

MALVERNE BUILDING DEPARTMENT APPLICATION

99 Church Street Malverne, NY Phone 516-599-1200 Fax 516-823-0767

ELECTRONIC FILING GENERAL INFORMATION:

The Property Owner or agent authorized by the Property Owner can file permits. Click the appropriate link button to file.

A filing fee is due when submitting. See individual instructions.

You will need to upload any required documents electronically during the application submission. Some pages may need to be printed, filled out, signed with notary and scanned by the applicant for upload prior to starting the process. Please study the individual permit instructions.

Each upload file shall be in PDF, JPEG, BMP, TIF or comparable type file format and shall be separately clearly named. For example, “Current Survey”, “Construction Documents”, “Energy Code Certificate and Inspection Checklist”, “Smoke and Carbon Monoxide Affidavit”, “Design Professionals Affidavit”, “Fence Drawing”, “Driveway Drawing”, “Kitchen and Bathroom Sketch”, “Photo 1 of Basement”, “Manufacturers Specs”, “HVAC Condenser / Heat pump Location Sketch”, etc. Please do not upload a combined PDF file of the entire application package. Sheets of drawings sets can be one file.

Please fill out all known information at the time of submission.

Please verify your email addresses prior to submittance as that is how the building department will communicate with you regarding status of your applications.

Shall additional information be required you will be notified via email. Carefully follow the instructions on the email for resubmittals.

Upon approval of the application to a permit, you will be emailed to remit any balance if any fees due. You may pay via the credit card link provided on the village website.

Please note that you may need to file more than one type of permit application for your project. See instruction sheets for your scope of work for details.

Please contact the building department if you have any questions.

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RESIDENTIAL PERMIT INSTRUCTIONS

Incomplete applications will not be accepted.

For Electronic Filing

No application shall be deemed complete unless it meets the information requirements listed within these permit instructions. Additional fees are due upon approval of the permit. A portion of the required additional permit fees may be based on cost of construction as per current average industry average construction costs. All fees are non-refundable. ALSO SEE PERMIT PROCESS INFORMATION SHEET.

A \$150.00 filing fee is due at filing for each **building** permit application. You will be notified of final fees due via email. You may pay via the credit card link provided. All fees are non-refundable.

Residential Building Permit Application Packages may include:

1. Residential Building permits shall be filed under the “Building Permit Application” link button.
2. Upload completed “Affidavit of Property Owner of electronic filing”. Form available on village website.
3. Please clearly describe the scope of work in detail such as “Residential - construct 20 ft. x 10 ft. one story addition over crawl space, Renovate existing kitchen with appliances to remain in same locations, install 20 ft. x 30 ft. inground steel wall swimming pool with drywell, etc. Include square footage and or size of proposed structures and any other applicable information.
4. Upload completed Zoning Analysis calculations form signed and sealed by NYS design professional, when scope of project includes an applicable change in footprint or an applicable change of use of a portion of the building. Available on the village website.
5. Submit ‘Plumbing Permit Application’ – if plumbing work (fixtures, gas or water piping, boiler, etc.) under separate filing under the “Plumbing Permit Application” button. See instructions.
6. Submit ‘Electrical Permit Application’, if electrical work, under separate filing under the “Electrical Permit Application” button. See instructions.
7. Submit ‘HVAC Permit Application’, if HVAC work, under separate filing under the “Building Permit Application” button. See instructions.
8. Submit Nassau County Tax Assessment application with all applications. Available on the village website.
9. Submit Design Professional affidavit if design professional drawings.
10. Submit Applicant Affidavit. Available on the village website.
11. Submit Smoke and Carbon Monoxide Dectector affidavit. Available on the village website.
12. Submit Short Environmental Assessment Form. Available on the village website.
13. Submit Storm Water Management and Erosion Control Permit Application for projects with land disturbing area of one acre or more sq. ft. under separate filing under “Building Permit Application” button. See instructions.
14. Please note: All contractors must be licensed directly with the Village of Malverne.

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RESIDENTIAL PERMIT INSTRUCTIONS

15. Applications inactive for six months will be automatically withdrawn. No refunds.
16. All applications with exterior changes to the building may be subject to Village Architectural Review Board (ARB) approval (hearings once a month). Applications subject to ARB may upload signed and sealed floor plans of all floors including basement, exterior elevations, plot plan and zoning calculation form, and any other drawings necessary and completed to a point to construe the design for zoning view at initial submission. If ARB review is required, See ARB submittal requirements sheet that will be provided at that time. ALSO SEE PERMIT PROCESS INFORMATION SHEET
17. All applications are subject to Zoning Board of Appeals ZBA approval (hearings once a month). For review of Zoning please upload signed and sealed floor plans, exterior elevations, plot plan and zoning calculations, and any other drawings necessary and completed to a point to construe zoning conformance or non-conformance. Zoning Board Variance approval must be completed prior to ARB approval. ALSO SEE PERMIT PROCESS INFORMATION SHEET
18. Refer to the Malverne Village Zoning Code and NYS Building Codes for further information.
19. Sheds and other similar accessory structures under 144 square feet and Decks/Patios at a maximum height above grade of 8 1/4" do not require a permit but are required to adhere to all zoning requirements and building codes. SEE VILLAGE ZONING CODE. Maximum height of sheds and cabanas is 10 feet.
20. Any Tree removals under separate permit from the village clerk's office.
21. See "WHEN DO I NEED A PERMIT" for further information on the village website.
22. Maintain And Legalize Applications for structures and installations constructed without a permit are subject to fee surcharges. Multiple angle pictures of the existing conditions shall be uploaded in jpeg or PDF format. Any undocumented footprint changes to the building, including but not limited to decks, porches, additions, swimming pools, and accessory structures over 144 sq. ft. shall require an updated survey by a licensed land surveyor uploads at time of application.

Examples of Residential Building Permit applications include but are not limited to the following. Please contact the building department shall your scope of work not be listed below.

New Homes: ARB review required. Upload NYS Architect or Engineer signed and sealed detailed construction drawings of the proposed structure with plot plan showing the proposed location of the structures and include set back measurements to property lines, Zoning Analysis sheet, current, accurate, and legible survey of your property, Energy calculations via Rescheck or equal with inspection checklists. Submit Plumbing Permit Application(s) (one for heating system, one for plumbing fixtures) and Electrical Permit Application. A final survey is required prior to issuance of Certificate of Occupancy. The following shall be filed under a separate permit including but not limited to finished basements, HVAC ducted or ductless split heating / cooling systems, forced air furnaces, fences, tree removal, decks, detached garages, accessory structures over 144 sq. ft., outdoor kitchens, driveways and aprons, curbs, sidewalks, sewer, gas and water connections, each accessory structure, and all swimming pools. Upload Manual S and Manual J energy reports from a certified agency. Please note that the Village does not require mandatory H.E.R.S. rated or Energy Star certified new dwellings, though a H.E.R.S. rated home is highly recommended. Separate application for storm water drywells and required for land disturbances one acre and more shall be filed under separate permit. SEE PERMIT PROCESS INFORMATION SHEET.

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RESIDENTIAL PERMIT INSTRUCTIONS

Additions/Dormers: ARB review may be required. Must include 'to scale' floor plans of the all floors of the existing conditions. Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings / plans of the proposed structure (*Must include 'to scale' floor plans of all floors, including basement, of the existing conditions*) with plot plan showing the proposed location of the structures and include set back measurements to property lines, Zoning Analysis sheet, current, accurate, and legible survey of your property. Energy calculations via Rescheck or equal with inspection checklists. Submit Plumbing Permit Application(s) (one for heating system, one for plumbing fixtures) if plumbing work proposed, and Electrical Permit application. A final survey is required prior to issuance of Certificate of Occupancy. The following shall be filed under a separate permit including but not limited to HVAC ducted or ductless split heating / cooling systems, forced air furnaces, fences, tree removal, swimming pools, decks, detached garages, accessory structures over 144 sq. ft., driveways and aprons, curbs, sidewalks. Storm water drywells required for land disturbances of one acre or more shall be filed under separate permit. Upload Manual S and Manual J energy reports from a certified agency for new conditioned space. SEE PERMIT PROCESS INFORMATION SHEET.

Decks (greater than 8 1/4 inches above grade):

Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings / plans of the proposed deck (*Must include 'to scale' floor plans of all floors, including basement, of the existing conditions*) with plot plan showing the proposed location of the structures and include set back measurements to property lines, Upload completed Zoning Analysis Form, Upload PDF of current, accurate, and legible survey of your property. Must include Electrical Permit Application if any electrical work. A final survey is required prior to issuance of Certificate of Completion. Tree removals under separate permit. Each accessory structure requires a separate permit application. SEE PERMIT PROCESS INFORMATION SHEET.

Open or Enclosed Porches / Covered Patios (unconditioned space):

Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings / plans of the proposed structures (*Must include 'to scale' floor plans of all floors, including basement, of the existing conditions*) with plot plan showing the proposed location of the structures and include set back measurements to property lines, Upload Zoning Analysis Form, Upload PDF of current, accurate, and legible survey of your property. Must include Electrical Permit Application if any electrical work. A final survey is required prior to issuance of Certificate of Completion. Tree removals under separate permit. ARB review may be required. Each accessory structure requires a separate permit application. SEE PERMIT PROCESS INFORMATION SHEET.

Swimming Pools (above ground and in ground): Upload in PDF format NYS Architect or Engineer signed and sealed plot plan showing the proposed location of the pool and all pool equipment, pumps, filters, heater, drywell sized with calculations shown to hold 10% of the pool water volume for drainage and backwash. All with setback measurements to all property lines and structures. Upload Zoning Analysis Form. Upload PDF of current, accurate, and legible survey of your property. Upload pool manufacturer's specifications signed and sealed shop drawings with dimensions. Detail of drywell. Submit Plumbing Permit Application (if any plumbing work for gas line to heaters) and Electrical Permit Application. Must file Fence Permit Application separately as a pool barrier safety enclosure per NYS and village code. A final survey is required prior to issuance of Certificate of Completion. Tree removal under separate permit. A swimming pool requires a separate permit application from any other proposed work on the property. SEE PERMIT PROCESS INFORMATION SHEET. PLEASE ALSO REFER TO THE NYS SWIMMING POOL SAFETY BARRIER and VILLAGE ZONING REGULATIONS AVAILABLE ON THE WEBSITE FOR REQUIRED ALARMS, FENCE AND GATE REQUIREMENTS.

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RESIDENTIAL PERMIT INSTRUCTIONS

Detached Garages / Other Accessory Structures (greater than 144 sq. ft.): ARB review may be required. Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings of the proposed structure with plot plan showing the proposed location of the structures and include set back measurements to all property lines, Zoning Analysis sheet, current, accurate, and legible survey of your property. Submit Electrical Permit application. A final survey is required prior to issuance of Certificate of Completion. Tree removal under separate permit. No habitable space is allowed in accessory structures. Certain detached garage designs are pre-approved and ARB review is not required. Each accessory structure requires a separate permit application. Demolition Permit applications filed separately. SEE PERMIT PROCESS INFORMATION SHEET

Kitchen Renovations: Upload in PDF format 'to scale' floor plan of the existing layout and the new layout and extent of new finishes, drywall, and insulation areas. Denote any existing/new windows, doors, wall openings (sizes and types). Plumbing and Electrical permit applications will be required. Any changes to existing structural walls or other changes as deemed by the building department requires detailed construction drawings/plans, signed and sealed by a NYS architect or engineer.

Bath Renovations: Upload in PDF format 'to scale' floor plan of the existing layout and the new layout and extent of new finishes, drywall, and insulation. Show any existing/new windows, doors, wall openings (sizes and types). Plumbing and Electrical permit applications will be required. Any structural changes to existing walls or other changes as deemed by the building department require detailed construction drawings/plans, signed and sealed by a NYS architect or engineer.

Interior Alterations: Upload in PDF format of detailed construction drawings / plans of the proposed and existing. Drawings may need to be stamped by a NYS Architect or Engineer depending on scope. Must include Plumbing Permit Application, HVAC application and Electrical Permit application, if applicable.

Finished Basements for Habitable Space: (basement is to be used for habitable space such as a recreation room, home office, bedroom, media room, study, playroom, hobby room, media room, exercise room or other similar area). A pre-inspection may be required to be completed by the building inspector prior to review of the application package. Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings which show all dimensions, type of walls, ceiling, soffit and protrusion heights, smoke and carbon monoxide detectors, doors and window sizes and types, occupant fresh air requirements, combustion air requirements to heating appliances, the thermal envelope. and detail mandatory emergency escape and rescue opening(s), which shall meet NYS Code requirements. Upload PDF copy of Rescheck Energy Calculations with inspection checklist. Submit Plumbing, Electrical, HVAC permit applications as applicable. New Exterior Basement entry stairs as emergency escape are not permitted unless approved by the Village Trustees as a Special Use / Exception. SEE FINISHED BASEMENT FOR HABITABLE SPACE INFORMATION SHEET on the village website. NO KITCHENS, SHOWERS OR BATHTUBS ALLOWED . BAR SINK ALLOWED WITH LIMITED SIZE.

Finished Basements for Storage: (basement is to be used for non-habitable space such as a storage area, laundry, and utility access only). Upload in PDF format detailed construction drawings/plans which show all dimensions, type of walls, ceiling, soffit and protrusion heights, smoke and carbon monoxide detector locations, doors and window sizes, combustion air requirements to heating appliances. Submit Plumbing, Electrical, HVAC permit applications as applicable. Any changes to existing structural walls or other changes as deemed by the building department requires detailed construction drawings/plans, signed and sealed by a NYS architect or engineer. A NOTARIZED AFFIDAVIT BY THE CURRENT AND FUTURE PROPERTY OWNERS and BUYERS (if house for sale) STATING IT WILL BE USED ONLY FOR STORAGE MUST BE SUBMITTED PRIOR TO ISSUANCE OF ANY FINAL CERTIFICATES OF COMPLIANCE. NO BATHROOMS OF ANY KIND ARE ALLOWED IN A NON HABITABLE STORAGE USE ONLY BASEMENT.

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RESIDENTIAL PERMIT INSTRUCTIONS

Attic or Garage Conversions to Habitable Living Space: ARB review may be required for alterations to exterior of building. Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings / plans of the proposed work. (with plot plan showing the proposed location of the AREA and the driveway for garage conversions. You must maintain off street parking for at least two cars). *Must include 'to scale' floor plans of all floors, including basement, of the existing conditions.* Upload zoning analysis sheet for FAR change, Upload current, accurate, and legible survey of your property. Upload signed and sealed Energy calculations via Recheck with inspection checklist for new conditioned space. Submit Plumbing, Electrical, HVAC permit applications, as applicable. A final survey is required prior to issuance of Certificate of Occupancy. See garage conversion information sheet.

Windows / Exterior Door / Skylights Replacements: Three or more within a one-year period. Upload in PDF format energy code info 'U' and SGHC values of proposed units, number of windows, locations, types of units. Any structural changes to existing walls, ceilings, or roofs for larger than existing or new openings shall require detailed construction drawings/plans, signed and sealed by a NYS architect or engineer. Window and door replacements shall meet the minimum requirements of the NYS Energy and Residential Codes and be safety glass if required by the NYS Residential Code. No replacements shall be less than the ventilation opening of the existing window that is replaced and shall not reduce size of emergency escape and rescue opening if in a bedroom or sleeping area.

Landings and Steps for Egress only (not a deck, terrace or porch): more than two risers or more than 16 inches high. Upload in PDF format detailed construction drawings / plans of the proposed work, a current, accurate, and legible survey of your property. A final survey may be required prior to issuance of Certificate of Compliance. See typical code requirements for railings and steps for further information. NYS Architect or Engineer signed and sealed drawings may be required depending on scope. Show size, materials, hand and guard railing information, footing / foundation type and depth.

Interior Alterations: Upload in PDF format detailed construction drawings. Show entire floor plan, all floors. Removal of or new proposed structural members, partitions, windows, changes of use of a room, etc. will require NYS Architect or Professional Engineer drawings. Submit Plumbing, Electrical and HVAC permit applications, as applicable.

Hot Tubs/Spas: Upload in PDF format plot plan or marked up survey showing "to scale" the proposed location of the hot tub with setbacks to property line, hot tub manufacturer's specifications with size. Submit Fence and Electrical Permit Applications. PLEASE ALSO REFER TO THE NYS SWIMMING POOL SAFETY BARRIER REGULATIONS AVAILABLE ON THE WEBSITE FOR REQUIRED ALARMS, FENCE AND GATE REQUIREMENTS IF HOT TUB / SPA DOES NOT HAVE A LOCKABLE SAFETY COVER.

Porticos: If landing under 49 square feet Upload in PDF format NYS Architect or Engineer signed and sealed detailed construction drawings/plans of the proposed roof, landing and steps. Must include a plot plan showing the proposed location, size and square footage and include set back measurements to property lines to landing. Upload in PDF format a current, accurate, and legible survey of your property. Must include Electrical permit application if any electrical work. A final survey is required prior to issuance of Certificate of Completion. Porticos with landing larger than 48 sq. ft. shall be filed per the porch instructions.

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RESIDENTIAL PERMIT INSTRUCTIONS

Solar Panels and Energy Storage Systems: Upload in PDF format NYS Architect or Engineer signed and sealed construction documents including roof plan (floor plan for ESS) showing panel locations of panels, letter stating existing roof structure can handle the newly imposed loads of the system or detailed construction drawings depicting the new reinforcement, Long Island Unified Solar Permit Initiative document, equipment cut sheets (specifications, i.e.: size, weight load). After construction, a notarized affidavit from the installer, after the work is completed, stating that the installation was as per the approved plans and as per all applicable NYS Codes is required. Must include Electrical permit application.

Geo-Thermal System Upload in PDF format NYS Architect or Engineer signed and sealed construction documents. Must meet all New York State Code requirements and New York State Dept. of Environmental Control specifications; Include a current, accurate, and legible survey of your property and Plot Plan indicating well location(s). Submit with electric and plumbing permit applications.

Contact the building department for clarification of instructions for any other type of scope of work not listed on these or other instructions.

“Maintain and Legalize Existing” installed without permits or “Started Work Prior to Issuance of Permit” applications are subject to a surcharge fee per the current village fee schedule. All maintain and legalize applications require multiple angle pictures of all areas that are part of the application to be uploaded and a pre-inspection by the building inspector prior to issuance of permits.

Please note that any structures or installations not applicable to be filed for permits are not exempt from all applicable NYS and Village Codes.

MALVERNE BUILDING DEPARTMENT APPLICATION

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INSTRUCTIONS FOR FENCE PERMIT APPLICATION

Incomplete applications will not be reviewed

Please be advised that all of the following items must be submitted prior to review for paper copy submittals.

1. **One copy** of the fully completed fence permit application. signed with notary by property owner.
2. **One copy** of a recent survey of the property or a “to scale” plot plan of the entire property; Proposed fence location(s) **must be highlighted** or clearly marked with height and type of fence clearly indicated. Provide setbacks to property lines where applicable.
3. Fence Installer must be registered and currently licensed with the Village of Malverne and all insurance papers must be on file and up to date.
4. If a homeowner wishes to do the work, they must submit a signed CE-200 certificate available from the NYS Workers Compensation website for workers’ compensation and disability exemption. Further information and instructions are on the village website.
5. If there is a swimming pool or hot tub/spa on the property it must be indicated on the survey or plot plan, and the fence must be installed in compliance with both Malverne Village and New York State Codes. The fence can have a maximum of two one gates and **MUST** be out swinging, self-closing and self-latching entering the enclosed pool area.
6. Non-Refundable Permit Fee in the amount of **\$200.00**. Fee can be paid by a Money Order, credit card or check made payable to the Inc. Village of Malverne at the building department window. Credit card payment online on the village website. Surcharge applies for credit card payments. Maintaining as built fencing has a surcharge fee per the latest permit fee schedule.
7. “Call 811 Before You Dig” for mark out of any underground utilities prior to any excavations of ground.
www.digsafelynewyork.com

§ 600-10.2 Regulations for permitted fences and gates.

A. Regulations in residential districts.

Fences may be erected to a height not to exceed 6 feet, measured from adjacent finished grade to the highest point of the fence, except that fence posts may be 6 1/2 feet measured from adjacent finished grade in the rear yard only from the rear of the main building line to the rear property line and along the rear property line.

Where the contour of the land contains abrupt changes of grade, the fence may be stepped with the 6 feet height measured over grade, as an average for an eight-foot linear section of fence. All other fencing from the rear of the main building line to the front of the main building line shall be no higher than 5 feet.

B. Regulations in nonresidential districts.

(1) In nonresidential districts, or on any residential lot which is adjacent to any nonresidential district or lot, fences may be finished to a height of six feet, measured from adjacent finished grade to the highest point of the fence, except that fence posts may be 6 1/2 feet measured from adjacent finished grade. Where the contour of the land contains abrupt changes of grade, the fence may be stepped with the six-foot height measured over grade, as an average for an eight-foot linear section of fence.

(2) Where a nonresidential lot abuts a residential zone to the rear of the lot, an appropriately landscaped and screened buffer of no less than 10% of the nonresidential lot depth shall be created along such abutting line.

(3) Where a nonresidential lot abuts a residential zone, which zone is located to the side of the nonresidential lot, an appropriately landscaped and screened buffer of no less than five feet shall be created on the nonresidential plot along such abutting line.

C. Supplemental regulations applicable to all districts.

(1) No fence, except as provided in this article, shall be constructed or installed in any front yard, or along or adjoining any street line, or between the street line and the front building line of any improved lot, except open picket type fencing no higher than 4 feet and is allowed up to the front property lines. Chain-link style fences and gates are not permissible in any front yard. No other types of fence shall be constructed or installed beyond the front corner of the primary structure of the property upon which the fence will be constructed, unless otherwise permitted by other sections of the chapter. The primary structure shall not include any freestanding garage, shed or storage facility. When a property abuts two or more streets, the boundary of the property adjacent to a street which has the shortest distance in linear feet shall be considered the front yard. The boundary of the property adjacent to a street which has the longest distance in linear feet shall be considered the "secondary front" yard.

(2) Corner Lots. It is permissible to install a 5 foot maximum high fence of an approved type in the secondary front yard no closer than 3 feet and parallel to the secondary front lot line, and no closer to the primary front yard lot line than the front line of the main building on the lot.

(3) No fence or landscaping shall obstruct site lines at each side of an end of a driveway at the street. A right triangle shall be created with the fencing to assist a vehicle operators view of the sidewalk and street and have a minimum length of 7 feet long sides of the right triangle.

(4) All fences except unless otherwise noted in this code shall be constructed as near as practicable to, but not more than 12 inches from, a property line:

(a) Approved materials of fencing shall include PVC, Composite, Wood, Black Aluminum / Steel.

(b) Any fence used to connect a primary structure to a fence located along a property line.

(c) Landscaping fences less than one foot in height which are intended to protect landscaping, including, but not limited to, trees, shrubbery and gardens; however, such fences are not to be placed in any manner that would present a hazard to pedestrians on any public sidewalk or right-of-way.

(d) Fences surrounding swimming pools.

(5) A gate or permanent opening of at least three feet in width shall be provided in any fence that fully encloses an area. No gate, when in the open position, shall obstruct a public walkway.

(6) Except as allowed under this article, no fence shall be erected on any lot not in conformance with this section without the prior approval of the Zoning Board of Appeals on proper application made to such Board. The Zoning Board of Appeals, in reviewing an application for a variance for the erection of a fence other than a fence allowed in this article, shall, in addition to other factors, consider the following:

- (a) The parcel size;
- (b) The placement of structures upon the parcel, if any;
- (c) The needs of the applicant;
- (d) The type, size and height of the fence to be installed;
- (e) The proximity of structures upon adjacent parcels;
- (f) The type, size and height of fences upon adjacent parcels;
- (g) The proximity of driveways upon the parcel;
- (h) The proximity of driveways upon adjacent parcels;
- (i) The safety and welfare of persons using sidewalks and public rights-of-way on the parcel;
- (j) The safety and welfare of persons using sidewalks and public rights-of-way on adjacent parcels;
- (k) The safety and welfare of the applicant; and
- (l) Any other factors relevant to the application.

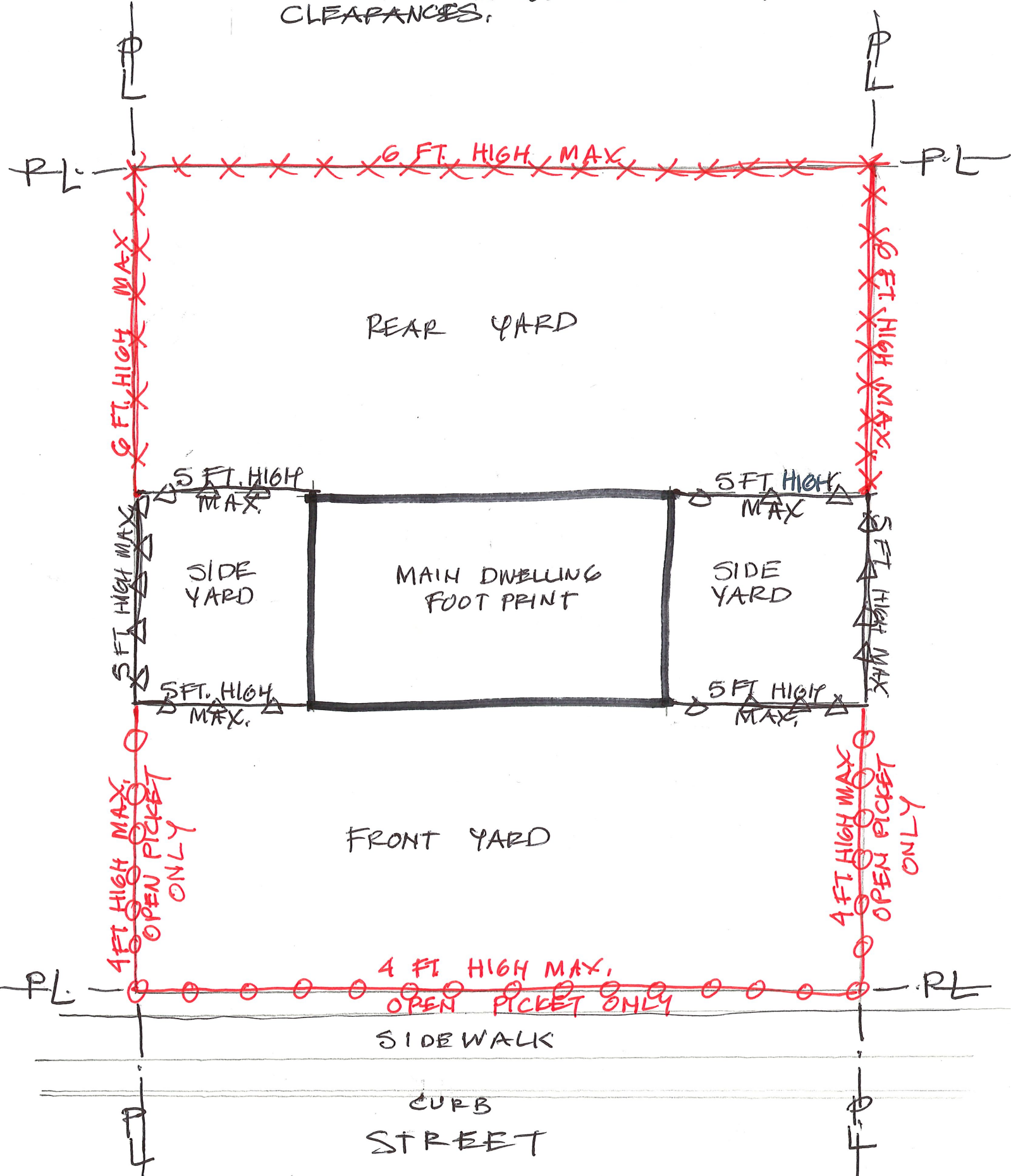
(7) Nothing in this article shall be deemed or construed to prohibit the repair, as distinguished from replacement, of a legally preexisting, nonconforming fence. A fence shall be deemed to be replaced and not repaired if the cost of such alteration or repair is greater than 50% of the current structural replacement value of the nonconforming fence.

§ 600-10.3 Prohibited fences and gates.

The following fences are prohibited in the Village of Malverne:

- A. Chicken wire, barbed wire, razor wire, welded mesh wire, electrically charged fences and any material intended to cause injury to a person or animal making contact with the same.
- B. Snow fences.
- C. Fences made of solid plywood, flake board, scrap lumber, pallets, bamboo, rope, chain, sand fences, gabion fences, hurdle fences, decorative metals, and similar noncustomary fence materials.
- D. Fences made of common concrete or concrete block.
- E. Fences topped with sharp-edged or spiked material, except this shall not prohibit picket fences.
- F. Fences on any portion of any public right-of-way, except fences erected by a government entity or authority.
- G. Fences, shrubs or hedges that interfere with clear vision at or near a street intersection. No fence, hedge and/or shrubbery shall be erected less than 15 feet from the street curb intersection, as measured by a triangle from the closest intersecting corner.
- H. Fences so constructed as to prevent natural water drainage and/or runoff.
- I. Fences with posts with the rough or unfinished side of the fence facing toward the street or neighboring property, except when such fence is abutting a commercial property, a property operating as a railroad, or a property operating as a state parkway.
- J. Construction fences, except that such fences shall be permitted as part of building permit when construction has been approved by the Superintendent of Buildings and commenced. Such fences shall be maintained in good condition at all times and shall be removed upon the direction of the building department if property is safe and secure and or the issuance of a certificate of occupancy or compliance.
- H. Temporary pool enclosure fences, except that such fences shall be permitted as part of building permit when construction has been approved by the Superintendent of Buildings and commenced. Must meet state code. Such fences shall be maintained in good condition at all times and shall be removed upon the direction of the building department if property is safe and secure and or the issuance of a certificate of or compliance.

* SEE VILLAGE CODE FOR ADDITIONAL INFORMATION INCLUDING DRIVEWAY CLEARANCES.



TYPICAL FENCE ALLOWABLE LOCATIONS
MIDDLE LOT

MALVERNE BUILDING DEPARTMENT APPLICATION

99 Church Street Malverne, NY Phone 516-599-1200 Fax 516-823-0767

FLATWORK CONCRETE / ASPHALT / DRIVEWAY PAVERS

IN FRONT YARD

APPLICATION INSTRUCTIONS

Incomplete applications will not be accepted.

For Electronic Filing

1. Concrete / Asphalt / Paving permit applications shall be filed under the “Building Permit Application” button.
2. A minimum \$100.00 filing fee is due at filing. You will be notified of any additional fees due via email. You may pay via the credit card link provided. All fees are non-refundable. Total fee may be paid at time of application if scope of work is fully known.
3. Upload completed “Affidavit of Property Owner”. Form available on village website.
4. Describe Scope of Work the materials, area, size, square footage, and/or linear feet of each scope.
5. Upload survey / plot plan clearly marked indicating the location and size of proposed sidewalks, apron, driveway area, and curb cut locations where work is to be performed. Provide accurate drawing to scale.
6. Any work on village property must be constructed by a licensed village contractor (sidewalks, aprons, curbs, drop curbs, curb cuts)
7. See diagrams for village specifications of sidewalks, aprons, curbs. Zoning Regulations deem no more than one curb cut per residential property per frontage on street.
8. All concrete work requires a copy of the concrete pour ticket - the permit cannot be closed until received.
9. Concrete wash-out shall not be dumped into storm drains or streets.
10. **Inspection is required prior to pouring concrete for reinforcement. Please notify the building department at 516-599-1200 extension #113 or #114. 48 hour notice is required.**
11. Zoning Code 600-4.1 j. Off street parking: the total area of driveway, parking space, pavement, gravel or combination thereof in the front yard of a dwelling that is intended and used for the parking of vehicles in the front yard shall not exceed the amount of square footage derived by multiplying the shortest distance in feet between the front line of the plot and the nearest point of the building by 20.
12. No registered contractor shall sign a concrete/paving permit or act as an agent for a person who is not a licensed contractor in the Village of Malverne. I understand that my license in the Village of Malverne could be in jeopardy by violating the above section. Applicant certifies that all information given is correct and that all work shall conform to the current NYS Residential, Building, Fire, Existing Building, Property Maintenance, and all Village Ordinances for which this permit is issued. No work is to be performed until a permit has been issued by the Incorporated Village of Malverne.
13. Walkways and Patios on grade (less than 8 ¼ inches high) do not require permits but must meet Village Zoning Requirements. 4 foot setback for patios and 2 feet setback for walkways.
14. Landings and Steps more than two risers high or 16”, retaining walls higher than 24 inches high to be filed under “File Building Permit”. See other instructions.

MALVERNE BUILDING DEPARTMENT APPLICATION

99 Church Street Malverne, NY Phone 516-599-1200 Fax 516-823-0767

CENTRAL AIR / HVAC / GENERATOR **PERMIT APPLICATION INSTRUCTIONS**

For Electronic Filing

1. Central Air / HVAC / Generator Permits shall be filed under the “Building Permit Application” button.
2. Upload completed “Affidavit of Property Owner for electronic filing”. Form available on village website.
3. **A \$150.00 filing fee is due at the time of submitting the application.** You will be notified of the final fee due via email. You may pay via the credit card link provided or submit a check or money order to the building department. All fees are non-refundable.
4. Fill out “Scope of Work” such as “ Install one zone ducted central air system.” or “Install ductless split system with one exterior heat pump”. Indicate locations of all interior air handlers.
5. Upload marked up survey/plot plan in PDF form indicating any exterior unit locations including set back dimensions to all property lines and the building.
6. Upload manufacturer’s specification sheets for ALL equipment and or appliances– including Energy Information (SEER). Must meet the requirements of the 2025 Energy Conservation Code of NYS
7. File Separate Electrical permit application for electrical work
8. File Separate Plumbing permit application for Gas piping / Water Piping and Boilers / Water Heaters if applicable.
9. Separate building permit and or certifications from a licensed design professional is required for any new building structural supports for HVAC units or verification of existing structure to support units such as on a roof.
10. Signed and Sealed drawings by a NYS Design Professional of Mechanical / HVAC drawings are required for commercial work – Upload in PDF format. Must meet the requirements of the 2025 Energy Conservation Code of NYS
11. No registered contractor shall submit a Central Air / HVAC/ Generator permit or act as an agent for a person who is not a licensed contractor in the Village of Malverne. I understand by submitting that my license in the Village of Malverne could be in jeopardy by violating the above section. Applicant certifies that all information given is correct and that all work shall conform to the current NYS Residential, Building, Plumbing, Fire, Existing Building, Fuel Gas, Energy Conservation, Property Maintenance and Mechanical Codes and all Village Ordinances for which this permit is issued.

“Maintain and Legalize Existing” installed without permits or “Started Work Prior to Issuance of Permit” applications are subject to a surcharge fee per the current village fee schedule. All maintain and legalize applications require multiple angle pictures of all areas that are part of the application to be uploaded.

MALVERNE BUILDING DEPARTMENT APPLICATION

99 Church Street Malverne, NY Phone 516-599-1200 Fax 516-823-0767

SIGN / AWNING PERMIT INSTRUCTIONS

Incomplete applications will not be accepted.

For Electronic Filing

1. Sign and Awning permit applications shall be filed under the “File Building Permit” button.
2. Each sign or awning requires a separate Sign Awning permit application
3. Upload completed “Affidavit of Property Owner”. Form available on village website and under instructions.
4. A \$200.00 filing fee is due at filing for each sign or awning. You will be notified of final fees due via email. You may pay via the credit card link provided or submit check or money order to the building department. All fees are non-refundable.
5. Clearly denote in the scope of work “Install new awnings at *tenant* name” etc. including the type of sign or awning, the size (height, width and depth), style, materials, whether internally illuminated, exterior illuminated, or non-illuminated and any other pertinent information to convey the design of the size.
6. All signs and awning are subject to Architectural and Site Plan Review Board (ARB) approval (Public hearing is once a month)
7. See Article IX of the Village Zoning Code for sign regulations. Available on village web site www.malvernevillage.org
8. Sign Installer must be licensed with the Village.
9. Signs are subject to zoning review. Any zoning variances must be obtained prior to ARB review hearing. Applications that require a Variance from the Zoning Board of Appeals need to file a separate Variance application after application denial. (Public hearing is once a month)
10. UPLOAD IN PDF FORMAT THE FOLLOWING:
 - a. Signage / Awning COLORED shop drawings from sign manufacturer: Include height, length, overall square feet, type, font, wording, graphics, materials, frame, details of anchorage to building / ground, show and denote colors.
 - b. Elevation of building wall if applicable with proposed sign, exterior lighting and any other pertinent information for the village to review to ensure conformance with the zoning code. Include height to bottom of sign above grade, height to top of sign above grade, and dimensions of its location on building. Include specifications of exterior lighting if new or replaced.
 - c. Drawings signed and sealed by NYS Licensed Design Professional for frame, bracket, post, or other required structural anchorage to the building, foundation, or ground with details as applicable. All to show conformance with the 2025 NYS Building Code showing lateral, dead, and live and snow loads. CAN BE FORWARDED AFTER ARB APPROVAL.
 - d. Plot plan and or survey showing and dimensioning location of sign on property / building from property lines.
 - e. Photograph of existing front elevation or building or area where sign will be located.

11. Sample materials / colors of the sign or awning must be brought to the ARB hearing.
12. Separate Electrical Permit application required for any electrical work. Electrician must be licensed with the Village. Can be submitted after ARB hearing.
13. Affidavit For ARB and Site Plan Review / Special Use Application Costs and Fees. Form available on the village website to be printed, signed, scanned and uploaded.
14. Affidavit of Appearance if property owner will not be at the ARB hearing. Form available on the village website to be printed, signed, scanned and uploaded.
15. Any work to the building shall be filed under a separate building permit.

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MALVERNE BUILDING DEPARTMENT APPLICATION

99 Church Street Malverne, NY Phone 516-599-1200 Fax 516-823-0767

COMMERCIAL BUILDING PERMIT INSTRUCTIONS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

No application shall be deemed complete unless it meets the information requirements listed within these permit instructions. Additional fees are due upon approval of the permit. A portion of the required additional permit fees may be based on cost of construction as per current average industry average construction costs. All fees are non-refundable.

A \$250.00 filing fee is due at filing. You will be notified of final fees due via email. You may pay via the credit card link provided. All fees are non-refundable.

Commercial Building Permit Application Packages may include:

1. Commercial Building Permits shall be filed under the “Building Permit Application” button.
2. Upload completed “Affidavit of Property Owner”. Form available on village website and under instructions.
3. Please clearly describe the scope of work in detail such as “construct addition, renovate tenant space, change of use, new tenant, etc.) include square footage and or size of proposed structures as applicable.
4. All applications are subject to Village Architectural and Site Plan Review Board approval, as applicable. See page two for preliminary submittal.
5. All applications are subject to Village Zoning Board of Appeals (ZBA), Planning and / or Special Use / Exception approval, as applicable. See page two for preliminary submittal.
6. Submit Plumbing Permit Application, if plumbing work (gas, supply water, drainage), under separate filing under the “File Plumbing Permit” button. See instructions.
7. Submit Electrical Permit Application if electrical work under separate filing under the “File Electrical Permit” button. See instructions.
8. Submit HVAC Permit Application, if HVAC work, under separate filing under the “File HVAC/Generator Permit” button. See instructions.
9. Storm Water Management Permit Application for projects with land disturbing area of 1 acre or more under separate filing under “File Residential or Commercial Permit” button. See instructions.
10. Applications / Permits inactive for six months will be discarded.
11. Refer to the Malverne Village Zoning Code and Building Code for further information.
12. Subdivisions are subject to possible Village and County Planning Board approval.
13. Submit Signage / Awning Permit Application, if proposed (requires ARB hearing approval) under separate filing under the “File Residential or Commercial Permit” button. See instructions.

MALVERNE BUILDING DEPARTMENT APPLICATION

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Examples of Typical Commercial Building Permit applications and their approval process include but are not limited to the following. Please discuss your scope of work with the Building Dept. Superintendent so the building department can advise you of the required approvals.

New Buildings:

Step 1: Zoning and ARB preliminary review required – Upload in PDF format NYS Design Professional signed and sealed drawings of the proposed structure as required to construe the design. Typically includes, but not limited to, all floor plans, exterior elevations, cross section, fully detailed plot / site plan with parking and storm water management layouts, details and calculations, full zoning code analysis. Upload in PDF form current, accurate, and legible survey of the property.

Step 2: Submit under separate Board applications and gain Zoning Board, Planning Board, Special Use and ARB approvals, as applicable respectively - see other application instructions and or checklists.

Step 3: Upload in PDF format NYS Design Professional signed and sealed final construction drawings including plot / site plan. Must include full Building Code Analysis, Upload Energy calculations via Comcheck with inspection checklists. File separate Plumbing, HVAC, and Electrical Permit applications, as applicable.

A final survey is required prior to issuance of Certificate of Occupancy.

Upload Application Approvals from Nassau County Fire Marshal office for Fire Sprinkler and Fire Alarm Systems, Nassau County Health Dept., Nassau County Planning Commission, Nassau County DPW

Upload Asbestos and Lead abatement, Special inspections affidavits, as applicable.

The following, but not limited to, to be filed under separate permit applications: structure demolition, fire alarm, fire sprinkler, fences, tree removal, signage, sewer, gas and water connections.

Interior and Exterior Alterations:

Step 1: Zoning and ARB preliminary review required - Upload in PDF format NYS Design Professional signed and sealed drawings of the proposed alterations as required to construe the design. Typically includes, but not limited to, floor plans, exterior elevations, cross section, plot / site plan with parking layout and calculations, full zoning code analysis. Upload in PDF format current, accurate, and legible survey of the property.

Step 2: Submit under separate Board applications and gain Zoning Board, Special Use and ARB approvals as applicable respectively – see other application instructions and or checklists.

Step 3: after hearings, Upload in PDF format NYS Design Professional signed and sealed final construction drawings including plot / site plan. Must include full Existing Building Code Analysis, Upload Energy calculations via Comcheck or equal. File separate Plumbing, HVAC, and Electrical Permit applications, as applicable. Upload Application Approvals from Nassau County Fire Marshal office for Fire Sprinkler and Fire Alarm Systems, Nassau County Health Dept., Nassau County Planning Commission.

Upload Asbestos and Lead abatement, Special inspections affidavits, as applicable.

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Please contact the Building Department if you shall have any questions.