

An original and seven copies of this application must be filed with the Village clerk together with a filing fee of \$250.00 for each location.

**INC. VILLAGE OF NORTHPORT
BOARD OF ZONING APPEALS
APPLICATION**

Date _____

Applicant Name _____
(Please Print)

Address _____

Telephone No. _____ Email Address: _____

Owner Name _____

Address _____

1. Application is hereby made for a variance or permit under Chapter _____

2. Location of Property _____

3. Location in Zone Designated as _____

4. Reason for this request _____

5. Name and address of all property owners within 200 feet of the premises:
(Mailing must be accomplished 14 days prior to hearing date and proof presented at the hearing)

5a. Please return the attached “**AFFIDAVIT OF POSTING**” completed and notarized to the ZBA office **PRIOR** to the scheduled hearing confirming that he or she has properly posted the sign(s).

6. Is there a school, or church within 200 feet of the premises? _____

7. Approximate cost of work involved \$ _____

8. Type of road _____ width _____

The undersigned hereby certifies that (he/she) (is/are) the owner(s) of the property referred to in this application and has (have) read the notice below.

Signature of Owner

NOTICE TO APPLICANTS TO BOARD OF ZONING APPEALS

Be advised that the Board must base its decisions on affirmative evidence. All determinations will, therefore, rest on presentation of factual proof.

The Board is bound by law in rendering decisions to follow the criteria set forth in the Zoning Ordinance and the burden is upon the applicant to present facts which satisfy these criteria.

**Board of Zoning Appeals
Inc. Village of Northport
Northport, NY 11768**

TO: All Applicants for Area Variances

FROM: Andy Cangemi, Chairman, Board of Zoning Appeals

RE: Required Supporting Documents & Proof at Zoning Board Hearings

When you make an area variance application, you are seeking to have our Board approve the construction of an improvement (addition, pool, shed, etc.) closer to one or more of your property lines than allowable by the Village Zoning laws.

Therefore, it is absolutely critical for you to give our Board enough specific and technical information to allow us to properly review your application and to make a fair decision.

The Clerk of the Board of Zoning Appeals has been instructed to reject any application failing to contain **8 copies of a survey and a site plan containing the minimal information outlined below.**

SURVEY

Specifically, we must know exactly how large your property is and how close to the property lines the proposed improvement will be constructed by you. This can only be done by locating the improvement on a survey. It is not necessary to obtain a new survey. The use of an old survey is acceptable as long as the old survey is legible and contains all existing improvements (with their dimensions) and the exact distances of all improvements (existing and proposed) from property and street lines.

SITE PLAN

We must know the proposed layout of all existing and proposed improvements. This can only be done by preparing a site plan showing, in detail, the size and configuration of all improvements, including front, rear, and side views of the existing and proposed improvements with elevation measurements.

The Site Plan should show the approximate contour of the grade surrounding the improvement and if the grade affects your ability to construct an improvement at a proper location on the property.

The site plan should also show the size and location of any sub-surface (i.e. cesspools) and natural (i.e. vegetation or trees) conditions affecting your ability to construct the improvement at the proper location on the property.

PHOTOGRAPHS

Photographs of the existing site improvements, and of neighboring properties, are required and strongly encouraged because they are extremely helpful to our Board in understanding your application. Pictures should be no more than 5 x 7 unless submitted by an expert witness.

A properly completed application with the required supporting documents will benefit you by allowing our Board to understand the specifics of your application and to make a fair and speedy decision.

If you have any questions about the preparation of these documents and the detail required by our Board, please call 261-7502 and talk to the Village Code Compliance Director, or the Secretary of the Board of Zoning Appeals.

LEGAL PROOF NECESSARY AT AREA VARIANCE HEARINGS

At the Zoning Board hearing, you are legally required to prove to our Board why you need the variance. Simply wanting the variance is not a legally acceptable reason.

The legal standards we are required to follow are set forth below and you must prove to our Board that you satisfy these criteria:

- A. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighted against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall also consider:
1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 3. Whether the requested area variance is substantial;
 4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district, and
 5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of an area variance.
- B. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of our community.

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone:	
		E-Mail:	
Address:			
City/PO:		State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



**VILLAGE OF NORTHPORT
ZONING BOARD OF APPEALS
AFFIDAVIT OF POSITING**

THIS IS TO CERTIFY THAT I HAVE POSTED OR HAS CAUSED TO BE POSTED A CLEARLY VISIBLE SIGN ON THE FRONTAGE OF THE SUBJECT PROPERTY LOCATED AT _____ GIVING NOTICE THAT AN APPLICATION IS PENDING BEFORE THE ZONING BOARD OF APPEALS. SAID SIGN HAS BEEN POSTED 14 CONTINUS DAYS PRIOR TO THE PUBLIC HEARING.

ZBA APPLICATION # _____

HEARING DATE : _____

DATE SIGN POSTED: _____

(Signature)

_____ (Print name)

Sworn to before me this
_____ day of _____

_____ Notary Public

**INC. VILLAGE OF NORTHPORT
BOARD OF ZONING APPEALS
CHECKLIST**

This sheet must be completed, signed, and returned with your application.

Please answer the following questions:

- _____ Is the need for the variance or other relief listed on the application?
- _____ Does the Letter of Denial reflect all structures and improvements that need legalization on your property? ALL STRUCTURES on the lot must have a Certificate of Occupancy or must be legalized via this application process.
- _____ Are there eight (8) copies of the letter of denial?
- _____ Are there eight (8) copies of a legible survey showing all existing structures or improvements on the lot, (with their dimensions) and exact distances from all property lines?
- _____ Are all proposed improvements (with their dimensions) and exact distances from the property lines and set backs noted on the survey?
- _____ Is the size and configuration of all improvements, including a side view of the existing and proposed improvements with elevation measurements included with the site plan?
- _____ Is the approximate contour of the grade surrounding the improvement contained on the site plan? (Only applicable if the grade effects the applicant's ability to construct an improvement)
- _____ Is the size and location of any vegetation, trees, cesspools, or natural conditions affecting the applicant's ability to construct the improvement noted on the site plan?

I have read and answered all of the above questions.

APPLICANT SIGNATURE