The Zoning Enforcement Officer may, however, refer any application for fence permit to the Planning Board for review and recommendation prior to issuing the permit. **[Added 3-12-2012 by L.L. No. 1-2012; amended 3-12-2018 by L.L. No. 2-2018]**
- H. The installation of fences consisting of flexible plastic, vinyl mesh or any other nonrigid material and constructed in a manner without posts and supports of the type associated with permanent construction is prohibited in all districts. The above prohibition shall not apply to either of the following: **[Added 7-25-2016 by L.L. No. 5-2016]**
- (1) Siltation fence or similar protective barrier employed during the course of land development or construction work for which required permits and approvals have been granted by the Town, county or state; or
 - (2) Natural burlap or black plastic or vinyl fence mesh fence employed on a seasonal basis to protect natural landscaping from snow, deer and other damage, with, however, the use of more visible color mesh or other material prohibited for this purpose.
- I. Also refer to § 125-25, Corner lots; § 125-48, Required screening for nonresidential uses; § 125-89, Guidelines applicable to both residential and nonresidential development; § 125-91, Residential neighborhood areas; and § 125-135, Terms used throughout chapter. **[Added 7-25-2016 by L.L. No. 5-2016]**