

Incorporated Village of East Hampton
www.easthamptonvillage.org
APPLICATION AND REVIEW PROCESS
GENERAL INSTRUCTIONS

PURPOSE

The purpose of the review process is to ensure that your project is consistent with the planning and environmental goals of the Village. At the same time we endeavor to make the review prompt and orderly to save both you and the reviewing agency time, effort, and expense.

The process is intended to be the same for all applications. It takes place in three stages: 1) the optional pre-submission conference, 2) the initial submission, and 3) the completed submission. At each stage your plan will be reviewed and modifications suggested, if necessary. This procedure is designed to establish a dialogue so that you and/or your representative will be aware of the Village's concerns as your plan develops and can arrive at a design that will respect the environment and be properly integrated with the surrounding area.

APPLICATION FORMS

The application forms are designed to include all State Environmental Quality Review Act (SEQRA) information necessary to make an environmental assessment. Concerns of the Environmental Assessment Form, Part I, have been incorporated in the application form, survey, and plans required.

Multiple Applications

A project may require more than one approval. If your project requires a Special Permit from the Zoning Board of Appeals, an application must be made simultaneously to the Zoning Board of Appeals and the Design Review Board. In certain instances, county or state approvals may be required for which you are responsible.

Rather than submitting a different set of plans for each application, please develop one set of plans showing all aspects of the project which will satisfy the requirements of all applications. This will facilitate a coordinated review as required by the State Environmental Quality Review Act.

Checklist

Each application has a checklist of requirements to assist you in making sure that your application is complete and that all necessary information is included in your submission. The checklist is part of your submission. Please do not leave blanks; check each item satisfied or mark N/A if not applicable. By submitting a complete application, delay in processing will be avoided.

An agency may require additional information not asked for in the application. Upon request, an agency may waive certain submission requirements if they are not essential to the application.

Policies and Standards

The general policies and standards pertaining to each application are listed in the application. The extent to which you comply with them will simplify the review process.

APPLICATION PROCESS

The difference in submission requirements for each of the application stages is one of degree of detail in the drawings, as explained below.

I. PRE-SUBMISSION

Review Village Code

Before preparing an application, it is recommended that you read the chapters of the Village Code related to your request. A booklet entitled “Land Use and Zoning Regulations” is available at the Village Hall for purchase or inspection.

Wetlands Flagging

If your property contains wetlands, you should make a written request as early as possible to the Building Inspector, Village Hall, 86 Main Street, East Hampton, New York 11937, to have the wetlands flagged. The fee for this is \$275 and must be included with the request. You will be notified when the wetlands have been flagged. The information must appear on your survey. No wetlands application will be accepted without it.

Pre-Submission Conference (optional)

Although this first stage of the application process is optional, you are strongly urged to take advantage of it. At this informal meeting with agency members or, in the case of a Zoning Board of Appeals application, with the Building Inspector, you may present your plan in conceptual sketch form before going to the expense of detailed drawings. The agency will review with you the zoning laws applicable to your site, identify possible limitations, and discuss available alternatives. Applicant's plans often require modification, so please be flexible and creative.

For this pre-submission conference, the sketch, although it must be to scale and in accord with your survey, does not have to be detailed. It should, however, show the design of the project and its relation to surrounding property and include the information on the checklist.

II. INITIAL SUBMISSION

Based on your pre-submission discussion with the agency, you can then prepare a plan appropriate to the site. Application review officially begins at this point when you or your representative completes an application form, pays the application fee, submits a guaranteed, up-to-date survey showing existing conditions, and also submits initial schematic drawings prepared by a surveyor or architect, containing the information on the requirement checklist. After review of this initial submission, modifications may be requested for the completed submission.

III. COMPLETED SUBMISSION

When the initial plans have received the agency's approval of the concept, you are ready to prepare the completed submission. This will require detailed drawings – site plan, building plans, and landscape plans to be drawn by a licensed surveyor and a licensed architect.

The checklist contains the elements necessary for the completed submission.

APPROVAL PROCESS

State Environmental Quality Review Documents

This last submission will be reviewed first for completeness. When it is deemed complete and has then been analyzed for environmental impacts, the Environmental Assessment Form, Part II, will be prepared and a determination recommended.

The determination will be a negative declaration (no significant environmental impact), a conditioned negative declaration (no significant environmental impact providing certain modifications are made), or a positive declaration (significant environmental impacts requiring a Draft Environmental Impact Study). These documents will not be signed until a public hearing has been held.

Public Hearing

The agency, when required, will hold a public hearing within 45 days after the application has been deemed complete. In addition to comments from the public, the recommendations of other agencies will be heard.

Inspection of Your Property

Please be advised that the various Boards make on-site inspections of properties to facilitate the review process.

Applicant's Responsibility to Notify Adjacent Landowners

You, the applicant, have the responsibility to notify adjacent landowners when applying for a Freshwater Wetlands Permit (see Section 163-5.E. for details) or a final subdivision plat approval (see Section 252-2.B.(2)(b) for details).

Deliberations

In arriving at a determination, the agency will take into consideration the information presented at the public hearing together with the completed application. The State Environmental Quality Review Act document will be signed in the form of a Negative Declaration, Conditioned Negative Declaration or

Positive Declaration, as well as a decision to approve, approve with modifications, or deny the project.

BOARDS AND APPLICATIONS

BOARD OF TRUSTEES has jurisdiction over zoning changes in Village Code.

ZONING BOARD OF APPEALS interprets the Village Zoning Code. The ZBA has jurisdiction to hear the following variance and permit applications:

- Area Variance - for variance of width, setback, height, coverage, lot area, etc. requirements
- Use Variance - for use of property other than that which the ordinance allows in a zoning district
- Interpretation - of the meaning of the zoning code
- Wetlands Permit - to carry out regulated activity on any wetlands or within the regulated wetlands area
- Coastal Erosion Permit - to carry out regulated activity within the coastal erosion area including dunes and flood hazard areas
- Special Permits - to allow the extension or alteration of nonconforming uses or structures; the conversion of an existing nonconforming use to a more conforming use; schools and other public uses as itemized in Section 278-7.D.(1)(c); uses not specifically permitted in a commercial district provided such use is not specifically prohibited; construction of new or conversion of existing buildings as a convalescent or nursing home, or; the use of a commercial property for more than three coin operated amusement devices all as set forth in Section 278-7.D.(1)(f) of the Village Code.

NOTE: A separate application will be required for each variance or permit. For example, if a project involves an Area/Use Variance and a Wetlands Permit, two applications must be filed.

PLANNING BOARD reviews subdivision applications

Minor Subdivision – 2, 3, or 4 lots

Major Subdivision – more than 4 lots

DESIGN REVIEW BOARD administers architectural (design) and site plan review

Non-Residential Site Plan – to carry out a project of a non-residential structure (church, library, hospital, museum, etc.) in a residential district or legal non-conforming use properties

Limited Office District Site Plan – to permit the conversion of an existing residence for use as an office and/or apartment

Commercial/Industrial Site Plan – to permit a commercial or manufacturing use as allowed by zoning

Historic District Site Plan – to permit site improvements within the Village’s Historic District

Special Permit Site Plan – for all projects requiring a Special Permit with the exclusion of applications involving properties with residential uses only and the buildings or structures related to such uses

PROJECTS NOT REQUIRING SITE PLANS: For those projects, which do not involve site improvements (relocation of structure, additions, new parking areas, etc.) the following permits may be used:

Commercial Buildings – Site Permit
Awning Permit
Renovations

Historic District – Certificate of Appropriateness