



Town of Philipstown

Code Enforcement Office
238 Main Street, PO Box 155
Cold Spring, NY 10516

Office (845) 265- 5202 Fax (845) 265-2687

OUTDOOR WOOD FURNACE/BOILER

1. **BUILDING/ZONING PERMIT APPLICATION** - The applications must be filled out in sufficient detail and signed by the owner of the property or by an authorized agent/contractor with the submission of the **AGENT AUTHORIZATION FORM** other legal instrument authorizing the applicant to sign and obtain the Building Permit.
2. **CONSTRUCTION DRAWINGS** – Submit two (2) construction drawings showing the installation of the Outdoor Wood Furnace/Boiler. Show foundation and/or ground support, indicate the size of piping, wiring and location in to the building. Supply a copy of the manufacturers' installation instruction.
3. **SITE PLAN** - A plan or survey of the property showing the location of the Outdoor Wood Furnace/Boiler on the property, indicating the setbacks from the property lines in conformance with the Town of Philipstown Zoning Law.
4. **PUTNAM COUNTY LICENSED CONTRACTORS & SUBCONTRACTOR FORM** and copy of the Putnam County license to be submitted with the building permit application.
5. **WORKERS' COMPENSATION and EMPLOYEE LIABILITY** – Proof of insurance must be submitted from the contractor or home owner at the time of application. **ACORD FORMS** are not acceptable as proof of Workers' Compensation insurance.
 - Contractor with The State Insurance Fund must submit form U26.3 and DB-120.1.
 - Contractor with Private Insurance must submit form C-105.2 and DB-120.1.
 - Contractor who is self insured must submit form SI-12 or GSI-105.2 and DB-155.
 - Contractors who are exempt from Workers' Compensation must submit form CE-200.
 - An owner applying for the permit who occupies the residence may submit form BP-1 affidavit.
6. **INSPECTIONS** – Review required inspections with Code Enforcement officer.

New York State Uniform Fire Prevention and Building Code

The outdoor wood boiler is an appliance and is accessory to the building being heated on the same piece of property. As an outdoor appliance both the *Residential Code of New York State* (RCNYS) section M1401.4 and the *Mechanical Code of New York State* (MCNYS) section 303.6 require the boiler to be, listed and labeled for outdoor installation, and installed in accordance with the manufacturer's installation instructions. The penetration of the building wall by the pipes supplying the heated water to the building needs to be inspected. The requirements for a building permit for the pipe penetrations in the building wall are the jurisdiction of the individual local government.

The outdoor boiler is an appliance and is not an accessory structure. The codes regulate the location of an accessory structure relative to the adjacent building and relative to the property line. The codes are silent relative to the location of an outdoor appliance. Therefore, the location of an outdoor wood boiler is a zoning issue.

Town of Philipstown Code Chapter 172

WOOD-FIRED FURNACE - Any equipment, device or apparatus, or any part thereof which is installed, affixed or situated outdoors or indoors, for the primary purpose of combustion of fire-wood and untreated lumber as fuel to produce heat or energy used as a component of a heating system providing heat for any interior space.

172-4 No person shall cause, allow or maintain the use of a wood-fired furnace within the Town of Philipstown without first having obtained a permit from the Code Enforcement Officer. Application for a permit shall be made to the Code Enforcement Officer on the forms provided.

172-6 A. Permitted fuel. Only firewood, untreated lumber and fuels recommended by the manufacturer are permitted to be burned in any wood-fired furnace. Burning of any and all other materials in a wood-fired furnace, including but not limited to trash, plastics, gasoline, rubber, naphtha, household garbage, material treated with petroleum products (particle board, railroad ties and pressure treated wood), leaves, paper products and cardboard is prohibited.

B. Minimum lot size. Wood-fired furnaces shall be permitted only on lots of three acres or more.

C. Setbacks. Wood-fired furnaces shall be set back not less than 75 feet from the nearest lot line and shall be at least 300 feet from the nearest residence.

D. Months of operation. Wood-fired furnaces shall be operated only between November 1 and April 15.

E. Spark arrestors. All wood-fired furnaces shall be equipped with properly functioning spark arrestors.

F. Stack location. The stack must be two feet higher than the peak of the residence and a minimum of 20 feet above the ground.

G. Lighter fluids, gasoline or chemicals to start the furnace are prohibited.

H. The unit must be located with due consideration to the prevailing wind direction.

I. Users of wood-fired furnaces must follow manufacturers written instructions for installation, use and recommended loading times and amounts.

J. Wood-fired furnaces must be UL listed.

K. Wood-fired furnaces must be in the rear yard only.