

SOUTHOLD TOWN ZONING BOARD OF APPEALS

Phone (631) 765-1809 Fax (631) 765-9064

INSTRUCTIONS FOR GENERAL SPECIAL EXCEPTION PERMIT APPLICATION

Please submit eight (8) collated sets (9 if waterfront land) with the Original signed set on top with check attached:

1. **Application:** Typed or neatly written, signed by the property owner and notarized to include a description of the use and activities requested in this Special Exception.
2. **Environmental Assessment Form :** (short or long form) completed and signed. The “long form” may be requested after inspection of the property.
3. **ZBA Questionnaire:** (If “yes” box is checked, please add additional information). Please complete and sign. Attach copy of contract of sale if one is in effect.
4. Copies of: (a) **sketch/building floor plan** with height of new structure and location of entrance doors; (b) up-to-date **Certificate of Occupancy** of record issued by the Building Inspector; (c) **current deeds** are necessary for subdivision projects or projects on vacant land.
5. **Full Survey :** showing all setbacks of existing and proposed structures, patios, driveways, parking, square footage and dimensions of lot, dimensions of new construction, fences, tanks, overhangs, chimneys, etc. (if your project involves total lot coverage at more than 20 % of the area of the lot, please provide lot and building square footage calculations.) If wetlands are nearby, please give distance between new proposed construction and nearest wetlands, and delineate on survey/site plan.
6. **For new construction, please flag** outside corners for on-site inspections as early as possible.
7. **Photos :** Eight (8) sets (9 sets if waterfront) of photos (after staking outside corners if new construction proposed). Please label each with description of change, owner’s name and date taken.
8. **Transactional Disclosure Form :** signed by **owner, contract vendee, and agent signing** application stating their interest if any.
9. **Agricultural Data Form.** The department will give you any AG properties, if applicable.
10. **LWRP :** For waterfront or other properties identifying wetlands within 100 feet of property. Please complete all questions and outline types of ground disturbance, landscaping and activities that are less than 100 feet from the top of bank, bluff and shorelines. It is the applicant’s responsibility to discuss the LWRP Chapter 268 Code inconsistencies of this application at the hearing and/or in writing prior to the hearing.
11. **Cover Letter :** if agent is filing with telephone fax and address.
12. **Filing fee check** payable to the “Town of Southhold”. (see Fee Schedule)
13. **Site Plan Approval by the Planning Board:** Pursuant to Town Code Section 280-45 B (8), your application to the Board of Appeals for a Special Exception permit may also require site plan approval the Planning Board. Please check the code and/or ask for assistance from the ZBA office. If approvals are required from both Boards, to avoid delays please submit your application to the Planning Department and Zoning Board of Appeals concurrently.

After the Board has reviewed and calendared your application for a public hearing, the ZBA Office will contact you for scheduling and requesting attendance at the meeting. Our Department will provide instructions with the official Legal Notice, a yellow sign for your posting, an area map showing the surrounding lots that will require a certified mail notice from you with a cover letter, and later, completed Affidavit forms confirming the mailings and posting. **The ZBA office will call (if an interior inspection is required) to arrange an appointment to see your proposal, the ZBA Board members will conduct an on site inspection prior to the hearing.**

PLEASE NOTE Any changes, after submitting the above, must be done **in writing** to the Board of Appeals clarifying the changes with the nine surveys or site plans, as revised. Changes may also require an amended Notice of Disapproval from the Building Department 765-1802.

IT IS THE APPLICANT/AGENT’S RESPONSIBILITY TO REVIEW THE CONTENTS OF THEIR ZBA OFFICE FILE FOR UPDATES ON ANY CORRESPONDENCE RECEIVED FROM NEIGHBORS AND/OR AGENCIES SUCH AS LWRP, COUNTY PLANNING, TRUSTEES, TOWN PLANNING ETC. PRIOR TO THE DATE OF ANY SCHEDULED PUBLIC HEARING. Thank you.

**ZONING BOARD OF APPEALS
TOWN OF SOUTHDOLD, NEW YORK
Phone (631) 765-1809 (631) 765-9064
APPLICATION FOR SPECIAL EXCEPTION**

Application No. _____
Date Filed: _____

TO THE ZONING BOARD OF APPEALS, SOUTHDOLD, NEW YORK:

Applicant(s), _____ of _____

Parcel Location: House No. _____ Street _____ Hamlet _____

Contact phone numbers: _____

SCTM 1000 Section _____ Block _____ Lot(s) _____ Lot Size _____ Zone District _____

hereby apply to THE ZONING BOARD OF APPEALS for a SPECIAL EXCEPTION in accordance with the ZONING ORDINANCE, ARTICLE _____, SECTION _____, SUBSECTION _____

for the following uses and purposes:

as shown on the attached survey/site plan drawn to scale. **Site Plan review** [] IS or [] IS NOT required.

A. Statement of Ownership and Interest:

_____ is (are) the owner(s) of property known and referred

to as _____
(House No., Street, Hamlet)

identified on the Suffolk County Tax Maps as District 1000, Section _____, Block _____, Lot _____, and shown on the attached deed.

The above-described property was acquired by the owner on _____.

B. The applicant alleges that the approval of this exception would be in harmony with the intent and purpose of said zoning ordinance and that the proposed use conforms to the standards prescribed therefore in said ordinance and would not be detrimental to property or persons in the neighborhood for the following reasons:

C. The property which is subject of this application is zoned _____ and [] is consistent with the use(s) described in the CO (attach copy), or [] is not consistent with the CO being furnished herewith for the following reason(s):

[] is vacant land.

COUNTY OF SUFFOLK)

ss.:

STATE OF NEW YORK)

(Signature)

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

(Notary Public)

**QUESTIONNAIRE SPECIAL EXCEPTION
FOR FILING WITH YOUR ZBA APPLICATION**

1. Has a determination been made regarding Site Plan review? ____ Yes ____ No
If no, please inquiry with the ZBA office and if site plan is required, you may apply to the Planning Dept. at the same time so both applications can be reviewed concurrently.

2. Are there any proposals to change or alter land contours?
 - a. ____ No ____ Yes please explain on attached sheet.

3. Are there areas that contain sand or wetland grasses? _____
 - a. 2.) Are those areas shown on the survey submitted with this application? _____
 - b. 3.) Is the property bulk headed between the wetlands area and the upland building area? _____
 - c. 4.) If your property contains wetlands or pond areas, have you contacted the Office of the Town trustees for its determination of jurisdiction? _____ Please confirm status of your inquiry or application with the trustees: _____ and if issued, please attach copies of permit with conditions and approved survey.

4. Is there a depression or sloping elevation near the area of proposed construction at or below five feet above mean sea level? _____

5. Are there any patios, concrete barriers, bulkheads or fences that exist that are not shown on the survey that you are submitting? _____ Please show area of the structures on a diagram if any exist or state none on the above line.

6. Do you have any construction taking place at this time concerning your premises? ____ If yes, please submit a copy of your building permit and survey as approved by the Building Department and please describe: _____

7. Please attach all pre-certificates of occupancy and certificates of occupancy for the subject premises. If any are lacking, please apply to the Building Department to obtain copies of them.

8. Do you or any co-owner also own other land adjoining or close to this parcel? ____ If yes, please label the proximity of your lands on your survey.

9. Please list present use or operations conducted at this parcel _____ and the proposed use _____
_____. (ex: existing single family, proposed: same with garage, pool or other or vacant proposed office with apartments above, etc.)

Authorized signature and Date

**AGRICULTURAL DATA STATEMENT
ZONING BOARD OF APPEALS
TOWN OF SOUTHOLD**

WHEN TO USE THIS FORM: *This form must be completed by the applicant for any special use permit, site plan approval, use variance, area variance or subdivision approval on property within an agricultural district OR within 500 feet of a farm operation located in an agricultural district. All applications requiring an agricultural data statement must be referred to the Suffolk County Department of Planning in accordance with Section 239m and 239n of the General Municipal Law.*

1. Name of Applicant: _____
2. Address of Applicant: _____
3. Name of Land Owner (if other than Applicant): _____
4. Address of Land Owner: _____
5. Description of Proposed Project: _____

6. Location of Property: (road and Tax map number) _____
7. Is the parcel within 500 feet of a farm operation? { } Yes { } No
8. Is this parcel actively farmed? { } Yes { } No
9. Name and addresses of any owner(s) of land within the agricultural district containing active farm operations. Suffolk County Tax Lot numbers will be provided to you by the Zoning Board Staff, it is your responsibility to obtain the current names and mailing addresses from the Town Assessor's Office (765-1937) or from the Real Property Tax Office located in Riverhead.

NAME and ADDRESS

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

(Please use the back of this page if there are additional property owners)

_____/_____/_____
Signature of Applicant Date

Note:

1. The local Board will solicit comments from the owners of land identified above in order to consider the effect of the proposed action on their farm operation. Solicitations will be made by supplying a copy of this statement.
2. Comments returned to the local Board will be taken into consideration as part as the overall review of this application.
3. Copies of the completed Agricultural Data Statement shall be sent by applicant to the property owners identified above. The cost for mailing shall be paid by the Applicant at the time the application is submitted for review.

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	YES
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	YES
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
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
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
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?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	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?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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.

- 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.
- 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)

Town of Southold

LWRP CONSISTENCY ASSESSMENT FORM

A. INSTRUCTIONS

1. All applicants for permits* including Town of Southold agencies, shall complete this CCAF for proposed actions that are subject to the Town of Southold Waterfront Consistency Review Law. This assessment is intended to supplement other information used by a Town of Southold agency in making a determination of consistency. **Except minor exempt actions including Building Permits and other ministerial permits not located within the Coastal Erosion Hazard Area.*
2. Before answering the questions in Section C, the preparer of this form should review the exempt minor action list, policies and explanations of each policy contained in the Town of Southold Local Waterfront Revitalization Program. A proposed action will be evaluated as to its significant beneficial and adverse effects upon the coastal area (which includes all of Southold Town).
3. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the LWRP policy standards and conditions contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that it is consistent to the maximum extent practicable with the LWRP policy standards and conditions. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

A copy of the LWRP is available in the following places: online at the Town of Southold's website (southoldtown.northfork.net), the Board of Trustees Office, the Planning Department, all local libraries and the Town Clerk's office.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

SCTM# _____ - _____ - _____

The Application has been submitted to (check appropriate response):

Town Board **Planning Dept.** **Building Dept.** **Board of Trustees**

1. Category of Town of Southold agency action (check appropriate response):

- (a) Action undertaken directly by Town agency (e.g. capital construction, planning activity, agency regulation, land transaction)
- (b) Financial assistance (e.g. grant, loan, subsidy)
- (c) Permit, approval, license, certification:

Nature and extent of action:

Location of action: _____

Site acreage: _____

Present land use: _____

Present zoning classification: _____

2. If an application for the proposed action has been filed with the Town of Southold agency, the following information shall be provided:

(a) Name of applicant: _____

(b) Mailing address: _____

(c) Telephone number: Area Code () _____

(d) Application number, if any: _____

Will the action be directly undertaken, require funding, or approval by a state or federal agency?

Yes No If yes, which state or federal agency? _____

DEVELOPED COAST POLICY

Policy 1. Foster a pattern of development in the Town of Southold that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location, and minimizes adverse effects of development. See LWRP Section III – Policies; Page 2 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 2. Protect and preserve historic and archaeological resources of the Town of Southold. See LWRP Section III – Policies Pages 3 through 6 for evaluation criteria

Yes No Not Applicable

Attach additional sheets if necessary

Policy 3. Enhance visual quality and protect scenic resources throughout the Town of Southold. See LWRP Section III – Policies Pages 6 through 7 for evaluation criteria

Yes No Not Applicable

Attach additional sheets if necessary

NATURAL COAST POLICIES

Policy 4. Minimize loss of life, structures, and natural resources from flooding and erosion. See LWRP Section III – Policies Pages 8 through 16 for evaluation criteria

Yes No Not Applicable

Attach additional sheets if necessary

Policy 5. Protect and improve water quality and supply in the Town of Southold. See LWRP Section III – Policies Pages 16 through 21 for evaluation criteria

Yes No Not Applicable

Attach additional sheets if necessary

Policy 6. Protect and restore the quality and function of the Town of Southold ecosystems including Significant Coastal Fish and Wildlife Habitats and wetlands. See LWRP Section III – Policies; Pages 22 through 32 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 7. Protect and improve air quality in the Town of Southold. See LWRP Section III – Policies Pages 32 through 34 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 8. Minimize environmental degradation in Town of Southold from solid waste and hazardous substances and wastes. See LWRP Section III – Policies; Pages 34 through 38 for evaluation criteria.

Yes No Not Applicable

PUBLIC COAST POLICIES

Policy 9. Provide for public access to, and recreational use of, coastal waters, public lands, and public resources of the Town of Southold. See LWRP Section III – Policies; Pages 38 through 46 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

WORKING COAST POLICIES

Policy 10. Protect Southold's water-dependent uses and promote siting of new water-dependent uses in suitable locations. See LWRP Section III – Policies; Pages 47 through 56 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 11. Promote sustainable use of living marine resources in Long Island Sound, the Peconic Estuary and Town waters. See LWRP Section III – Policies; Pages 57 through 62 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 12. Protect agricultural lands in the Town of Southold. See LWRP Section III – Policies; Pages 62 through 65 for evaluation criteria.

Yes No Not Applicable

Attach additional sheets if necessary

Policy 13. Promote appropriate use and development of energy and mineral resources. See LWRP Section III – Policies; Pages 65 through 68 for evaluation criteria.

Yes No Not Applicable

Board of Zoning Appeals Application

AUTHORIZATION

(Where the Applicant is not the Owner)

I, _____ residing at _____
(Print property owner's name) (Mailing Address)

_____ do hereby authorize _____
(Agent)

_____ to apply for variance(s) on my behalf from the

Southold Zoning Board of Appeals.

(Owner's Signature)

(Print Owner's Name)

AGENT/REPRESENTATIVE
TRANSACTIONAL DISCLOSURE FORM

The Town of Southhold's Code of Ethics prohibits conflicts of interest on the part of town officers and employees. The purpose of this form is to provide information which can alert the town of possible conflicts of interest and allow it to take whatever action is necessary to avoid same.

YOUR NAME : _____
(Last name, first name, middle initial, unless you are applying in the name of someone else or other entity, such as a company. If so, indicate the other person's or company's name.)

TYPE OF APPLICATION: (Check all that apply)

Tax grievance _____	Building Permit _____
Variance _____	Trustee Permit _____
Change of Zone _____	Coastal Erosion _____
Approval of Plat _____	Mooring _____
Other (activity) _____	Planning _____

Do you personally (or through your company, spouse, sibling, parent, or child) have a relationship with any officer or employee of the Town of Southhold? "Relationship" includes by blood, marriage, or business interest. "Business interest" means a business, including a partnership, in which the town officer or employee has even a partial ownership of (or employment by) a corporation in which the town officer or employee owns more than 5% of the shares.

YES _____ **NO** _____

If you answered "YES", complete the balance of this form and date and sign where indicated.

Name of person employed by the Town of Southhold _____

Title or position of that person _____

Describe the relationship between yourself (the applicant/agent/representative) and the town officer or employee.

Either check the appropriate line A) through D) and/or describe in the space provided.

The town officer or employee or his or her spouse, sibling, parent, or child is (check all that apply) :

- _____ **A) the owner of greater than 5% of the shares of the corporate stock of the applicant (when the applicant is a corporation)**
- _____ **B) the legal or beneficial owner of any interest in a non-corporate entity (when the applicant is not a corporation)**
- _____ **C) an officer, director, partner, or employee of the applicant; or**
- _____ **D) the actual applicant**

DESCRIPTION OF RELATIONSHIP

Submitted this _____ **day of** _____, **20** _____

Signature _____

Print Name _____

**APPLICANT/OWNER
TRANSACTIONAL DISCLOSURE FORM**

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YES _____ NO _____

If you answered "YES", complete the balance of this form and date and sign where indicated.

Name of person employed by the Town of Southhold _____

Title or position of that person _____

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- _____ C) an officer, director, partner, or employee of the applicant; or
- _____ D) the actual applicant

DESCRIPTION OF RELATIONSHIP

Submitted this _____ day of _____, 20 _____

Signature _____

Print Name _____