

Incorporated Village of Hewlett Bay Park

INSTRUCTION FOR BOARD OF ZONING APPEALS APPLICATIONS

After receiving a denial letter from the Building Inspector

SUBMIT ONE ORIGINAL, (7) SEVEN COPIES AND A PDF THUMB DRIVE OF EACH OF THE FOLLOWING 60 DAYS PRIOR TO MEETING DATE:

- A. **PETITION** – must include:
 - a. Owners name and address
 - b. Property address
 - c. Description of property location
 - d. Section, Block and Lot
 - e. Resident Zoning District
 - f. Description of relief sought
 - g. Statement of basis of claim for relief
- B. Architectural/ Engineering plans, with elevations and cross sections of proposed work and a color rendering of exterior changes.
- C. Completed **ENVIRONMENTAL ASSESSMENT FORM**
- D. Completed **AFFIDAVIT OF DISCLOSURE** pursuant to General Municipal Law §809 signed by ALL property owners.
- E. **LETTER OF DENIAL** from the Building Inspector
- F. If application is made by an individual other than property owner – **WRITTEN AUTHORIZATION** from property owner consenting to application being made by attorney/architect/engineer or other. Authorization must clearly state that the person signing the authorization is the only owner of the property. If there is more than one owner, all owners must sign authorization.
- G. **UP – TO – DATE SURVEY** of property
- H. **300 FT RADIUS MAP & LIST OF CURRENT RESIDENTS WITHIN THE 300 FT** - Legal notice must be mailed TEN (10) days prior to meeting to those residents within the 300 ft radius, certified mail and return receipt. The certified receipts from the post office must be submitted at least FIVE (5) days prior to meeting and the green return cards shall have Village Hall 30 Piermont Ave, Hewlett NY 11557 as the return address and note on the card the address of the application.
- I. **NOTARIZED AFFIDAVIT OF MAILING** – listing the names and address of the properties within the radius must be submitted to the Building Dept. no later than 5 days prior to meeting date.

**ALL FEES TO BE PAID AT TIME OF FILING
(CHECKS MADE OUT TO VILLAGE OF HEWLETT BAY PARK)**

Filing fees:

**Residential - \$2,000 for 1 variance request; \$3,000 for multiple variance requests.
Maintain fee is double the original fee.**

**Non-Residential - \$2,500 for one variance request; \$5,000 for multiple variance requests.
Maintain fee is double the original fee.**

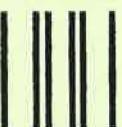
7016 2710 0000 1258 4974



Requirements for Certified Return Receipt for Zoning Board Cases

This portion of the Certified Receipts must be submitted to Village Hall

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none">■ Complete items 1, 2, and 3.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to: Owner of Record Mailing Address		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
(Address of Property within Radius)  9590 9402 2651 6336 0442 99		PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt	

USPS TRACKING #			First-Class Mail Postage & Fees Paid USPS Permit No. G-10
 9590 9402 2651 6336 0442 99		<p>• Sender: Please print your name, address, and ZIP+4® in this box*</p> <p>Village Hall 30 Piermont Ave Hewlett, NY 11557</p> <p>Name & Address of Zoning Case</p>	
United States Postal Service			

Sample Petition - Areas marked XXXXX and in parentheses should have the information pertaining to your property and denial letter information.

Incorporated Village of Hewlett Bay Park Board of Zoning Appeals

In the matter of the application of owner name(s) as per the Deed: **XXXXXX**

For a variance(s) of section(s): VILLAGE CODE(S) **XXXXXX**, of the Village Code of the Incorporated Village of Hewlett Bay Park.

To: The Board of Zoning Appeals Incorporated Village of Hewlett Bay Park,

The petition of **(Owner/s)** respectfully alleges as follows:

The petitioner(s) own the property which is the subject of this application located at **XXXXXX**. The premises is also designated as Section **XX**, Block **XX**, Lot(s) **XXX** on the Nassau County land and taxmap. The subject premises is located within the Residence District "X".

1. The petitioner(s) seeks a variance of the Village Code(s) of the Incorporated Village of Hewlett Bay Park, to **construct/maintain XXXXXXXXXX**. **(State reason of why relief is being sought, (e.g.) hardship)**.
2. The subject property has had prior variance requests such as **XXXXXXX**. **(State all prior variance applications for subject property)**.
3. The subject property was granted previous variances of: **XXXXXX**
4. The subject property was denied previous variances of: **XXXXXX**
5. The petitioner's architect/engineer **XXXXXXXXXX**, located at **XXXXXX** has prepared plans for, **(state the scope of work)**.
6. The application to **(state the scope of work)** was made and denied by the Building Inspector for the following: **(state the code requirement and the proposed non-conforming requests)**.
7. The requested variance will have no adverse effect upon the surrounding properties, will provide for a reasonable use of the subject premises compatible with the surrounding properties and in conformity with the standards prescribed for granting of such a variance, as set forth in the building zone ordinance of the incorporated Village of Hewlett Bay Park.
8. Wherefore, petitioner(s) respectfully request(s) that the board of zoning appeals grant the variance(s) as requested herein along with such other and further relief as may be just and proper.

Signature of Owner

Date

Signature of Owner #2

Date

DISCLOSURE AFFIDAVIT
General Municipal Law §809

BOARD OF ZONING APPEALS
VILLAGE OF HEWLETT BAY PARK

In the Matter of the application of

Owner: _____

STATE OF NEW YORK:

ss:

COUNTY OF NASSAU :

_____ being duly sworn, deposes and says:

I am the applicant with respect to / owner of the premises which is the subject of (*cross out whichever is not applicable*) the within application.

I make this affidavit for the purposes of complying with the requirements of General Municipal Law §809.

No officer of the State of New York, and no officer or employee of the County of Nassau, the Town of Hempstead or the Village of Hewlett Bay Park and no party officer of any political party, has an interest in the within application within the meaning of General Municipal Law §809, except as stated hereinafter (**if none, state "NONE" :**

NAME ADDRESS POSITION NATURE OF INTEREST

In the event there is any change in the information set forth herein between the date hereof and the final determination of this application, a supplemental affidavit will be filed to provide that further information.

Sworn to before me on

(SIGNATURE)

This _____ day of _____, _____

(NOTARY PUBLIC)

STATE OF NEW YORK

ss.;

PETITIONER VERIFICATION

COUNTY OF NASSAU

I (WE), _____ AND _____, BEING DULY SWORN, DEPOSE(S) AND SAY(S): I (WE) AM (ARE) THE PETITIONER(S) IN THE WITHIN ACTION; I (WE) HAVE READ THE FOREGOING PETITION AND KNOW THE CONTENTS THEREOF; THE SAME IS TRUE TO OUR OWN KNOWLEDGE, EXCEPT AS TO THE MATTERS THEREIN STATED TO BE ALLEGED UPON INFORMATION AND BELIEF AND AS TO THOSE MATTERS WE BELIEVE IT TO BE TRUE.

PETITIONER'S SIGNATURE

PETITIONER #2 SIGNATURE

SWORN TO BEFORE ME THIS _____

DAY OF

20 _____

NOTARY PUBLIC, NASSAU COUNTY



Inc. Village of Hewlett Bay Park

30 Piermont Ave

Hewlett, NY 11557

**Notice of Appearance
Board of Zoning Appeals**

I, _____, appear on behalf of
(Architect or Attorney -Print Name)

_____, owner(s) of
(Owner(s) of Property)

_____, to seek
(Address of Property)

a variance from the Board of Zoning Appeals.

(Signature of Architect/Attorney)

(Address)

(City, State, Zip Code)

(Telephone)

(Email)

Signature of Owner(s): _____
Owner # 1

Date

Owner # 2

Date



Inc. Village of Hewlett Bay Park

Authorization to Zoning Board

Property Address: _____

Owner(s) _____

"I hereby authorize the members of the Board of Zoning Appeals, the Building Inspector of the Village, and legal counsel to the Board of Zoning Appeals to enter upon and inspect my property prior to the Board of Appeals rendering a determination with regard to this application."

Signature (Owner)

Signature (Representative)

Date

Date

Signature (Owner #2)

Date

MAILING AFFIDAVIT

Address of BZA Case:

STATE OF NEW YORK }
ss: COUNTY OF NASSAU }

I. _____, being duly sworn and deposed state
(MAILER'S NAME)

that on _____, I mailed copies of the attached
(MONTH, DAY, YEAR)

Village Hall hearing notice at the following Post Office:

(Post office, Address, City, State, Zip)

to the list of addresses below:

Sworn before me this

MAILER'S SIGNATURE

_____ day of _____ 20

Notary Public

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.		
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:		
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		

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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: <ul style="list-style-type: none"> 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)