

VILLAGE OF WOODRIDGE
2 DAIRYLAND ROAD, BOX 655
WOODRIDGE, NEW YORK 12789

To: Zoning Board Applicants

USE VARIANCE

Subject: Placement on Zoning Board of Appeals Agendas

All Zoning Board Meetings are held on the **THIRD Wednesday** of each month beginning at 6:00 PM. The meetings are held at 2 Dairyland Road, Woodridge, New York 12789 at the Village Hall.

Date of Next Meeting: _____

Deadline for Submission: _____

****In order to appear at a scheduled meeting ALL the following information must be on file in the Code Enforcement Office NO LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DATE OF THE MEETING****

1. Completed Variance Application **(11 COPIES)**
2. Environmental Assessment Form (SEQRA) **(11 COPIES)**
3. Site Plan Description – Drawing **(11 COPIES)**
4. List of Adjoining Property Owners Located Within 300' of Property Line **(1 COPY)**
5. \$75.00 Filing Fee – **CHECK MUST BE MADE PAYABLE TO THE VILLAGE OF WOODRIDGE – NO CASH WILL BE ACCEPTED**
6. Written Request to Be Placed on The Agenda for **ANY** Upcoming Zoning Board of Appeals Meeting
7. All packets must be put together with one each of listed above numbers 1,2 and 3 clipped together as a packet. Do not submit copies of each item separately. **THE COPIES FOR THE BOARD MEMBERS MUST BE PREPARED AS PACKETS TO READILY PRESENT TO EACH MEMBER.**

NO VERBAL REQUESTS WILL BE ACCEPTED

Legal Notices must be mailed **CERTIFIED** to all adjoining property owners located within 300' of the property line. The Code Enforcement Office will provide legal notice.

*****Mailings are the responsibility of the applicant or representative thereof. NOTICES MUST BE MAILED NO MORE THAN TEN AND NO LESS THAN FIVE DAYS FROM THE DATE OF THE MEETING.**

The white certified mail receipts must be submitted at the meeting for which application is scheduled, they will subsequently be filed with the application in the Code Enforcement Office.

*****The property will be posted within the official ZBA sign no later than the Friday before the meeting. There will be a \$50.00 deposit for the sign that is refundable upon receipt of the sign.**

REASONS FOR REQUEST

The applicable zoning regulations and restrictions have caused unnecessary hardship as to set forth below.

1. The applicant cannot realize a reasonable return for each use under the zoning regulations for this district because (show that the lack of return is substantial as demonstrated by competent financial evidence):

2. The alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood as follows:

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

4. The alleged hardship has not been self-created because:

Date: _____ Signature of Applicant: _____

STATE OF NEW YORK
COUNTY OF SULLIVAN

On the _____ day of _____, _____ before me came to me known to be the individual(s) described in and who executed the foregoing application for a variance and acknowledged that he/she/they executed the same.

Notary Public

***As per section 130.13.61 of the Village of Woodridge Zoning Law, variances expire 6 months after the date it was granted if no work has begun with regard to the approval variance.

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality TOWN OF HOOSICK County	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

ZONING BOARD OF APPEALS
APPLICATION FOR USE VARIANCE

Applicant Name(s): _____ Phone: _____

Address: _____

S.B.L.: _____ Zone: _____

Directions to the site:

TO THE ZONING BOARD OF APPEALS:

1. Statement of Ownership and Interest:

The undersigned applicant(s) residing at, having a principal place of business at:

_____ is/are the Owner(s), Lessee(s), or
other as follows _____

2. Request:

- a. Section _____
- b. Concerning Hearing _____
- c. Purpose Variance _____
- d. From: _____
- e. To: _____

Attached hereto is a plan of the subject premises drawn to scale showing the following:

- a. Name of record owner(s) of premises and of all adjoining properties
- b. Location of existing structures
- c. Location of proposed structures
- d. Location of all existing and proposed streets or highways
- e. Any other information pertinent to application

PART II – ENVIRONMENTAL ASSESSMENT (To Be Completed by Agency)

<p>A. Does action exceed any type of threshold in 6 NYCRR part 617.4? If yes, coordinate the review process and use the full EAF.</p>	<table border="1"> <tr> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	No	Yes			<table border="1"> <tr> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> </tr> </table>	Yes	
No	Yes							
Yes								
Check Boxes Above								
<p>B. Will action receive coordinated review as provided for unlisted actions in NYCRR part 617.6? If no, a negative declaration may be superseded by another involved agency.</p>	<table border="1"> <tr> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	No	Yes			<table border="1"> <tr> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> </tr> </table>	Yes	
No	Yes							
Yes								
Check Boxes Above								
<p>C. Could action result in any adverse effects associated with the following: (Answers can be handwritten, if legible)</p> <ol style="list-style-type: none"> 1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: 2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly: 3. Vegetation or Fauna, fish, shellfish or wildlife species, significant habitats or threatened/endangered species? Explain briefly: 4. A communities existing plans or goals as officially adopted, or a change in use or intensity of use of land other natural resources? Explain briefly: 5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: 6. Long term, short term, cumulative or other affects not identified in 1-5? Explain briefly: 7. Other impacts (including changes in use of either quantity or type of energy) Explain briefly: 								
<p>D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA?</p>	<table border="1"> <tr> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	No	Yes			<table border="1"> <tr> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> </tr> </table>	Yes	
No	Yes							
Yes								
Check Boxes Above								
<p>E. Is there, or is there likely to be controversy related to potential adverse environmental impacts? Explain briefly:</p>	<table border="1"> <tr> <td style="text-align: center;">No</td> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	No	Yes			<table border="1"> <tr> <td style="text-align: center;">Yes</td> </tr> <tr> <td> </td> </tr> </table>	Yes	
No	Yes							
Yes								
Check Boxes Above								

PART III – DETERMINATION OF SIGNIFICANCE (To Be Completed by Agency)

Instructions: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its:

- a. Setting (i.e. urban or rural)
- b. Probability of Occurring
- c. Duration
- d. Irreversibility
- e. Geographic Scope
- f. Magnitude

If necessary, add attachments or reference supporting materials. Ensure that explanations contain enough detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration
- Check this 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 AND provide on attachments as necessary the reasons supporting this determination.

Name of Lead Agency

Print Name of Responsible Office in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer

Date: _____

PLEASE MAKE SPECIAL NOTE OF THE FOLLOWING ZONING SECTION 130-10.6-1 CONCERNING EXPIRATION OF A VARIANCE

Section 130-10.6-1 Expiration:

Unless construction is commenced and diligently pursued within six (6) months of the date granting of the variance, such variance shall become null and void.

It is important that you request from the Zoning Board an additional amount of time if felt you will need more regarding actual construction start. **AN OPEN-ENDED REQUEST WILL NOT BE CONSIDERED.**

You may make this request in your application or in person on the date of your variance hearing and the decision must be made a condition of approval and part of the record.

Your failure to request this important condition of approval will cause your approval to become null and void after six months, if construction is not commenced. You will be denied a building permit and will need to re-apply for a new variance.

SIMPLY OBTAINING A BUILDING PERMIT DOES NOT CONSTITUTE COMPLIANCE WITH THIS SECTION OF THE ZONING CODE.

By signing, I state that I have read and fully understood all the above.

Signed: _____

Dated: _____

USE VARIANCE

1. The strict application of the literal terms of this chapter would produce “unnecessary hardship” to the applicant. Unnecessary hardship will be deemed to exist where the applicant has clearly demonstrated each of the following points:
 - I. A reasonable return cannot be realized through permitted uses. The applicant shall specifically prove, through at least two independent sources of professional testimony, that no use permitted by the Zoning Regulations applications to that district would yield a reasonable return. The evidence must be specific and address the amount paid for the property, present value, maintenance expenses, taxes, mortgages and encumbrances, income from the land in question and other facts relevant to the circumstances of the case. Failure to sell land for a permitted purpose is evidence it will not bring a reasonable return if used for such purposes if the owner has made an active effort to sell. Mere financial loss to the individual owner or inability to achieve the most profitable use of a property shall not be sufficient justification for a variance.
 - II. The hardship is not self-created.
 - III. The use, if granted, would not alter the essential character of the district or be a substantial detriment to adjoining properties.
 - IV. The variance is not requested for reasons of mere inconvenience or aesthetic taste.
 - V. The variance would be consistent with the spirit of this chapter and the Village of Woodridge comprehensive Zoning Plan. No variance shall be granted which would have the effect of re-districting the area and any use granted shall be only for the intent of the district in question.
2. In reviewing a request for a use variance, the Board must consider the effects of adjacent similar uses, traffic, obsolete improvements, the existence of unusual natural resources and governmental rulings unrelated to zoning.
3. The burden of proof with a use variance, nonetheless, shall be wholly with the applicant.
4. In all cases where the Zoning Board of Appeals grants a variance from the strict application of the requirements of this chapter, it shall be the duty of such Zoning Board to attach conditions and safeguards, or time limits, as may be required in order that the results of its action may as nearly as possible be in accordance with the spirit and intent of this chapter.

RELEASE FORM/ZBA SIGN

Date: _____

Paid by:

- Cash
- Money Order
- Lawyers Escrow Check
- Other: _____

The sign must be returned no later than one (1) week after the ZBA meeting or the deposit will be forfeited.

Signature: _____

Date: _____

ZBA sign was returned on: _____

Signature: _____

Date: _____

Legal Notice

Notice is hereby given that the Zoning Board of the Village of Woodridge, County of Sullivan, State of New York will hold a public hearing at 2 Dairyland Road, Woodridge, New York 12789 (Village Hall) on _____ at 6:00 PM on the approval of the proposed ____ site plan ____ subdivision ____ special permit consisting of _____ on the lands of _____ located on _____ Application of the proposed _____ is on file and maybe inspected at the Code Enforcement Office located at 2 Dairyland Road, Woodridge, New York 12789 (Village Hall) prior to the public hearing.

Dated: _____

BY ORDER OF THE VILLAGE OF WOODRIDGE ZONING BOARD

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?	NO	YES	N/A
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water: _____	NO	YES	
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input type="checkbox"/> NO <input type="checkbox"/> YES] 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)

**THIS FORM MUST BE FILLED OUT IF YOU ARE GIVING SOMEONE ELSE PERMISSION TO ACT ON
YOUR BEHALF DURING CONSTRUCTION**

OWNERS PROXY

(Owner) _____ deposes and states that he/she resides at:

And that he/she is the owner of the premises described in the attached application for a building permit/zoning application/planning board application and further states that he/she has authorized _____ to make said application, secure any necessary permits and approvals, call for inspections, and request a certificate of occupancy upon satisfactory completion of the work described in said application.

Date: _____

Owners Signature: _____

Witness Signature: _____