
PLANNING BOARD APPLICATION AND REQUIREMENTS FOR APPROVAL

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.

The Planning Board for the Incorporated Village of Old Westbury oversees site plan and architectural review for new homes, partitioning and subdivision of property.

PLANS MUST BE CERTIFIED BY THE VILLAGE ENGINEER BEFORE SUBMISSION TO THE PLANNING BOARD. FEES AND DOCUMENTS, WHICH ARE REQUIRED, ARE LISTED BELOW AND MUST BE SUBMITTED FOUR (4) WEEKS PRIOR TO THE HEARING. HEARINGS ARE THE FIRST MONDAY OF EVERY MONTH UNLESS IT FALLS ON A HOLIDAY, IN WHICH CASE THE HEARING WILL BE HELD ON THE FIRST TUESDAY OF THE MONTH. PLEASE CALL THE VILLAGE HALL AT 516 626-0800 FOR HEARING DATES AND DEADLINES FOR SUBMISSION.

- \$2,500 – Deposit for Volume Certification
- \$3,750 – Deposit for engineering, legal and advertising fees for site plan approval
- \$600 – Planning Board Application Fee (non-refundable)
- \$16,400 – Non-refundable water capital fee for construction of a new home

FEES FOR PARTITIONING (2 Lots)

1. \$750 application fee per lot
2. \$1,000 deposit PLUS \$2,500 per proposed lot created

FEES FOR SUBDIVISION (More than 2 lots)

1. \$500 application fee per lot
2. \$1,000 deposit PLUS \$2,500 per proposed lot created

UPON SUBMISSION OF THE APPROVED PLAN FOR A SIGNATURE

1. For a subdivision a deposit of 5% of the amount of the bond is required by resolution of the Planning Board granting final approval to defray the cost to the Village. Refer to Village Code for Bond Requirement.
2. For partitioning, a deposit of \$500 to defray the cost to the Village

PLANNING BOARD CHECKLIST FOR ALL SUBMISSIONS

ELEVEN (11) COLLATED SETS OF ALL DOCUMENTS LISTED BELOW MUST BE SUBMITTED FOUR (4) WEEKS PRIOR TO THE MEETING, INCLUDING FEES:

- 1) Eleven (11) copies of the application
- 2) Eleven (11) copies of the last Deed of Record showing the applicant's name
- 3) Eleven (11) copies Cover letter to the Village Administrator requesting to be placed on the agenda to present your application before the Planning Board. Include in your cover letter an explanation of proposed construction of a new home, alteration(s) or addition(s).
- 4) Eleven (11) copies of the Certification letter signed and sealed from the Village Engineer and architect with all calculations
- 5) Eleven (11) 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 and no more than two years old).
- 6) Eleven (11) 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 Ten (10) sets of 4-sided, ¼ inch scale, colored renderings OR 1/8 inch scale model.
- 7) Eleven (11) copies 11" x 17" color photos of a Sample Board, and all exterior materials. Note: In addition to the ten copies, one (1) 24" x 36" original sample board must be presented at the hearing.
- 8) Eleven (11) copies of the Sample Sheets, signed and notarized by homeowner; and Ten (10) copies of Catalogue Cut Sheets with color photos for all exterior materials including doors, windows, gutters and leaders.
- 9) Eleven (11) copies of the Individual/Corporate (as applicable) Disclosure Affidavit signed by all owners.
- 10) Eleven (11) copies of the Completed Short Environmental Assessment Form (NYS DEC Form)
- 11) Eleven (11) copies of the Completed Representation/Notification Affidavit
- 12) Eleven (11) copies of the Landscape Plans, Signed and Sealed

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.

PLANNING BOARD APPLICATION FEES

- \$2,500.00 – Deposit for Volume Certification
- \$600.00 – Planning Board/Architectural Review Board Application Fee (non-refundable)
- \$3,750.00 – Deposit for Legal Fees and advertising for site plan approval
- \$16,400.00 – Non-Refundable Water Capital Fee for construction of a new home

FEES FOR PARTITIONING

1. \$750.00 application fee per lot
2. \$1,000.00 deposit PLUS \$2,500 per proposed lot created

FEES FOR SUBDIVISION

1. \$500.00 application fee per lot
2. \$1,000.00 deposit PLUS \$2,500.00 per proposed lot created

UPON SUBMISSION OF THE APPROVED PLAN FOR A SIGNATURE

1. For a subdivision a deposit of 5% of the amount of the bond is required by resolution of the Planning Board granting final approval to defray the cost to the Village
2. For partitioning, a deposit of \$500.00 to defray the cost to the Village

LANDSCAPE REQUIREMENTS

Eleven (11) 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.

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 \$25,000.00. 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

PLANNING BOARD
REPRESENTATION/NOTIFICATION AFFIDAVIT

Owner of Property:

Phone: _____ Email: _____

Contract Vendee (if applicable):

Phone: _____ Email: _____

Name and Address of Representative:

Phone: _____ Email: _____

Name and Address of Notification:

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

INDIVIDUAL DISCLOSURE AFFIDAVIT

In the Matter of the Application of

**DISCLOSURE AFFIDAVIT PURSUANT TO
GENERAL MUNICIPAL LAW SECTION 809**

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

_____, being duly sworn, deposes and says:

- 1. That I am over eighteen years of age and reside at:

- 2. That I am the (owner, lessee, etc.) of the property, which forms the subject matter of this application, and am fully familiar with all of the facts and circumstances hereinafter set forth.

Print Name

Signature

- 3. That there are no encumbrances or holders of any instruments creating an encumbrances upon the subject property – except: (if any, set forth details)
- 4. That neither deponent not any other person mentioned in this affidavit is an officer or employee of the Village of Old Westbury, or is related to a Village officer of employee – except: (if any, set forth details)
- 5. That no officer or the State of New York or any officer or employee of the Village of Old Westbury, Town of North Hempstead, Town of Oyster Bay or Nassau County, or any person holding any position or office, whether by election, appointment or otherwise in any party as defined by Subdivision 4, Section 2 of the Election Law, or his/her spouse, their brothers, sisters, parents, children, grandchildren, or the spouse of any of them is the applicant, or an officer, director, partner, member or employee of the applicant, or, legally or beneficially owns or controls stock of the applicant or is associated with the applicant in a joint venture, or is a party to an agreement with the applicant, expresses 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 – except:

- 6. That in the event there is any change in the matters set forth herein prior to the issuance of, as applicable, a certificate of occupancy or other final Village approval associated with the application for the property affected hereby, deponent(s) will file with the Village of Old Westbury a supplemental affidavit indicating the details of such change within 48 hours of such change.

Sworn to before me this _____ day of _____, 20_____

Applicant's signature

Notary's official signature

NOTE: Ownership of less than 5% of the stock of a corporation whose stock is listed on the New York or American Stock Exchange shall not constitute an interest for purposes of this disclosure affidavit.

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:

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 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. 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