

## TOWN OF PLEASANT VALLEY

Building Inspector

TOWN HALL

1554 MAIN STREET

PLEASANT VALLEY, NY 12569

845-635-8395

FAX 845-635-1452

### **POOL & HOT TUB PERMITS** **ABOVE-GROUND & IN-GROUND**

There is a \$100.00 fee for all pool or hot tub permits.

Each application must be completed and accompanied by plans and/or a brochure showing size and construction of the pool or hot tub.

Side and rear property line setbacks are to be a minimum of 15 feet.

An inspection by a certified New York State electrical inspector must be done before our Building Inspector can perform a final inspection. After the electrical inspection and any required pool enclosure is completed, please contact the Building Inspector for a final inspection appointment.

**ANY REQUIRED POOL FENCE MUST BE INSTALLED AND ACCEPTED  
WITHIN 90 DAYS OF ISSUANCE OF POOL PERMIT.**

Upon the satisfactory final inspection by the Building Inspector, a Certificate of Compliance will be issued. This Certificate of Compliance is necessary before the pool or hot tub can be used for the first time.

#### Electrical Inspectors:

Thomas LeJuene 373-7308

Bill Jacox 876-8794

David Scism 757-5916



## **TOWN OF PLEASANT VALLEY Building Permit Application Checklist**

### Documents Required: \*

- 1) Full application package filled out completely
- 2) Impervious Surface Permit application (if applicable)
- 3) Plot Plan filled in with all dimensions and locations of proposed work
- 4) Homeowner's insurance – copy of declarations page
- 5) Certificate of Workers Compensation (notarized) (if applicable)
- 6) Certificate of Liability Insurance
- 7) Electrical Certificates (if applicable)
- 8) Owner's Consent form (if applicable)
- 9) Plans – sufficient in detail so as to be reviewed by the building inspector
- 10) Dutchess County San 34 form (if applicable)
- 11) Dutchess County San 35 form (if applicable)
- 12) Permit for Work on Town Road – driveway permit triplicate application (if applicable)
- 13) Driveway connection specification sheet relative to the above (as applicable)

*\* Not all items and forms will be applicable for every application*

# Town of Pleasant Valley, Dutchess County, New York

Office of Zoning Administrator  
1554 Main Street, Pleasant Valley, NY 12569  
Phone (845) 635-8395; Fax (845) 635-1452

## Application for Building Permit

For Office Use Only

Application Date \_\_\_\_\_ Permit Number \_\_\_\_\_ OK to Issue \_\_\_\_\_ Permit Fee \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_ Check # \_\_\_\_\_

This application must be *fully completed* and submitted to the Building/Zoning Office at Pleasant Valley Town Hall, along with an accurate *Plot Plan* and a *complete set of plans* of the proposed construction. The drawings must show the material and equipment to be used, and the details of structural, mechanical, plumbing and electrical installations. The Building Inspector may require that these plans be stamped and signed by a New York State registered architect or engineer. If the applicant is not the owner, a consent form must be executed. (see attached)

Applicant: Name \_\_\_\_\_ Phone Nr. \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner: Name \_\_\_\_\_ Phone Nr. \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Project: Location \_\_\_\_\_ Tax Grid Nr. 13- \_\_\_\_\_ Zoning District \_\_\_\_\_

Proposed Work:  New Construction  Addition  Alterations  Installation  Change of Occupancy for Business

Dimensions: Front \_\_\_\_\_, Rear \_\_\_\_\_, Depth \_\_\_\_\_, Height \_\_\_\_\_

Estimated Cost \$ \_\_\_\_\_ Total Square Footage \_\_\_\_\_

Existing Use and Occupancy \_\_\_\_\_

Description of Proposed Work \_\_\_\_\_

I hereby certify that I have read, understand and will comply with the following:

1. The work covered by this application may not be commenced before the issuance of a Building Permit.
2. A Building Permit becomes void if the work is not started within one year of date issued.
3. The Building Permit must be kept at the construction site and the Permit Placard must be visibly posted.
4. Each Building Permit expires 12 months from the date issued and may, upon application for renewal, be extended for one additional year.
5. The applicant agrees to comply with all applicable laws, ordinances and regulations.

**No building shall be occupied or used in whole or in part for any purpose or reason prior to the issuance of a Certificate of Occupancy/Compliance. It is the applicant's responsibility to contact this office for the required inspection(s).**

All phases of construction are inspected at the appropriate time through the Building Department with at least 24 hours' notice with the exception of the electrical inspection which is performed by the NYS underwriters. (See cover page)

Applicant \_\_\_\_\_ Date \_\_\_\_\_  
Signature



# Town of Pleasant Valley

1554 Main Street

Pleasant Valley NY 12569

Office of Zoning Administrator

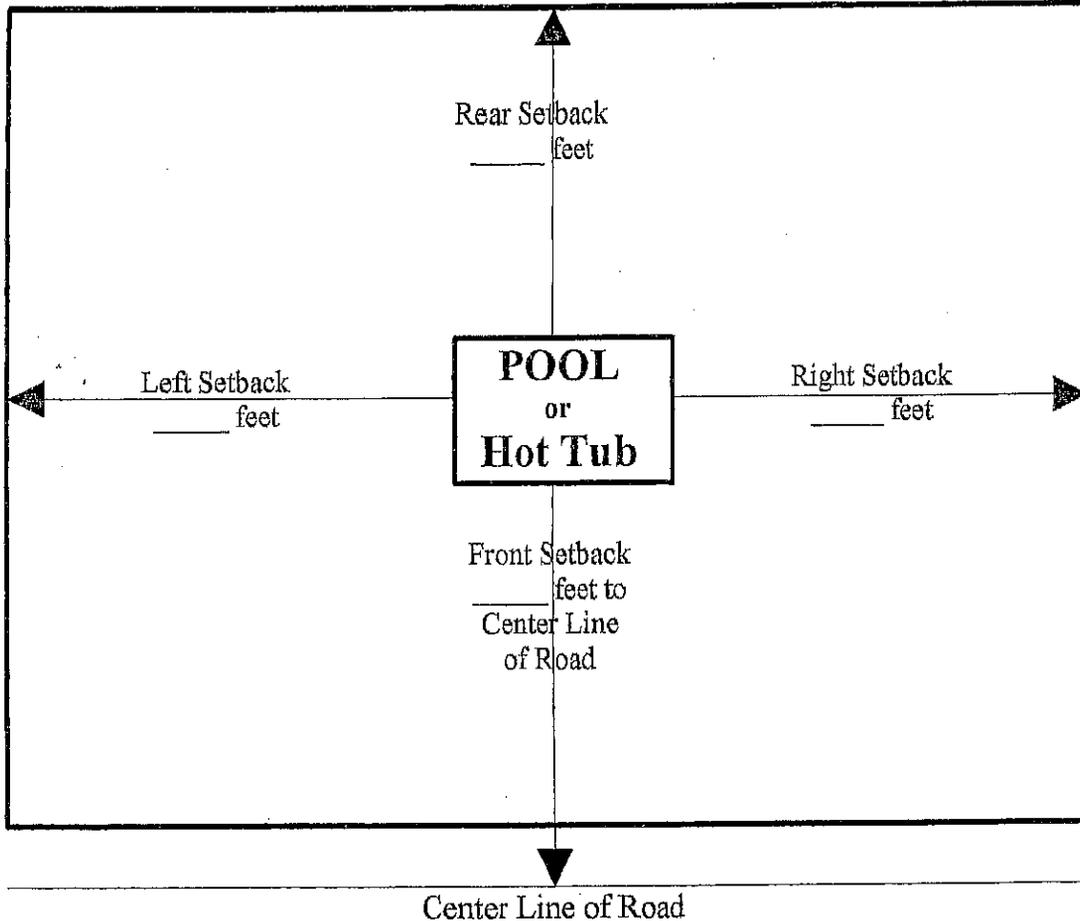
## Application for Pool Permit

For Office Use Only

Application Date \_\_\_\_\_ Permit Number \_\_\_\_\_ OK to issue \_\_\_\_\_ Permit Fee \$ \_\_\_\_\_

Applicant \_\_\_\_\_ Address \_\_\_\_\_  
Grid Nr. \_\_\_\_\_ Phone \_\_\_\_\_

( ) In-Ground ( ) Above-Ground Size \_\_\_\_\_ Shape \_\_\_\_\_ Estimated Cost \$ \_\_\_\_\_



**Note:**  
Please attach  
a brochure or  
description  
of the Pool.

I hereby certify that I am the owner or authorized agent of the owner, and am duly authorized to perform or have performed the work, and to make and file this application; that all statements contained in this application are true to the best of my knowledge and belief, and that the work will be performed in compliance with all State Laws and Local Ordinances.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

Town of Pleasant Valley  
Office of Zoning Administrator  
1554 Main Street, Pleasant Valley, NY 12569

**Application for Impervious Surface**

**A Building Permit will not be issued for your project until this application is completed by you.**

Applicant: Name \_\_\_\_\_  
Address \_\_\_\_\_ Phone No. \_\_\_\_\_

Property Owner: Name \_\_\_\_\_  
Address \_\_\_\_\_ Phone No. \_\_\_\_\_

Grid No. Of Location: \_\_\_\_\_ Zoning \_\_\_\_\_ Lot size (acreage) \_\_\_\_\_

Dimensions of new construction _____	sq ft _____
All existing structures on property _____	sq ft _____
_____	sq ft _____
_____	sq ft _____
_____	sq ft _____
_____	sq ft _____

§98.33 Impervious Surface – Definition – *Those surfaces which do not allow the passage of water. Ie. asphalt, solid concrete pad, the house, shed, pool, patio and/or any other solid surface that water can not penetrate.*

Any impervious surface is considered a Structure, and as such is required to obtain a *no-fee* building permit prior to construction if such structure. This includes impervious parking lots and driveways, except paving and/or repaving existing driveways.

This application will be reviewed by the Zoning Administrator. A site inspection may be required to check conformity to the above regulations.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

<b><u>For Office Use Only</u></b>
I have reviewed this application and recommend ___ Issuance ___ Denial of this Impervious Surface Permit Application
Total Impervious Surface _____ %
A site inspection has been performed ___ Yes ___ No Date _____
Signature _____

## Schedule of Area and Bulk Requirements

	Con	RA	RR	LDR	MDR	HDR	MHP {1}	MC	HR {3}	H-PV	H-SP	H-WH	OI	Q	SFH {2}
Min Lot size	N/A	N/A	N/A	N/A	N/A	N/A	{1}	.5	N/A	N/A	N/A	N/A	1	20	{2}
Average Density <sup>{8}</sup> (acres for calculation of no. lots only)	10	5	3.5	2	1	.5	N/A	N/A	.15 {4}	.15 {4}	.15 {4}	.15 {4}	N/A	N/A	N/A
Min. Rd Frontage	50'	50'	50'	50'	50'	50'	{1}	50'	50'	50'	50'	50'	50'	50'	50'
Min/Max front yard setback <sup>{5}</sup>	80'	70'	70'	60'	50'	40'	{1}	Min. 15' Max. 30'	15'	Min. 0' Max. 20'	Min. 0' Max. 20'	Min. 0' Max. 20'	Min. 0' Max. 40'	100'	{2}
Min. side yard setback	40'	30'	30'	20'	20'	15'	{1}	0' <sup>{6}</sup>	15	0' <sup>{6}</sup>	0' <sup>{6}</sup>	0' <sup>{6}</sup>	20'	250'	{2}
Min back yard setback	60'	50'	50'	30'	30'	20'	{1}	10'	15'	10'	10'	10'	20'	250'	{2}
Min. lot width at primary bld line	400'	250'	200'	150'	100'	50'	{1}	75'	50'	50'	50'	50'	100'	750'	{2}
Max. impervious coverage (%)	10	15	20	20	25	30	30	85	40	85	85	85	70	20	{2}
Max. bid footprint (sf) per nonresidential establishment <sup>{7}</sup>	4,000	4,000	4,000	4,000	4,000	4,000	-	10,000	4,000	15,000	6,000	10,000	40,000	10,000	{2}
Max. Height (feet)	35'	35'	35'	35'	35'	35'	35'	35'	35'	40'	35'	40'	35'	30'	{2}

{1} See §98-36 for requirements in the MHP District. Conversion of Manufactured Home Park to single-family or two-family residential will convert to the predominant adjoining zoning district designation.

{2} In the SFH District: allowed uses, accessory buildings and additions to structures shall conform to the most restrictive adjoining zoning area and bulk requirements and to the floodplain regulations in

{3} In the SFH District: allowed uses, accessory buildings and additions to structures shall conform to the most restrictive adjoining zoning area and bulk requirements and to the floodplain regulations in §98-29. New residential structures are prohibited in the Special Flood Hazard District (SFH).

{4} See §98-51, transfer of Development Rights, Purchase of Development Rights, and Density Management, and §98-24, Conservation Subdivision.

{5} The minimum is 1 acre without common or municipal water and/or sewer provision and meeting regulation §98.51.

{6} The front yard setback is from the property line. If the property line is the road centerline, the setback is from the assumed property edge.

{7} Where a lot line abuts land in a residential district, the most restrictive setback requirements of either district shall govern.

{8} Agricultural and agricultural related nonresidential structures are exempt from this maximum.

{9} Average Density is a more flexible method of residential development that allows for a range of lot sizes, versus the minimum lot size approach typically used. Instead of resulting in cookie-cutter subdivisions with lots that are all the same size, with "average density" the zoning for the district is used to calculate the allowed number of lots for a project, but the lot sizes can vary. This flexibility in lot size allows for a subdivision that can have a range of acreages and a range of home prices, while protecting natural and scenic resources and meeting Department of Health standards.

The general municipal law is amended by adding a new section 125 to read as follows:

125. ISSUANCE OF BUILDING PERMITS. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:

1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR

2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

## Implementing Section 125 of the General Municipal Law

### 1. General Contractors -- Business Owners and Certain Homeowners

For businesses and certain homeowners listed as the general contractors on building permits, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is ONE of the following forms that indicate that they are:

- ◆ insured (C-105.2 or U-26.3),
- ◆ a Board-approved self-insured employer (SI-12), or
- ◆ are exempt (WC/DB-100),

under the mandatory coverage provisions of the WCL. Any residence that is not a 1, 2, 3 or 4 Family, Owner-occupied Residence is considered a business (income or potential income property) and must prove compliance by filing one of the above forms.

### 2. Owner-occupied Residences

For homeowners of a 1, 2, 3 or 4 Family, Owner-occupied Residence, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file Form BP-1.

- ◆ Form BP-1 shall be filed if the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is listed as the general contractor on the building permit, and the homeowner:
  - ◇ is performing all the work for which the building permit was issued him/herself,
  - ◇ is not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
  - ◇ has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued.
- ◆ If the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied Residence is hiring or paying individuals a total of 40 hours or MORE in any week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" Form BP-1, but shall either:
  - ◇ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit (Form C-105.2 or Form U-26.3), OR
  - ◇ have the general contractor, performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit, provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.

# Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

*\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\**

**Under penalty of perjury**, I certify that I am the owner of the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- I am performing all the work for which the building permit was issued.
- I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- I have a homeowner's insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

\_\_\_\_\_  
(Signature of Homeowner)

\_\_\_\_\_  
(Date Signed)

\_\_\_\_\_  
(Homeowner's Name Printed)

Home Telephone Number: \_\_\_\_\_

Property Address that requires the building permit:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sworn to before me this _____ day of _____
_____
(County Clerk or Notary Public)

Once notarized, this Form BP-1 serves as an exemption for both workers' compensation and disability benefits insurance coverage.



TOWN OF PLEASANT VALLEY  
OWNER'S CONSENT NOTICE

Date

\_\_\_\_\_

Location of Property

\_\_\_\_\_

Record Owners

\_\_\_\_\_

Address & Phone

\_\_\_\_\_

I (We)

\_\_\_\_\_

hereby give

(Owner - Please Sign)

Consent To:

\_\_\_\_\_

(Applicant)

To act as my (our) agent with regard to the application  
made to the Planning Board concerning the above property

Signed:

\_\_\_\_\_

Print Name:

\_\_\_\_\_

Title:

\_\_\_\_\_

(must be notarized)

Sworn to before me. This \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

County Clerk or Notary Public

# 1. Notice of Emergency Adoption

## Temporary Swimming Pool Enclosures

Addition of section 1228.4 of Title 19 NYCRR.

Subject of the rule:

The use of temporary swimming pool enclosures during the period of construction or installation of a swimming pool and the replacement of such temporary enclosures with permanent enclosures.

Purpose of the rule:

To implement paragraph (c) of section 378(14) of the Executive Law, as added by Chapter 234 of the Laws of 2007.

If you have any questions or comments regarding this proposed change, please contact:

Raymond J. Andrews, RA, Assistant Director for Code Development

New York State Department of State Division of Administration and Enforcement

41 State St., 11th Floor

Albany, NY 12231

Phone: (518)-474-4073

or by e mail at:

[Raymond.Andrews@dos.state.ny.us](mailto:Raymond.Andrews@dos.state.ny.us)

### Proposed Rule Text

Part 1228 of Title 19 NYCRR is amended by adding a new section 1228.4 to read as follows:

#### Section 1228.4. Temporary swimming pool enclosures.

(a) Purpose. This section is intended to implement the provisions of Executive Law sections 378(14)(c) and 378(16), as added by Chapter 234 of the Laws of 2007. (The provisions of Executive Law section 378(14)(c), as added by Chapter 75 of the Laws of 2007, as well as the provisions of Executive Law section 378(14)(b), are implemented by section 1228.2 (Pool alarms) of this Part.)

(b) Definition. For the purposes of this section, the following words and terms shall have the following meanings:

(1) The word "approved" means approved by the code enforcement official responsible for enforcement and administration of the Uniform Code as complying with and satisfying the purposes of this section.

(2) The term "complying permanent enclosure" means an enclosure which surrounds a swimming pool and which complies with (i) all provisions of the Uniform Code (other than the provisions of subdivision (c) of this section) applicable to swimming pool enclosures, (ii) the provisions of any and all other New York State codes or regulations applicable to swimming pool enclosures, and (iii) any and all local laws applicable to swimming pool enclosures and in effect in the location where the swimming pool shall have been installed or constructed.

(3) The term "swimming pool" means any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes in-ground, above-ground and on-ground pools; indoor pools; hot tubs; spas; and fixed-in-place wading pools.

(c) Temporary enclosures. During the installation or construction of a swimming pool, such swimming pool shall be

INTERNATIONAL BUILDING CODE  
BARRIER REQUIREMENTS  
FOR  
SWIMMING POOLS, SPAS AND HOT TUBS.

APPENDIX G

SECTION AG105  
BARRIER REQUIREMENTS

AG105.1 Application. The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against drowning and near-drowning by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

1. The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on the top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

6. Maximum mesh size for chain link fence shall be a 2.25 inch (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be securely locked with a key, combination or other child-proof lock sufficient to prevent access to the swimming pool through such gate when the swimming pool is not in use or supervised. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than the pedestrian access gates shall have a self-latching device. Where the release

## 1220.5. Swimming pool alarms. [amended text 12/14/2006]

**(a) Purpose.** Paragraph (b) of subdivision (14) of section 378 of the Executive Law, as added by Chapter 450 of the Laws of 2006, requires that the New York State Uniform Fire Prevention and Building Code (the Uniform Code) provide that any "residential or commercial swimming pool constructed or substantially modified after the effective date of this paragraph (December 14, 2006) shall be equipped with an acceptable pool alarm capable of detecting a child entering the water and of giving an audible alarm." The introducer's Memorandum in Support of Chapter 450 states, in pertinent part, that "drowning is the second leading cause of unintentional injury-related deaths in children between the ages of one and fourteen nation wide, and the third leading cause of injury-related deaths of children in New York. . . . (T)echnological advances have produced several different types of pool alarms designed to sound a warning if a child falls into the water. When used in conjunction with access barriers, these alarms provide greater protection against accidental pool drownings." This section and section 1221.3 of Part 1221 of this Title are intended to implement the provisions of Executive Law section 378(14)(b).

**(b) Definitions.** The terms "approved," "commercial swimming pool," "residential swimming pool," "swimming pool," "substantial damage," and "substantial modification" shall, for the purposes of this section, have the meanings ascribed in subdivision (b) of section 1221.3 of Part 1221 of this Title.

**(c) Pool alarms.** Each residential swimming pool installed, constructed or substantially modified after December 14, 2006 and each commercial swimming pool installed, constructed or substantially modified after December 14, 2006 shall be equipped with an approved pool alarm which:

- (1) is capable of detecting a child entering the water and giving an audible alarm when it detects a child entering the water;
- (2) is audible poolside and at another location on the premises where the swimming pool is located;
- (3) is installed, used and maintained in accordance with the manufacturer's instructions;
- (4) is classified by Underwriter's Laboratory, Inc. (or other approved independent testing laboratory) to