

VILLAGE OF WALDEN  
ZONING BOARD OF APPEALS  
INTERPRETATION

ENCLOSED HEREWITH:

- \_\_\_\_\_ Application
- \_\_\_\_\_ Disclosure Addendum Statement
- \_\_\_\_\_ Environmental Assessment Form
- \_\_\_\_\_ Affidavit of Regularity (Proof of Mailings)

YOU SHOULD DO AND OBTAIN THE FOLLOWING INFORMATION THAT IS TO BE ATTACHED TO THE APPLICATION:

- \_\_\_\_\_ Property Deed
- \_\_\_\_\_ Portion of Tax Map on which property has been outlined in red.
- \_\_\_\_\_ Notice of Refusal of the Building Inspector from which this appeal is taken.
- \_\_\_\_\_ Drawing to scale or survey showing present and proposed conditions if relief is granted.
- \_\_\_\_\_ List of address of all property owners abutting the applicant property within 300 feet. This list can be obtained from the Town of Montgomery Assessor's Office, 845-457-2650.

FEES:

- \_\_\_\_\_ Application Fee \$200.00
- \_\_\_\_\_ Escrow fee to be paid at time application is submitted \$250.00

ZONING BOARD OF APPEALS

INTERPRETATION APPLICATION

DATE: \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Zoning District: \_\_\_\_\_

The above described property was acquired by the applicant on: \_\_\_\_\_

Zoning Code Sections:

Subject Matter of Section:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Applicant requests the following changes:

The Zoning Law Requires:

Applicant Desires to do

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Reason for Request:

(A) Print or attach a copy of the Code Provision which you wish to have interpreted.

\_\_\_\_\_  
\_\_\_\_\_

(B) Briefly explain the facts regarding your property the manner in which you claim the Code should be interpreted as applying to them.

\_\_\_\_\_

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(C) Attach any supporting documentation or legal authority supporting your proposed interpretation.

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This property ( has ) (has not ) been the subject of a previous appeal. If applicable, attach a copy of the decision in that previous matter.

Enclosed is my non-refundable fee of \_\_\_\_\_, which I realize must be paid at the time my application is submitted, or it will not be processed.

Received on \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

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Signature of Applicant

PROXY

\_\_\_\_\_, being duly sworn deposes and says: He/She resides at \_\_\_\_\_, in the County of \_\_\_\_\_, and the State of \_\_\_\_\_, and that he/she is the owner in fee of \_\_\_\_\_, which is the premises described in the foregoing application and that he/she has authorized \_\_\_\_\_ to make the foregoing application as described.

Sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Owner's Signature

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Notary

DISCLOSURE ADDENDUM STATEMENT TO APPLICATION, PETITION AND REQUEST

Mindful of the provisions of Section 809 of the General Municipal Law of the State of New York, and of New York, and of the Penal provisions thereof as well, the undersigned applicant states that no State Officer, Officer or Employee of this municipality, or of the Town or County of which it is a part, has any interest, financial or otherwise, in this application or with, or in the applicant as defined in said Statute, except the following person or persons who is or are represented to have only the following type of interest, in the nature and to the extent hereinafter indicated:

( ) None

( ) Names: Address: Relationship or interest (financial or otherwise):

\_\_\_\_\_  
\_\_\_\_\_

This disclosure addendum statement is annexed to and made a part of the petition, application and request made by the undersigned applicant to the following Board of Officer or Political Subdivision of the Municipality.

( ) (Village) (Town Board)

( ) Planning Board

( ) Zoning Board of Appeals

( ) Zoning Enforcement Officer

( ) Building Inspector

( ) Other

\_\_\_\_\_  
Individual Applicant

\_\_\_\_\_  
Corporate or Partnership Applicant

By: \_\_\_\_\_

(Pres.) (Partner) (Vice-Pres.) (Sec.) (Treas.)

GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK

"Section 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, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of 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, or 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

(d) is a part 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 or American Stock 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."

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.

<b>Part 1 - Project and Sponsor Information</b>			
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
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 <input type="checkbox"/>
			YES <input type="checkbox"/>
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			



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
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
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
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
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?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	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?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

**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.

<input type="checkbox"/>	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.
<input type="checkbox"/>	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)

**PRINT**