

VILLAGE OF WALDEN
ZONING BOARD OF APPEALS
INTERPRETATION

ENCLOSED HEREWITH:

_____ Application
_____ Disclosure Addendum Statement
_____ Environmental Assessment Form
_____ Affidavit of Regularity (Proof of Mailings)

YOU SHOULD DO AND OBTAIN THE FOLLOWING INFORMATION THAT IS TO BE ATTACHED TO THE APPLICATION:

_____ Property Deed
_____ Portion of Tax Map on which property has been outlined in red.
_____ Notice of Refusal of the Building Inspector from which this appeal is taken.
_____ Drawing to scale or survey showing present and proposed conditions if relief is granted.
_____ List of address of all property owners abutting the applicant property within 300 feet. This list can be obtained from the Town of Montgomery Assessor's Office, 845-457-2650.

FEES:

_____ Application Fee \$200.00
_____ Escrow fee to be paid at time application is submitted \$250.00

ZONING BOARD OF APPEALS

INTERPRETATION APPLICATION

DATE: _____

APPLICANT _____

ADDRESS _____

PHONE _____

E-MAIL ADDRESS _____

Section _____ Block _____ Lot _____

Zoning District: _____

The above described property was acquired by the applicant on: _____

Zoning Code Sections:

Subject Matter of Section:

Applicant requests the following changes:

The Zoning Law Requires:

Applicant Desires to do

Reason for Request:

(A) Print or attach a copy of the Code Provision which you wish to have interpreted.

(B) Briefly explain the facts regarding your property the manner in which you claim the Code should be interpreted as applying to them.

(C) Attach any supporting documentation or legal authority supporting your proposed interpretation.

This property (has) (has not) been the subject of a previous appeal. If applicable, attach a copy of the decision in that previous matter.

Enclosed is my non-refundable fee of _____, which I realize must be paid at the time my application is submitted, or it will not be processed.

Received on _____, 20____.

By: _____

Signature of Applicant

PROXY

_____, being duly sworn deposes and says: He/She resides at
_____, in the County of _____, and the State of
_____, and that he/she is the owner in fee of _____
_____, which is the premises described in the foregoing application and that he/she has
authorized _____ to make the foregoing application as described.

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

Owner's Signature

Notary

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of this municipality, or of the Town or County of which it is a part, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

() None

() Names: Address: Relationship or interest (financial or otherwise):

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board of Officer or Political Subdivision of the Municipality.

() (Village) (Town Board)

() Planning Board

() Zoning Board of Appeals

() Zoning Enforcement Officer

() Building Inspector

() Other

Individual Applicant

Corporate or Partnership Applicant

By: _____

(Pres.) (Partner) (Vice-Pres.) (Sec.) (Treas.)

GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

"Section 809. Disclosure in certain applications:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

2. For the purpose of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them:

(a) is the applicant, or

(b) is an officer, director, partner or employee of the applicant, or

(c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or

(d) is a part to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor."

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?			NO
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.			YES
			☐
			☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			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.			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____			
☐ 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 No, describe method for providing potable water: _____		NO ☐	YES ☐
11. Will the proposed action connect to existing wastewater utilities? 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?		NO ☐	YES ☐
b. Is the proposed action located in an archeological sensitive area?		☐	☐
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?		NO ☐	YES ☐
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: _____		☐	☐
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ 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 ☐
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? ☐ NO ☐ YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☐ YES 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)	

PRINT