

## TO: ALL APPLICANTS AND PETITIONERS BEFORE THE VILLAGE OF THOMASTON BOARD OF APPEALS

### INSTRUCTIONS TO APPLICANT:

1. 6 Copies of the completed application must be submitted including 6 copies of plans.
2. 6 Copies of the decision of the Building Department (Letter of Denial)
3. 6 Copies of a Current survey of property dated not more than six months prior to the date of application, showing all existing buildings and structures.
4. 6 Copies of the Abstract of Title, from a title company or abstract company, showing names of all current owners and any and all encumbrances of restrictions on the use of the subject property. One month old or less.
5. 6 Copies of 200' Radius Map/List
6. 6 Copies of Affidavit as to conflict of interest, as required by General Municipal Law, Section 809, (page 5 of the application).
7. 6 Copies of the Environmental Assessment Form (available at <http://www.dec.ny.gov>).
8. 6 Copies of each Certificate of Occupancy and Certificate of Completion for the subject property.
9. 6 Copies of any additional written information which the applicant believes should be considered by the Board of Appeals in connection with this application.
10. One Electronic copy (on Flash Drive in PDF format) of all documents listed above and any amendments or other documents submitted in support of the application submitted at any time after the initial application or as part of any hearing with respect to such application.

**ALL FORMS SHOULD BE COMPLETED AND RETURNED TO THE VILLAGE HALL TOGETHER WITH THE NECESSARY FEES AND DEPOSITS BEFORE ANY FURTHER ACTION IS TAKEN ON YOUR PART AND BEFORE ANY NOTICE IS GIVEN TO ANY ADJOINING LANDOWNERS.**

**The Village will provide you with the necessary forms, complete with all information as to date of hearing etc., in order for you to mail the hearing notice to all owner on the radius map.**

**ALL APPLICATIONS MUST BE COLLATED AND ALL PLANS MUST BE FOLDED WITH TITLE BLOCK ON FRONT**

### APPLICATION FEES AND DEPOSITS:

**1 AND 2 FAMILY HOMES: \$500.00, plus a deposit of \$3,000** to be applied to actual expenses for stenographic fees, mailing and publication of notices, and engineering and other professional expenses, any unused portion of such deposit to be refunded to the applicant upon request after the conclusion of the application.

**ALL OTHER APPLICATIONS: \$3,000 plus a deposit of \$3,500** to be applied to actual expenses for stenographic fees, mailing and publication of notices, and engineering and other professional expenses, any unused portion of such deposit to be refunded to the applicant upon request after the conclusion of the application.

Receipt # \_\_\_\_\_ \$ \_\_\_\_\_ FEE  
Receipt# \_\_\_\_\_ \$ \_\_\_\_\_ DEP

**VILLAGE OF THOMASTON  
ZONING BOARD OF APPEALS**

**APPLICATION #** \_\_\_\_\_

In the matter of the application of \_\_\_\_\_ to the  
(Name of owner(s))  
Zoning Board of Appeals of the Village of Thomaston.

**This is an application for:** ☐ **An Appeal** ☐ **A Variance** ☐ **A Special Permit**

☐ **Other (describe)** \_\_\_\_\_

**1. Name of Owner:** \_\_\_\_\_

**2. Owner's Address:** \_\_\_\_\_  
\_\_\_\_\_

**3. If the application is submitted by an agent on the owner's behalf, state the agent's name and relationship to the owner(s):** \_\_\_\_\_

**4. The property which is the subject of this application is located at:** \_\_\_\_\_

\_\_\_\_\_, Thomaston, New York, and is also known as Section \_\_\_\_\_,

Block \_\_\_\_\_, Lot(s) \_\_\_\_\_ on the Nassau County Land and Tax Map.

**5. The full name and residence address of all owners of the property (if the applicant is not the sole owner) are:**  
\_\_\_\_\_  
\_\_\_\_\_

**6. The property is located in the \_\_\_\_ zoning district of the Village of Thomaston**

**7. The subject property is located on the \_\_\_\_ side of \_\_\_\_\_ street**

**8. The date on which the owner(s) acquired the property was** \_\_\_\_\_.

**9. The approximate dimensions of the property are \_\_\_\_\_ feet by \_\_\_\_\_ feet, and the total acreage of the property is \_\_\_\_\_ acres.**

**10. The property is presently used for** \_\_\_\_\_

**11. Are there existing buildings on the property?** ☐ **Yes** ☐ **No**

**If so, of what type of construction** \_\_\_\_\_

12. The present assessed valuation of the property is Land \_\_\_\_\_

Building(s) \_\_\_\_\_

13. Are there any unpaid village taxes on the property? ☐ Yes ☐ No

If yes, for what years? \_\_\_\_\_

14. The applicant or owner(s) wish to make use of the property for the purpose of \_\_\_\_\_

15. The Building Department of the Village of Thomaston denied an application for the proposed use on \_\_\_\_\_ because the proposed use of the property violated the (date) following sections of the Village Code: \_\_\_\_\_

16. The following sections of the Village Code give the Board of Appeals authority to grant the relief requested in this application: Village Code §203-138, §203-139

17. Description of the problem, or reasons for this application, which state a practical difficulty (in the case of a use variance) to support the relief sought in this application. (NOTE TO APPLICANT: This information is particularly important, and should constitute a complete statement of the grounds for the relief that is sought. Additional sheets may be used, if necessary, to give a full response.)

18. Has any previous application been made to the Board of Appeals for the relief sought in this application, or for relief similar to that sought in this application? ☐ Yes ☐ No

If yes, attach a description of each such prior application including:

- a. the date the application was made
- b. the date of the determination by the Board of Appeals
- c. the summary of the determination of the Board

19. Has any previous application been made to the Board of Appeals for any other relief with respect to the property which is the subject of this application? ☐ Yes ☐ No

If yes, attach a description of each such prior application including:

- a. the date the application was made
- b. the date of the determination by the Board
- c. the summary of the determination by the Board

20. Are there any outstanding violation notices affecting the subject premises? ☐ Yes ☐ No

21. Are there any pending court proceedings involving the subject premises? ☐ Yes ☐ No

**THE UNDERSIGNED APPLICANT STATES UNDER PENALTY OF PERJURY THAT ALL STATEMENTS AND INFORMATION CONTAINED IN PAPERS SUBMITTED HEREWITH, ARE TRUE.**

Name of applicant: \_\_\_\_\_

Signature of applicant: \_\_\_\_\_

Title of signer: \_\_\_\_\_

Date: \_\_\_\_\_

**AFFIDAVIT OF PROPERTY OWNER**

STATE OF NEW YORK:

COUNTY OF NASSAU:

The undersigned, \_\_\_\_\_  
being duly sworn deposes and says that the undersigned is the owner or an officer or member of the owner of the subject property, and resides at: \_\_\_\_\_  
in the State of New York; that the owner in fee of the property which is the subject of this application is as stated in the application; that if the owner is an entity the undersigned is \_\_\_\_\_ and as such is an officer or member of the owner authorized to execute this application on behalf of the owner; that all statements made in this Application and all supplementary documentation are true and complete to Deponent's own knowledge.

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

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF APPLICANT**

STATE OF NEW YORK:

COUNTY OF NASSAU:

\_\_\_\_\_ being duly sworn,  
deposes and says: that the undersigned resides at \_\_\_\_\_;  
the undersigned is authorized by the owner of the property which is the subject of this application to make the above application and that all the statements made in this and all supplementary documents are true to Deponent's own knowledge.

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

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF OWNER DESIGNATING AGENT:**

STATE OF NEW YORK:

COUNTY OF NASSAU:

The undersigned, being duly sworn, deposes and says; I am the (owner, authorized officer or member of the owner) of the property which is the subject of this application; On behalf of the owner of the property I hereby authorize

\_\_\_\_\_ with address  
at \_\_\_\_\_ to act as  
agent of the owner to make and affirm the preceding application and to enter into agreements with respect to the subject property; all of which acts will be done in the owner's name and the owner undertakes to be bound by any and all such agreements as if made by the owner.

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

\_\_\_\_\_  
Notary Public

**BOARD OF APPEALS  
VILLAGE OF THOMASTON**

**DISCLOSURE AFFIDAVIT**

**General Municipal Law § 809**

**In the Matter of the Application of**

**STATE OF NEW YORK:  
COUNTY OF NASSAU**

Being duly sworn, deposes and says:

1. I am the (applicant) with respect to (owner of) the premises which are the subject of  
(cross out whichever is not applicable) the within application.
2. I make this affidavit for the purpose of comply with the requirements of General  
Municipal Law § 809
3. No officer of the State of New York, and no officer or employee of the County of Nassau,  
the Town of north Hempstead or the Village of Thomaston, and no party officer of any political party, had  
an interest in the within application with the meaning of General Municipal Law § 809, except as stated  
hereinafter (if none, state "NONE"):

NAME	ADDRESS	POSITION	NATURE OF INTEREST
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4. In the event there is a change in the information set forth herein between the date hereof and  
the final determination of this application, a supplemental affidavit will be filed to provide that further  
information.

\_\_\_\_\_  
Signature

Sworn to before me on  
This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public