

TOWN OF HIGHLAND

Sullivan County New York
Zoning Board of Appeals
PO Box 138 Eldred NY 12732

INSTRUCTION FOR SUBMISSION OF APPLICATION

Attached to this instruction sheet are the forms to be utilized in submitting applications to the Town of Highland Zoning Board of Appeals (ZBA). Filing fee is **\$150.00** (includes public notice in the River Reporter and the Sullivan County Democrat).

The Town of Highland ZBA meets on the third Thursday of each month. Applications must be received by the ZBA Secretary no later than 10 days prior to the monthly meeting in order to be placed on the monthly agenda.

A complete application must be made consisting of all information as identified in paragraph D labeled DOCUMENTATION on the application form. An application will not be placed on the agenda until a complete application is received. The application is not considered complete until all materials are provided to the ZBA Secretary.

The Short Environmental Assessment Form Part (1) is required for all USE VARIANCE applications. Generally, an Environmental Assessment Form is not required in connection with an application for an AREA VARIANCE.

Section 809 of the General Municipal Law provides that every application to the ZBA shall disclose the name, residence, nature, and extent of any interest of any State, County, or Town employee in the application. For purposes of section 809 of the General Municipal Law, an officer, or employee of the Town, County, or State shall be deemed to have an interest in an application when he or she, his or her spouse, or their brothers, sisters, parents, children, grandchildren or the spouse, significant other of any of them:

- Is the applicant
- Is an officer, director, partner or employee of the applicant;
- Owns or controls stock of a corporate applicant or is a member of a partnership or association applicant; and
- Is a party to an agreement with an applicant, whereby he may receive any payment or other benefit that is contingent upon favorable approval of such application.

When the application is complete, and all required information has been submitted, a public hearing will be scheduled.

The Secretary of the ZBA will send letters notifying the owners of all properties within 500 feet of the applicant's property of the time and date of the public hearing. These notices will be sent certified mail, return receipt requested.

There is a charge of (current USPS amount) per notice due to cover the cost of postage and a \$20.00 processing fee.

The ZBA must make a decision on an application within 62 days after the public hearing is completed. Generally, a decision can be expected to be rendered at the meeting which the public hearing is held.

The Town of Highland requires applicants receiving variances to file a copy of the resolution granting the variance in the office of the Sullivan County Clerk.

Any questions please contact the secretary at planningboardzba@townofhighlandny.com

ZBA USE ONLY

Application # _____

Date Application received: _____

Date of Hearing: _____

Date of Decision: _____

Application to the Town of Highland Zoning Board of Appeals

Appeal of _____ Telephone # _____
Name

Address

Name & Address of Agent/Attorney, if applicable

A. STATEMENT OF OWNERSHIP AND INTEREST:

1. The applicant(s) is (are) the (owner) or (agent) of the property known as

Street Address: _____

Generally located at

(Describe by reference to Street/Property of others etc.)

2. The property is identified on the most recent tax roll of the Town of Highland as

Section: _____ Block _____ Lot _____.

3. The above-described property was acquired by the applicant on _____ 20__.

Attached is a copy of the deed.

4. Attached is a photocopy of the tax map, on which the property is the subject to this application has been outlined in red.

5. The premises are located in the _____ Zoning District.

B. RELIEF REQUESTED:

1. The Applicant requests (Check one or both)

a. _____ An Area Variance

b. _____ A Use Variance

Zoning Law Section

Subject Matter of Section

Change Requirement

From: _____

To: _____

2. Reasons for requests (add additional sheets if needed)

a. State briefly your reason(s) for requesting a variance:

b. State briefly how the strict application of the provisions of the Zoning Law would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the Zoning Law:

C. APPEAL FROM:

1. This appeal is made from a Notice of Disapproval from the Code Enforcement Officer dated _____, 20____, a copy of which is attached to this application.
2. This property (has) (has not) been the subject of a previous appeal. If applicable, I have attached a copy of the decision in that previous matter.

D. DOCUMENTATION:

1. I have attached to this application copies of the following documents which I understand must be fully submitted in order for my application to be acted upon.
 - a. Most recent deed of the property
 - b. A portion of the tax map on which the property which is the subject of this application has been outlined in red.
 - c. The Notice of Disapproval from the Code Enforcement Officer from which this appeal is taken (if applicable)
 - d. Drawing to scale or survey showing the location and size of the existing and proposed improvements (including alterations) on the property which is subject to this application.

E. FEE:

1. Enclosed is my non-refundable fee of \$150.00 (not including postage fees), which I realize must be paid at the time my application is submitted or will be processed.

Signature of Applicant _____

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

Notary Republic
Fee received on _____, 20_____

By: _____

Short Environmental Assessment Form

Part 1 - Project Information

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 <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
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, are adjoining or 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? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input 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: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input 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 Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban 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
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input 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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
49. 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
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		