





**DEPARTMENT OF BUILDINGS**  
**INCORPORATED VILLAGE OF GARDEN CITY**  
 VILLAGE HALL  
 351 STEWART AVENUE  
 GARDEN CITY, NY 11530  
 516-465-4040(O) – 516-742-5377 (F)  
 DOB@GARDENCITYNY.NET



BOARD OF APPEALS

INCORPORATED VILLAGE OF GARDEN CITY, NY

IN THE MATTER OF THE APPEAL OF:

From an order, requirement, decision or determination of the Building Inspector of the Incorporated Village of Garden City, New York

**NOTICE OF APPEAL**  
 (ADDITIONS/ALTERATIONS/NEW  
CONSTRUCTION)

PLEASE TAKE NOTICE THAT \_\_\_\_\_, THE OWNER OF THE PROPERTY HEREIN DESCRIBED, HEREINAFTER CALLED APPELLANT, ASSERTING THAT THE ORDER, REQUIREMENT, DECISION, OR DETERMINATION OF THE BUILDING INSPECTOR OF THE INCORPORATED VILLAGE OF GARDEN CITY, NY, DATED \_\_\_\_\_ AFFECTING SAID PROPERTY, IS ERRONEOUS AND IS CONTRARY TO THE PROVISIONS OF CHAPTER 200 OF THE CODE OF SAID VILLAGE, HEREBY APPEALS THEREFROM THE BOARD OF APPEALS OF SAID VILLAGE AND HEREBY STATES AND ALLEGES:

1. THE FOLLOWING IS A DESCRIPTION OF SAID PROPERTY:  
 No. \_\_\_\_\_, GARDEN CITY, NY, BEING DESIGNATED AS LOT(S) \_\_\_\_\_, BLOCK \_\_\_\_\_, DESCRIPTIVE PARCEL \_\_\_\_\_, ON THE MAP ENTITLED \_\_\_\_\_ AND SHOWN ON THE DIAGRAM ANNEXED HERETO AND MADE A PART HEREOF, AND WHICH PROPERTY IS IN A \_\_\_\_\_ DISTRICT.
2. APPELLANT BECAME THE OWNER OF SAID PROPERTY ON \_\_\_\_\_.
3. THE PROPOSED STRUCTURE AND/OR USE IS AS FOLLOWS:

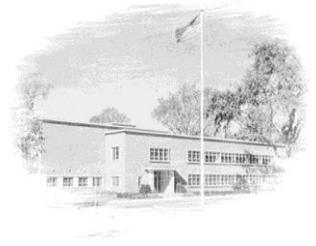
4. THE QUESTION INVOLVED RELATES TO: ( CIRCLE ALL WHICH APPLIES )

|        |      |          |            |           |           |        |
|--------|------|----------|------------|-----------|-----------|--------|
| USE    | AREA | SETBACK: | FRONT YARD | SIDE YARD | REAR YARD | HEIGHT |
| OTHER: |      |          |            |           |           |        |

5. THE PURPOSE OF THIS APPEAL IS TO OBTAIN A REVERSAL OF SAID ORDER, REQUIREMENT, DECISION, OR DETERMINATION OF THE BUILDING INSPECTOR, AND TO OBTAIN FROM SAID BOARD OF APPEALS A VARIANCE OR MODIFICATION OF THE APPLICATION OF THE APPLICABLE REGULATIONS OR PROVISIONS OF SECTION \_\_\_\_\_ OF SAID VILLAGE CODE, SO AS TO PERMIT THE USE, CONSTRUCTION, OR ALTERATION OF THE BUILDING OR STRUCTURE, OR THE USE OF THE LAND SOUGHT BY APPELLANT.
6. A. THAT THERE ARE THE FOLLOWING UNUSUAL CIRCUMSTANCES AND CONDITIONS AFFECTING SAID PROPERTY WHICH ARE INHERENT IN A PECULIAR TO THE SAID PROPERTY AND WHICH DO NOT APPLY GENERALLY TO OTHER PROPERTY IN THE VICINITY OR NEIGHBORHOOD, NAMELY:



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6. B. THAT BY REASON OF THE AFORESAID UNUSUAL AND PECULIAR CONDITIONS, CARRYING OUT THE STRICT LETTER OF SUCH PROVISIONS WILL RESULT IN PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS AND THE STRICT APPLICATION OF SUCH PROVISIONS WILL DEPRIVE PETITIONER OF THE REASONABLE USE OF SAID PROPERTY, WHICH PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS ARE AS FOLLOWS:

6. C. THAT THE GRANTING OF THE VARIANCE SOUGHT WILL BE IN HARMONY WITH THE INTENT AND PURPOSE OF SAID CODE AND WILL NOT BE DETRIMENTAL TO PROPERTIES IN THE VILLAGE AND WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY FOR THE FOLLOWING REASONS:

7. THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS ADJOINING THE PROPERTY OF APPELLANT ARE AS LISTED IN **ATTACHMENT A** OF THE ATTACHED APPLICATION.

THEREFORE, IN ACCORDANCE WITH THE FOREGOING ALLEGED FACTS, APPELLANT PETITIONS SUCH BOARD OF APPEALS IN ACTING ON THIS APPEAL, TO REVERSE THE ORDER, REQUIREMENT, DECISION OR DETERMINATION OF THE BUILDING INSPECTOR, AND TO VARY THE STRICT APPLICATION OF THE AFORESAID PROVISIONS OF THE CODE TO SAID PROPERTY TO THE FOLLOWING EXTENT:

DATE: \_\_\_\_\_ APPELLANT'S SIGNATURE : \_\_\_\_\_  
 PHONE # : \_\_\_\_\_

**AFFIDAVIT OF INDIVIDUAL APPELLANT**

STATE OF NEW YORK  
 COUNTRY OF NASSAU                      SS:

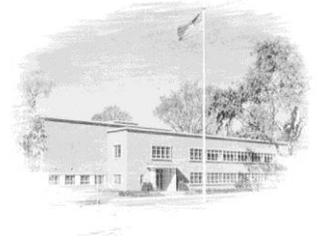
\_\_\_\_\_, BEING DULY SWORN, DISPOSES AND SAYS THAT HE RESIDES AT \_\_\_\_\_, AND IS THE OWNER IN FEE OF THE PROPERTY HEREINBEFORE DESCRIBED AND IS THE APPELLANT HEREIN; THAT THE STATEMENTS CONTAINED IN THE FOREGOING NOTICE OF APPEAL AND IN ANY PAPERS SUBMITTED HERewith ARE I ALL RESPECTS TRUE.

SWORN TO BEFORE ME THIS: DATE: \_\_\_\_\_ APPLICANT'S SIGNATURE: \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_



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## ATTACHMENT A

**SUPPORT OF ADJOINING OWNERS:** WE, THE UNDERSIGNED, PROPERTY OWNERS IN THE INCORPORATED VILLAGE OF GARDEN CITY, ADJOINING THE PROPERTY OF APPELLANT HEREIN DESCRIBED, HEREBY SUPPORT THE GRANTING OF VARIANCE BY THE BOARD OF APPEALS OF SAID VILLAGE SO AS TO PERMIT THE USE, CONSTRUCTION OR ALTERATION OF THE BUILDING OR STRUCTURE OR THE USE OF THE LAND OUGHT BY APPELLANT:

ADDRESS #1 \_\_\_\_\_

ADDRESS #1 - HOMEOWNER SIGNATURE

DATE

ADDRESS #2 \_\_\_\_\_

ADDRESS #2 - HOMEOWNER SIGNATURE

DATE

ADDRESS #3 \_\_\_\_\_

ADDRESS #3 - HOMEOWNER SIGNATURE

DATE

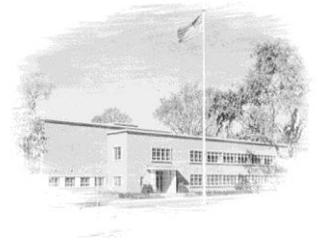
ADDRESS #4 \_\_\_\_\_

ADDRESS #4 - HOMEOWNER SIGNATURE

DATE



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**(DIAGRAM OF THE PROPERTY AND STRUCTURES ERECTED OR TO BE ERECTED THEREON MUST BE ATTACHED TO THIS APPLICATION)**

BOARD OF APPEALS

**APPLICATION FOR PERMIT**  
**(POOL/HOT TUB)**

INCORPORATED VILLAGE OF GARDEN CITY, NY

IN THE MATTER OF THE APPLICATION OF:  
 \_\_\_\_\_  
 TO THE BOARD OF APPEALS OF THE VILLAGE OF GARDEN CITY,  
 NY, FOR A PERMIT UNDER SECTION \_\_\_\_\_ OF  
 CHAPTER 200 OF THE VILLAGE CODE

\_\_\_\_\_, THE UNDERSIGNED, THE OWNER OF THE PROPERTY HERE IN DESCRIBED,  
 HEREINAFTER CALLED APPLICANT, HEREBY APPLIES TO THE BOARD OF APPEALS OF THE VILLAGE OF GARDEN CITY, NY, FOR  
 PERMISSION TO:

AND HEREBY STATES AND ALLEGES:

1. THE FOLLOWING IS A DESCRIPTION OF SAID PROPERTY:

No. \_\_\_\_\_, GARDEN CITY, NY, BEING DESIGNATED AS LOT(S) \_\_\_\_\_,

BLOCK \_\_\_\_\_, DESCRIPTIVE PARCEL \_\_\_\_\_, ON THE MAP ENTITLED \_\_\_\_\_ AND SHOWN ON

THE DIAGRAM ANNEXED HERETO AND MADE A PART HEREOF, AND WHICH PROPERTY IS IN A \_\_\_\_\_

DISTRICT.

2. APPLICANT BECAME THE OWNER OF SAID PROPERTY ON \_\_\_\_\_.

3. THE PROPOSED POOL / HOT TUB IS AS FOLLOWS:

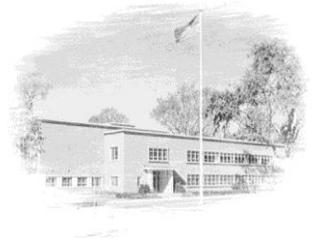
4. THIS APPLICATION IS MADE UNDER SECTION \_\_\_\_\_ OF THE VILLAGE CODE.

5. THE REASONS FOR THE PERMIT SOUGHT ARE AS FOLLOWS:

6. THE PROPOSED INSTALLATION OF THE POOL/HOT TUB:



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- a. WILL NOT DEPRECIATE OR TEND TO DEPRECIATE THE VALUE OF PROPERTY IN THE VILLAGE.
  
- b. WILL NOT CREATE A HAZARD TO HEALTH, SAFETY, OR GENERAL WELFARE.
  
- c. WILL NOT BE DETRIMENTAL TO THE NEIGHBORHOOD OR THE RESIDENTS THEREOF.
  
- d. WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD.
  
- e. WILL SERVE OR PROMOTE PUBLIC CONVENIENCE AND WELFARE AS FOLLOWS:

7. THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS ADJOINING THE PROPERTY OF APPELLANT ARE AS LISTED IN **ATTACHMENT A** OF THE ATTACHED APPLICATION.

DATE: \_\_\_\_\_ APPELLANT'S SIGNATURE: \_\_\_\_\_  
 PHONE #: \_\_\_\_\_

**AFFIDAVIT OF INDIVIDUAL APPELLANT**

STATE OF NEW YORK  
 COUNTRY OF NASSAU                      SS: \_\_\_\_\_

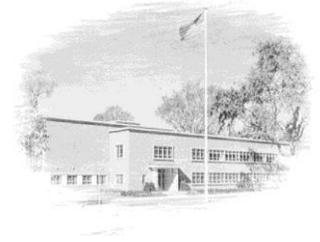
\_\_\_\_\_, BEING DULY SWORN, DISPOSES AND SAYS THAT HE/SHE RESIDES AT \_\_\_\_\_, AND IS THE OWNER IN FEE OF THE PROPERTY HEREINBEFORE DESCRIBED AND IS THE APPELLANT HEREIN; THAT THE STATEMENTS CONTAINED IN THE FOREGOING NOTICE OF APPEAL AND IN ANY PAPERS SUBMITTED HERewith ARE I ALL RESPECTS TRUE.

SWORN TO BEFORE ME THIS: DATE: \_\_\_\_\_ APPLICANT SIGNATURE: \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_



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## INSTRUCTION PAGE

**\*\*THIS SECTION IS NOT TO BE SUBMITTED WITH YOUR APPLICATION – FOR INFORMATION PURPOSES ONLY\*\***

1. ALL QUESTIONS MUST BE ANSWERED AND BLANK SPACES FILLED IN - USE FORM PROVIDED - DO NOT MAKE CHANGES IN SIZE OR FORMAT.
2. THE ANSWER TO QUESTION NO. 3 SHOULD BE SPECIFIC TO THE PROPOSED CONSTRUCTION INDICATING SIZE, HEIGHT, LOCATION AND USE (E.G. A 10'X20' ONE-STORY REAR ADDITION FOR USE AS A FAMILY ROOM).
3. THE OWNER/APPLICANT/APPELLANT MUST SIGN THE APPLICATION IN THE SPACES PROVIDED.
4. **AN ACCURATE SURVEY OF THE PROPERTY INDICATING ALL STRUCTURES THEREON MUST BE INCLUDED WITH THE APPLICATION.**
5. PRELIMINARY DRAWINGS OF THE PROPOSED CONSTRUCTION MUST BE INCLUDED WITH THE APPLICATION (DRAWINGS **MUST** BE REDUCED TO **"HALF SIZE" NO LARGER THAN 18" X 24"**).
6. PHOTOGRAPHS OF FRONT OF HOUSE AND ALL AREAS AFFECTED BY PROPOSED CONSTRUCTION MUST BE INCLUDED.
7. THE ORIGINAL AND **EIGHT (8), TOTAL OF 9 COPIES** OF THE ENTIRE APPLICATION MUST BE FILED FOR ONE-FAMILY DWELLINGS (ORIGINAL AND NINE COPIES FOR COMMERCIAL).
8. COMMERCIAL PROPERTIES ABUTTING A COUNTY ROAD MUST FILE THE NASSAU COUNTY DISCLOSURE FORM WITH APPLICATIONS.
9. **ALL DOCUMENTS MUST BE FOLDED, COLLATED AND STAPLED INTO NINE INDIVIDUAL SETS OR THEY WILL NOT BE ACCEPTED.**

### FEES

|  |                |                                   |
|--|----------------|-----------------------------------|
| <i>RESIDENTIAL BUILDING</i>                      | UNDER \$20,000 | \$425                             |
| <i>RESIDENTIAL BUILDING</i>                      | OVER \$20,000  | \$725                             |
| <i>COMMERCIAL BUILDING</i>                       | UNDER \$20,000 | \$725                             |
| <i>COMMERCIAL BUILDING</i>                       | OVER \$20,000  | \$2,625                           |
| <i>EXTENSION OF BUILDING APPEALS AND PERMITS</i> |                | 15% OF ORIGINAL PERMIT TOTAL FEES |
| <i>RESIDENTIAL</i>                               |                | NO LESS THAN \$125                |
| <i>COMMERCIAL</i>                                |                | NO LESS THAN \$500                |

**ALL FEES INCLUDE CERTIFICATE FEE**

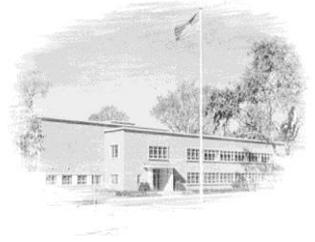
| <i>FORM SECTIONS</i>                               | <i>FORM INSTRUCTIONS</i>   |
|--|--|
| <b>1. FILING STATUS</b>                            | CHECK (X) THE APPROPRIATE BOX FOR PURPOSE OF FILING. ONLY ONE BOX MAY BE CHECKED (X). PROVIDE ANY OTHER REQUESTED INFORMATION.   |
| <b>2. COST OF CONSTRUCTION</b>                     | PROVIDE THE ESTIMATED COST OF ALL WORK THAT WILL BE COMPLETED. FEES CAN BE FOUND IN FEE SCHEDULE LISTED ON OUR WEBSITE.  |
| <b>3. OWNER/ TENANT APPLICATION</b>                | ALL INFORMATION IS REQUIRED, UNLESS ADDRESS WAS STATED UNDER "PROPERTY INFORMATION." IN WHICH, CASE CHECK THE BOX IN THE RIGHT HAND CORNER AND FILL IN ALL CONTACT INFORMATION                         |
| <b>4. APPLICANT INFORMATION</b>                    | ONLY TO BE COMPLETED IF THIS FORM IS NOT BEING FILED BY THE PROPERTY OWNER.  |
| <b>5. JOB DESCRIPTION</b>                          | PROVIDE A BRIEF DESCRIPTION OF THE WORK TO BE COVERED UNDER THIS APPLICATION.  |
| <b>6. PROPERTY INFORMATION</b>                     | PROVIDE THE HOUSE NUMBER AND STREET NAME (IF AVAILABLE) <u>OR</u> BLOCK AND LOT. ALL INFORMATION IS TO BE PROVIDED SINCE PERMITS ARE BASED ON LOCATION. BE AS SPECIFIC AS POSSIBLE ON ACTUAL LOCATION. |
| <b>7. ADJOINING PROPERTIES</b>                     | PROVIDE ADDRESS AND RESIDENCE CONTACT INFORMATION FOR ALL ADJOINING PROPERTIES- SEE ATTACHMENT A   |
| <b>8. PROPERTY OWNER STATEMENT &amp; SIGNATURE</b> | ALL INFORMATION IS REQUIRED, UNLESS CONTACT INFORMATION WAS STATED UNDER "OWNER/TENANT INFORMATION." IN WHICH CASE, SIGN, PRINT, AND DATE.   |
| <b>9. APPLICANT STATEMENT &amp; SIGNATURE</b>      | ALL INFORMATION MUST BE PROVIDED BY THE PERSON SUBMITTING THE FORM, SIGN, PRINT, AND DATE.   |

**PLEASE NOTE:**

1. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**
2. **APPLICATIONS ARE TAKEN IN CHRONOLOGICAL ORDER.**
3. **HEARING DATES DEPEND ON CASE LOAD AND ARE NOT GUARANTEED.**
4. **COMPLETE APPLICATIONS MUST BE SUBMITTED BY THE END OF EACH MONTH, NO EXCEPTIONS.**



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## **ZONING BOARD OF APPEALS & APPLICATION FOR PERMIT**

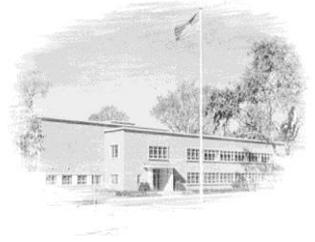
### **HEARING REQUIREMENTS**

**NINE (9) COMPLETE, COLLATED PACKAGES CONSISTING OF THE FOLLOWING CHECKED (  ) ITEMS:**

- 1. ORIGINAL PHOTOGRAPHS OF THE SITE AND ADJACENT AREAS AND STRUCTURES SUFFICIENT TO PROVIDE ADEQUATE REPRESENTATION OF THE SITE CONTEXT AND ANY OTHER SITE INFLUENCES.
- 2. DETAILED DRAWINGS OF PROPOSED WORK. THE DRAWING LIST MUST CONSIST OF THE FOLLOWING;
  - 1. EXISTING CONDITIONS SURVEY AND BUILDING PLANS.
    - A. FLOOR PLANS
    - B. ROOF PLAN
    - C. BUILDING ELEVATIONS
  - 2. PROPOSED SITE PLAN INCLUDING THE EXISTING CONDITIONS DATA AS A COMPOSITE DRAWING.
  - 3. PROPOSED BUILDING FLOOR PLANS.
  - 4. PROPOSED ROOF PLAN.
  - 5. PROPOSED BUILDING SECTIONS INCLUDING EXISTING BUILDING ASSEMBLIES TO BE ALTERED.
  - 6. PROPOSED BUILDING ELEVATIONS WITH ONE (1) COLOR RENDERED BUILDING ELEVATION OR ONE (1) PHOTO SHOP BUILDING ELEVATION.
    - A. ALL DRAWINGS ARE TO INCLUDE DIMENSIONS, ELEVATION HEIGHTS AND DATUMS.
- 3. THE LOCATION, SIZE, DESIGN AND TYPE OF CONSTRUCTION OF ALL PROPOSED SIGNS.
- 4. SECTIONAL DRAWINGS TO EXPLAIN THE CHARACTER OF THE DESIGN. (SEE DRAWING LIST)
- 5. COMPLETE AND ACCURATE EXTERIOR ELEVATIONS OF ALL FAÇADE S, DRAWN AT A SCALE ADEQUATE TO SHOW CLEARLY THE APPEARANCE OF ALL PROPOSED BUILDINGS AND STRUCTURES. (SEE DRAWING LIST)
- 6. AN AREA MAP SHOWING THE APPLICANT'S ENTIRE HOLDING, THAT PORTION OF THE APPLICANT'S PROPERTY UNDER CONSIDERATION AND ALL PROPERTIES, SUBDIVISIONS, STREETS, EASEMENTS, DEED RESTRICTIONS AND AREAS DEDICATED TO PUBLIC USE WITHIN TWO HUNDRED (200) FEET OF THE APPLICANT'S PROPERTY.
- 7. THE TITLE OF THE DRAWING, INCLUDING THE NAME AND ADDRESS OF THE APPLICANT, THE OWNER AND THE PERSON RESPONSIBLE FOR PREPARATION OF SUCH DRAWINGS. (SEE DRAWING LIST)
- 8. A NORTH ARROW, SCALE AND DATE ON ALL PLANS.
- 9. BOUNDARIES OF THE PROPERTY PLOTTED TO SCALE. (SEE DRAWING LIST)
- 10. EXISTING BUILDINGS AND STRUCTURES TO REMAIN OR TO BE REMOVED.
- 11. THE LOCATION, DESIGN, TYPE OF CONSTRUCTION, PROPOSED USE AND EXTERIOR DIMENSIONS OF ALL BUILDINGS. (SEE DRAWING LIST)
- 12. THE LOCATION, DESIGN AND TYPE OF CONSTRUCTION OF ALL PEDESTRIAN ACCESS.
- 13. AN EXTERIOR LIGHTING PLAN ADEQUATE TO DETERMINE ITS CHARACTER, THE LOCATION AND DESIGN OF BUILDING AND OUTDOOR LIGHTING FACILITIES AND MEANS OF ILLUMINATION, AND TO ENABLE REVIEW OF POSSIBLE HAZARDS AND DISTURBANCES TO THE PUBLIC AND ADJACENT PROPERTIES. PROVIDE ALL LAMP TYPES, LUMEN OUTPUTS AND FIXTURE CATALOG CUTS.



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- 14. THE LOCATION AND DESIGN OF ALL EXISTING AND PROPOSED SITE IMPROVEMENTS, INCLUDING DRAINS, CULVERTS, WALLS, FENCES, HEDGES AND SCREEN PLANTINGS AND ALL EXISTING TREES ON THE SUBJECT PROPERTY WHICH HAVE A DIAMETER OF EIGHT (8) INCHES OR GREATER, MEASURED EIGHTEEN (18) INCHES ABOVE THE GROUND.
- 15. A DESCRIPTION OF THE METHOD OF PUBLIC WATER SUPPLY AND SEWAGE DISPOSAL AND THE LOCATION OF SUCH FACILITIES.
- 16. THE LOCATION OF FIRE AND OTHER EMERGENCY ZONES, INCLUDING THE LOCATION OF FIRE HYDRANTS. (SEE DRAWING LIST)
- 17. THE LOCATION AND DESIGN OF ALL UTILITIES, INCLUDING ELECTRICAL, GAS AND SOLAR ENERGY, TELEPHONE AND CABLE TELEVISION. (SEE DRAWING LIST)
- 18. THE LOCATION AND PROPOSED DEVELOPMENT OF ALL BUFFER AREAS, IF REQUIRED.
- 19. IDENTIFICATION OF THE LOCATION AND AMOUNT OF BUILDING AREA PROPOSED FOR EACH INTENDED USE, INCLUDING STORAGE AND COMMON AREAS, AND THE LOCATION OF OUTDOOR STORAGE, IF ANY.
- 20. A GENERAL LANDSCAPING PLAN AND PLANTING SCHEDULE.
- 21. AN ESTIMATED PROJECT CONSTRUCTION SCHEDULE.
- 22. IDENTIFICATION OF STATE, COUNTY, TOWN OR OTHER AGENCY APPROVAL OR PERMITS REQUIRED FOR THE EXECUTION OF THE PROJECT ALONG WITH COPIES OF ALL APPLICATIONS FOR SUCH APPROVAL OR PERMITS, IF NEEDED.
- 23. PART 1 OF AN ENVIRONMENTAL ASSESSMENT FORM (EAF) IN ACCORDANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND REGULATIONS (SEQRA).
- 24. EXISTING SURVEY, SHOWING CURRENT CONDITIONS OF THE PROPERTY. A CURRENT UPDATED SURVEY MAY BE REQUIRED
- 25. OTHER: SEPARATE APPLICATION REQUIRED FOR SUBMISSION TO ADRB, IF REQUIRED.

**UPON ZBA APPROVAL, PLEASE BE REMINDED THAT NO WORK IS TO COMMENCE UNTIL ALL BUILDING PERMIT APPLICATION(S) ARE SUBMITTED AND PERMIT(S) HAVE BEEN ISSUED BY THE BUILDINGS DEPARTMENT.**

THE ORIGINAL AND EIGHT (8), **TOTAL OF 9 COPIES** OF THE APPLICATION PACKETS AND ALL OTHER ATTACHMENTS OUTLINED ABOVE MUST BE FOLDED AND COLLATED INTO NINE (9) COMPLETE SETS.