

Board of Appeals

PROCEDURE INSTRUCTIONS



INCOMPLETE BZA APPLICATIONS WILL NOT BE ACCEPTED

AFTER A LETTER OF DENIAL HAS BEEN RECEIVED, THE FOLLOWING PROCEDURE SHOULD BE FOLLOWED:

1. **Board of Appeals Application Form must be submitted with applicable fee:**
 - ☐ Completed on all three pages.
 - ☐ Applicant(s) to be all property owners.
 - ☐ Notarized on the back exactly as the name(s) appear on the front of the application.
 - ☐ Signed on the last page by all owners.
 - ☐ The Notice of Conflict of Interest must be signed by all owners.
 - ☐ The Affidavit of Owner (if it applies) must be signed by all owners.
 - ☐ TEN (10) COPIES
2. **The legal owner(s)** of record of the property in question or his/her legal managing agent or representative **MUST** be present at all hearings.
3. **Letter of Denial from Rockville Centre Building Department**
 - ☐ TEN (10) COPIES
4. **Surveys:**
 - ☐ **NOT OLDER THAN 10 YEARS (NO EXCEPTIONS) AND SHOWING ALL IMPROVEMENT CURRENTLY ON THE PROPERTY.**
 - ☐ TEN (10) COPIES
5. **Deed:**
 - ☐ Deed with recording information identifying current owner(s). (Copies of Deeds can only be obtained from the Nassau County Clerk's Office, 240 Old Country Road, Mineola, New York)
 - ☐ TEN (10) COPIES
6. **Plans and Plot Plans:**
 - ☐ **PLANS MUST HAVE ARCHITECT'S STAMP**
 - ☐ Area, bulk, height of building and setbacks (all zoning calculations) must be shown on submitted plans.
 - ☐ TEN (10) COPIES – 11" x 17" HARDCOPIES
 - ☐ **ONE (1) COPY – FULL SIZE – BRING TO HEARING**
 - ☐ PDF of all Plans sent to JFisher@RVCNY.US

7. **Color photographs** (minimum size 3 inches by 5 inches) of the subject premises and all adjacent properties, including front views (rear views, if applicable), are required.
 - ☐ **EACH PHOTO MUST BE PROPERLY IDENTIFIED AS TO SUBJECT, LOCATION AND DATE TAKEN.**
 - ☐ TEN (10) COPIES
8. **ON CORNER PROPERTIES, THE ADJACENT RESIDENCES MUST BE SHOWN ON A COMPREHENSIVE SITE PLAN**
 - ☐ TEN (10) COPIES
9. **Radius Maps** – Prepare radius map showing all lots within a 200 foot radius from all corners of property in question as per Rules of the Board of Appeals.
 - ☐ **DESIGNATE ON RADIUS MAP:** Section, Block and Lot(s), Street Addresses, Lot Dimensions and Name of Owner(s) of each parcel within said radius.
 - ☐ TEN (10) COPIES
10. **Secure names and addresses** of owners within said radius using Section, Block and Lot(s) from required Radius Map. List the names and addresses on the form.
 - ☐ TEN (10) COPIES
11. **Fee** for application to the Board of Appeals (*based on type of application*). Check made payable to: Inc. Village of Rockville Centre.
12. **Short Environmental Assessment Form must be completed for Residential Property and Long Environmental Form for Commercial Property.**
 - ☐ TEN (10) COPIES
13. **All proposals affecting FRONT YARD SETBACKS** (for both interior and corner lots) require that the applicant submit documentation indicating the average front yard setback of all homes on the same side of the block from corner to corner. This documentation **MUST** be prepared by a **LICENSED** architect, engineer or land surveyor.
 - ☐ TEN (10) COPIES
14. **Open / Closed Permit Search Form must be completed (by Building Dept. document).**
 - ☐ TEN (10) COPIES
15. **All prior Board of Appeals Decisions for the Property (Building Department Document)**
 - ☐ TEN (10) COPIES
16. **Zoning Affidavit Form must be completed.**
 - ☐ TEN (10) COPIES

WHEN ALL OF THE ABOVE REQUIREMENTS HAVE BEEN SATISFIED AND ACCEPTED BY THE SECRETARY OF THE BOARD OF APPEALS, THE APPLICANT WILL BE NOTIFIED IN WRITING AS TO THE INDEX NUMBER ASSIGNED YOUR APPLICATION AND THE CALENDAR DATE ON WHICH IT WILL BE HEARD.

AT THIS TIME THE APPLICANT WILL:

1. Notify ALL owners via **CERTIFIED RETURN RECEIPT REQUESTED MAIL** within the required radius at least fifteen (15) days before the scheduled meeting date. Said notice is to state briefly the nature of the appeal, the Index No., date of hearing and the address of the property in question.

2. **Affidavit of Service is to be completed, notarized and returned WITH THE GREEN & WHITE CERTIFIED MAIL RECEIPTS** to the Secretary of the Board of Appeals (Building Department) after certified mailing is done.

3. **ALL green cards returned** to the applicant shall be given to the Secretary of the Board of Appeals **no later the two (2) days before the Board of Appeals scheduled hearing.**



4. **ALL ADDITIONS, FENCES, POOLS, ETC. MUST BE STAKED OUT IN THE FIELD AT LEAST (7) DAYS PRIOR TO THE HEARING DATE SO THE BOARD MAY VIEW THE PROPOSED WORK.**



5. **UPON COMPLETION OF THE STAKE OUT, NOTIFY THE SECRETARY OF THE BOARD OF APPEALS AT 516-678-9248. FAILURE TO PERFORM THESE TASKS MAY RESULT IN YOUR CASE BEING ADJOURNED TO A FUTURE DATE.**

NOTE: ALL APPLICATIONS AND FORMS ARE AVAILABLE AT THE OFFICE OF THE SECRETARY OF THE BOARD OF APPEALS, BUILDING DEPARTMENT, 110 MAPLE AVENUE, HOURS MONDAY THRU FRIDAY, 8 AM TO 4:30 PM, PHONE 516-678-9248

NOTE: IT IS RECOMMENDED THAT THE APPLICANT ATTEND A ZONING BOARD HEARING PRIOR TO THEIR SCHEDULED DATE TO OBSERVE THE PROCEEDINGS. CONTACT FRANK BUCCHERI AT 516-678-9248 FOR AVAILABLE DATES.

BOARD OF APPEALS OF THE VILLAGE OF ROCKVILLE CENTRE
APPLICATION FORM

Index No. _____

1. Name of Applicant(s): _____

2. Name of all Property Owners on the current deed (if different than Applicant):

3. This appeal is taken from the determination of the Building Inspector dated _____ concerning §340-_____ of the Code of the Village of Rockville Centre.

An application is hereby made for:

() Area variance

() Special Use Permit

() Use variance

() Other: _____

() Interpretation of §340-_____ () Substantial Occupancy _____

() Confirmation of a non-conforming use

4. Location of subject premises on the Land Map of Nassau County:

Section _____ Block _____ Lot _____

5. Street address of subject premises:

6. Street address of Applicant (if address of Applicant is different than the subject premises):

7. Interest in property – Name and address (if other than owner of subject premises):

8. Description of **existing** building on the subject property:

a. Height in feet of building: _____

b. Number of stories of the building: _____

c. Nature of the **current** use of the property (give a brief description):

9. Description of the **desired** use of the property:

10. Estimated total cost of the proposed change(s)/renovation(s) to the subject premises:
\$_____

11. Number of Occupants: _____

12. Date of denial from Department of Buildings of Rockville Centre:_____

13. Reason for denial from Department of Buildings of Rockville Centre (site specific sections of the Zoning Code of the Village of Rockville Centre, as applicable):

14. Description of the precise relief sought from the Rockville Centre Board of Appeals (site specific sections of the Zoning Code of the Village of Rockville Centre, as applicable):

15. State the principal points in support of this application for a variance. Please include the following information, if applicable: description of existing conditions, description of proposed work, description of hardship and/or practical problems created by current property, any other factual information deemed pertinent.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on its right side, suggesting it's resting on a surface.

16. Name(s), address (es) and phone number(s) of the person(s) who will appear for the Applicant at the Board of Appeals hearing:

17. Provide information on any deed restrictions running with the land that prohibits the desired use of the property:

Please attach the following documents to this Application:

- A. Comments of surrounding property owners affected by this Application.
- B. Most current building application including a site plan survey with all proposed new buildings, structures and/or additions or extensions of existing structures and the distance from any new construction to property lines.
- C. Decision of the Department of Buildings of Rockville Centre.
- D. Survey of the existing subject premises.
- E. Any other required information.
- F. Submit previous Zoning Board, Planning Board or Board of Trustee decisions/approvals/denials.

OWNER: **This section must be completed for all applications.**

Be advised that I am the owner of record of the property referenced herein and hereby consent to this application. By this application, I hereby authorize employees or agents of the Village of Rockville Centre, in conjunction with this application, to enter and inspect the project site as necessary.

I hereby depose and say that I have made no previous application to this Board for this authority sought herein; upon information and belief a previous application was made for the same or similar authority sought herein and denied by this Board, but that this application contains facts not alleged or shown in any previous proceeding before this Board.

Owner(s) Signature (Print & Sign)

Applicant(s) Signature (Print & Sign):

Sworn to me this
____ Day of _____, 20____.

Notary Public

Sworn to me this
____ Day of _____, 20____.

Notary Public

BOARD OF APPEALS, ROCKVILLE CENTRE, N.Y.

IN THE MATTER
OF
THE APPLICATION OF

NOTICE

Case No. _____ 20

PLEASE TAKE NOTICE that the undersigned has applied to the Board of Appeals of the Incorporated Village of Rockville Centre for a {PERMIT} {CONSENT} {VARIANCE} under or from provisions of the Building Zone Ordinance affecting premises known as

in the Village of Rockville Centre, said premises being within such a distance from property reputedly owned by you as to require notice to you under the Rules of the said Board.

The nature of the application is briefly as follows:

The Board of Appeals will hold a public hearing upon said application at the Eugene J. Murray Village Hall, One College Place, Rockville Centre, New York, on _____ day of _____ 20 , at 7:30 P.M. or as soon thereafter as the matter may be reached, at which time all persons interested shall have the opportunity to be heard.

Dated _____ 20 _____
Applicant

This notice shall be sent by CERTIFIED mail, and return receipt (green card), filed with Board of Appeals before the Board hearing.

(by) _____

(its) _____

AFFIDAVIT OF SERVICE

STATE OF NEW YORK

COUNTY OF

}

ss.:

_____ being duly sworn, deposes
and says: that _____ he resides at No. _____

_____ County of Nassau, State of
New York. That on the _____ day of _____, 20____, deponent
then being upwards of eighteen years of age, served the notice on the reverse side
hereof upon property owners required by the Rules of the Board of Zoning Appeals
to be given notice, by certified mail by depositing true copies thereof in a securely
closed and duly post paid wrapper in the Post Office of Rockville Centre, Nassau
County, New York, directed to each of said property owners at the addresses
designated in writing by the Secretary of said Board.

Sworn to before me this _____ day _____

of _____, 20____

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? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
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? 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?	NO	YES	
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? 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: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	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)