

PROCEDURES FOR SITE PLAN REVIEW VILLAGE OF BROOKVILLE

These procedures relate to §218-87 of Chapter 218, "Zoning" of the Code of the Incorporated Village of Brookville adopted by Local Law 5 of 2016 for purposes of establishing guidelines for site plan review and approval before the Planning Board for new land use, re-use, development, re-development and other construction activities.

PRE-SUBMISSION REQUIREMENTS:

The Applicant shall submit one (1) completed original Application (as set forth below) to the Building Department for review of compliance with the application requirements. After the submission is deemed complete by the Building Inspector, eleven (11) additional application sets must be submitted to the Building Department and Applicant will be scheduled for a hearing before the Planning Board. Deliver all twelve (12) sets of the application to the Village Hall.

All application packets must be provided in collated form with all surveys, maps, drawings, plans, etc. folded and made part of each set. **Enclose each packet in a separate envelope suitable for mailing. Partial or incomplete submissions will result in the rejection of the application.**

APPLICATION REQUIREMENTS:

The complete application for site plan review must be received at least **thirty (30)** days prior to the Planning Board meeting (**held the 4th Tuesday of each month**) and shall include twelve (12) sets (one (1) original and eleven (11) copies) of each of the following items, to be submitted in separate and complete sets in mailing envelopes:

- Application form for site plan review, in form and substance satisfactory to the Building Department. The application form must be signed by the owner(s) of the premises or be accompanied by the written consent of the owner(s) of the premises.
- Disclosure affidavits must be signed by the owner(s) of the premises and representatives of the owner(s).
- Site survey, showing all existing structures, prepared, signed and sealed by a licensed land surveyor and dated within six (6) months from the date the application is filed with the Village.
- Site plan for the proposed land use, drawn at a scale of not less than one inch equals 20 feet, signed and sealed by a licensed architect or engineer, and which shall include the following information:
 - (i) A title block located in the lower right-hand corner of the site plan and shall include the name and address of the applicant and record owner of the property, the property's designation on the Nassau County Land and Tax Map and the title of the project. If the applicant or property owner is a corporation, the name and address of the president and secretary shall be submitted with the application.

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- (ii) A date block of the site plan adjacent to the title block containing the date of preparation and dates of all revisions.
- (iii) A key map showing the location of the property with reference to surrounding areas and existing street intersections within 1,000 feet of the boundaries of the subject premises.
- (iv) A written and graphic scale, as well as a North arrow.
- (v) Zoning district boundaries shall be shown on the site plan as they affect the parcel.
- (vi) Topographical information.
- (vii) Survey data showing boundaries of the property, required building and setback lines and lines of existing and proposed streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way.
- (viii) Reference to any existing covenants, restrictions, easements or exceptions that are in effect or are intended to cover all or any of the property. A copy of such covenant, restriction, easement or exception shall be submitted with the application. If there are no known covenants, deed restrictions, easements or exceptions affecting the site, a notation to the effect shall be indicated on the site plan map.
- (ix) Location of existing structures on the site. The plan shall contain a notation indicating any structures that are to be removed.
- (x) All distances, as measured along the right-of-way lines of existing streets abutting the property, to the nearest intersection with any other street.
- (xi) Location plans and elevations of all proposed structures.
- (xii) Location of all existing and proposed driveways, walkways and impervious surfaces located on the property.
- (xiii) Location of all existing storm drainage structures, soil erosion and sediment control devices and utility facilities, including electric, water, telephone and cable television, which are located within the property lines.
- (xiv) Existing and proposed contours according to United States Geodetic Survey Datum NAD88 at intervals not to exceed two feet. Existing contours are to be indicated by solid lines; proposed contours are to be indicated by dashed lines.

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(xv) Existing elevations of the road or right-of-way contiguous to the site.

(xvi) The location of all existing significant natural features such as boulders, rock outcrops, watercourses, depressions, ponds, marshes and other wetlands, whether or not officially mapped.

(xvii) All proposed streets, with profiles indicating grading and cross sections showing width of roadway, location and width of sidewalk, if any, and location and size of utility lines.

(xviii) All means of vehicular ingress and egress to and from the site onto public or private streets, showing the size and location of driveways and curb cuts and sidewalks, if any.

(xix) All provisions for pedestrian access to the site and internal pedestrian circulation.

(xx) The location and design of any off-street parking areas, loading or outdoor storage areas.

(xxi) The location of all proposed water lines, valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment.

(xxii) The proposed location, direction of illumination, power and time of proposed outdoor lighting.

(xxiii) The location, design and type of construction of all proposed signs.

(xxiv) The proposed stormwater drainage system.

(xxv) Structural elevation calculations.

(xxvi) Zoning Chart showing all area requirements of the zoning regulations and all existing and proposed zoning area calculations.

(xxvii) Disturbance Limit Line showing all areas of the site to be disturbed.

(xxviii) Delineation of tidal and freshwater wetland areas as designated by the New York State Department of Environmental Conservation.

(xxix) Signature lines for both the Planning Board Chairman and the Village Engineer.

- **Landscaping plan, drawn at a scale of not less than one inch equals 20 feet, and**

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which contains the following information:

- (i) Outlines of all existing and proposed structures, driveways, walkways and impervious surfaces to be located on the property.
 - (ii) The location of all existing significant natural features such as boulders, rock outcrops, watercourses, depressions, ponds and marshes.
 - (iii) The location of all trees, identified by type or species and size, bearing a trunk circumference of eighteen (18”) inches or greater measured at any point between ground level and a height of four (4’) feet above the base of the trunk.
 - (iv) The location of all trees, shrubs and/or any vegetation, identified by type or species, which are to be removed.
 - (v) The location of all trees, shrubs and/or any vegetation, identified by type or species, which are to be preserved.
 - (vi) Location of all trees, shrubs and/or other vegetation, identified by size, height and type or species, which are to be provided.
 - (vii) A separate list of all trees and shrubs, identified by size, height and type or species, that are to be removed and/or to be provided.
 - (viii) Total caliper of trees being removed and total caliper of trees to be installed.
- Photographs (two sets only) of existing structures of the property and surrounding landscaping/screening.
 - Environmental assessment form completed and signed by the Applicant. [SEAF](#)
 - Identification of all required permits or approvals from the Village or any other governmental body, and a record of application for and status of such permits or approvals.
 - Radius map, drawn to scale, showing the size and location of all parcels within a radius of three hundred (300) feet of the subject premises measured from all points of the subject premises and, if the subject premises is adjacent to a private road, all other parcels adjacent to the private road, together with section, block and lot numbers and names and mailing addresses of the property owner(s) of such properties. The property owner(s) are to be the last owner(s) of record of the property as shown by the records of the County Clerk of Nassau County on the date the application is filed. The radius map must be signed by the applicant. *(Only if the premises has or requires a conditional use permit in addition to site plan review)*

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- Certificate of title and deed(s) for the existing lot(s).
- Letter from the water district regarding availability of water to the site (*for new structures only*).
- Any other information found by the Planning Board or Building Department to be necessary to reasonably determine compliance of the site plan with this section and Village Law § 7-725-a.
- If one (1) acre or more of land is to be disturbed, a stormwater pollution prevention plan consistent with the requirements of Chapter 175 shall be required for site plan approval. The SWPPP shall meet the performance and design criteria and standards in Chapter 175. The approved site plan shall be consistent with the provisions of this Chapter 175.
- Payment for all required fees and escrows in the following amounts:
 - a) Filing fee in the amount of \$750;
 - b) Public Hearing fee in the amount of \$2000;
 - c) Escrow deposit in the amount of \$3500;

All to be made payable to the "Incorporated Village of Brookville". The escrow deposit is to ensure reimbursement by the Applicant for expenses associated with the application including engineering, legal and other fees. Any balance remaining of this deposit will be returned to the Applicant provided that the Applicant files with the Village Clerk a demand for such refund. All unclaimed deposits shall become property of the Village two years after the date of the filing of the decision, resolution or other final determination with the Village Clerk, as provided in Chapter A224-7 of the Village Code, "Fee Schedule."

PUBLIC NOTICE:

Public Notice of such hearing shall be given by publication in the Village's official newspaper at least five (5) days prior to the date thereof.

If any matter hereunder pertains to review of a site plan for a property operating under a conditional use permit, the applicant must send notice of the public hearing to all neighboring property owners located within three hundred (300) feet of the subject parcel, and if the property is located adjacent to a private road, to all property owners adjacent to such private road, by certified mail, return receipt requested, at least ten (10) days, but not more than twenty (20) days prior to the hearing. An affidavit of mailing shall be prepared, executed, and delivered to the Village Attorney's office along with copies of the certified mail receipts and receipt cards no later than three (3) days prior to the hearing.

The Planning Board may require that the applicant provide additional notice to the adjoining property owners as determined by the Planning Board on a case by case basis and within its sole discretion.

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THE BUILDING DEPARTMENT MAY WAIVE ANY OF THE ABOVE REQUIREMENTS FOR WHICH IT DETERMINES TO BE UNNECESSARY FOR THE APPROPRIATE REVIEW OF A PARTICULAR APPLICATION, BUT SUCH WAIVER SHALL NOT BE BINDING UPON THE PLANNING BOARD.

ADDITIONAL INFORMATION MAY BE REQUESTED BY THE PLANNING BOARD DURING THE COURSE OF THE HEARING PROCESS.

THESE RULES AND REGULATIONS AS HEREIN SET FORTH MAY FROM TIME TO TIME BE AMENDED BY THE PLANNING BOARD.

APPLICANT SHALL BE REQUIRED TO PAY ALL EXISTING CHARGES ARISING FROM HIS/HER APPLICATION AND SIGN AN AFFIDAVIT ACKNOWLEDGING PROBABLE ADDITIONAL INCURRED CHARGES.

ANY APPLICATION SUBMITTED WHICH DOES NOT CONFORM TO THE RULES CONTAINED HEREIN WILL NOT BE ACCEPTED BY THE VILLAGE AND THE PLANNING BOARD WILL NOT HEAR THE MATTER.

ALL COMPLETE APPLICATIONS PROVIDED TO THE VILLAGE HALL MUST BE SUBMITTED IN PERSON MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 9:00 AM AND 4:00 PM ONLY. NO APPLICATIONS WILL BE ACCEPTED BY MAIL.

**APPLICATION AND PROCEDURES FOR SITE PLAN REVIEW
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I, _____ (as applicant) do hereby certify that I have submitted all of the required information and documentation requested on pages 1– 6 of the instructions for this application. I also certify that I am knowledgeable of The Code of the Village of Brookville and of all rules and regulations and will build in accordance with the approved Board plans.

Dated: _____

Applicant's Signature

Sworn to before me this
day of 20

Notary Public

I, _____ (as architect of record) do hereby certify that I am knowledgeable of the Code of the Village of Brookville and of all rules & regulations pertaining to this construction.

Signature _____
Print Name _____
Date _____

I, _____ (as a licensed contractor) do hereby certify that I am knowledgeable of The Code of the Village of Brookville, of all rules and regulations pertaining to this construction. I further certify that I will build in accordance with the Board and Building Department approved drawings. Any changes to the approved construction will be brought to the attention of the Building Inspector prior to construction.

Signature _____
Print Name _____
Date _____

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FOR OFFICIAL USE ONLY		
Application Fee: \$750.00	Receipt #	Date Received:
Hearing Fee: \$2,000.00	Receipt #	Date Received:
Deposit: \$3,500.00	Receipt #	Date Received:
APPLICANT PLEASE COMPLETE THE FOLLOWING:		
LOCATION OF SITE:		
SECTION:	BLOCK:	LOT:
OWNER'S NAME:		EMAIL:
ADDRESS:		
PHONE NUMBER:	FAX:	
ADD'L OWNER	ADD'L OWNER	
ADDRESS:	ADDRESS:	
TELEPHONE:	TELEPHONE:	
FAX/EMAIL:	FAX/EMAIL:	
ATTORNEY'S NAME:		EMAIL:
ADDRESS:		
TELEPHONE:	FAX:	
SURVEYOR'S NAME:		EMAIL:
ADDRESS:		
TELEPHONE:	FAX:	
ENGINEER'S NAME:		EMAIL:
ADDRESS:		
TELEPHONE:	FAX:	
ARCHITECT'S NAME:		EMAIL:
ADDRESS:		
TELEPHONE:	FAX:	

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LAND IS HELD BY OWNER UNDER DEED DATED (ATTACH COPY):	
RECORDED IN NASSAU COUNTY'S CLERK'S OFFICE ON:	
IN LIBER:	OF DEED'S PAGE:
IS THERE A STRUCTURE CURRENTLY ON THE PARCEL?	IF YES, ARE YOU INCREASING THE SIZE OF THE STRUCTURE BY 50% OR MORE?
DESCRIBE THE PROPOSED PROJECT AND CHANGES TO THE PROPERTY REQUIRING SITE PLAN APPROVAL:	
ANTICIPATED CONSTRUCTION TIME:	
TOTAL ACREAGE OF PARCEL:	NET LOT AREA OF PARCEL (as defined in Code):
ZONING DISTRICT:	
WILL DEVELOPMENT BE STAGED? EXPLAIN:	
IF FILL IS REQUIRED TO BE BROUGHT TO THE SITE, ANTICIPATED AMOUNT IN CUBIC YARDS:	
DOES YOUR PROJECT DISTURB ONE OR MORE ACRES OF LAND? IF SO, A SWPPP MUST BE FILED WITH THE DEC AND A COPY TO THE VILLAGE.	
IS PROPERTY LOCATED WITHIN 500 FEET OF THE FOLLOWING:	
THE BOUNDARY OF ANY CITY, VILLAGE OR TOWN _____	
THE BOUNDARY OF ANY EXISTING OR PROPOSED COUNTY OR STATE PARK OR ANY OTHER RECREATION AREA _____	
THE RIGHT- OF- WAY OF ANY EXISTING OR PROPOSED COUNTY OR STATE PARKWAY, THRUWAY, EXPRESSWAY, ROAD OR HIGHWAY _____	
THE EXISTING OR PROPOSED RIGHT-OF-WAY OF ANY STREAM OR DRAINAGE CHANNEL OWNED BY THE COUNTY OR FOR WHICH THE COUNTY HAS ESTABLISHED CHANNEL LINES _____	
THE EXISTING OR PROPOSED BOUNDARY OF ANY COUNTY OR STATE OWNED LAND ON WHICH A PUBLIC BUILDING OR INSTITUTION IS SITUATED _____	
THE BOUNDARY OF A FARM OPERATION LOCATED IN AN AGRICULTURAL DISTRICT, AS DEFINED BY ARTICLE TWENTY-FIVE -AA OF THE AGRICULTURE AND MARKETS LAW _____	

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STATE AND FEDERAL PERMITS NEEDED:		
LIST TYPE:	APPROPRIATE AGENCY:	DEPARTMENT:

PROPOSED PROVISIONS FOR COLLECTING AND DISPOSING OF STORM WATER WITH THE SUBJECT PLOT:

ARE ANY EASEMENTS NECESSARY OUTSIDE OF PROPOSED SITE:

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IF THERE ARE ANY EXISTING STRUCTURES ON THE PROPERTY, WILL THE STRUCTURE(S) BE DEMOLISHED?

FOR STRUCTURES WHICH ARE TO REMAIN, PROVIDE THE FOLLOWING INFORMATION AND CALCULATIONS FOR EACH STRUCTURE:

FLOOR AREA (SQUARE FEET):

BUILDING COVERAGE (SQUARE FEET):

TOTAL LOT COVERAGE OF ALL STRUCTURES (SQUARE FEET) (as defined in Code):

HEIGHT OF BUILDINGS AND DETERMINATION OF DISTANCES REQUIRED FROM ALL PROPERTY LINES:

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For properties under site plan review also requiring conditional use permits:
Please list the names, addresses and section, block and lots for all neighboring property owners within three hundred (300) feet on the subject parcel or adjacent to the same private road.

(Attach additional pages if necessary)

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AFFIDAVIT OF INDIVIDUAL APPLICANT

STATE OF NEW YORK) : ss.
COUNTY OF NASSAU)

_____, being duly sworn, deposes and says that Applicant resides at _____, and is the owner in fee of the property hereinbefore described and is the Applicant herein; that the statements contained in the foregoing Application and in any papers submitted herewith are in all respects true.

Applicant's Signature

Sworn to before me this
day of _____, 20

Notary Public

AFFIDAVIT OF OFFICER OF CORPORATE APPLICANT

STATE OF NEW YORK) .ss.
COUNTY OF NASSAU)

_____, being duly sworn, deposes and says that Applicant resides at (Applicant) _____, and that Applicant is _____ (Title) of _____ (Corporation), which is the owner of the property hereinbefore described and is the Applicant herein; that the statements contained in the foregoing Application and in any papers submitted herewith are in all respects true.

Applicant's Signature

Sworn to before me this
day of _____, 20

Notary Public

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OWNER'S AUTHORIZATION

I/we _____ do hereby certify that I/we, owner(s) of premises located at _____ and known of the Nassau County Land and Tax Map as Section _____, Block _____, and Lot(s) _____ do hereby authorize _____ having a place of business at _____ to file an application for Site Plan Review of the subject premises.

Name of Property Owner(s). (If a corporation, name and addresses of officers and owner's agents):
Signatures of Property: Owners:
Address:
Home Phone:
Business Phone:
Fax:

Sworn to before me this
day of _____, 20____

Notary Public

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DISCLOSURE AFFIDAVIT

STATE OF NEW YORK)
)
COUNTY OF NASSAU)

_____ being sworn,
deposes and says:

1. This affidavit is submitted in connection with the application of _____

_____ to the Village of Brookville for a _____

2. I am the president, officer, director, member, attorney, engineer, builder, representative for (delete unnecessary words) the applicant.

3. I have read Section 809 of the General Municipal Law added by Chapter 646 of the Laws of 1969 which states:

"§809, Disclosure in certain applications

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest or any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

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

(a) is the applicant, or

(b) is an officer, director, partner or employee of the applicant, or

(c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant,

or

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(d) is a party to an agreement with such an applicant, 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, petition or request.

3. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York, American Stock or Nasdaq Exchanges shall not constitute an interest for the purposes of this Section.

4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

4. I am familiar with all persons having an interest in the person, partnership or association making this application as defined in Subdivision 2 of Section 809 and hereby state that no officer or employee of the State of New York, the County of Nassau, the Town of Oyster Bay, or the Village of Brookville has such an interest in the applicant except those whose name, residence and extent of interest are stated on Schedule A which is annexed to this affidavit and signed by me.

Sworn to before me this
_____ day of _____, 20

Notary Public