

TOWN OF NORTH SALEM ZONING BOARD OF APPEALS

APPLICATION FOR A VARIANCE

1. Copy of filed Building Permit application with Objection from the Building Inspector.
2. Application **complete**, with all necessary signatures and notarized where required.
3. FEE paid. \$200.00 check (\$150 application fee plus \$50 Public Hearing Notice charge), payable to the Town of North Salem.
4. ***** Original + 7 copies** of completed application with all required signatures - **9 pages** in total (includes list of property owners notified). Instructions page and schedule page should NOT be copied. Copies are for each of the Board Members, one for Counsel to the Board, one for the Zoning Enforcement Officer and the original is for the permanent record. **If any parts of section A. (3) on page 1 are checked, additional copies of application may be required.**
5. Eight+ sets of Plans, along with 8+ copies of survey. Plans need not be working drawings, but must include to-scale and dimensionally correct floor plan(s), and elevations.
6. Notification of Property Owners sent by Certified Mail/Return Receipt Requested to all property owners within 200 feet of property perimeter. Residents of cooperatives must notify property owners within **50** feet and the co-op. Please DO NOT mail notifications before having your application reviewed. Sample letter may be found in the application package. **Please include a list of names and addresses of those to whom this letter is mailed with your application (8 copies).** **Stamped Post Office Receipts (White) to be submitted with applications.** Certified Mail Receipts (Green Cards) to be submitted at the meeting.
7. Site inspections by ZBA members usually take place the Saturday or Sunday before the Public Hearing.

***** NOTE 2-PART FILING SCHEDULE: Before making copies, return completed application including all required signatures (notarized where necessary) to Zoning Board Secretary for review not later than the MONDAY before the final filing deadline (TUESDAY). It is important to ensure that your application is correct and complete in order to avoid possible omission from the upcoming agenda. A schedule of review, filing and meeting dates is on the last page of the application package. All signatures and copies of the application are the sole responsibility of the applicant.**

Janice Will
ZBA Secretary
914- 669-0245
jwill@northsalemny.org

ZONING BOARD OF APPEALS
TOWN OF NORTH SALEM
WESTCHESTER COUNTY, NEW YORK

PETITION FOR A VARIANCE

TO THE ZONING BOARD OF APPEALS:

A. STATEMENT OF OWNERSHIP AND INTEREST:

1. The undersigned petitioner(s) _____
owner(s) of the property at _____
_____ in the Town of North Salem in a _____ Zoning District, which property is designated on the Tax Assessment Map of the Town of North Salem as
Sheet _____ Block _____ Lot _____
Telephone Number _____
2. The above-described property was acquired by the applicant on
_____, _____.
3. Please check appropriate line(s) and circle County or State. The property lies
Within 500 feet of:

 any boundary of the Town.
 the boundary of any County or State park or recreation area.
 any County or State highway, parkway, thruway, expressway or road.
 the boundary of a farm operation in an agricultural district.
 any boundary of the unincorporated portion of the Town of North Salem.

B. BASIS FOR PETITION:

Application is hereby made for:

- A variation of Article _____ Section _____ of the Zoning Ordinance.
- An interpretation of the Zoning Ordinance or Zoning Map.
- A variation of Section 280 (a) of the Town Law.
- Other (further described as follows) :

VARIANCE APPLICATION:

1. Attached is a copy of the denial of the Building Inspector.
2. Attached hereto is a survey print or plot plan of the property involved, showing the location of the proposed new building or of the existing building to be altered.
3. If applicant is the contract vendee, attach copy of contract of sale.

C. REQUEST:

Your petitioner hereby requests a variance of Article _____ Section _____
Paragraph _____ to (increase)(decrease) the required _____

_____ (name of standard, i.e. lot area, front setback, etc.)

from _____ to _____
(required) (existing and/or proposed)

as shown on the attached plan drawn to scale.

If the above format does not adequately express the requested variance, describe your request below.)

D. REASON FOR REQUEST: (#1 and #2 for USE Variance applications only)

1. The strict application of the provisions of the Zoning Ordinance referred to above would result in practical difficulties or unnecessary hardship or be inconsistent with the general purpose and intent of the Zoning Ordinance of the Town of North Salem because:

2. The practical difficulty or unnecessary hardship is unique and is not shared by all other properties alike in the immediate vicinity of this property and in this zoning district because:

3. The variance would not change the character of the area in the immediate vicinity of the property because:

4. The granting of such a variance will not adversely affect the spirit of the Zoning Ordinance of the Town of North Salem and will not impair the public safety and welfare because:

5. No such variance has been requested heretofore for this property except:

E. IDENTIFICATION OF NEIGHBORING PROPERTY OWNERS:

Attached is a list of the names and addresses of the owners of all property within 200 feet of any portion of the property for which a Variance is sought.

Date: _____

(Signature of Petitioner)

STATE OF NEW YORK) ss.:
COUNTY OF WESTCHESTER)

The undersigned petitioner, being duly sworn, deposes and says that he has read the foregoing petition and knows the contents thereof; that the facts set forth therein are true to the best of his knowledge, information, and belief.

(Signature of Petitioner)

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

(Notary Public)

Received by Secretary of the
Board of Appeals:

Date:
Signed:

TOWN OF NORTH SALEM

DISCLOSURE STATEMENT ACOMPANYING APPLICATION OR PETITION:

A. Identification of Application or Petition:

1. To: North Salem Board of Appeals
2. Name of Applicant: _____
3. Address: _____
4. Date: _____
5. Nature of application or petition:

B. Nature and Extent of Interest of any State Officer or Municipal Officer or Employee in this application. (set forth in detail)

C. Statement that no State Officer or Municipal Officer or Employee has an interest in this application.

The undersigned Applicant or petitioner certifies by signature on this Disclosure Statement that, in accordance with the provisions of Section 809 of the General Municipal Law, no State Officer or any Officer or Employee of the Town of North Salem or of any municipality of which the Town is a part has any interest in the person, partnership, or association making the above application, petition or request.

Date: _____ Signed: _____

AFFIDAVIT
Regarding Town of North Salem
Application Processing Restrictive Law
(Code of the Town of North Salem, Chapter 37)

I hereby certify that to the best of my knowledge no outstanding fees under the Standard Schedule of Fees of the Town of North Salem exist for the property identified below. Furthermore, I hereby certify that to the best of my knowledge, no outstanding violation of local laws or ordinances of the Town of North Salem exists with respect to the cited property or any structure or use existing thereon.

Property tax identification (please verify that the sheet, block and lot number(s) provided are correct. See tax bill or contact Town Assessor's Office):

Sheet _____ Block _____ Lot _____

Owner: _____ Agent: _____

Address of property subject to application: _____

Type of Application: _____

Submitted to: _____
(Identify Board or Department)

Signed _____ Signed _____
Owner of Record/Date Agent for Permit Application/Date

Notary Public/ _____ Notary Public/ _____
Date Date

Confirmations (**Do not sign if note below applies**):

Signed _____
Building Inspector/Date

Signed _____ Signed _____
Planning Board Secretary/Date Town Clerk/Date

Note: The processing and approval of any and all applications for approval and issuance of any permit or certificate of occupancy or use by any board or official of the Town of North Salem is prohibited for any property owner who has fees outstanding under the Standard Schedule of Fees of the Town of North Salem. The process of applications is similarly prohibited when there are outstanding violations of any local laws or ordinances of the Town of North Salem on the property for which the approval is being requested. If the confirmations cannot be provided, an application cannot be processed. In accordance with the Code of the Town of North Salem, Chapter 37, Section 37-5, an applicant may make a written request to the Town of North Salem Town Board for a waiver of provisions of the Code Chapter 37.

This Affidavit must be completed and submitted with any and all application(s) to the Town of North Salem in accordance with Code Chapter 37.

NOTICE TO PROPERTY OWNERS

TO: _____

ADDRESS: _____

PLEASE TAKE NOTICE:

That an application has been made to the Zoning Board of Appeals of the Town of North Salem (by) (on behalf of) _____

for a **VARIANCE** under Article _____ Section _____ Paragraph _____

of the Zoning Ordinance so as to allow _____

on the premises (street/ road name) _____

Sheet _____ Block _____ Lot _____

This notice has been sent to you as owner of property within 200 feet of the perimeter of the property concerned.

This application has been set for a Public Hearing on Thursday, the _____ day of _____, 201____ at 7:30 p.m., at which hearing you may appear either in person or by your authorized representative and present any objections which you may have to the granting of this application.

Location of Public Hearing: Town Meeting Hall, 66 June Road, North Salem, NY 10560.

All written objections should be filed one (1) day prior to the date of the Public Hearing. The objector must describe the property he/she owns.

This notice is sent to you by the applicant, by order of the Zoning Board of Appeals of the Town of North Salem.

Respectfully,

Applicant

Applicant

Dated: _____

Note: you will only need to fill out the next page (Page 8) if the property for which you are making application for a Special Permit or a Use Variance (not required for Area Variances) is within 500 ft. of an agricultural operation within Westchester County Agricultural District #1.

TOWN OF NORTH SALEM
AGRICULTURAL DATA STATEMENT

1. Name and address of applicant:

2. Location of proposed action:

3. Description of the proposed action to include (1) size of parcel or acreage to be acquired and tax map identification number of tax parcel(s) involved; (2) type of action proposed (e.g., single-family dwelling or subdivision, multiple-family development, apartment complex, commercial or industrial facility, school, community or public service facility, airport, etc.); and (3) project density.

4. Name, address, telephone number and type of farm within the agricultural district which is located within 500 feet of the boundary of the property upon which the project is proposed:

A. Name: _____
Address & Telephone # : _____
Type of farm: _____

B. Name: _____
Address & Telephone # : _____
Type of farm: _____

C. Name: _____
Address & Telephone # : _____
Type of farm: _____

D. Name: _____
Address & Telephone # : _____
Type of farm: _____

5. Tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the ADS.

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			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
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: _____	NO	YES	
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 type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
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 type="checkbox"/> YES] If No, describe method for providing wastewater treatment: _____	NO	YES	
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?	NO	YES	
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: _____	NO	YES	
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			
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?	NO	YES	
16. Is the project site located in the 100 year flood plain?	NO	YES	
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 type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	

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)