



TOWN OF EAST HAMPTON ZONING BOARD OF APPEALS

NATURAL RESOURCES SPECIAL PERMIT and or Variance APPLICATION AND ENVIRONMENTAL ASSESSMENT FORM PART 1

IMPORTANT: PLEASE READ THE ENTIRE APPLICATION FORM PRIOR TO SUBMITTING FOR REVIEW. IF THIS APPLICATION IS DETERMINED NOT TO BE A *TYPE II* ACTION AND IS DETERMINED TO BE A *TYPE I* OR *UNLISTED* ACTION PURSUANT TO *SEORA* ADDITIONAL APPLICATION INFORMATION MAY BE REQUESTED.

DATE: _____

I. The application is for which of the following.

• **Variance:** Please check all variances that apply and submit the proper fee.

- Area variance (proposed) \$325 for each request
- Area variance (existing) \$625 each request
- Use Variance (proposed) \$300
- Use Variance (existing) \$625

• **Natural Resources Special Permit (NRSP):**

- NRSP \$250

• **Other:**

- Appeal/Interpretation \$250

II. CONTACT INFORMATION:

A. Name of Applicant (if different from owner): _____

Address: _____

Phone Number: (_____) _____

B. Name of Owner: _____

Address: _____

Phone Number: (_____) _____

C. Name of Agent (if applicable): _____

Address: _____

Phone Number: (_____) _____

Please specify who you wish correspondence to be sent to from those names listed above. (Specify A - C above _____).

III. PROPERTY IDENTIFICATION AND LOCATION (Required Information)

All information in this section is required for the application and must be completed. If the applicant does not know a required answer, they should contact the Planning Department (631-324-2178) between 1 p.m. and 4 p.m. Monday through Friday and request the Planner of the Day to assist in answering the question.

(1) <i>Date Property Acquired:</i>
(2) <i>Tax Map Number: 300-</i>
(3) <i>Street, House number & Hamlet:</i>
(4) <i>Size of Parcel:</i>
(5) <i>School District:</i>
(6) <i>Zoning District:</i>

(7) **Overlay District:**

- | | |
|--|--|
| <input type="checkbox"/> Water Recharge Overlay District | <input type="checkbox"/> Harbor Protection Overlay |
| <input type="checkbox"/> Affordable Housing Overlay District | <input type="checkbox"/> Agricultural Overlay District |
| <input type="checkbox"/> Flood Hazard Overlay District | <input type="checkbox"/> Limited Business Overlay District |

(8) Are there any right-of-ways, easements, or restrictive covenants, which encumber the property? If so, please indicate the nature of the restrictions:

(9) Have any previous variance applications, natural resources special permit applications or appeals been made with respect to this property? If so, give date and name of each such application. This information is available from the Building Department (631-324-4145).

(10) This application is made because of the presence of one or more of the following natural features on or adjacent to the site. (Please check all that apply.)

- | | | |
|--|---|-------------------------------------|
| <input type="checkbox"/> Wetlands | <input type="checkbox"/> Bluffs | <input type="checkbox"/> Dune Crest |
| <input type="checkbox"/> Fresh or Tidal Waters | <input type="checkbox"/> Beach Vegetation | <input type="checkbox"/> Beaches |

IV. Project Description:

A. List each structure or activity proposed including dimensions, number of stories and total square footage. **If the structure or activity is not listed it will not be part of the application.**

	Structure	Dimension	No. of Stories	Total Square Footage
1				
2				
3				
4				
5				
6				

V. VARIANCE INFORMATION:

A. **APPEAL:** This appeal is taken from the determination of the Building Inspector dated _____ concerning Section(s) _____ of the Town Code. The contested determination is incorrect in that:

B. **AREA VARIANCE:** This application is a request for an area variance from the provisions of Section(s) 255-_____ of the Town Code. This variance is for: (List each variance requested, amount of each variance in feet or square feet, and whether variance is for existing or proposed structures.)

For each variance required list the setback of structure from property lines and or natural features. For height variances list the height above the pyramid line or maximum height line from natural grade. (**Do not** merely refer to attached surveys or building plans.)

	Structure	Natural Feature	Front Yard	Side Yard	Rear Yard	Height	Pyramid	Other
1								
2								
3								
4								
5								
6								
7								
8								

1. Will the grant of the variance(s) cause an undesirable change in the character of the neighborhood or will it create detriment to nearby properties? If not, please explain.

2. Can the benefits sought be feasibility achieved by some method other than an area variance? Please explain.

3. Will the area variance(s) sought be substantial and, if not, why not?

4. Will the grant of the variance have an adverse impact on the physical or environmental conditions in the neighborhood or in the affected area of the Town? Please explain.

5. What reasons lead you to request this variance rather than to comply with the Town Code?

C. USE VARIANCE: This application is a request for a use variance from the provisions of Section 255-11-10 (Table III) of the Town Code. This variance is requested to: (Explain the activity or use requested and give the dimensions of the building, structure, or part thereof proposed, if any.)

1. State why the use regulations contained in the Zoning Code deprive you of all economic use or benefit of the property in question. (Evidence that you have been deprived of all economic use or benefit of the property must be established by competent financial evidence.)

2. Explain how the hardship relating to the property is unique, and why it does not apply to a substantial portion of the use district or neighborhood in which the property lies.

3. Explain why the use variance to be granted will not alter the essential character of the neighborhood.

4. What reasons lead to your need for this use variance?

5. Is the use variance requested the minimum variance necessary and adequate to alleviate your claimed hardship? Please explain.

VI. Neighboring Properties

Please list below the names, addresses and tax map numbers of owners of the adjacent properties, including those directly across any public or private streets on which your property fronts. This information may be obtained in person at the Town Assessor's Office.

IMPORTANT: You will have to notify the owners of these properties by certified mail, at least ten (10) days before the scheduled Public Hearing. *The names and addresses below must be updated at the time you give this notice.*

1. NAME: _____ 4. NAME: _____

ADDRESS: _____ ADDRESS: _____

TAX MAP NO. _____ TAX MAP NO. _____

2. NAME: _____ 5. NAME: _____

ADDRESS: _____ ADDRESS: _____

TAX MAP NO. _____ TAX MAP NO. _____

3. NAME: _____ 6. NAME: _____

ADDRESS: _____ ADDRESS: _____

TAX MAP NO. _____ TAX MAP NO. _____

VII. STATEMENT OF DISCLOSURE OF INTEREST

Officers or Employees of State, County, or Town Government

Required by § 809 of the New York General Municipal Law

The following Statement must be signed by the following:

- (1) Every individual owner of any real property which is a subject of this application (hereafter, the "subject property");
- (2) An authorized representative of every corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property;
- (3) Every individual who has a contract to purchase an interest in the subject property; and
- (4) An authorized representative of every corporation, partnership, company, trust, association, or other legal entity which has a contract to purchase an interest in the subject property.

NOTICE: A KNOWINGLY FALSE STATEMENT UNDER § 809 OF THE GENERAL MUNICIPAL LAW IS PUNISHABLE AS A MISDEMEANOR.

I make the following statements about interests in the real property which is the subject of this application (the "subject property"):

PART I: Except as otherwise set forth in Part II below –

A. Individuals with an ownership interest in the property.

1. No person having an ownership interest in the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No person having an ownership interest in the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No person having an ownership interest in the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

B. Individuals with an interest in a contract to purchase the property.

1. No person having an interest in a contract to purchase the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No person having an interest in a contract to purchase the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No person having an interest in a contract to purchase the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

C. Corporations or other entities with an ownership interest in the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.
3. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

D. Corporations or other entities with an interest in a contract to purchase the property.

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is a spouse, a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

3. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity having an interest in a contract to purchase the subject property is the spouse of a brother, a sister, a parent, a child, or a grandchild of any individual who is an officer or employee of New York State, Suffolk County, or the Town of East Hampton.

PART II: If any of the statements under A through D above is **not** true, please explain and set forth the name and the relationship to the subject property of any individual or person involved.

AUTHORIZATION

I, the owner, hereby authorize the Planning Department and the Zoning Board to enter the subject parcel to review the pending application for a Natural Resources Special Permit and/or Variance.

Signed: _____

ACKNOWLEDGEMENT

STATE OF _____)

ss:

COUNTY OF _____)

On the _____ day of _____, in the year _____, before

me personally appeared _____,
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.