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# **BOARD OF TRUSTEES APPLICATION AND** **REQUIREMENTS FOR APPROVAL**

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PLEASE BE ADVISED THAT APPLICATION SUBMISSION IS **BY APPOINTMENT ONLY.**  
**PLANS ARE TO BE SUBMITTED BASED ON THE SUBMISSION SCHEDULE.**

PLEASE CALL TO MAKE AN APPOINTMENT WITH MICHAEL MALATINO,  
SUPERINTENDENT OF BUILDINGS AT (516) 626-0800.

***SUBMISSION IS INCOMPLETE WITHOUT AN APPOINTMENT.***

**THIRTEEN (13) COLLATED SETS OF ALL DOCUMENTS LISTED BELOW MUST BE SUBMITTED FOUR (4) WEEKS PRIOR TO THE MEETING INCLUDING THE FOLLOWING FEES:**

- 1) Thirteen (13) copies Cover letter to the Village Administrator requesting to be placed on the agenda to present your application before the Board of Trustees. Include in your cover letter an explanation of proposed construction of a new home, alteration(s) or addition(s).
- 2) Thirteen (13) copies of the Certification letter signed and sealed from the Village Engineer and architect with all calculations
- 3) Thirteen (13) copies of 24+x 36+survey, signed and sealed by a licensed surveyor or engineer, site plan showing location of structures, drainage plan and topographical survey (to scale).
- 4) Thirteen (13) sets of complete drawings to scale, signed and sealed to include: Structural drawings and site plan prepared by a licensed architect or engineer, floor by floor elevations with cubic volume calculations and 13 sets of 4-sided, ¼ inch scale, colored renderings OR 1/8 inch scale model.
- 5) Thirteen (13) copies 11+x 17+color photos of a Sample Board, and all exterior materials. Note: In addition to the thirteen copies one (1) 24+x 36+original sample board must be presented at the hearing.
- 6) Thirteen (13) copies of the Sample Sheets, signed and notarized by homeowner; and Thirteen (13) copies of Catalogue Cut Sheets with color photos for all exterior materials including doors, windows, gutters and leaders.
- 7) Thirteen (13) Copies of the Individual/Corporate (as applicable) Disclosure Affidavit signed by all owners.
- 8) Thirteen (13) copies of the Completed Short Environmental Assessment Form (NYS DEC Form)
- 9) Thirteen (13) copies of the Completed Representation/Notification Affidavit Board of Zoning Appeals.

**NOTE:** For required walk through visit, the site will need to be marked with various colored ribbons to distinguish house footprint, driveway and all other amenities and must include a height pole showing maximum height and first floor elevation.

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**BOARD OF TRUSTEES APPLICATION FEES**

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- Filing Fee (non-refundable) - \$650.00
  - Deposit for a Special Use/Exception Permit or for a change of zone under §216-111 - \$7,000.00
  - Initial Application Deposit for a Special Exception Permit or Special Use Permit - \$10,000.00
  - Deposit to renew and amend Special Exception Permit or Special Use Permit - \$2,000.00
  - Deposit for all other applications to the Board of Trustees, which require a public hearing - \$3,750.00
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**LANDSCAPE REQUIREMENTS**

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Thirteen (13) color 1-inch = 20 feet scale computer generated Landscape Plans, signed, sealed and prepared by a NYS Licensed Landscape Architect and must include a chart and keys detailing the following:

- “ Tree # for proposed tree removal(s) showing quantities, location, size (caliper) botanical and common name
- “ Calculation for tree removal must show the total requested trees and caliper inch removal plus 10% for replacement in accordance with the *Village of Old Westbury Tree Removal Code*.
- “ Include on the Landscape plan: Existing and proposed site amenities, house, driveway, pool, tennis court, terraces, patios, decks and any other site structure(s).

**PLEASE NOTE:**

- 1) The Licensed Landscape Architect must be present at the Board meeting.
- 2) Trees to be removed will require a tree removal permit issued by Michael Malatino, Superintendent of Buildings and Public Works.

I understand any changes to the resolution will result in a fine Under Section 216-166, Penalties for Offenses. Each violation of this article shall be punishable by a fine of not more than \$25,000. In addition to such fine, the violator shall pay all costs and expenses incurred by the Village in proving such violation.

\_\_\_\_\_

Owner

\_\_\_\_\_

Dated

\_\_\_\_\_

Architect

\_\_\_\_\_

Dated

**SAMPLE SHEET**

Architect: \_\_\_\_\_ Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Property Owner and Address: \_\_\_\_\_

Catalogue cut sheets and manufacturers names and styles are required for the following exterior finishes.

- Roof \_\_\_\_\_
- Exterior walls \_\_\_\_\_
- Exterior Trim \_\_\_\_\_
- Driveway, Patios & Paths \_\_\_\_\_
- Stone \_\_\_\_\_
- Solar Panels \_\_\_\_\_
- Window and/or Trim \_\_\_\_\_
- Front Door \_\_\_\_\_
- Garage Doors \_\_\_\_\_
- Columns/Railings/Trellis \_\_\_\_\_
- Gutter & Leaders \_\_\_\_\_
- Piers/Gate/Wall \_\_\_\_\_

The above approved materials and styles are to be implemented. Any change or alteration without the Board's approval is subject to fines no less than \$500 or more than \$10,000 as per §174-17 Amendments and penalties for offenses.

County of Nassau:  
  : ss  
State of New York

\_\_\_\_\_ being duly sworn deposes and says that he/she is the person who signed the foregoing application; that he/she is authorized to make said application and abide by the above that the statements set forth therein are true.

Subscribed and sworn before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
Home Owner Signature

\_\_\_\_\_  
Home Owner Address

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

**SPECIAL USE/EXCEPTION PERMIT**

Board of Trustees  
Village of Old Westbury,  
New York

In the Matter of the Application of

\_\_\_\_\_

\_\_\_\_\_X

to the Board of Trustees of the Village  
of Old Westbury, New York, for a permit  
under Section(s) \_\_\_\_\_  
of the Zoning Ordinance of said Village

**APPLICATION FOR SPECIAL USE/  
EXCEPTION PERMIT**

\_\_\_\_\_X

\_\_\_\_\_, the undersigned, the owner of the property herein described,  
hereinafter called Applicant, hereby applies to the Board of Trustees of the Village of Old Westbury, New York,  
for permission to:

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

and hereby states:

1. The following is a description of said property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, Old Westbury, New York; being designated as Section \_\_\_\_\_,  
Block \_\_\_\_\_, Lot \_\_\_\_\_, on the Land and Tax Map of the County of Nassau 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 the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

3. The proposed structure and/or use is as follows:

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4. This application is made under Section(s) \_\_\_\_\_ of the Zoning Ordinance of said Village.

5. Is the proposed structure and/or use to be located in a Special Groundwater Protection Area?

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6. Describe the effects that the proposed use of the property or the erection, alteration or maintenance of the proposed building and structure will have upon (a) the value of property in the Village; (b) health, safety and general welfare; (c) the neighborhood or the residents thereof; and (d) the essential character of the neighborhood.

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7. Set forth any variances from the controlling sections of the Village Code or State Law that will be requested:

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8. The names and addresses of the property owners adjoining said premises of the applicant, other than the street side or side, are as follows:

Name	Address

\_\_\_\_\_

Date

\_\_\_\_\_

Applicant's Signature

**AFFIDAVIT OF INDIVIDUAL DISCLOSURE**

STATE OF NEW YORK )

: SS .

COUNTY OF NASSAU )

\_\_\_\_\_, being duly sworn, deposes 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 in all respects true.

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

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Notary's official signature

**AFFIDAVIT OF OFFICER OR CORPORATE APPELLANT**

STATE OF NEW YORK )

: SS .

COUNTY OF NASSAU )

\_\_\_\_\_, being duly sworn, deposes and says that he/she resides at \_\_\_\_\_, and that he/she is \_\_\_\_\_ of \_\_\_\_\_, which is the owner 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 in all respects true.

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

\_\_\_\_\_  
Signature of Officer or  
Corporate Appellant

\_\_\_\_\_  
Notary's official signature

**AFFIDAVIT OF AGENT OF INDIVIDUAL APPELLANT**

STATE OF NEW YORK )

: SS .

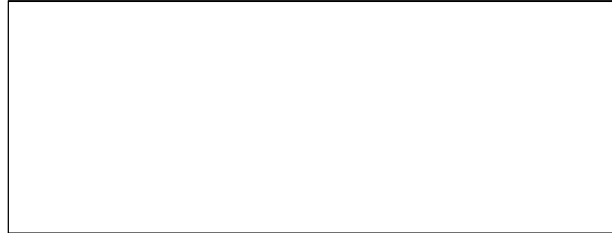
COUNTY OF NASSAU )

\_\_\_\_\_, being duly sworn, deposes and says that he/she resides at \_\_\_\_\_, and that \_\_\_\_\_ is the owner of the property hereinbefore described and is the Appellant herein and that the statements contained in the foregoing notice of appeal and in any papers submitted herewith are in all respects true; that deponent has been duly authorized by said Appellant dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a copy of which power of attorney is annexed hereto and which has not been revoked and is in full force and effect.

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

\_\_\_\_\_  
Agent's signature

\_\_\_\_\_  
Notary's official signature





**DISCLOSURE AFFIDAVIT REQUIRED ON ALL**  
**ZONING AND SUBDIVISION APPLICATIONS**  
**AND ALL APPLICATIONS FOR LICENSES OR PERMITS**

**VILLAGE OF OLD WESTBURY**  
**TOWNS OF OYSTER BAY AND NORTH HEMPSTEAD**

STATE OF NEW YORK )

: SS .

COUNTY OF NASSAU )

\_\_\_\_\_, being duly sworn, deposes and says:

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

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2. I am president of, secretary of, a partner of, attorney for (strikeout unnecessary words) the applicant.

3. I have read Section 809 of the General Municipal Law, which states:

*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/she, his/her 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 party to an agreement with such an applicant, express or implied, whereby he/she may receive ant payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.*

3. *In the County of Nassau, the provisions one and two of this section shall also apply to a party officer. "Party Officer" shall mean any person holding and position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four of section two of the election law.*
4. *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.*
5. *A person who knowingly and intentionally violated this section shall be guilty of a misdemeanor.*

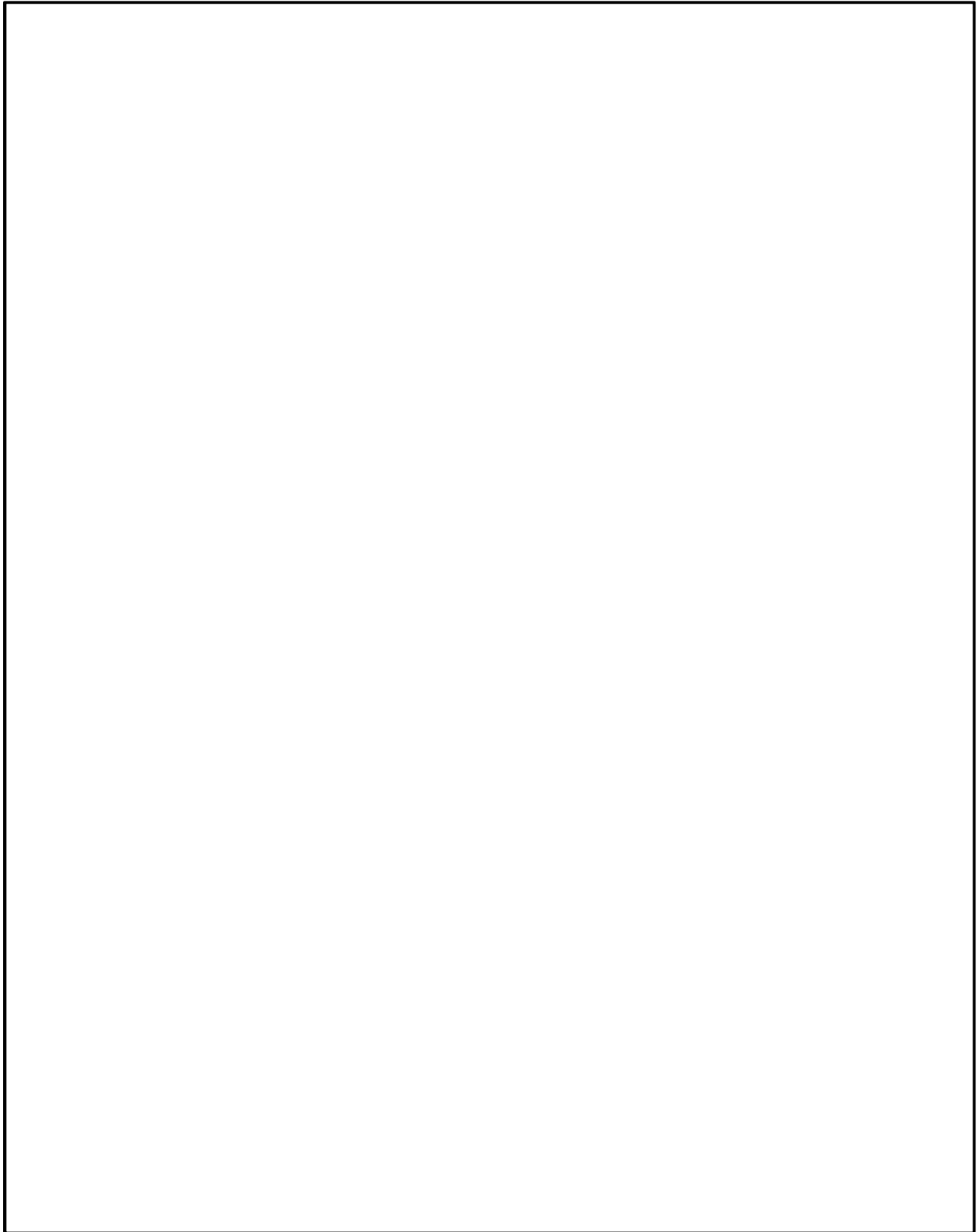
4. I am familiar with all persons having an interest in the person, partnership or association making this application as defined in Subdivision 2 of Section 809 and hereby state that no officer or employees of the State of New York, the County of Nassau, the Towns of Oyster Bay and North Hempstead, or the Village of Old Westbury 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 his affidavit and signed by me.

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

\_\_\_\_\_  
Agent's signature

\_\_\_\_\_  
Notary's official signature

The following is a diagram of the property and structures erected or to be erected thereon.



Submit all fees, deposits and documents required by the code of the Village of Old Westbury, including but not limited to those required in Chapter 216, Article XII, as they relate to this application.

**BOARD OF TRUSTEES**  
**REPRESENTATION/NOTIFICATION AFFIDAVIT**

Owner of Property:

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Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Contract Vendee (if applicable):

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Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Name and Address of Representative:

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Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Name and Address of Notification:

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Phone: \_\_\_\_\_ Email: \_\_\_\_\_

STATE OF NEW YORK )

: SS .

COUNTY OF NASSAU )

\_\_\_\_\_, being duly sworn, deposes and says: that he/she is the person who signed the foregoing application for a permit; that he/she is authorized by the principal to make said application; that the statements set forth therein are true; that the proposed work stated in said application is authorized by the owner in fee; that if any changes are made during construction, he/she will file amended plans before making such changes.

Subscribed to and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Notary's official signature