

Incorporated Village of East Hampton

Zoning Board of Appeals

86 Main Street

East Hampton, NY 11937

(631) 324-4150

www.easthamptonvillage.org

Application Instructions

One original completed copy of the application form must be submitted. Application forms must be typewritten or neatly printed and legible. All forms requiring notarized signatures shall be originals. Requests for a Wetlands Permit or Coastal Erosion Hazard Area Permit must include the appropriate application addendum.

Materials to be submitted with application:

- I. APPLICATION FEE: Application fees must be submitted in the form of a check, money order or cash. Note: If submitting for a Wetlands Permit, Special Permit or Coastal Erosion Hazard Area Permit, a separate application fee(s) must be submitted. All fees are non-refundable once review commences.
- II. Ten (10) prints of an up-to-date survey. Up-to-date within 12 months of submission. Photocopies or alterations to maps not completed by a licensed surveyor are not accepted. Surveys must clearly depict existing and proposed structures, improvements or conditions (*see below).
- III. Ten (10) prints of architectural plans. Plans must be dated, at a scale of ¼"=1' and clearly delineate proposed floor plan layout, elevations, roof design, sections, and dimensions. For additions to existing structures, plans shall clearly show existing walls to remain and proposed walls. Plans shall include existing and proposed gross floor area as defined by Chapter 278, Zoning, and calculations must be certified by a licensed design professional (*see below).
- IV. Landscape Plans, Engineering Plans, etc. shall be submitted in sets of 10 and dated (*see below).
- V. Copy of Building Department Turndown Letter or Notice of Violation must be included.

*One (1) additional survey and plans (11 total) shall be submitted with applications for Wetlands Permit, Coastal Erosion Hazard Area permit or Variance from Chapter 124 – Preservation of Dunes - for possible referral to the Village's Environmental Consultant. Additional prints of plans may be required if the project requires referral to the Suffolk County Planning Commission.

The Zoning Board reserves the right to request additional information or plans, engineering studies or calculations, etc. Applications that lack the materials or information necessary for the Zoning Board to make an informed decision will be deemed incomplete and not scheduled for a public hearing.

State Environmental Quality Review Act (SEQR)

Projects identified as Type I or Unlisted Actions require submission of Environmental Assessment Form and additional copies of materials, if coordinated review is required. Information, materials and SEQR forms can be obtained at <http://www.dec.ny.gov/permits> or by contacting NYSDEC Division of Environmental Permits 518-402-9167.

Submission Requirements

Surveys shall depict the following details:

- Calculations of permitted, existing and proposed coverage, accessory building gross floor area and principal building gross floor area.
- Area (setback) Variance Requests – survey shall delineate required front, side and rear yard setback lines, or setbacks from wetlands/dunes, forming a building envelope. All improvements requiring setback variance(s) shall be dimensioned to property line(s) or wetlands/dune.
- Any property utilizing relief provisions shall include diagram demonstrating relief calculations.
- All applications that include a swimming pool shall include the location of proposed pool equipment, enclosure fencing and drywell(s).

Other Plans:

- All building plans or floor and elevation plans shall be drawn to scale and dimensioned. Floor Plans shall clearly delineate existing and proposed walls, windows, doors, etc. Elevation plans and sections shall clearly delineate height measured from existing natural ground level.
- Projects requiring relief from height regulations shall include a roof plan depicting all roof pitches and sections diagrams.
- Existing and proposed gross floor area for each story or level of the building shall be certified by a licensed architect or engineer.
- The Village may require floor plans to highlight or delineate staircases and areas with floor to ceiling heights greater than 15 feet.

Chapter 163 – Freshwater Wetlands

All wetlands shall be delineated by the Village of East Hampton Environmental Consultant and depicted on the survey.

Surveys shall depict the following details:

- All required setbacks from wetlands for clearing, structures and septic systems shall be delineated on the survey.
- Topographic contours at 2 foot intervals.
- Existing and Proposed limits of clearing, grading, ground disturbance or landscaping.
- Test hole data – if subsurface improvements are proposed.
- Filling and/or grading.
- Existing or proposed drainage structures or drainage patterns.
- Flood Zones.
- Cross section diagrams for all subsurface structures or improvements, including swimming pools, drainage structures or sanitary septic systems.
- Mean high water line (if appropriate).
- Soundings at mean low water (if appropriate).

Chapter 101 - Coastal Erosion Hazard Area

Surveys shall depict the following details:

- The Coastal Erosion Hazard Area (CEHA) line. Calculations shall be provided of the legally preexisting ground area coverage within the CEHA zone and the percentage of increase of ground area coverage within the CEHA zone.
- Topographic contours at 2 foot intervals.
- Existing and Proposed limits of clearing, grading, ground disturbance or landscaping.
- Test hole data – if subsurface improvements are proposed.
- Proposed excavation, filling and grading along with cut and fill calculations (this information may be depicted engineering plans).
- Existing or proposed drainage structures or drainage patterns.
- Flood Zones.
- Cross section diagrams for all subsurface structures or improvements, including swimming pools, drainage structures or sanitary septic systems.
- Mean high water line.
- Southerly edge of beach grass.

Chapter 124 - Preservation of Dunes

Surveys shall depict the following details:

- Topographic contours at 2 foot intervals. Properties West of Old Beach Lane measure setbacks from the 15 foot contour – The 15 foot contour, in NGVD '29 datum, shall be highlighted on the survey. Properties East of Old Beach Lane measure setbacks from the 20 foot contour – The 20 foot contour, in NGVD '29 datum, shall be highlighted on the survey.
- Southerly edge of beach grass.
- Mean high water line.
- All required setbacks from edge of beach grass and topographic contours shall be delineated on the survey.
- Existing and Proposed limits of clearing, grading, ground disturbance or landscaping.
- Test hole data – if subsurface improvements are proposed.
- Proposed excavation, filling and grading along with cut and fill calculations (this information may be depicted on engineering plans).
- Existing or proposed drainage structures or drainage patterns.
- Flood Zones.
- Cross section diagrams for all subsurface structures or improvements, including swimming pools, drainage structures or sanitary septic systems.

The Zoning Board of Appeals reserves the right to request additional information or plans, engineering studies, construction protocol or other technical materials. Applications that lack the information necessary for the Zoning Board of Appeals to make an informed decision will be deemed incomplete and not scheduled for a public hearing.



THE HOOK MILL
ONE OF THE EARLY LONG ISLAND MILLS
USED BY FAMILIAR BOTTLES TO GRIND WHEAT,
BREAD AND OTHER GRAIN. BUILT IN 1800
IT STILL OPERATES OPEN TO THE PUBLIC

VILLAGE OF EAST HAMPTON

Settled 1648 - Incorporated 1920

86 MAIN STREET

EAST HAMPTON, N.Y. 11937-2730

WWW.EASTHAMPTONVILLAGE.ORG

631-324-4150

FAX 631-324-4189

OFFICE OF



"HOME SWEET HOME"
DEDICATED TO THE MEMORY OF JOHN HOWARD
PAYNE AND HIS FAMOUS SONG "HOME SWEET
HOME", MAINTAINED BY THE VILLAGE AS A MUSEUM

Zoning Board of Appeals Application

Zoning Board of Appeals Application is submitted for which of the following:

(check appropriate boxes)

- AREA VARIANCE (including variances from Chapter 124 Preservation of Dunes)
- WETLAND VARIANCE – all requests for Wetlands Variance must include wetlands application addendum.
- COASTAL EROSION HAZARD AREA VARIANCE – all requests for CEHA must include CEHA application addendum.
- USE VARIANCE
- APPEAL OF CODE ENFORCEMENT INTERPRETATION

A. Property Owner Information:

NAME: _____
 MAILING ADDRESS: _____
 TELEPHONE: _____
 EMAIL: _____

B. Applicant (if other than Property Owner):

NAME: _____
 MAILING ADDRESS: _____
 TELEPHONE: _____
 EMAIL: _____

C. Attorney or Agent:

NAME: _____
 MAILING ADDRESS: _____
 TELEPHONE: _____
 EMAIL: _____

D. Surveyor or Engineer:

NAME: _____
 MAILING ADDRESS: _____
 TELEPHONE: _____
 EMAIL: _____

SPECIFY WHOM CORRESPONDENCE SHOULD BE SENT TO: _____

1. Has an application for building permit been made: Yes No

2. Has the Building Inspector/Code Enforcement Officer issued a turn-down letter or Notice of Violation: Yes No

3. Property Street Address: _____

4. Zoning District: _____

5. Size of Property: _____

6. Suffolk County Tax Map Number: District 301 Section _____ Block _____ Lot _____

7. Is the property enclosed with a locked or automated gated: Yes No
If yes, you must provide the Zoning Board secretary with gate combination for access with this application. This information will not be made part of the public record.

8. Date Property Acquired: _____
From Whom: _____

9. If the property is encumbered with any right-of-ways, easements or restrictive covenants, please indicate the nature of the restrictions. The Zoning Board reserves the right to require submission of these documents.

10. If any prior Zoning Board of Appeals determinations been rendered on this property, please provide the date, name of applicant and nature of request:

11. Describe Proposed Project in Detail: _____

AREA VARIANCE – The authorization by the Zoning Board of Appeals for the use of land which is not permitted by the dimensional or physical requirements of Chapter 278, Zoning:

The following area variances are sought:

(Example: A 10 foot variance from 278-3 A.(4) for a residence 20 feet from side lot line).

_____ variance from 278-_____ for _____

_____ variance from 278-_____ for _____

_____ variance from 278-_____ for _____

_____ variance from 278-_____ for _____

_____ variance from 278-_____ for _____

If additional space is needed, attach page and list each variance request in this format.

If requesting area variance(s), the below questions must be addressed for each variance requested (each standard must be addressed in writing – attach additional pages to application if necessary):

1. Describe 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 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:

USE VARIANCE – The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not permitted or is prohibited by Chapter 278, Zoning:

A Use Variance is sought from Section 278-_____

to permit _____

in the _____ zoning district.

If requesting a use variance, the applicant must demonstrate unnecessary hardship by satisfying each of the below tests (each standard must be addressed in writing – attach additional pages to application if necessary):

1. The applicable zoning regulations and restrictions cause unnecessary hardship:

2. The applicant cannot realize a reasonable return and the lack of return is substantial as demonstrated by competent financial evidence:

3. The alleged hardship related to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood:

4. The requested use variance, if granted, will not alter the essential character of the neighborhood:

5. The alleged hardship has not been self-created:

APPEALS – Application brought by aggrieved persons from interpretations of provision of Chapter 278, Zoning, made by the Building Inspector/Code Enforcement Officer:

Date of Code Enforcement Officer interpretation: _____

Explain reason for appealing this interpretation:

Disclosure of Interest Statement

State of New York
County of Suffolk SS:

_____, being by me duly sworn, disposes and says:

1. I am interested in an application for approval of a variance, special permit or subdivision approval from the Incorporated Village of East Hampton.
2. I reside at: _____
3. The nature of my interest in the aforesaid application is as follows: _____

4. If applicant or owner is a corporation, list officers:
President _____ Vice President _____
Secretary _____ Treasurer _____
5. Do any of the following individuals have an interest, as defined below, in the owner or applicant:
 - a. Any New York State or
 - b. Any officer or employee of the Village of East Hampton, Town of East Hampton or County of Suffolk.

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

- a. Is the applicant or owner, or
- b. Is an officer, director, partner, or employee of the applicant or owner, or
- c. Legally or beneficially owns or controls stock of a corporate applicant or owner, or
- d. Is a party to an agreement with such an applicant or owner, 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.

() YES () NO

If yes, state the name, address, nature and extent of the interest of such individual.

A person who knowingly and intentionally fails or make such disclosure shall be guilty of a misdemeanor as provided for in General Municipal Law, Section 809.

Signature of Owner

If owner is a Corporation, indicate name of corporation and officer's title:

Name of Corporation: _____

Title of Officer: _____

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

Notary Public

Incorporated Village of East Hampton

OWNERS ENDORSEMENT

TO BE COMPLETED BY THE PROPERTY OWNER IF APPLICATION IS SUBMITTED BY AGENT

STATE OF NEW YORK)

ss:

COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says:

I _____

reside at _____

In the County of _____ and the State of

_____, And I am the (owner in fee) (officer of the

Corporation which is the owner in fee) of the premises described in the foregoing application and that I

have authorized _____ to make

the foregoing application as described herein. I hereby consent to inspection of the project site by Village employees and authorized Village representatives.

SIGNATURE

SIGNATURE

IF CORPORATION – NAME OF CORPORATION

OFFICERS TITLE

Sworn before me this _____ day of _____, 20_____

Notary Public

Incorporated Village of East Hampton
Zoning Board of Appeals
86 Main Street
East Hampton, NY 11937
(631) 324-4150
www.easthamptonvillage.org

ZONING BOARD OF APPEALS
APPLICATION ADDENDUM for
WETLANDS PERMIT

This addendum must be attached to a completed Variance Application.

Property Owner: _____

Street Address of Proposed Project: _____

Suffolk County Tax Map Number: District 301 Section _____ Block _____ Lot _____

Have the wetlands been delineated by the Village Environmental Consultant within the past 12 months? Yes No

I. Proposed Activities

Check all activities that are included in the proposed project.

- | | |
|--|--|
| <input type="checkbox"/> New Residence | <input type="checkbox"/> Fencing |
| <input type="checkbox"/> New Commercial Building | <input type="checkbox"/> Accessory Building |
| <input type="checkbox"/> Addition to Existing Building | <input type="checkbox"/> Retaining Wall |
| <input type="checkbox"/> Alteration to Existing Building | <input type="checkbox"/> New or Upgraded Septic System |
| <input type="checkbox"/> Swimming Pool | <input type="checkbox"/> Clearing or Removal of Vegetation |
| <input type="checkbox"/> Decking, Patio/Terracing | <input type="checkbox"/> Landscaping |

II. Site Characteristics

Is project located in a designated FEMA Flood Zone? If so, identify flood zone:

List the predominant soil types on the property?

Approximate depth to groundwater (if feet): _____

Describe current site conditions: _____

III. Proposed Project

Describe, in detail, all improvements or activities proposed within wetland setbacks:

Indicate amount, in square feet, of proposed land clearing: _____

If dredging or excavating is required, identify volume, in cubic yards, of material to be removed and location for material placement (temporary and permanent disposal locations):

Identify maximum depth of excavation: _____

If filling is required, identify quantity and type of fill to be used:

Will the project require dewatering? Yes No
If so, include copy of New York State Department of Environmental Conservation Permit (if required).

Identify types of equipment to be used: _____

Does site contain adequate space for on-site storage of equipment, materials and work vehicles?
 Yes No

Does the project anticipate the need for overflow off-site parking? Yes No

If yes, identify location: _____

Anticipated start date for activities: _____

Anticipated completion date: _____

Does the project involve pile driving? Yes No

If yes, identify number of pilings required: _____

Describe pollution control methods to be used or other actions to mitigate environmental impacts, including erosion and silt control methods to prevent impacts to wetlands or surface waters:

Do the proposed improvement(s) generate sanitary waste? Yes No

If so, describe existing or proposed conditions for treatment:

Describe alternatives that could avoid wetlands permit. If no alternatives exist, explain how the project will minimize impacts to wetlands:

Explain any other mitigation measures that are proposed to reduce or eliminate possible impacts on wetlands.

List permits that are required and/or have been granted by other agencies: _____

Incorporated Village of East Hampton
Zoning Board of Appeals

STATE OF NEW YORK)

ss:

COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says he or she is the owner or agent for the owner of the property described above. That all statements made in this application are true to the best of his or her knowledge and belief, except as to matters herein stated to be alleged or information and belief and as to the matters he or she believes the same to be true. I hereby consent to inspection of the project site by Village employees and authorized Village representatives.

Signature

Sworn to before me this _____ date of _____, 20____

Notary Public

Incorporated Village of East Hampton
Zoning Board of Appeals
86 Main Street
East Hampton, NY 11937
(631) 324-4150
www.easthamptonvillage.org

ZONING BOARD OF APPEALS
APPLICATION ADDENDUM for
COASTAL EROSION HAZARD AREA PERMIT

This addendum must be attached to a completed Variance Application.

Property Owner: _____

Street Address of Proposed Project: _____

Suffolk County Tax Map Number: District 301 Section _____ Block _____ Lot _____

I. Proposed Activities

Check all activities that are included in the proposed project.

- | | | | |
|--------------------------|-----------------------------------|--------------------------|--|
| <input type="checkbox"/> | New Residence | <input type="checkbox"/> | Accessory Building/Structure |
| <input type="checkbox"/> | New Shore Hardening Structure | <input type="checkbox"/> | Alteration of Existing Shore Hardening Structure |
| <input type="checkbox"/> | Addition to Existing Building | <input type="checkbox"/> | New or Upgraded Septic System |
| <input type="checkbox"/> | Alteration to Existing Building | <input type="checkbox"/> | Clearing or Removal of Vegetation |
| <input type="checkbox"/> | Swimming Pool | <input type="checkbox"/> | Landscaping |
| <input type="checkbox"/> | Decking, Patio/Terracing | <input type="checkbox"/> | Fencing |
| <input type="checkbox"/> | Beach Nourishment/Dune Rebuilding | | |

II. Site Characteristics

Is project located in a designated FEMA Flood Zone? If so, identify flood zone:

List the predominant soil types on the property?

Approximate depth to groundwater (in feet): _____

Describe current site conditions: _____

Is the site or adjacent beach area an active bird nesting and breeding area?

Does the site contain any rare or threatened plant or wildlife species? Yes No
If yes, identify species: _____

III. Proposed Project

Describe, in detail, all improvements or activities proposed within CEHA Zone:

If project involves new or alterations to improvements that contribute to ground area coverage, provide the below calculations within CEHA Zone (in square feet):

NOTE: New York State certified the Village's CEHA law on 09/21/1989. To be lawfully preexisting, the structures, improvements and ground area coverage must legally predate 09/21/1989. Ground area coverage includes all buildings and structures, but does not include pervious driveways.

Area of property within CEHA Zone: _____

Total ground area coverage within CEHA Zone existing on 09/21/1989: _____

Existing ground area coverage within CEHA Zone to be removed: _____

Existing ground area coverage within CEHA Zone to remain: _____

Proposed ground area coverage to be added within CEHA Zone: _____

Proposed total ground area coverage within CEHA Zone: _____

Indicate amount, in square feet, of proposed land clearing: _____

If dredging or excavating is required, identify volume, in cubic yards, of material to be removed and location for material placement (temporary and permanent disposal locations):

If fill material is to be used, identify quantities, in cubic yards: _____

If filling is proposed, identify type of fill to be used: _____

Will the project require dewatering? Yes No

If yes, include copy of New York State Department of Environmental Conservation Permit.

Identify types of equipment to be used: _____

Anticipated start date for activities: _____

Anticipated completion date: _____

Does the project involve beach nourishment? Yes No

If yes, identify machinery route to work zone and staging areas for materials and equipment:

Does site contain adequate space for on-site storage of equipment, materials and work vehicles?

Yes No

Does the project anticipate the need for overflow off-site parking? Yes No

If yes, identify location: _____

Does the project involve pile driving? Yes No

If yes, identify number of pilings required: _____

Describe pollution control methods to be used or other actions to mitigate environmental impacts, including erosion and silt control methods to prevent impacts to dunes, beaches or nearshore areas:

Do the proposed improvement(s) generate sanitary waste? If so, describe existing or proposed conditions for treatment. Yes No

IV. Permit Standards

In addition to the Area Variance Standards, each of the below criteria must be addressed in writing for granting of a CEHA variance:

No reasonable, prudent, alternative site is available: _____

All responsible means and measures to mitigate adverse impacts on natural systems and their functions and values have been incorporated into the activity's design at the property owner's expense: _____

The development will be reasonably safe from flood and erosion damage: _____

The variance requested is the minimum necessary to overcome the practical difficulty or hardship which was the basis for the requested variances: _____

Where public funds are utilized, the public benefits must clearly outweigh the long-term adverse effects: _____

Describe, in detail, alternatives that could avoid building in the CEHA zone. If no alternatives exist, explain how the project is reasonable and necessary: _____

Describe, in detail, how the project prevents, if possible, or minimizes adverse effects on natural protective features and their functions and protective values: _____

V. Involved Agencies

List permits that are required and/or have been granted by other agencies: _____

**Incorporated Village of East Hampton
Zoning Board of Appeals**

STATE OF NEW YORK)

ss:

COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says he or she is the owner or agent for the owner of the property described above. That all statements made in this application are true to the best of his or her knowledge and belief, except as to matters herein stated to be alleged or information and belief and as to the matters he or she believes the same to be true. I hereby consent to inspection of the project site by Village employees and authorized Village representatives.

Signature

Sworn to before me this _____ date of _____, 20____

Notary Public