

PLANNING BOARD APPLICATION

1. For Approval of: Subdivision ☐ Site Plan ☐
 (check all that apply) Wetland Permit ☐ Steep Slopes Permit ☐
 Sign Permit ☐ Mandatory Tree Planting Plan ☐
2. Location of Property (Address): _____
 Section _____ Plate _____ Block _____ Lot _____ Zoning District _____
3. Name & Address of Property Owner: _____
 Phone # _____
 Fax # _____
 e-mail: _____
4. Name & Address of Applicant: _____
 Phone # _____
 Fax # _____
 e-mail: _____
5. Name & Address of Representative:
 (Architect/Attorney/Engineer) _____
 Phone # _____
 Fax # _____
 e-mail: _____
6. Name & Address of Contractor: _____
 Phone # _____
 Fax # _____
 e-mail: _____
7. Nature of Work: New Building ☐ Addition ☐ Alteration ☐ Subdivision ☐ Site Plan ☐
8. Please describe in detail: _____

- 9a. Square Footage of Parcel: _____ 9b. Square Footage of Proposed Building: _____
- 10a. Preliminary layout covers: _____ 10b. Approximate Number of Lots: _____
11. Submission of Final Subdivision Plat: Entire Preliminary Layout ☐ Sections ☐
12. Preliminary Layout covers the entire holding of the applicant: Yes ☐ No ☐
13. All streets, highways & parks shown on Preliminary Plat to be dedicated to public: Yes ☐ No ☐
14. Waivers of Requirements of the Land Subdivision Regulations requested: Yes ☐ No ☐
15. If answer to #14 is yes, list waivers and reasons why such requirements should be waived:

16. SEQR Action Type Type I ☐ Type II ☐ Unlisted ☐

PLEASE PROVIDE **EIGHT (8)** PAPER COPIES OF THIS APPLICATION AND **EIGHT (8)** COMPLETED SETS OF **FOLDED** PLANS AND SPECIFICATIONS **COLLATED** AND REMIT TO THE FOLLOWING BY NOON OF THE SUBMISSION DATE **AND** AN ELECTRONIC COPY OF THE ENTIRE SUBMISSION EMAILED TO THE VILLAGE AT planning@briarcliffmanor.gov

Eight (8) sets to:

Village of Briarcliff Manor,
1111 Pleasantville Road,
Briarcliff Manor, NY 10510

THE INFORMATION PROVIDED IS ONLY INTENDED TO SERVE AS A GUIDE TO THE REQUIREMENTS AS LISTED IN THE ZONING ORDINANCE OF THE VILLAGE OF BRIARCLIFF MANOR. THE APPLICATION FEE ACCOMPANYING AND REQUIRED BY THIS APPLICATION IS BASED ON RESOLUTION ADOPTED BY THE VILLAGE BOARD OF TRUSTEES. THE FILING AND ENDORSEMENT OF THIS APPLICATION IS AN ACKNOWLEDGEMENT OF THE FEE SCHEDULE AND CONSTITUTES MUTUAL WRITTEN AGREEMENT BETWEEN THE APPLICANT AND THE VILLAGE.

BY SIGNING THIS APPLICATION, I AFFIRM MY UNDERSTANDING WITH RESPECT TO THE PAYMENT OF PLANNING AND LEGAL FEES ATTRIBUTABLE TO THE WITHIN APPLICATION AND HEREBY AUTHORIZE THE VILLAGE'S PLANNING AND LEGAL CONSULTANTS TO FORWARD DIRECTLY TO ME, FOR INFORMATIONAL PURPOSES, COPIES OF THEIR INVOICES FOR WORK PERFORMED IN CONNECTION WITH THE REVIEW OF MY APPLICATION, WHICH FEES ARE TO BE CHARGED TO THE VILLAGE BUT PAID FROM MY ESCROW ACCOUNT ESTABLISHED FOR SUCH PURPOSE, IN ACCORDANCE WITH CHAPTER 122, ARTICLE II OF THE VILLAGE OF BRIARCLIFF MANOR CODE, THE SCHEDULE OF FEES DOCUMENT THAT I HAVE RECEIVED ALONG WITH THIS FORM OF APPLICATION. IN THE EVENT I AM REPRESENTED BY LEGAL COUNSEL IN CONNECTION WITH THIS APPLICATION. I SPECIFICALLY CONSENT TO THE VILLAGE'S PLANNING AND LEGAL CONSULTANTS FORWARDING COPIES OF THEIR INVOICES DIRECTLY TO ME AND SIMULTANEOUSLY TO MY LEGAL COUNSEL, WHOSE NAME AND ADDRESS IS PROVIDED ABOVE.

I AFFIRM THAT THE STATEMENTS MADE ON THIS APPLICATION ARE TRUE. THIS AUTHORIZES THE PLANNING BOARD AND ITS AGENTS TO ENTER UPON THE SUBJECT PROPERTY FOR THE PURPOSE OF PROCESSING THIS APPLICATION REQUEST.

Signature of Owner Date

Signature of Applicant Date

VILLAGE OF BRIARCLIFF MANOR, NEW YORK
SCHEDULE OF FEES
PLANNING BOARD

PROCEDURE	AGENCY	FEE
SUBDIVISION – (Including Open Space Conservation Developments)	PLANNING BOARD	\$3000 & Renewable Escrow Account of \$2,000 (3 Lots or less) \$5000 & Renewable Escrow Account of \$2,000 (4 to 10 lots) \$10,000 & Renewable Escrow Account of \$2,000 (11 lots or more)
RECREATION FEE	PLANNING BOARD	In Residential Zone: \$12,000 For each new dwelling unit lot created. Where habitable building(s) exist on the land to be subdivided, reduction of (1) lot may be made in fee determination.
SITE PLAN, WETLAND PERMIT, STEEP SLOPES, MTPP, SPECIAL PERMIT OR REQUEST FOR RE-ZONING / RE-ZONING AMENDMENT	PLANNING BOARD	\$500 & Renewable Escrow Account of \$2,000
SIGN PERMIT	PLANNING BOARD	\$250
INSPECTION FEES	VILLAGE ENGINEER	3% of the Value of all Improvements. Inspection Fees shall be based on the estimated cost of improvements (to be reviewed & approved by the Village Engineer). Such fees shall apply to development of both residential & commercial properties.

NOTES ON PLANNING FEES

1. All planning and legal fees attributable to an application will be charged against the applicant's Escrow account. By executing a Planning Board application, the applicant duly agrees not only to pay such fees, but also agrees to receive for informational purposes from the Village's planning and legal consultants copies of their respective invoices for work performed in connection with the application; if such applicant is represented by legal counsel in connection with the application, additional copies of such invoices will be sent to their legal counsel.
2. In unusually large or complex development proposals, the Planning Board is authorized to adjust the fee sufficiently to cover the cost of professional consultation fees and other expenditures attributable to the proposal upon mutual written agreement with the applicant.
3. An additional SEQRA review fee may be required in reference to Note 1 above but in no case shall the SEQRA review fee be greater than one-half of one percent of the estimated gross value of the development construction cost.
4. Additional fees for abnormally frequent inspections shall be required in relation to Section 248 of the Land Subdivision Regulations of the Village of Briarcliff Manor, New York.
5. Checks covering the above fees should accompany the application for approval and will be required before approval of the plans can be obtained. **Separate checks** should be prepared for each fee required and made payable to the "Village of Briarcliff Manor".

TRUST AND AGENCY
PLANNING BOARD ACCOUNT

TA _____

ACCOUNT NAME

ADDRESS FOR COMMUNICATION

PHONE CONTACT

CHECK ISSUED FROM
DATE
CHECK #

Please submit one copy of this form only.

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 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	YES
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.		☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☐	☐
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:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
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?	NO	YES	
If Yes, identify:	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
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?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☐	
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?	NO	YES	
	☐	☐	
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?	☐	☐	
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 or 500-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? 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 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
	☐	☐
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
	☐	☐
21. Is the project located within, or within ½ mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question. a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):	NO	YES
	☐	☐
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: _____ Date: _____		
Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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)?	☐	☐
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?	☐	☐
12. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool ?	☐	☐
13. Will the proposed action cause or increase a pollution burden within a disadvantaged community?	☐	☐

Short Environmental Assessment Form Part 3 Determination of Significance

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 in Lead Agency
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Pursuant to Section 27-4, the Village Manager shall cause a copy of the Code of Ethics to be distributed to each applicant for a change of zoning, variance, special permit, site plan approval, subdivision or other permission, pursuant to the zoning and planning regulations of the Village, shall disclose with the application the name, nature, and extent of the interest of any Village employee, official or consultant in the application, or in the applicant.

Signature: _____

See Chapter 27 of the Village Code (attached)

Chapter 27

ETHICS, CODE OF

§ 27-1. Legislative intent.

It is the policy of the Village of Briarcliff Manor and the purpose of this chapter to establish standards and guidelines for the ethical conduct of its officials, employees, and consultants. Though assurance of such conduct will continue to rest primarily on personal integrity and community vigilance, these standards are another step toward ensuring:

- A. The highest caliber of public administration for the Village;
- B. Government decisions are arrived at impartially and free of any conflict of interest between any private interest and a Village official, employee, or consultant's proper discharge of his or her official duties;
- C. Public confidence in Village government; and
- D. Protection of Village officials, employees, and consultants from unwarranted assaults on their integrity by separating real conflict from the inconsequential.

§ 27-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACT IN AN OFFICIAL CAPACITY: Any legislative, administrative, quasi-judicial, appointive, or discretionary act of an official, employee, or consultant of the Village.

CONSULTANT: Any person or entity, other than a Village official or employee, who is compensated by the Village for providing advisory services to the Village, its boards, courts, commissions, districts, departments, committees, or other agencies.

FAMILY MEMBER: Any spouse, child, parent, or sibling of a Village employee, official, or consultant; person who is financially dependent on a Village employee, official, or consultant; or person on whom a Village employee, official, or consultant is financially dependent.

PERSON or ENTITY: Any individual, business proprietorship, corporation, partnership, association, venture, individual in representative or fiduciary capacity, estate, trust, or other entity.

PRIVATE INTEREST: A participation, connection, or involvement of any sort which may result in a direct pecuniary or material benefit. For the purposes of this chapter, the private interests of a Village official, employee, or consultant shall be deemed to include the private interests of:

- A. A family member.
- B. Any person or entity, other than a bank, trust company, or other lending institution, with whom he or she has a substantial debtor-creditor or other financial relationship.
- C. Any person or entity by whom he or she is employed or of which he or she is an officer, director, or member.
- D. Any person or entity of which the stock or other legal or beneficial ownership is owned by the official, employee, or consultant; provided, however, that if the business dealings of such person or entity with the Village form an insubstantial part of such person's or entity's total business dealings, then this definition shall only apply to such person or entity if the Village official, employee or consultant owns more than 5% of the stock or other legal or

beneficial ownership of such person or entity. Regardless of the percentage of ownership, however, any such interest shall be disclosed by the official, employee or consultant in accordance with § 27-4 of this chapter.

TRANSACTION: Any activity, application, or proceeding which requires or may require an act by an official, employee, or consultant of the Village in his or her official capacity.

VILLAGE: The Village of Briarcliff Manor and all of its boards, courts, commissions, districts, departments, committees, and other agencies.

VILLAGE OFFICIAL OR EMPLOYEE: Any officer or employee of the Village and any member of any of its boards, courts, commissions, districts, departments, committees, or other agencies, whether full- or part-time, whether compensated or not. No person shall be deemed to be a Village official or employee solely by reason of being a volunteer fire fighter or civil defense volunteer, except a Fire Chief or Assistant Fire Chief.

§ 27-3. Conflict of private interest standards.

- A. No Village official, employee, or consultant shall represent or advocate any private interests (other than himself or herself) before the Village or in any transaction with the Village.
- B. No Village employee, official, or consultant shall participate in the consideration of, vote on, administer or act in an official capacity in connection with a transaction in which he or she has a private interest.
- C. No Village employee, official, or consultant shall participate in the consideration of, vote on, administer or act in an official capacity in connection with a transaction in which he or she or any family member is or has been an employee, consultant, agent, representative, official, or fiduciary of the applicant before the Village within the prior 12 months.
- D. Except as otherwise permitted by General Municipal Law Article 18, no Village official or employee shall, directly or through a person or entity of which he or she or his or her family member has any direct or indirect private interest, sell goods or services (other than through employment) to or engage in any business transaction with the Village.
- E. No Village official, employee or consultant shall engage in any business or profession or accept private employment or render any service for private interests which creates a conflict with that official, employee, or consultant's official duties. For a period of 12 months after the termination of his or her service, employment, or engagement with the Village, a former Village official, employee, or consultant shall not render services for private interests before the Village in relation to any matter with respect to which such former official, employee, or consultant personally participated in during his or her service, employment, or engagement with the Village, but this prohibition shall be personal to such former official, employee, or consultant and shall not affect the ability of his or her employer or any other person or entity with which he or she is affiliated from rendering services for private interests before the Village in relation to any such matter.
- F. No Village official, employee or consultant shall directly or indirectly:
 - (1) Solicit any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing, or promise, or in any other form; or
 - (2) Accept any gift worth \$75 or more.
- G. No Village official, employee, or consultant shall permit the use of any Village property for personal convenience or profit or secure privileges or exemptions for himself or herself, or any family member, unless such activity is available to Village citizens generally or is provided as a matter of Village policy.
- H. No Village official, employee, or consultant shall either:

- (1) Use any information which he or she received in the course of his or her duties as a Village official, employee, or consultant to further the private interests of himself or herself or any other person or entity other than the Village unless that information is available to the public; or
- (2) Disclose any information which he or she received in the course of his or her duties as a Village official, employee, or consultant unless either:

- (a) That information is available to the public; or
- (b) His or her disclosure of that information is in the course of his or her duties as a Village official, employee, or consultant.

I. No official or employee shall have a private interest, directly or indirectly, in any transaction, that will:

- (1) Impair or reasonably may impair the proper discharge of his or her official duties; or
- (2) Conflict with the proper discharge of his or her official duties.

J. No Village official, employee, or consultant shall knowingly acquire, solicit, negotiate, or accept any private interest, employment, or other thing of value which would result in a violation of this chapter.

§ 27-4. Distribution of Code of Ethics; disclosure of interest.

- A. Pursuant to New York General Municipal Law § 806, the Village Manager shall cause a copy of this Code of Ethics to be distributed to each official, employee, and consultant of the Village upon the adoption of this chapter and at the time of commencement of each person's service in each new capacity. Each official, employee, and consultant shall acknowledge, in writing, that he or she has received, read, and understood this Code of Ethics. Failure to distribute or receive such copy shall have no effect on the duty of compliance with such Code or on its enforcement.
- B. Any Village official, employee, or consultant who has a direct or indirect private interest in any transaction under consideration by a board, court, commission, district, department, committee or agency of the Village or in any property which may be affected by such transaction, or whose family member has such a private interest, shall publicly disclose the nature and extent of that private interest on the record of the board, court, commission, district, department, committee, or agency before which such transaction is pending and shall file a copy of such disclosure with the Village Clerk. The Village Board shall review such disclosures in a timely manner.
- C. Any applicant for a change of zoning, variance, special permit, site plan approval, subdivision, or other permission pursuant to the zoning and planning regulations of the Village shall disclose with the application the name, nature and extent of the private interest of any Village employee, official, or consultant in the application or in the applicant pursuant to New York General Municipal Law § 809.

§ 27-5. Board of Ethics.

- A. There is hereby created a Board of Ethics which shall consist of five voting members appointed by the Village Board, all of whom shall be residents of the Village and shall serve without compensation for service on the Board. One member of the Board shall be an officer or employee of the Village, but no Village Justice, Village Attorney, or member of the Village Board shall be eligible to serve on the Board. The remaining voting members shall not be Village officials or employees. The Village Manager shall serve the Board in an ex officio, nonvoting capacity. The Village Manager also may serve as the Village official or employee voting member of the Board if he or she is appointed to that position by the Board of Trustees.
- B. Each member of the Board of Ethics shall be appointed for a term of five years, except that of the members first appointed one shall be appointed for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and one for a term of five years. The Village Board shall designate one member as Chairman of the Board of Ethics. A member appointed to fill a vacancy shall be appointed for the unexpired term of the member whom he or she is to succeed.
- C. The Village Attorney shall serve as counsel to the Board of Ethics except when he or she shall recuse himself or herself in any matter in which it is determined that he or she has or may appear to have a conflict of interest. In the event that the Village Attorney has withdrawn from participation in any matter pursuant to this section, the

- D. Village Board shall provide the Board of Ethics with the services of substitute counsel at the request of the Board of Ethics or at the pleasure of the Village Board.
- E. The Board of Ethics shall render advisory opinions to Village employees, officials, and consultants with respect to New York General Municipal Law Article 18 and this Code of Ethics.

(1) Such an advisory opinion shall be rendered upon:

- (a) The written request of any two or more members of the Village Board;
- (b) The written request of a Village official, employee, or consultant whose conduct is in question; or
- (c) The written request of any member of the public which is signed and sworn and alleges facts which, if true, constitute a violation of any provision of New York General Municipal Law Article 18 or of this Code of Ethics. The Board shall summarily dismiss any request by a member of the public which is not signed and sworn, or which does not allege facts which, if true, constitute a violation of any provision of New York General Municipal Law Article 18 or of this Code of Ethics.

(2) Upon receipt of any such request, the Board of Ethics shall notify the Village official, employee, or consultant whose conduct is in question and provide him or her with a copy of the request in the case of a request of anyone other than himself or herself, shall seek clarification of any fact asserted or alleged, if necessary, shall prepare such an advisory opinion, and shall issue that advisory opinion to the Village official, employee, or consultant whose conduct is in question, the Village Board, and the Village Attorney. The Board shall issue its advisory opinion within 60 days of the date of its request, but the Board of Trustees may allow the Board additional time to issue its advisory opinion upon written request from the Board.

(3) Such advisory opinions of the Board of Ethics shall be for the guidance of the Village official, employee, or consultant whose conduct is in question, the Village Board, and the Village Attorney, and the Board of Ethics shall keep them confidential in accordance with § 27-8 and shall not disclose any portion of any such opinion to any person or entity other than the Village official, employee, or consultant whose conduct is in question, the Village Board, and the Village Attorney, but the Board of Ethics may disclose to the public that such an opinion has been issued, and the Board of Ethics shall disclose to any member of the public who has made a written request for an advisory opinion when that opinion has been issued. The Board of Ethics shall keep a record of its proceedings and opinions.

- F. The Board of Ethics may prescribe rules and regulations governing its own internal organization and procedures in a manner consistent with this chapter and with the New York General Municipal Law
- G. The Board of Ethics shall have such other powers and duties as shall be conferred by the Village Board or pursuant to New York General Municipal Law Article 18.

§ 27-6. Appropriation of funds.

The Village Board may appropriate moneys from the general Village funds for the maintenance of and for personnel services to the Board of Ethics, but such Board of Ethics may not commit the expenditure of Village moneys except within the appropriations provided, in its discretion, by the Village Board.

§ 27-7. Remedies; effect on other provisions.

- A. No existing right or remedy shall be lost, impaired, or affected by reason of this chapter; nor shall the validity of any action taken by any Village official, employee, or consultant under the law in force immediately prior to the effective date of this chapter be affected by the enactment hereof.
- B. All Village officials, employees and consultants who, as a result of these revisions, are in violation of the duly adopted revised Code of Ethics are directed to comply with all of its stipulations and requirements within 60 days of the effective date of this chapter.

- C. In the event of any conflict between any provision of this chapter and any provision of New York General Municipal Law Article 18, the more restrictive provision shall apply.
- D. The invalidity of any word, section, clause, paragraph, sentence, part, or provision of this chapter shall not affect the validity of any part of this chapter which can be given effect without such invalid part or parts.

§ 27-8. Confidentiality.

- A. Subject to the requirements of Public Officers Law Article 6 regarding freedom of information and Article 7 regarding open meetings, all of the Board of Ethics's proceedings, deliberations, investigations, conclusions, and opinions shall be private and confidential and shall not be disclosed to any person or entity other than the Village official, employee, or consultant whose conduct is in question, the Village Board, and the Village Attorney, except that the Board of Ethics may disclose to the public the fact that it has issued an opinion on a particular matter and shall disclose to any member of the public who has made a written request for an opinion when that opinion has been issued.
- B. Each member of the Board of Ethics shall maintain the confidentiality of the Board's proceedings, deliberations, investigations, conclusions, and opinions.
- C. Subject to any limitation found in the Public Officers Law or any other law, either the Village official, employee, or consultant whose conduct is in question or the Village Board may release any Board of Ethics opinion to the public, and nothing contained in this Code of Ethics shall be construed to preclude any such disclosure by that Village official, employee, or consultant whose conduct is in question or by the Village Board.

§ 27-9. Repealer.

Ordinance No. 173 of the Village of Briarcliff Manor, enacted November 5, 1970, is hereby repealed in its entirety.

VILLAGE OF BRIARCLIFF MANOR
CODE COMPLIANCE WORKSHEET
(NEW STRUCTURES AND ADDITIONS)

TO BE COMPLETED AND
SIGNED BOTH BY OWNER
& ARCHITECT/ENGINEER

ADDRESS _____
SECTION _____ BLOCK _____ LOT _____ ZONE DISTRICT _____ LOT SIZE _____ SF

GROSS FLOOR AREA (GFA) CALCULATIONS § 220-2

- a. The sum of the area of the building coverage multiplied by the percentage of the building perimeter with exposed walls of seven (7) feet or greater below the first floor elevation.
- b. Any floor area with a floor-to-ceiling height of sixteen (16) feet or greater shall be doubled for the purpose of calculating gross floor area.
- c. The portion of the total area of any deck(s) elevated above ground (not patio) on the Lot that is in excess of the square footage as follows:
R80A – 800SF R60A – 600SF R40A/B – 400SF R30A – 300SF R20A/B – 200SF R12B – 180SF R10B – 150SF RT4B – 100SF

	EXISTING	PROPOSED INCREASE/DECREASE	TOTAL
FIRST FLOOR	SF	SF	SF
SECOND FLOOR	SF	SF	SF
GARAGE	SF	SF	SF
OTHER	SF	SF	SF
a	SF	SF	SF
b	SF	SF	SF
c	SF	SF	SF
GFA TOTAL	SF	SF	SF

MAXIMUM GROSS FLOOR AREA §220:A5, FOOTNOTE 3

The maximum gross floor area for single family residential construction and uses shall be calculated as follows:

- A. Lots less than 20,000 SF in area: 3,000 SF plus 10% of the lot area exceeding 10,000 SF
- B. Lots greater than 20,000 SF but not greater than 65,000 SF: 4,000 SF plus 7% of the lot area exceeding 20,000 SF
- C. Lots greater than 65,000 SF: 7,150 SF plus 8% of lot area exceeding 65,000 SF

MAXIMUM PERCENT OF LOT TO BE OCCUPIED §220:A5 COLUMN 6

R60A – 11% R40A/B – 12% R30A – 13% R20A/B – 15% R12B – 18% R10B – 20% RT4B – 23%

GFA Max _____ SF

GFA PROPOSED _____ SF

COMPLIANCE: ☐ Yes ☐ No

COVERAGE PERMITTED _____ %

COVERAGE PROPOSED _____ %

COMPLIANCE: ☐ Yes ☐ No

FOOTNOTE 1 §220:A5

- A. Is the Application for an addition with a proposed increase in GFA of less than 500 SF to an existing house with a GFA of less than or equal to 3,500 SF? ☐ Yes ☐ No
(If yes, Footnote §220:A5 1 A may apply)
- B. Is the measured slope across the proposed building 15% or greater? ☐ Yes ☐ No
(If yes, include only 50% of the basement area in to the GFA calculation for determining the increased setback on the uphill side of the building)

SCHEDULE OF MINIMUM YARD DIMENSIONS §220:A5

	REQUIRED		PROPOSED	COMPLIANCE YES/NO
	GFA (<=) 3,500	GFA (>) 3,500		
FRONT YARD	FT	FT	FT	
ONE SIDE YARD	FT	FT	FT	
2 COMBINED SIDE YARDS	FT	FT	FT	
REAR YARD	FT	FT	FT	

REGULATORY COMPLIANCE (please check yes or no)

- 1. Will the proposed project place any fill or a structure within a Flood Zone? ☐ Yes ☐ No
(If yes, Chapter 127, Floodplain Management, may apply)
- 2. Is the property located within 50 feet of a wetland? ☐ Yes ☐ No
(If yes, Chapter 131, Freshwater Wetlands, may apply)
- 3. Will the proposed project require any trees to be cut down? ☐ Yes ☐ No
(If yes, Chapter 202, Trees, may apply)
- 4. Will the proposed project require any excavation, fill (including man-made materials), grading, or otherwise disturbance of soil or other mineral deposits, greater than 15 cubic yards? ☐ Yes ☐ No
(If yes, Chapter 115, Excavation, may apply)
- 5. Is a fence or retaining wall proposed as part of the application? ☐ Yes ☐ No
(If yes, §220:A5, may apply)
- 6. Will total GFA exceed 3500 Sq. Ft.? ☐ Yes ☐ No
(If yes, §220-9B Mandatory Tree Planting Plan Required)
- 7. Please provide slope of area of disturbance per Village of Briarcliff Manor
Slope Map (§220-15, may apply) ☐ 0 -8% ☐ 8 -15% ☐ 15-25% ☐ Greater than 25%

ATTACH P.E./R.A. SEAL HERE

P.E./R.A. LICENSE #

I HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE COMPLETE, TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND I THEREFORE SET MY HAND AND SEAL.

OWNER NAME _____ OWNER SIGNATURE _____ DATE _____
P.E./R.A. NAME _____ P.E./R.A. SIGNATURE _____ DATE _____