

ZBA-1992-1
(REV. 3/1997)
(REV. 6/1997)
(REV. 3/2003)
(REV. 5/2005)

VILLAGE OF SUFFERN
COUNTY OF ROCKLAND
ZONING BOARD OF APPEALS
Application Checklist

- 1) FEES: Area Variance..... \$250.00
Vacant Land..... 300.00
Use Variance..... 300.00
All Others..... 400.00
- 2) FORM ZBA 92-2..... 9 Copies
- 3) FORM ZBA 92-3..... 9 Copies
OR.....Planning Board Minutes..... 9 Copies
- 4) FORM ZBA 92-4..... 9 Copies
- 5) FORM ZBA 92-5..... 9 Copies
- 6) FORM ZBA 92-6..... 9 Copies
- 7) FORM ZBA 92-7..... Completed by ZBA
- 8) FORM ZBA 03-8..... 9 Copies
- 9) FORM ZBA 03-9..... 9 Copies
- 10) PLOT PLANS (8 1/2" x 11" if possible), Architectural Plans, or Professional
Quality Plans drawn to scale, including Bulk Table Comparison
Chart..... 9 Copies
- 11) CURRENT COLOR PHOTOS, unmounted, 4"x6" minimum size, showing exact
conditions of lot or structure being reviewed..... 9 Copies
- 12) WRITTEN NARRATIVE with exact reasons for variance request..... 9 Copies
- 13) DENIAL NOTICE from Building Department..... 9 Copies
- 14) ENVELOPES – ADDRESSED and STAMPED for letter to public + 9

NOTE: Please be sure to review the ZBA Applicant Guideline Sheet

Village of Suffern
Zoning Board of Appeals
Applicant Guideline Sheet

Use Variances – Applicant is advised to use the following criteria in presenting reasons for requesting a Use Variance:

Unnecessary hardship must be shown – the applicant must show that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located;

- 1) The applicant cannot realize a reasonable return, provided the lack of return is substantial as demonstrated by competent financial evidence;
- 2) The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- 3) The requested use variance, if granted, will not alter the essential character of the neighborhood; and
- 4) The alleged hardship has not been self-created.

Area Variances - Applicant is advised to use the following criteria in presenting reasons for requesting an Area Variance:

A practical difficulty is created by the requirements of the Zoning Law in question –

Where, because of a practical difficulty, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and public welfare of the neighborhood or community by such grant. In making such determination, the Board of Appeals shall 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 other 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 conditions in the neighborhood or district.
- 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 such variance.

Calendar No. _____

Received: _____, 2005

Hearing : _____

Notified: _____, 2005

Decision: _____, 2005

VILLAGE OF SUFFERN
ZONING BOARD OF APPEALS
COUNTY OF ROCKLAND, N. Y. 10901

APPLICATION TO THE ZONING BOARD OF APPEALS OF THE VILLAGE OF SUFFERN

Appellant: _____ Address _____

Owner: _____ Address _____

Lessee: _____ Address _____

Appellant's Phone No. _____ Alternate Phone No. _____

To the Zoning Board of Appeals

Appeal is hereby taken and application is made for:

_____ Variance from the requirement of Section/s _____

_____ Special Permit per the requirements of section/s _____

_____ Review of an administrative decision of the Building Inspector

_____ An order to issue a Certificate of Occupancy

_____ An order to issue a Building Permit

_____ An interpretation of the Zoning Ordinance or Map _____

_____ Certification of an existing non-conforming structure or use

_____ Other / Referral from Planning Board (explain)

_____ To permit construction, maintenance and use of _____

Zone _____

Premises affected are situated on the _____ side of _____ and

_____ feet (direction) from the intersection of _____ and

From the Village of Suffern Tax Map the property is known as Section _____

Lot _____. The street address is _____.

Has this property been before the Board of Appeals before? _____

If yes, give name of applicant, case number and date:

Is this property within 500 feet of a State or County Park, State or County Road, Parkway, Village, Town or County Boundary, Wetlands, County owned land or County stream? If yes, give detailed specifications _____

Explain alternative plans considered and reason for rejection / referral: _____

State of New York,)
County of Rockland,) ss.:
Village of Suffern.)

I hereby depose and say that all the above statements, and the statements contained in the papers submitted herewith, are true. Appellant _____

Sworn to before me this _____ day of _____, 2005.

Notary Public, County of Rockland

Affidavit of Ownership

State of New York,)
Village of Suffern,) ss.:
County of Rockland.)

_____, being duly sworn, deposes and says that he / she resides at _____ in the State of _____, that he / she is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Suffern aforesaid and designated as Lot No. _____, in Section No. _____, of the Suffern Village Assessment Map, and that he / she hereby authorizes in his /her behalf, and that the statements of fact contained in said application are true.

Owner _____

Sworn to before me this _____ day of _____, 2005.

Notary Public, County of Rockland

AFFIDAVIT

STATE OF NEW YORK)

SS.:

COUNTY OF ROCKLAND)

_____ being duly sworn deposes and says that he / she is the applicant, agent or attorney, in the matter of the petition before the Village of Suffern Board of Appeals affecting property located at _____ Village of Suffern, Rockland County, New York.

That the following are all of the owners of property within 500 feet from the premises as to which this appeal is taken:

<u>SECTION / LOT</u>	<u>NAME</u>	<u>ADDRESS</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

This affidavit is made in connection with such Application No. _____ for appeal before the Village of Suffern Zoning Board of Appeals, knowing full well that the office of the Zoning Board of Appeals rely on the representations herein made.

Sworn to before me this _____ day of _____, 2005.

Notary Public

Petitioner's Signature

AFFIDAVIT PURSUANT TO SECTION 809 OF THE GENERAL MUNICIPAL LAW

Village of Suffern
Municipal Building
81 Washington Ave
Suffern, NY 10901

STATE OF NEW YORK)
COUNTY OF ROCKLAND) SS.:
VILLAGE OF SUFFERN)

I, _____, being duly sworn, hereby depose and say that all of the following statements and the statements contained in the papers submitted herewith are true, and that the nature and extent of any interests set forth are disclosed to the extent that they are know to the applicant.

1) Print or type full name and Post Office address:

certifies that he / she is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he / she has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application for the relief below set forth:

2) To the _____ of the Village of Suffern.
(Board, Commission, or Agency)

Application, petition or request is hereby submitted for:

- () Variance or modification from the requirement of Section _____
- () Special Permit per the requirements of Section _____
- () Review and approval of proposed subdivision plat;
- () Exemption from a plat or official map;
- () An order to issue a Certificate, Permit, or License;
- () An amendment to the Zoning Ordinance or Map or change thereof;
- () Other (explain) _____

To permit the construction, maintenance and use of _____

3. Premises affected are in a _____ (zone) and from the Suffern Tax Map the property is known as Section _____, Lot _____.

4. There is no state officer, Rockland County Officer or employee; or Village of Suffern Employee, nor his / her or his / her spouse, brother, sister, parent, child or grandchild, or a spouse of any of these relatives who is the applicant or who has an interest in the person, partnership or association making this application, petition, or request, or is an officer, director, partner or employee of the applicant, or that such officer or employee, if this applicant is a corporation, legally or beneficially owns or controls any stock of the applicant in excess of 5% of the total of the corporation, if its stock is listed on the New York or American Stock Exchanges (or any exchange listed in the Wall St. Journal); or is a member or partner of the applicant, if the applicant is an association or a partnership; nor that such Village officer or employee nor any member of his / her family in any of the foregoing classes, is a party to an agreement with the applicant, express or implied, whereby such officer or employee may receive any payment or other benefit, whether or not for services rendered, which is dependent or contingent upon favorable approval of this application, petition or request.

5. That to the extent that the same is known to your applicant, and to the owner of the subject premises, there is disclosed herewith the interest of the following officer or employee of the State of New York, or the County of Rockland, or the Village of Suffern, in the petition, request or application, or in the property or subject matter to which it relates: (if none, so state.)

a) Name & Address of officer or employee _____

b) Nature of interest _____

c) If stockholder, number of shares _____

d) If officer or partner, nature of office and name of partnership _____

e) If a spouse or brother, sister, parent, child, grandchild or the spouse of any of these blood relatives of such State, County, or Village of Suffern officer or employee, state name and address of such relative and nature and extent of office, interest or participation in the ownership or any person, partnership or association having an interest in such ownership or in any business entity sharing in such ownership. _____

f) In the event of Corporate Ownership: A list of all directors, officers and stockholders of each corporation owning more than five (5%) percent of any class of stock, must be attached, if any of these are, or have ever been, officers or employees of the State of New York, or County of Rockland, or Village of Suffern.

I, _____ (print name), do hereby depose and say that all of the above statements, and statements contained in the papers submitted herewith are true, knowing that a person who knowingly and intentionally violates this section, is guilty of a misdemeanor.

Signature _____

Address _____

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

Notary Public

617.20
Appendix B
Short Environmental Assessment Form

ZBA-92-5
 (Revised 1-1-2014)

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.

<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)

VILLAGE OF SUFFERN
COUNTY OF ROCKLAND, N. Y.
ZONING BOARD OF APPEALS

PART I

The application to appear before the Village of Suffern Zoning Board of Appeals for a _____ variance has been received by the Zoning Board of Appeals Clerk on _____ (month, day, year).

Applicant's Name, _____
Address & Phone _____
Number _____

Daytime Phone: _____

Designated Contact _____
Person, Day & _____
Evening Phone _____

PART II

I, _____, Chairman of the Village of Suffern Zoning Board of Appeals, have reviewed and accepted/rejected the above described application.
Reasons for rejection:

PART III

The application for a _____ variance presented to the Village of Suffern Zoning Board of Appeals by: Name: _____
Address: _____

Tax Lot #: _____

has been accepted/rejected by _____,
Chairman of the Zoning Board of Appeals, for hearing on:
_____ (month, day, year).

Applicant's Signature and Certification

State of New York)
County of Rockland) SS.:
Town/Village of _____)

I, _____, hereby depose and say that all the
above statements contained in the papers submitted herewith are true.

Mailing Address

SWORN to before this
_____ day of _____, 19____

Notary Public

Owner/Applicant's Consent Form to Visit Property

I, _____, owner/applicant of the property
described in application submitted to the town/village board, planning board, zoning board
of appeals, and/or supporting staff, do hereby give permission to members of said boards
and/or supporting staff to visit the property in question at a reasonable time during the
day.

Owner/Applicant

SWORN to before this
_____ day of _____, 19____

Notary Public

Reimbursement for Professional Consulting Services

The Town/Village Board, Planning Board and Zoning Board of Appeals in the review of any application described above, may refer any such application presented to it to such engineering, planning, environmental or other technical consultant as such Board shall deem reasonably necessary to enable it to review such application as required by law. The charges made by such consultants shall be in accord with charges usually made for such services in the metropolitan New York region or pursuant to an existing contractual agreement between the town/village for the cost of such consultant services upon receipt of the bill. Such reimbursement shall be made prior to final action on the application.

Permits will not be issued and site plan or subdivision will not be signed until bill is paid in full.

Applicant _____

SWORN to before this

_____ day of _____, 19_____

Notary Public

A.S.S.

