

Red Tape Commission Report

Red Tape Commission

March, 2008 to January, 2009

Members:

Town Of Brookhaven

Councilwoman Connie Kepert, Chair

Planning, Environment, Land Management – (PELM)

David Woods, Commissioner of (PELM)

Joe Sauerwein, Commissioner

Brenda Prusinowski, Deputy Commissioner (PELM)

Thomas Moore, Building Department

Toni Matarese, Town Clerks Office

Bradlee Bing, Town Clerks Office

Gregg Kelsey, Engineering

Germaine Ortiz, Engineering

Jeff Kassner, Environmental

Paul Rogalle, Director of Planning

Doug Dittko, Planning Board

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Chip Wiebelt, Planning

Donn Larsen, Planning

Larry Costantino, Planning

Brian Carrick, Traffic Safety

Attorneys/Applicants:

Deborah Herman, Building Long Island, Publisher

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Matthew Whalen, Avalon Bay Communities

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Introduction

The Red Tape Commission was initiated by Councilwoman Connie Keper in response to regulations which result in substantial delays and added costs. The review process included a duplicative process, a lack of clear time tables, and a confusing application process.

While legitimate controls are required for accountability in a democracy, rules can become excessive, processes can fail to reflect advances in technology, and departmentalization (bureaucracy) can demand unnecessary duplication of effort. Red Tape is simply defined as rules, regulations, and procedures that create an undue burden without comparable benefit.

The Commission is comprised of Town Of Brookhaven staff from the Planning Division, Division of Environmental Protection, Division of Traffic Safety, Engineering Division, Building Department, the Town Clerk, the Planning Board, attorneys, and applicants. The Commission began meeting on March 28th 2008 and since met on a monthly basis to review current practices and procedures of P.E.L.M. and the Building Department.

The Commission sought to identify inefficiencies and develop procedures to address those inefficiencies. Specifically, the Commission set out to determine where the application process can be streamlined and/or made more user-friendly. Further, the Red Tape Commission set out to identify new ideas and suggestions about cutting red tape while at the same time maintaining appropriate standards of accountability. Finally, the Red Tape Commission set out to create an environment within the Town Of Brookhaven in which employees are aware of the impact of regulations on the people of the Town Of Brookhaven and on the goals of adopted land use plans. To that end, the Red Tape Committee has developed an Executive Summary of strategies, policies and recommendations to meet its goals.

Red Tape Summary of Recommendations

The following are challenges identified by the committee and policies and or recommendations to address the identified challenges.

1. **Challenge:** Applicant is often unclear as to what documents are needed to submit for a technical review.

Solutions:

- A requirements checklist has been created for what applicant needs such as surveys, site plans, change of zone requirements, etc. This checklist is now provided with each land use application and is now available on the town's website. Incomplete applications are no longer accepted. Applicant will be provided with a receipt verifying that application is complete.
- Instruction set or guidelines is now provided with each land use application and is now available on the town's website. When the checklist is fulfilled the application is accepted. (See attachments for Instruction set or guidelines)

2. **Challenge:** Developers often get opposing review comments from the different Town divisions and or departments. Opposing comments, especially at the end of process is a source of frustration.

Solutions:

- Conflicting comments will be mediated by the project coordinator, if no resolution is achieved the Director of Planning will make final determination. Final coordinated staff comments will be given to applicant in the form of a letter.
- Implementation of sketch plan process; that is a multi-disciplinary on site review of the concept plan in order to identify significant environmental features that should be protected, and to assess the overall feasibility of the application.
- The Town Clerk's office is developing a virtual office environment (often referred to as "Teaming") that will allow outside agencies and internal departments to be in one virtual place to collaborate on a project and address opposing comments.

3. **Challenge:** Turnaround time for applications is not predictable and can vary substantially from application to application.

Solutions:

- Commission developed a flow-chart (see attached) which contains time tables for every aspect of the application process. The flow chart will guide staff and will be available on the website for applicants in the near future.
- To make timing more predictive the commission recommended a target of 60 days for P.E.L.M. to send a staff consolidated review letter to applicants.
- Fire districts will now have 15 days to comment on site plan applications as opposed to 60 days, thereby allowing Fire Prevention's review to be complete in approximately 3 weeks as opposed to 45 days.

- Fire Prevention is currently working on a checklist of requirements that will be given to applicants.

Solution for External Organizations:

- Letter will be sent to outside agencies giving them notice that comments are due in 30 days.
- The project coordinator will collect all comments in a timely fashion and review comments for conflicts and send applicant consolidated comments.
- An escalation process will be put in place and a meeting will be called for when deadlines are not met.
- Development community have agreed to meet with outside agencies; including Suffolk County Health Department, Suffolk County Department of Public Works, New York State Department of Transportation and New York State Department of Environmental Conservation and present the Red Tape Executive Summary to explain the process and educate them on the work that has taken place.
- The project coordinator will remind external agencies of impending deadlines.
- The project coordinator will determine if application can move forward in application process while external agencies complete their review independently.
- Applicants are encouraged to reach out to outside agencies.
- Teaming tool will red flag those agencies that have not met their deadlines.

4. **Challenge:** Long range vs. site-specific issues come up late in project.

Solutions:

- Encourage Economic Development to support projects outside of Empire Zone.
- Project coordinator will integrate Long Range Planning into project.
- Long Range Planning will prioritize application review.

5. **Challenge:** The town code is often ambiguous.

Solutions:

- Code change to expedite hamlet center review
- Identification of overlay districts for hamlet centers.
- Committee members have submitted recommendations for code amendments (see attached).
- Codes are currently under review by consultant.

6. **Challenge:** Currently, 18 copies of plans are required.

Solutions:

- August 5, 2008 a resolution was approved to update all land use applications for the Town Board, Planning Board and Planning Division for electronic filing to reduce paperwork and paper processing. (See attached resolution # 258-A1-07)

- On December 23rd a resolution was approved to accept electronic signatures. The purpose is to expedite the documentation process and to prepare to accept documents electronically to reduce the number of copies needed. (See attached resolution # 1048-08).
- Documents pertaining to application will be stored on laserfish and will be accessible via teaning tool.
- Remove from code amount of copies needed.

Forthcoming steps:

- To streamline BZA into the application process so that an entire application will not have to be filled out for this division.

Appendix



1. Town Board

1d. Special Use Permit

Paraphrased from the *Code of the Town Of Brookhaven*: (Chapter 85-31.3)

- A. The Town Board hears and authorizes, in specific cases, applications for special use permits, in accordance with the requirements set forth in Chapter 85-31.3 of the Town Code.
- B. In granting such permits, the Town Board may limit the duration of the special use permits and prescribe appropriate conditions and safeguards in conformity with this chapter.
 - (1) No special use permit shall be granted by the Town Board unless it determines:
 - (a) That the use will not prevent the orderly and reasonable use of adjacent properties or properties in the surrounding area, or negatively affect their value.
 - (b) That the use will not prevent the orderly and reasonable use of permitted or legally established uses in the district in which the proposed use is to be located, or in adjacent districts.
 - (c) That the safety, health, welfare, comfort, convenience or order of the Town will not be adversely affected by the proposed use and its location.
 - (d) That the use will be in harmony with and promote the general purposes and intent of Chapter 85-31.3 of the Town Code.
 - (2) In making such determination, the Town Board will consider, among other things:
 - (a) The character and suitability of the existing and probable development of uses.
 - (b) The conservation of property values and the encouragement of the most appropriate uses of land.
 - (c) The potential increase of traffic congestion on public streets, highways or waterways.
 - (d) The availability of adequate and proper public or private facilities for the treatment, removal or discharge of sewage, and/or result from the use and whether such materials may give off obnoxious gases, odors, smoke or soot.
 - (e) Whether the use will cause emission of electrical discharges, dust, light, vibration or noise.
 - (f) Whether the use will cause undue interference with the orderly enjoyment by the public of parking or of recreational facilities.
 - (g) The need for an asphalted or concrete surfaced area for off-street parking and loading of vehicles related to the use.
 - (h) Whether any physical or material hazard may be created as a result of the use or by the structures to be used, or whether the plot and/or structures provide "convenient entry and operation of fire and other emergency apparatus."
 - (i) Whether the use or the structures to be used will cause an "overcrowding of land or undue concentration of population."
 - (j) Whether the plot area is "sufficient, appropriate and adequate" for the use and can accommodate its



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Town Board Planned Development District Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111c rev 8/08

Town Board –

Planned Development District – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	18	1 original, 17 copies. Application details provided in section 2 above.	
	Written Statement	18	1 original, 17 copies. Details provided in section 6 above.	
	Master Plan: (Consisting of items 4-8 below)	18	One (1) original, 17 folded copies, signed and sealed by a professional licensed in the State of New York showing the proposed development. Application details provided in section 6 above.	
	Site Location Map	18		
	Environmental Conditions Map	18		
	Yield Study	18		
	Land Use and Development Plan	18		
	Phasing Plan	18		
	Property Owners List	3	List of all property owners within 500' of subject parcel.	
	4"x4" Key Map	4	Certified copies prepared by a licensed professional engineer, surveyor, or architect	
EP-06	Long Environmental Assessment Form (LEAF)	8	One (1) original, 7 copies.	
	Metes and Bounds Description	18	Detailed physical property description.	
	Radius Map	18	Show zoning, land use, existing conditions and within 1000' of proposed project site.	
	Title Report	3	Include ownership verification and deed restrictions.	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Filing fees, deposits in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



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This may consist of a single map or a series of maps on a current topographic base and indicate all significant environmental conditions including topography with a maximum vertical contour interval of two feet, wetlands by type and function, patterns of existing vegetation and habitat, a steep slopes analysis with categories of 0 to 10%, 11% to 15%, and over 15%, soil conditions, buildings or sites of historical or archaeological significance, habitat areas for rare, endangered, threatened or special concern species of flora and fauna, existing watercourses and drainage patterns, flood hazard areas and flood elevations, and the boundaries of any hydrogeologic zones, special groundwater protection areas, Pine Barrens areas, Wild, Scenic and Recreational Rivers Act (WSRRA) boundaries, South Shore and Peconic River estuary boundaries or other such classifications which relate to the subject property.

(c) **Item 6: Yield study:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

A yield study, calculated in accordance with standard Planning Division procedures, indicating the potential subdivision and/or development of the property under existing zoning, with subtotals presented by both school district and zoning district.

(d) **Item 7: Land use and development plan:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

A proposed land use and development plan illustrating the applicant's land preservation, land use and development concept for the entire property, including statistical summaries of the total proposed quantity and type of each land use, including subtotals by school district.

(e) **Item 8: Phasing plan:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

A proposed phasing plan, indicating the approximate phasing of land dedication, site development and infrastructure improvements, both on- and off-site, includes the general order of construction and the estimated timing of each phase.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
1c	Planned Development District (PDD)	\$2000.00	\$200.00	Parcel up to 10 acres, plus each additional acre or fraction thereof.



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other nonresidential uses, the proposed number of residential dwelling units by size and type, and the area and percentages of the site proposed for each type of land use;

- [3] Proposals for the construction, operation and maintenance of all planned utility systems, roadway improvements and other infrastructure;
- [4] Proposals for the ownership, use and maintenance of all preserved open spaces; and
- [5] A description of any proposed covenants and restrictions intended to be offered by the applicant.

- (b) **Zoning incentives and special public benefits:** A statement of the zoning incentives requested by the applicant and the Pine Barrens credits (PBC's) which are offered as the basis for them. If other special public benefits are proposed in lieu of providing some of the required PBC's, an analysis should be included of the relationship between the requested incentives and the proposed benefits based upon the purposes and goals as set forth in § 85-337.1, the comparable economic value of PBC's, and an economic cost/benefit analysis as per § 85-340B of this article.
- (c) **Changes of use:** a description of any proposed changes of use, including the required analysis of the basis for such change as set forth in § 85-340A of this article.
- (d) **Approvals required:** a list of all governmental approvals, permits and licenses required for the first phase and for any subsequent phases of development.
- (e) **Proof of ownership:** proof of title and an affidavit as to ownership and/or control of all involved properties.
- (f) **Disclosure affidavit:** an appropriate disclosure affidavit as required by law, including the Town Ethics Code.
- (g) **Qualifications:** a statement of the qualifications and experience of the applicant and all professional members of the development team.
- (h) **Access agreement:** an agreement permitting access to the property for the purpose of inspection by governmental review agencies, their staff and consultants.

(3) **Item 3: Proposed PDD Master Plan:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

A proposed PDD Master Plan, consisting of the following drawings must be submitted as a part of the PDD application to the Town Board. All drawings should be prepared at a scale as agreed upon with the Planning Division at the pre-application conference and indicating all information required on the PDD application form and any other information required as a result of the pre-application conference.

(a) **Item 4: Site location map:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

A site location map showing the location of the proposed PDD in relation to existing roads, properties, structures, land uses, zoning districts, school districts, service and utility districts, hydrogeologic zone boundaries, flood hazard areas, special groundwater protection areas, Pine Barrens boundaries, Wild, Scenic and Recreational Rivers Act (WSRRA) boundaries, historic district boundaries, South Shore and Peconic River estuary boundaries and other similar significant information for the subject property itself and all areas within 1,000 feet of it.

(b) **Item 5: Environmental conditions map:**

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration:

Approval or conditional approval of the PDD zone change shall be conditioned upon development in accordance with the approved PDD Master Plan for the period of three years

5. Grant Extension:

May be extended when required development progress has been made or the Town Board extends such time limit after a public hearing with notice as required by law for zoning amendments.

6. Additional Notes:

Paraphrased From Code of the Town of Brookhaven:

Item 2: Written Statement

[Note: "Item #" above refers to the deliverable item on the Application Checklist, page 5]

Written statement: A PDD zone change petition must include a written statement containing at least the following information:

(a) A description of the proposed PDD Master Plan, including:

- [1] Basic concept and rationale of the proposed plan of how its approval would result in a development pattern which minimize environmental impacts, maximize the permanent preservation and protection of significant site environmental features, (including such features as wetlands, water bodies, watercourses, flood hazard areas, steep slopes, groundwater recharge areas, areas of natural vegetation, special habitat areas, significant scenic vistas, erodible soils and sites or structures of historic or archaeological significance); and otherwise serve to best achieve the legislative intent, purposes and goals of Article 32A of the Planned development District.
- [2] A quantitative analysis for the entire site (including subtotals for each school district) which indicates preserved land areas, the floor space of the various types of proposed commercial, industrial and



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1. Town Board

1c. Planned Development District

PLANNED DEVELOPMENT DISTRICT — A zone specifically designed and approved by the Town Board to allow the unified and coordinated development of a parcel(s) of land, including the transfer of density from the core area of the Central Pine Barrens, as well as from one portion(s) of the site to another portion(s), the granting of zoning incentives to achieve special public benefits, and other flexible design features. See section §85-337.1 through §85-340.2..

1. When do you need to file?

1a. Residential Property:

When proposing a mixed-use project at a greater density than the traditional yield map will permit.

1b. Commercial and Industrial Properties:

When proposing a mixed-use project at a greater density than the traditional yield map will permit.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X			
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X		Signature required, if removal of excess materials.	
I(E)	General Application Data: Attorney/Agent	X			
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

**Land Use Application
Town Board
Change of Zone Instructions****Planning, Environment and Land Management**
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111b rev 8/08

1b. Town Board – Change of Zone – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	18	1 original, 17 copies. Application details provided in section 2 above.	
2		Metes and Bounds Description	18	Detailed physical property description.	
3		Radius Map	18	One (1) original, 17 folded copies showing zoning, land use and existing conditions within 500' of the proposed project site. Signed and sealed by a professional licensed in the State of New York.	
4		4"x4" Key Map	4	Certified copies prepared by a licensed professional engineer, surveyor, or architect	
5		Town of Brookhaven Zoning Map	4	For ease of handling, please provide folded maps.	
6		Property Owners List	3	List of all property owners within 500' of subject parcel.	
7		Property Owner Notice	2	Copy of notice sent to all property owners within 500' of subject parcel.	
8		Return Receipt Cards	1	Return receipt cards from Property Owner Notices sent.	
9		Applicant Sworn Statement	2	A sworn statement duly notarized from the applicant that states the Property Owner Notice cards have been sent to all property owners within 500' of subject parcel.	
10	EP-06	Long Environmental Assessment Form (LEAF)	8	One (1) original, 7 copies.	
11		Title Report	3	Include ownership verification and deed restrictions.	
12		Conceptual Site Plan	18	Signed and sealed by a professional licensed in the State of New York showing the proposed development.	
13		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
14		Deed and/or deed covenants and restrictions or easements affecting subject property	3	No older than 3 months and each page signed and notarized by the preparer.	
15		Motor Vehicle Fueling Station List	1	<u>For Motor Vehicle Fueling Stations only</u> ; Name and location of all other motor vehicle fueling stations within 2,000' and places of assembly within 500'.	
16		Filing fees in accordance with fee schedules	1	Check or money order payable to Town of Brookhaven.	



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Once approved by Town Board, there is no expiration of amended covenant(s).

5. Permit Renewal:

Not applicable.

6. Additional Notes:

None.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
1b	Change of Zone	\$1,500.00 \$200.00	\$150.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).



1. Town Board 1b. Change of Zone

Zoning is commonly exercised by local governments, though the state determines the nature of the zoning scheme with a zoning enabling law. Zoning may include regulation of the types of activities permitted on particular lots (such as open space, residential, agricultural, commercial or industrial), the densities at which those activities can be performed (from low-density housing such as single family homes to high-density such as high-rise apartment buildings), the height of buildings, the amount of space structures may occupy, the location of a building on the lot (setbacks), the proportions of the types of space on a lot (for example, how much landscaped space and how much paved space), and how much parking must be provided.

You may request a change of zone by applying to the Town Board.

1. When do you need to file?

1a. Residential Property:

For any requested change of zone established on the subject property.

1b. Commercial and Industrial Properties:

For any requested change of zone covenant established on the subject property.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide detailed description of reasoning behind change of zone.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Town Board Amendment to a Restrictive Covenant Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111a rev 8/08

Ia. Town Board –

Amendment to a Restrictive Covenant – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	18	1 original, 17 copies. Application details provided in section 2 above.	
2		Declaration of Covenants	18	Please provide original Declaration of Covenants.	
3		Metes and Bounds Description	18	Detailed physical property description.	
4		Survey	18	Survey signed and sealed by a professional licensed in the State of New York.	
5		Town of Brookhaven Assessors – Certified Tax Map Excerpt	18	One (1) original, 17 copies.	
6		Town of Brookhaven Zoning Map	4	For ease of handling, please provide folded maps.	
7		Property Owners List	3	List of all property owners within 500' of subject parcel.	
8		Property Owner Notice	2	Copy of notice sent to all property owners within 500' of subject parcel.	
9		Return Receipt Cards	1	Return receipt cards from Property Owner Notices sent.	
10		Applicant Sworn Statement	2	A sworn statement duly notarized from the applicant that states the Property Owner Notice cards have been sent to all property owners within 500' of subject parcel.	
11	EP-06	Long Environmental Assessment Form (LEAF)	8	One (1) original, 7 copies.	
12		Title Report	3	Include ownership verification and deed restrictions.	
13		Conceptual Site Plan	18	Signed and sealed by a professional licensed in the State of New York showing the proposed development.	
14		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
15		Deed and/or deed covenants and restrictions or easements affecting subject property	3	No older than 3 months and each page signed and notarized by the preparer.	
16		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111a rev 8/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Once approved by the Town Board, there is no expiration of amended covenant(s) unless otherwise stated.

5. Permit Renewal:

Not applicable.

6. Additional Notes:

None.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
1a	Amendment of Restrictive Covenant	\$500.00 \$200.00	\$100.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111a rev 8/08

1. Town Board

1a. Amendment of Restrictive Covenant

A **restrictive covenant** is a legal obligation imposed in a deed (property) by the town and carried by the seller upon the buyer of real estate to do or not to do something. Such restrictions frequently "run with the land" and are enforceable on subsequent buyers of the property. Examples might be to maintain a property in a reasonable state of repair, to preserve a sight-line for a neighboring property, or not to build on certain parts of the property.

You can request an amendment to a restrictive covenant by applying to the Board that established the covenants on a property.

1. When do you need to file?

1a. Residential Property:

For any requested change of a covenant established on the subject property.

1b. Commercial and Industrial Properties:

For any requested change of a covenant established on the subject property.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X			
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant	X		State covenant(s) to be amended, reasoning for change and supporting information.	
V	Subdivision/Land Division				



2. Planning Board

2b. Final Subdivision

The final plat and supporting drawings and documents for a proposed subdivision constitute the complete development of the subdivision proposal and include the recommendations resulting from the Planning Board review of the preliminary layout as well as the detailed drawings for the public improvements. After public hearing and approval by the Planning Board, this complete submission, along with the performance bond, as approved by the Town Board, becomes the basis for the construction of the subdivision and the inspection service by the Planning Board. The plat itself must be filed in the County Clerk's office to have legal status. An unfiled plat is not a valid basis for site improvements or other commitments, which depend on its design characteristics.

1. When do you need to file?

1a. Residential Property:

When the subject property is ready for final submission to the Planning Board for acceptance.

1b. Commercial and Industrial Properties:

When the subject property is ready for final submission to the Planning Board for acceptance.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments
I(A)	General Application Data: Property Location	X		
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X		
I(D)	General Application Data: Plan Preparer	X		
I(E)	General Application Data: Attorney/Agent	X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.
III(A)	Project Data: Is the Property	X		
III(B)	Project Data: Project Background	X		
IV(A)	Special Use Permits & Variances: Special Permit			
IV(B)	Special Use Permits & Variances: Variances			
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant	X		If applicable.
V	Subdivision/Land Division	X		



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Board Amend Restrictive Covenant Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112a rev 8/08

2a. Planning Board – Amend Restrictive Covenant – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	2	Application details provided in section 2 above.	
2		Covenants and restrictions or easements affecting subject property	1	Can be shown on survey or supplied filed map.	
3		Survey	1	Show existing covenants and restrictions as well as requested relief, current clearing percentage and clearing line (if applicable).	
4		Photographs	2	Dated photos showing the area where the relief is being sought.	
5		Title		Title or proof of ownership of subject property.	
6		Schedule "B"		From lending institution if mortgage exists on property.	
7		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
8		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	
9					
10					
11					
12					
13					
14					
15					
16					



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Amend Restrictive Covenant Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

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Commissioner of Planning, Environment and Land Management and/or the Planning Board. [

- D. Fee. An application fee for requests for relief of covenants and restrictions is imposed pursuant to Chapter 29 of the Code of the Town of Brookhaven.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2a	Amend Restricted Covenant	\$200.00	\$500.00	Application (lot in conformance). Application (lot <u>not</u> in conformance).



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Once approved by the Planning Board, there is no expiration of amended covenant(s) unless otherwise stated.

5. Permit Renewal:

Not applicable.

6. Additional Notes:

Paraphrased from the *Code of the Town Of Brookhaven*:

§ 85-53. Restrictive covenants. [Added 7-10-2001 by L.L. No. 18-2001, effective 7-16-2001]

- A. As a condition of approval, the Planning Board, may require that a restrictive covenant is placed on the property that is the subject of a subdivision map, land division, resubdivision or site plan.
- B. (The Planning Board), following a public hearing, may amend, modify, vacate or repeal covenant(s) and restriction(s) and restoration(s) previously imposed.
- C. An application for relief of covenant includes:
 - (1) The name and address of the applicant property owner;
 - (2) The location and description, including Suffolk County Tax Map numbers, of the subject property;
 - (3) The subject covenant, as recorded;
 - (4) The specific relief requested;
 - (5) A concise description of the factual circumstances upon which the application is based;
 - (6) Copy of survey(s) showing existing and prior conditions where appropriate;
 - (7) Such other and further information deemed necessary and/or appropriate by the



2. Planning Board

2a. Amend Restrictive Covenant

A **restrictive covenant** is a legal obligation imposed in a deed (property) by the town and carried by the seller upon the buyer of real estate to do or not to do something. Such restrictions frequently "run with the land" and are enforceable on subsequent buyers of the property. Examples might be to maintain a property in a reasonable state of repair, to preserve a sight-line for a neighboring property, not to build on certain parts of the property, restrict clearing to certain boundaries.

You can request an amendment to a restrictive covenant by applying to the Planning Board.

1. When do you need to file?

1a. Residential Property:

For any requested change of a covenant established on the subject property.

1b. Commercial and Industrial Properties:

For any requested change of a covenant established on the subject property.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments
I(A)	General Application Data: Property Location	X		
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X		
I(D)	General Application Data: Plan Preparer		X	
I(E)	General Application Data: Attorney/Agent		X	
I(F)	Excess Materials		X	Signature required, if removal of excess materials.
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.
III(A)	Project Data: Is the Property			
III(B)	Project Data: Project Background			
IV(A)	Special Use Permits & Variances: Special Permit			
IV(B)	Special Use Permits & Variances: Variances			
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant	X		State covenant(s) to be amended, reasoning for change and supporting information.
V	Subdivision/Land Division			



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

**Land Use Application
Town Board
Special Use Permit Instructions**

Planning, Environment and Land Management
 One Independence Hill, Farmingville, NY 11738
 (631) 451-6455 Fax: (631) 451-6459

PL-0111d rev 8/08

Town Board – Special Use Permit – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	18	1 original, 17 copies. Application details provided in section 2 above.	
	Metes and Bounds Description	18	Detailed physical property description.	
	Radius Map	18	One (1) original, 17 folded copies showing zoning, land use and existing conditions within 500' of the proposed project site. Signed and sealed by a professional licensed in the State of New York.	
	4"x4" Key Map	4	Certified copies prepared by a licensed professional engineer, surveyor, or architect.	
	Town of Brookhaven Zoning Map	4	Please provide folded maps.	
	Property Owners List	3	List of all property owners within 500' of subject parcel.	
	Property Owner Notice	2	Copy of notice sent to all property owners within 500' of subject parcel.	
	Return Receipt Cards	1	Return receipt cards from Property Owner Notices sent.	
	Applicant Sworn Statement	2	A sworn statement duly notarized from the applicant that states the Property Owner Notice cards have been sent to all property owners within 500' of subject parcel.	
EP-06	Long Environmental Assessment Form (LEAF)	8	One (1) original, 7 copies.	
	Title Report	3	Include ownership verification and deed restrictions.	
	Conceptual Site Plan	18	Signed and sealed by a professional licensed in the State of New York showing the proposed development.	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Deed and/or deed covenants and restrictions or easements affecting subject property	3	No older than 3 months and each page signed and notarized by the preparer.	
	Motor Vehicle Fueling Station List	1	For Motor Vehicle Fueling Stations only; Name and location of all other motor vehicle fueling stations within 2,000' and places of assembly within 500'.	
	Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-01/11d rev 8/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Expiration. All special use permits granted by the Town Board shall expire two years after the date of the Town Board's grant of approval thereof, unless a building permit has been issued and substantial construction has commenced in reliance thereon.

5. Permit Renewal:

The Town Board may grant a maximum of two extensions, not to exceed one year each, of the grant of approval where a building permit has been issued and substantial construction, with sufficient proof of such substantial construction, has commenced in reliance thereon.

6. Additional Notes:

None.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
1d	Special Use Permit	\$600.00	\$100.00 \$600.00 \$300.00	Parcel up to one acre, plus each additional acre or fraction thereof. Place of amusement permit. Single-family residence in a business zone. FD-06 Long Environmental Assessment Form (LEAF)
		\$200.00		



Planning, Environment and Land Management
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operation and expansion thereof.

- (k) The physical characteristics and topography of the land.
- (l) Whether the use is unreasonably near to a church, school, theater, recreational area or place of public assembly.

(3) Compliance must be demonstrated with the specific criteria that apply respective within the zoning district classifications, (including the dimensional requirements), unless the Town Board finds that compliance with such provisions constitutes a hardship requiring the waiver or modification of such requirements.

1. When do you need to file?

1a. Residential Property:

For any property use which falls outside of zoning and variance application requests.

1b. Commercial and Industrial Properties:

For any property use which falls outside of zoning and variance application requests.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X			
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit	X			
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Final Subdivision Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112b rev 8/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration on Conditional Approval:

Paraphrased from Code of the Town of Brookhaven:

SR-9. Expiration of approval.

Planning Board approval of a final plat expires 90 days after the date of the Planning Board resolution authorizing the person to sign the drawings.

5. Grant Renewal on Conditional Approval:

- A. Upon application, the Planning Board may extend the time for filing and recording a final plat by not more than two additional periods of 90 days each. The Planning Board may require that the plat be revised to conform to any change in regulations or ordinances applicable to the plat subsequent to the approval.
- B. The Planning Board may allow permit the subdivider to reapply to the Planning Board for final approval after the period during which a plat must be filed has expired. The plat shall be revised to conform to any change in regulations or ordinances applicable to subsequent to the first resolution of approval. The fee for such reapplication is 50% of the fee required by Chapter 29. A subdivider may not to reapply for final approval if more than 30 days have passed since the date when the original final approval expired.

6. Additional Notes:

See § 85-402. Subdivision Regulations for additional information



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Final Subdivision Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112b rev 8/08

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2b	Final Subdivision	\$500.00		Parcel up to one acre, plus
			\$200.00	each additional acre or fraction thereof.
		\$150.00		Drainage Review up to one acre, plus
			\$150.00	each additional acre or fraction thereof.
		\$200.00		Stormwater Pollution Prevention Plan (SWPPP), plus
			\$100.00	per acre or part thereof.



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Board Final Subdivision Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112b rev 8/08

2b. Planning Board – Final Subdivision – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	4	Application details provided in section 2 above.	
2		Final Subdivision Map	17	See section SR-7 through SR-11, Article III, Final Plat , Subdivision Regulations of the Code of Town of Brookhaven	
3		Drainage Plan	5	See section SR-12 through SR-15, Article IV Drainage Plans , Subdivision Regulations of the Code of Town of Brookhaven.	
4		Suffolk County Department of Health Services	1	If lots are less than one acre after a split, SCHS approval is required before a Planning Board hearing is scheduled.	
5		Covenants and/or restrictions	1	Copy of covenants certified by the Suffolk County Clerk, if applicable.	
6		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
7		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	
8					
9					
10					
11					
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14					
15					
16					



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
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PL-0112c rev 8/08

2. Planning Board 2c. Land Division

[Town code definition]:

LAND DIVISION — A division of any parcel of land into two or more lots, plots or sites in which : building lots front on an existing improved street, not requiring the construction of any new streets or roads ar not adversely affecting the development of the remainder of the parcel or adjoining property.

1. When do you need to file?

1a. Residential Property:

A division of any parcel of land into two or more lots, plots or sites which do not require variances.

1b. Commercial and Industrial Properties:

A division of any parcel of land into two or more lots, plots or sites which do not require variances.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments
I(A)	General Application Data: Property Location	X		
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.
I(C)	General Application Data: Applicant/Contract Vende/Lessee	X		
II(A)	General Application Data: Plan Preparer		X	
III	General Application Data: Attorney/Agent		X	
III(A)	Excess Materials		X	Signature required, if removal of excess materials.
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.
III(A)	Project Data: Is the Property	X		
III(B)	Project Data: Project Background	X		
IV(A)	Special Use Permits & Variances: Special Permit			
IV(B)	Special Use Permits & Variances: Variances			
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant		X	If applicable.
V	Subdivision/Land Division	X		



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Land Division Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112c rev 8/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration on Conditional Approval:

Once approved by the Planning Board, no expiration date.

5. Grant Renewal on Conditional Approval:

Not applicable.

6. Additional Notes:

Paraphrased from Code of the Town of Brookhaven:

§ 85-360. Land division.

B. A land division that does not require variances is subject to the review and approval (with reasonable conditions as the Planning Board deems necessary) of the Planning Board.

For land divisions resulting in more than four lots and for all land divisions of non-residentially zoned lands, the Planning Board may grant area variances, as it deems reasonable and appropriate, so long as there is no increase in density as a result.

A land division application includes the following:

- (1) A survey of the entire site showing proposed lot lines, zoning lines, existing pavement, existing dwellings, existing and proposed topography, site data table, key map, existing conditions within 200 feet of the subject property, all special district lines and drainage in the area and ownership of the site and surrounding properties.
- (2) A completed application on a form to be supplied by the Planning Board.
- (3) An application fee in the amount established by Chapter 29 of the Code of the Town of Brookhaven. If the Planning Board determines that the applicant must file a preliminary plat, then this fee shall be in lieu of the preliminary filing fee provided for by Chapter 29 of the Code of the Town of Brookhaven.
- (4) A recreation fee as required by Chapter 29 of the Code of the Town of Brookhaven.



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Land Division Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112c rev 8/08

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2c	Land Division	\$300.00 \$200.00	\$200.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).



Planning, Environment and Land Management
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PL-0112d rev 8/08

2. Planning Board

2d. Planning Board Variance

Paraphrased from Code of the Town of Brookhaven:

85-52. Area variances from Planning Board.

The Planning Board is authorized "to grant reasonable area variances in connection with site plan applications solely limited to parking, buffer, drainage and landscaping standards" as stated in Chapter §85-52 of the Town Code and/or in the Subdivision and Land Development Regulations.

The Planning Board is also authorized to grant reasonable variances from the parking requirements set forth in this chapter in §85-52.

1. When do you need to file?

1a. Residential Property:

When the applicant is filing site plan under a multi-family (MF) or Planned Retirement Community (PRC) and is seeking variance of site plan applications solely limited to parking, buffer, drainage and landscaping standards.

1b. Commercial and Industrial Properties:

When the applicant is filing for commercial properties and is seeking variance of site plan applications solely limited to parking, buffer, drainage and landscaping standards.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide description of overall project.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				



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IV(B)	Special Use Permits & Variances: Variances	X		Description of proposed variances reason for request.	
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration:

- (1) Area variances granted by the Planning Board pursuant to this chapter expire within two years of the date of the grant of the Board unless a building permit has been issued and substantial construction has commenced in reliance thereon.
- (2) Area variances granted by the Planning Board pursuant to this chapter for site plans shall expire simultaneously with the expiration of the subject site plan grant of approval.

5. Grant Renewal:

The Planning Board may grant a maximum of two extensions, not to exceed one year each, of the grant of approval where a building permit has been issued and substantial construction, with sufficient proof of such substantial construction having commenced in reliance thereon.



Planning, Environment and Land Management
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6. Additional Notes:

Paraphrased from Code of the Town of Brookhaven:

85-52. Area variances from Planning Board.

- D. In making its determination, the Planning Board will weigh the benefit to the applicant if the variance is granted, against the potential detriment to the health, safety and welfare of the neighborhood or community. The Board will also consider:
- (1) Will cause an undesirable change in the character of the neighborhood or a detriment to nearby properties or it will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;
 - (2) Is not the only means by which the application can achieve the benefit sought;
 - (3) Is substantial;
 - (4) The planning board will also consider whether the alleged difficulty was self-created. This consideration is relevant to the decision of the Planning Board does not necessarily preclude the granting of the application.
- E. Public hearings are required in connection with site plan review for the following:
- (1) All applications involving a parking relaxation of greater than 10% or a relaxation of minimum landscape standards of greater than 10% or for any relaxation of buffer area;
 - (2) Any application, as determined by the Commissioner of the Department of Planning, Environment and Land Management, that may result in significant adverse impacts to surrounding properties; or [
 - (3) As otherwise provided by any other provision of Chapter §85-52 of the Town Code.
- F. Notification.
- (1) The applicant must mail notice of the hearing by either certified or registered mail (return receipt requested) to every property owner, as shown on the current Brookhaven assessment rolls and certified by the Department of the Assessor on a tax map excerpt radius map prepared by that Department.
 - (2) The following must be submitted with an area variance application:
 - (a) A copy of the notice sent to property owners.
 - (b) The Assessor-certified tax map excerpt radius map in two copies, containing the names and addresses of the owners to whom notices were sent.
 - (c) Return receipts of mailing.
 - (d) An affidavit of mailing of the notices.
 - (e) An affidavit of posting of the notice.



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Road Improvement/ Resubdivision Instructions

Planning, Environment and Land Management

One Independence Hill, Farmingville, NY 11738

(631) 451-6455 Fax: (631) 451-6459

PL-0112g rev 8/08

- (2) Binder course. Materials and method of construction for the binder course shall conform to the Suffolk County Department of Public Works specification Item 51 FX.
 - (3) Wearing Course. Materials and method of construction for the wearing course shall conform to the Suffolk County Department of Public Works specification Item 51 F.
- D. Sidewalks, driveway aprons shall be constructed of concrete and be part of the street improvement as determined by the Planning Board and as required in § SR-26, and conform to the Planning Board Standard Detail for the respective improvement.
- Materials and method of construction for sidewalks shall conform to the Suffolk County Department of Public Works Specifications for concrete sidewalks. Concrete compressive strength shall be a minimum of 4,000 psi (pounds per square inch).
- G. The Planning Division Inspector shall have the option of requesting tests of materials to determine conformance with specifications. All tests shall be performed by an independent testing laboratory at the developer's expense.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Type	Req Fee	Add'l Fee	Description
2g	Road Improvement/ Resubdivision	\$400.00	\$3.00	Application, plus per linear foot of road to be improved. Traffic Review. EP-06 Long Environmental Assessment Form (LEAF).
		\$350.00		
		\$200.00		



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Once approved by the Planning Board, no expiration date.

5. Permit Renewal:

Not applicable.

6. Additional Notes:

§ SR-24 Street construction specifications.

- A. General. Street improvements include paving, curbs, driveway aprons and sidewalks as directed by the Planning Board.
- B. Street width. The Planning Board shall determine the required width of each street by its intended use or by what use it may have in the future development of the area.
- C. Pavement. Paving specifications should generally conform to the traffic requirements.

The minimum specifications for new subdivisions, however, is 34 feet in width, constructed of a minimum of one-and-one-half-inch compacted asphalt concrete wearing course, a minimum of three-and-one-half-inch compacted binder course of bituminous mixture and a base consisting of a minimum of a six-inch soil stabilized subgrade.

The Planning Board can consider to reducing of the paving width if it believes that special conditions exist. Before approval can be given for a width less than 34 feet, the Superintendent of Highways must give his or her approval.

- (1) Soil stabilized base, a minimum of six inches in depth. Materials and method of construction for soil stabilizer base shall conform to the Suffolk County Department of Public Works specification Item 2-SB.



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One Independence Hill, Farmingville, NY 11738
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PL-0112g rev 8/08

2. Planning Board

2g. Road Improvement/Resubdivision

Road improvement or resubdivision is the development of paper streets as identified on Suffolk County Tax Maps for the purpose of lot access for residential or commercial properties.

For improvements to existing roadways, use the highway permitting process.

1. When do you need to file?

1a. Residential Property:

1b. Commercial and Industrial Properties:

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide description of overall project.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X			
I(E)	General Application Data: Attorney/Agent	X			
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division	X			



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Board Preliminary Subdivision Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112f rev 8/08

Application Fees	Req Fee	Add'l Fee	Description
Preliminary Subdivision	\$500.00	\$200.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF). Traffic Review.* Drainage Review up to one acre, plus each additional acre or fraction thereof. *Traffic study may be required if deemed necessary.
	\$200.00		
	\$350.00		
	\$150.00		
		\$150.00	
		\$1100.00	

Planning Board – Preliminary Subdivision – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	4	Application details provided in section 2 above.	
EP-06	Long Environmental Assessment Form (LEAF)	4		
	Covenants and/or restrictions	1	Copy of covenants certified by the Suffolk County Clerk, if applicable.	
	Preliminary Subdivision Map	17	Layout Requirements section SR-6 Subdivision Regulations	
	Suffolk County Department of Health Services	1	If lots are less than one acre after a split, SCHS approval is required before a Planning Board hearing is scheduled.	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Filing fees in accordance with fee schedules	1	Please make check/money order payable to Town of Brookhaven.	



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration on Conditional Approval:

The Planning Board approval of a preliminary layout submission expires six months after the date of approval. No Planning Board action will be taken after such expiration until a new application and filing fee are submitted. A waiver for a reasonable period of time may be given to cases of hardship upon petition to the Planning Board. Application fees are not returnable.

5. Grant Renewal on Conditional Approval:

Not applicable.

6. Additional Notes:

Before starting the engineering and surveying work, in preparation for making preliminary plans of a subdivision, it is recommended that the developer consult with the Planning Board. It is also advisable to obtain and review the *Code of the Town of Brookhaven: [Zoning Code Chapter 85](#), Zoning Map, [Building Code](#) and [Chapter SR-1, Subdivision Regulations](#)* and Construction Specifications.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.



2. Planning Board

2f. Preliminary Subdivision

Paraphrased from the Code of the Town Of Brookhaven:

The preliminary layout and the supporting documents for a proposed subdivision constitute the material to be officially submitted to the Town Planning Board. The layout shows the general design of the subdivision and its public improvements so that the Planning Board can indicate its approval or disapproval of the subdivision prior to the time that the final plat, including the design and detailing of the public improvements and utilities, is completed. Approval of the preliminary layout does not constitute an approval of the final plat nor should it be considered a valid basis for the construction of site improvements or for other commitments, which depend upon its design characteristics.

1. When do you need to file?

1a. Residential Property:

Subdivision - A division of any parcel of land into two or more lots, plots, blocks or sites.

1b. Commercial and Industrial Properties:

Subdivision - A division of any parcel of land into two or more lots, plots, blocks or sites.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide description of overall project.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X			
I(E)	General Application Data: Attorney/Agent	X			
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant	X		If applicable.	
V	Subdivision/Land Division	X			



TOWN OF
Brookhaven
 LONG ISLAND, NEW YORK

**Planning Board
 Preliminary Final Subdivision
 Instructions**

Planning, Environment and Land Management
 One Independence Hill, Farmingville, NY 11738
 (631) 451-6455 Fax: (631) 451-6459

PL-0112e rev 8/08

6. Additional Notes:

The applicant may be resubmitting an application that has expired which had prior approval from the Planning Board. Please resubmit all paperwork pertaining to the application with the associated fees.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2e	Preliminary Final Subdivision	\$250.00	\$250.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.



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IV(A)	Special Use Permits & Variances: Special Permit			
IV(B)	Special Use Permits & Variances: Variances	X		Description of proposed variances reason for request.
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant	X		If applicable.
V	Subdivision/Land Division	X		

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

4. Grant Duration on Condition of Approval.

See §SR-9. Expiration of approval.

Planning Board approval of a final plat expires 90 days after the date of the Planning Board resolution authorizing the Chair to sign the drawings.

5. Grant Renewal on Condition of Approval

- A. Upon application by the subdivider, the Planning Board may extend the time for filing and recording such plat by not more than two additional periods of 90 days each; provided the Planning Board may however require that the plat is revised to conform to any changes made in regulations or ordinances applicable to the plat after the resolutions of approval.
- B. After the filing period has expired, the Planning Board may permit the subdivider to reapply to the Planning Board for final approval, provided, that the is revised to conform to any changes made to regulations or ordinances applicable to the plat after the first resolution of approval. The fee for such reapplication is 50% of the fee required by Chapter 29. No subdivider is permitted, however, to reapply for final approval pursuant to the provisions of this section if the application is made more than 30 days from the date of the original final.



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PL-0112e rev 8/08

2. Planning Board

2e. Preliminary Final Subdivision

Paraphrased from the Code of the Town Of Brookhaven:

§ 85-402. Subdivision Regulations.

The Planning Board is authorized to adopt and/or amend regulations concerning the subdivision of real property. A public hearing must be held on at least 10 days' notice, and the action is subject to confirmation by resolution of the Town Board.

An applicant may file a subdivision application in final form in conformance with Subdivision Regulations. In this case, the applicant is not subject to a preliminary hearing pursuant to § 276(3) of New York Town Law. Pursuant to § 276(4) of New York Town Law, the Planning Board is authorized to waive the requirement for a public hearing when it finds that "the final plat is in substantial agreement with a preliminary plat previously approved by the Board."

1. When do you need to file?

1a. Residential Property:

An applicant may elect to file a subdivision application in final form as a means to "fast track" an application.

1b. Commercial and Industrial Properties:

An applicant may elect to file a subdivision application in final form as a means to "fast track" an application.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide description of overall project.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X			
I(E)	General Application Data: Attorney/Agent	X			
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Board Planning Board Variance Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112d rev 8/08

I. Planning Board – Planning Board Variance – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
	PL-01	Land Use Application	2	Application details provided in section 2 above.	
		Survey Map	10	Showing proposed landscaping, parking or buffer areas, current versus proposed	
	EP-06	Long Environmental Assessment Form (LEAF)	2		
		Radius Map	2	Show zoning, land use, existing conditions and within 500' of proposed project site.	
		Property Owners List	3	List of all property owners within 500' of subject parcel.	
		Property Owner Notice	2	Copy of notice sent to all property owners within 500' of subject parcel.	
		Return Receipt Cards	1	Return receipt cards from Property Owner Notices sent.	
		Applicant Sworn Statement	2	A sworn statement duly notarized from the applicant that states the Property Owner Notice cards have been sent to all property owners within 500' of subject parcel.	
		Filing fees, deposits in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



Brookhaven
LONG ISLAND, NEW YORK

**Planning Board
Planning Board Variance
Instructions**

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G. Posting.

- (1) For residential variance applications: At least one poster (at least one foot by two feet in size) must be conspicuously posted along each street frontage of the property at least 10 days prior to the Planning Board public hearing date. For applications involving variances on commercial or industrial parcels, the poster must be at least three feet by four feet in size and conspicuously posted along each street frontage of the subject property at least 10 days prior to the the public hearing.

Posters shall contain the following information:

- (a) A brief explanation of the proposed variance.
 - (b) That a public hearing will be held before the Planning Board at a specified date, time and place with regard to the proposed application and variance.
- (2) Poster must remain in place until the public hearing has been completed and must be removed not later than seven days after the hearing date. The applicant or applicant's agent shall verify that said poster is still in place on a daily basis and promptly replace the poster if it is removed or defaced.
- (3) The Planning Board may require the applicant to use a poster that is supplies, and the Planning Board may set a fee to cover the cost of the poster.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Type	Req Fee	Add'l Fee	Description
2c	Land Division	\$300.00	\$200.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).
2d	Planning Board Variance	\$500.00 \$200.00		Commercial application. Residential application.



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Board Road Improvement/ Resubdivision Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112g rev 8/08

1. Planning Board – Road Improvement/Resubdivision – Application Requirements Checklist

Form	Document	Copies	Comments	
PL-01	Land Use Application	4	Application details provided in section 2 above.	
EP-06	Long Environmental Assessment Form (LEAF)	2		
	Covenants and/or restrictions	1	Copy of covenants certified by the Suffolk County Clerk.	
	Lot Application	1	Individual Lot application for Planning Board approval. <i>(Reason/impetus for road improvement)</i>	
	Plan and Profile Map	10	Must include Key Map	
	Suffolk County Department of Health Services	1		
	Single and Separate approval	2	Or Board of Zoning Appeals (BZA) approval	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Filing fees in accordance with fee schedules	1	Please make check/money order payable to Town of Brookhaven.	



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0112h rev 8/08

2. Planning Board

2h. Single Family Residence

Within all residential districts, any permitted principal structure or building shall not exceed the maximum building size as specified for the zone. Any proposed structure in excess of the maximum building size requires an area variance from the **Board of Zoning Appeals** or, if the requested relief is in excess of 50%, a variance shall be sought by petition from the **Town Board**.

Notes:

Board of Zoning Appeals (BZA): If the application requires BZA approval, the grant letter must be submitted with the application.

Land Divisions: All Land Division conditions must be met prior to the submittal of the application. Please submit a copy of the Planning Board approval letter with your application.

1. When do you need to file?

1a. Residential Property:

For single-family residence.

1b. Commercial and Industrial Properties:

Does not apply to commercial or industrial properties.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide description of overall project.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee				
I(D)	General Application Data: Plan Preparer				
I(E)	General Application Data: Attorney/Agent				
I(F)	Excess Materials			Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:				
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



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Planning Board Single Family Residence Instructions

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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.			See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.		X	Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Expiration one year from approval date.

5. Permit Renewal:

Renewal additional one year from expiration date.

6. Additional Notes:

Please provide the following on the proposed and final (As-Built) survey (when applicable):

1. Suffolk County Tax Map (SCTM) number District, Section, Block, Lot
2. Existing elevations throughout the parcel.
3. Elevations:
 - a. First Floor
 - b. Garage Floor
 - c. Space under first floor with elevation (slab, crawl space or basement)
 - d. Grades at house corners
4. Driveways:
 - a. Maximum 2-3% apron.
 - b. Maximum 14% driveway with a flat parking area at top.
 - c. Over 100ft in length must state on survey to be a minimum stone blend with drainage as required.
5. Location of septic system and pools
6. Test hole location
7. If property in a **Flood Zone**:
 - a. State Flood Zone on survey.
 - b. State space type under house with elevation. If house has a crawl space, please show crawl space elevation and submit crawl space design showing vents and vent calculations. No more than 1 foot of standing water is allowed in crawl.
 - c. If property is within a VE Zone, submit Pile Plans and Certification.
8. Basement is recommended to be a minimum of 3 feet above ground water.
9. Grading:
 - a. Side yards to be no greater than 1 foot over 10 feet and a 1 on 3 slope thereafter.
 - b. Rear yard to be no greater than 5% (1,25 feet) over 25 feet and a 1 on 3 slope thereafter.



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- c. If the grading ordinance cannot be met, a site-grading plan must be submitted. Provide contours in 2-foot intervals.
 - d. The use of retaining walls may be required. If so, show walls on survey with elevation of top and bottom of wall. If the wall is over 4 feet, an engineer or architect design must be submitted. Walls are not to exceed 6 feet in the side or rear yard.
10. Covenants and Conditions:
- a. All conditions, mitigation measures and covenants must be listed and illustrated on the survey

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2h	Single Family Residence	\$200.00		Application for Preliminary Review (to obtain Building Permit)
		\$100.00	\$50.00	Revise a Preliminary Review .
			\$50.00	Final Inspection/Review (to obtain Certificate of Occupancy (CO)).
			\$100.00	Revise a Final Inspection/Review .
			\$100.00	Re-inspection on Final Review .
				Renewal within 6 months of expiration of original approval.



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Land Use Application Planning Board Single Family Residence Instructions

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Planning Board – Preliminary Single Family Residence – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	1	Application details provided in section 2 above.	
	Survey	4	At least three (3) surveys must be originals.	
	Covenants and/or restrictions	1	Copy of covenants certified by the Suffolk County Clerk if applicable.	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site if applicable.	
	Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	

Final Single Family Residence – Application Requirements Checklist

	As-Built Survey	2	Originals only, include Planning Board docket number, actual percentage of clearing, clearing line, applicants current phone number. Note: inspection of final must conform to grading ordinance. See Additional Notes (6) above	
	Covenants and/or restrictions	1	Copy of covenants certified by the Suffolk County Clerk if applicable.	
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site if applicable..	
	Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



Brookhaven

LONG ISLAND, NEW YORK

Planning Board Site Plan/Amended Site Plan Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0111i rev 8/08

2. Planning Board 2i. Site Plan/Amended Site Plan

Site plan review and approval is required in all zoning districts for all buildings and structures or land use and/or for all alterations or changes in use, except for the following: single-family dwellings; subdivision maps or plats, including residential land divisions, notwithstanding any provision to the contrary in this chapter; permitted agricultural uses other than horse farms, and customary accessory uses, and the exceptions set forth in § 85-48B. An application may be made to the Town Board for a waiver from the within site plan review and approval requirements for properties located within the Fire Island National Seashore, (a/k/a Great South Beach at Fire Island National Seashore).

1. When do you need to file?

1a. Residential Property:

For any multi-family dwellings, planned retirement communities (PRC), Planned Retirement Congregate Housing community (PRCHC), Health Facility District(NHH)

1b. Commercial and Industrial Properties:

For any commercial or industrial development.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	X
I(A)	General Application Data: Property Location	X		Provide detailed description of reasoning behind change of Zone.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

1. Approval Duration:

All site plans expire three years after the date of final conditional approval, unless a building permit has been issued and substantial construction, with sufficient proof of such substantial construction, having been commenced in reliance thereon.

5. Approval Renewal:

An application for an extension of the final conditional site plan approval may be made to the Commissioner of Planning, Environment and Land Management. The Commissioner may extend the final conditional site plan approval once, for an additional one-year period, subject to the applicant demonstrating that:

- (1) The extension request is made prior to the expiration of the final conditional site plan approval;
- (2) The applicant is diligently trying to meet the conditions of the final conditional site plan approval; and
- (3) The applicant is diligently pursuing all other required governmental permits and approvals.

6. Additional Notes:

1. Site Plans are to include:
 - i. The topography of the tract as shown in the United States Coast and Geodetic Survey datum, showing the location of woodland, streams and water areas and other significant land features.
 - ii. Location, size and use of the site and all existing and proposed structures.
 - iii. Streets, service driveways, parking areas, a comprehensive drainage plan and other proposed on-site improvements.
 - iv. If the site is not to be developed in its entirety, section lines shall be drawn to indicate the initial and subsequent construction phase.
 - v. Site alignment.
 - vi. Grading.
 - vii. Utility.
 - viii. Landscaping. For further information please see § 85-50. Land development standards of the



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ix. Survey/site plans must be less than 10 years old, accurate depicting existing conditions to be certified by owner.

2. Building Elevation Plans are to Include:

- i. Color scheme.
- ii. Materials used.
- iii. Sign fascia.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Type	Req Fee	Add'l Fee	Description
2i	Site Plan/Amended Site Plan	\$500.00	\$500.00	Site Plan: Parcel up to one acre, plus each additional acre or fraction thereof.
		\$200.00		EP-06 Long Environmental Assessment Form (LEAF).
		\$350.00	Traffic Review.	
		\$200.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.	
		200.00	Stormwater Pollution Prevention Plan (SWPPP), plus per acre or part thereof.	
		\$500.00	Amended Site Plan: Parcel up to one acre, plus up to two acres, and each additional acre or fraction thereof.	
			\$300.00	
			\$75.00	



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Planning Board –

Site Plan/Amended Site Plan – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	3	One original, 2 copies. Application details provided in section 2 above.	
EP-06	Long Environmental Assessment Form (LEAF)	3	One (1) original, 2 copies.	
	Site Plan	15	Folded sets, signed and sealed by a professional licensed in the state of New York.	
	Building Elevation Plan	3	Folded sets, signed and sealed by a professional licensed in the state of New York.	
	Stormwater Pollution Prevention Plan (SWPPP)	1	Please contact Planning at 631-451-6400 for further instructions.	
	Covenants and/or Restrictions	1		
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Single & Separate Search (a/k/a Chain of Title)	1		
	Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



2. Planning Board

2j. Special Use Permit

Excerpt From *Code of the Town Of Brookhaven*: (Chapter 85-51)

85-51. Special permits from Planning Board.

- A. As provided by this chapter, special permits from the Planning Board shall be granted only where said Board shall determine:
- (1) That the use will not prevent the orderly and reasonable use of adjacent proportion or of properties in the surrounding area or impair the value thereof.
 - (2) That the use will not prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located or of permitted or legally established uses in adjacent districts.
 - (3) That the safety, health, welfare, comfort, convenience or order of the Town will not be adversely affected by the proposed use and its location.
 - (4) That the use will be in harmony with and promote the general purposes and intent of this chapter.

1. When do you need to file?

1a. Residential Property:

For any property use which falls outside of zoning and variance application requests.

1b. Commercial and Industrial Properties:

For any property use which falls outside of zoning and variance application requests.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X			
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit	X			
IV(B)	Special Use Permits & Variances: Variances				



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IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

All special permits granted by the Planning Board are for two years from the date of the Planning Board's grant.

5. Permit Renewal:

The Planning Board may grant up to two extensions, not to exceed one year each.

6. Additional Notes:

None.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2j	Special Use Permit	\$800.00	\$400.00	Application. Renewal of application.



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Land Use Application Town Board Special Use Permit Instructions

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PL-0111j rev 8/08

Planning Board – Special Use Permit – Application Requirements Checklist

Form	Document	Copies	Comments	✓
PL-01	Land Use Application	3	One original, 2 copies. Application details provided in section 2 above.	
EP-06	Long Environmental Assessment Form (LEAF)	3	One (1) original, 2 copies.	
	Site Plan	15	Folded sets, signed and sealed by a professional licensed in the state of New York.	
	Building Elevation Plan	3	Folded sets, signed and sealed by a professional licensed in the state of New York.	
	Stormwater Pollution Prevention Plan (SWPPP)	1	Please contact Planning at 631-451-6400 for further instructions.	
	Covenants and/or Restrictions	1		
	Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
	Single & Separate Search (a/k/a Chain of Title)	1		
	Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	



2. Planning Board

2k. 278 Cluster Treatment

Cluster Development A subdivision plat or plats, in which the applicable zoning ordinance or local law is modified to provide an alternative permitted method for the layout, configuration and design of lots, buildings and structures, roads, utility lines and other infrastructure, parks, and landscaping in order to preserve the natural and scenic qualities of open lands.

Paraphrased from the Code of the Town of Brookhaven.

§85-388. Cluster development.

The Planning Board reviews cluster development for subdivision plats, simultaneously with its review and approval of such plats.

- C. The Planning Board may require the submission of a cluster development map where it determines that the following circumstances exist:
- (1) The subject property contains environmentally unique or sensitive features, including but not limited to fresh or salt water wetlands, scenic views, forests, ponds, rivers or streams, steep slopes or other natural features which the Board determines need be preserved and/or protected;
 - (2) The subject property contains historic sites and/or structures of significance;
 - (3) The subject property contains a significant archeological field(s);
 - (4) The subject property provides significant scenic views.
 - (5) Reconfiguration of old, filed subdivision maps, based on single and separate lots.

The applicant, on anticipation of a 278 Cluster Treatment, or at the request of the Planning Division, submits the application package. This application package is in addition to a Preliminary Subdivision (2f), Final Subdivision (2b), Land Division (2c), or Road Improvement (2g) application.

Note: It is recommended that the Preliminary Subdivision and 278 Cluster Treatment be submitted together if it is the intent of the applicant to cluster.

1. When do you need to file?

1a. Residential Property:

When Cluster Treatment of subject properties is desired.

1b. Commercial and Industrial Properties:

When Cluster Treatment of subject properties is desired.



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Planning Board 278 Cluster Treatment Instructions

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2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.
X – To be completed for this application type. **"Blank"** – Skip the section

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Provide complete and accurate info.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X			
I(E)	General Application Data: Attorney/Agent		X		
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.	X		Please contact Planning at 631-451-6400 for further instructions.	

1. Grant Duration on Conditional Approval:

Grant duration concurrent with land division approval.

5. Grant Renewal on Condition Approval:

Grant renewal concurrent with land division approval.

6. Additional Notes:

1. Preliminary Yield Map:



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Yield. Unit yield shall be determined as follows:

- (1) The unit yield shall not exceed the unit yield which could be permitted, in the Planning Board's judgment, were the land to be subdivided into a conventional plat conforming with the applicable bulk requirements of the Code;
- (2) If the subject property is located in two or more zoning districts, the unit yield will be limited to the "cumulative density as derived from the yield proportionately attributable to the property located in each of the zoning districts." Improvements may be located without regard to the location of the underlying zoning districts.
- (3) Permitted dwelling units residential plats subject to cluster development may be, detached, semidetached, attached, or located within multistory structures (subject to the Planning Board's discretion).

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
2k	278 Cluster Treatment	\$0.00	\$80.00	No Application fee
		\$80.00		Drainage Review up to one acre, plus each additional acre or fraction thereof.
		\$500.00	\$500.00	<u>Preliminary with Cluster Treatment:</u> (Application packages submitted together)
		\$200.00		Parcel up to one acre, plus each additional acre or fraction thereof.
		\$350.00	\$180.00	EP-06 Long Environmental Assessment Form (LEAF).
		\$180.00		Traffic Review.
200.00	\$100.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.		
		Stormwater Pollution Prevention Plan (SWPPP), plus per acre or part thereof.		



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Land Use Application Planning Board 278 Cluster Treatment Instructions

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K. Planning Board – 278 Cluster Treatment – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	7 (11)	Application details provided in section 2 above. *(11) if submitted with Preliminary Subdivision.	
2	EP-06	Long Environmental Assessment Form (LEAF)	5 (9)	*(9) if submitted with Preliminary Subdivision.	
3		Clustered Preliminary Subdivision Map	7(23)	Folded sets, signed and sealed by a professional licensed in the state of New York, showing proposed plan. *(23) if submitted with Preliminary Subdivision.	
4		Radius Map	10	Show zoning, land use, existing conditions and within 500' of proposed project site.	
5		Preliminary Yield Map	17	Folded sets, showing all information on Preliminary Maps	
6		4"x4" Key Map	7	Certified copies prepared by a licensed professional engineer, surveyor, or architect	
7		Metes and Bounds Description	7	Detailed physical property description.	
8		Property Owners List	7	List of all property owners within 500' of subject parcel.	
9		Stormwater Pollution Prevention Plan (SWPPP)	1	Please contact Planning at 631-451-6400 for further instructions.	
10		Covenants and/or Restrictions	1	If applicable.	
11		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.	
12		Drainage review Fee	1	Please make check or money order payable to Town of Brookhaven.	
13		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	
14					
15					



3. Planning Division

3a. Change of Use

A Change of Use application is required when the commercial property will be used for a different purpose within the present zoning of the property. It is used for additions of 500 square feet or less, rehabilitations, revisions or changes (for example, a Barber Shop is changed to a Delicatessen).

You may request a change of use by applying to the Planning Division.

At the discretion of the Commissioner of Planning, the application may be referred to the Planning Board.

1. When do you need to file?

1a. Residential Property:

This application does not apply to residential properties.

1b. Commercial and Industrial Properties:

- When the use of the premises is changed from one permitted use to another within the same zoning district.
- When the exterior façade is changed such as siding, windows or location of doors.
- Minor additions to property, which do not exceed 500 square feet in area.

1. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	V
I(A)	General Application Data: Property Location	X		Provide detailed description change of use, improvements and reasoning thereof.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



Brookhaven

LONG ISLAND, NEW YORK

Planning Division Change of Use Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0113a rev 11/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Once approved by Planning Division, the permit duration is 2 years.

5. Permit Renewal:

Permit renewal extension of one year.

6. Additional Notes:

Paraphrased from the Code of the Town Of Brookhaven:

§ 85-45 (M). Site plan review and approval.

Change of use/expansion of use.

Requirements for additions, rehabilitations, revisions or changes:

- (a) For a proposed addition to an existing nonresidential building maximum 500 square feet or less or any change or alteration of use for a building or structure, (which may include an addition of up to 500 square feet), for which a site plan was required and/or is exempt from site plan review: The owner or tenant in possession shall give written notice of the proposed to the Commissioner of the Department of Planning, Environment and Development within 30 days.
Reinstatement of a discontinued permitted use on an improved site shall be deemed a change of use except where prior site plan approval was obtained.
- (b) For a proposed rehabilitation, revision or façade change of an existing commercial site, for which a site plan was required and/or is exempt from site plan review. The owner and/or tenant in possession, shall make application for a change of use for said facade improvements, in accordance and subject to the provisions of §85-45.

85-45(m) Site Plan review and approval – Amendment to Certificate of Occupancy (CO) required resulting from new construction authorized pursuant to this section, the certificate of occupancy shall be consistent with the re-designated use.



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Where modification(s) and/or remodeling to an existing site or building(s) is authorized, the existing certificate of occupancy (or functional equivalent) shall be amended consistent with the re-designated use.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
3a	Change of Use	\$250.00		Application.



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

Land Use Application Planning Division Change of Use Instructions

Planning, Environment and Land Management

One Independence Hill, Farmingville, NY 11738

(631) 451-6455 Fax: (631) 451-6459

PL-0113a rev 11/08

3a. Planning Division –

Change of Use – Application Requirements Checklist

Item	Form	Document	Copies	Comments	✓
1	PL-01	Land Use Application	1	1 original. Application details provided in section 2 above.	
2		Survey	1	Current site plan or survey.	
3		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.).	1	Please provide certificate(s) for all structures on site.	
4		Deed and/or deed covenants and restrictions or easements affecting subject property.	1		
5		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.	
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					



Brookhaven

LONG ISLAND, NEW YORK

Planning Division Fire/Ambulance Etc Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0113b rev 8/08

3. Planning Division 3b. Fire/Ambulance Etc.

1. When do you need to file?

1a. Residential Property:

Does not apply to residential properties.

1b. Commercial and Industrial Properties:

Applies to Fire or Ambulance District properties within Town of Brookhaven

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Describe scope of work to be performed.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer	X		Signature required, if removal of excess materials.	
I(E)	General Application Data: Attorney/Agent	X			
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit		X		
IV(B)	Special Use Permits & Variances: Variances		X		
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant		X		
V	Subdivision/Land Division				



TOWN OF
Brookhaven
LONG ISLAND, NEW YORK

**Planning Division
Fire/Ambulance Etc
Instructions**

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3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(81)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(83)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.	X		See number of copies required below for application package.	
III(813)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.		X	Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

To be determined by application.

5. Permit Renewal:

To be determined by application.

6. Additional Notes:

None.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
3b	Fire/Ambulance	\$0.00		Fees waived.



TOWN OF

Brookhaven

LONG ISLAND, NEW YORK

**Land Use Application
Planning Division
Fire/Ambulance Etc
Instructions**

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0113b rev 8/08

**3b. Planning Division –
Fire/Ambulance Etc. – Application Requirements Checklist**

Item	Form	Document	Copies	Comments
1	PL-01	Land Use Application	3	3 copies. Application details provided in section 2 above.
2		Declaration of Covenants	3	Please provide original Declaration of Covenants.
3		Metes and Bounds Description	3	Detailed physical property description.
4		Survey	3	Survey signed and sealed by a professional licensed in the State of New York.
5		Town of Brookhaven Assessors – Certified Tax Map Excerpt	3	3 copies.
6		Town of Brookhaven Zoning Map	4	For ease of handling, please provide folded maps.
7		Property Owners List	3	List of all property owners within 500' of subject parcel.
8		Property Owner Notice	2	Copy of notice sent to all property owners within 500' of subject parcel.
9		Return Receipt Cards	1	Return receipt cards from Property Owner Notices sent.
10		Applicant Sworn Statement	2	A sworn statement duly notarized from the applicant that states the Property Owner Notice cards have been sent to all property owners within 500' of subject parcel.
11	EP-06	Long Environmental Assessment Form (LEAF)	8	One (1) original, 7 copies.
12		Title Report	3	Include ownership verification and deed restrictions.
13		Conceptual Site Plan	3	Signed and sealed by a professional licensed in the State of New York showing the proposed development.
14		Certificate of Occupancy (C.O.), Certificate of Existing Use (C.E.U.), Certificate of Zoning Compliance (C.Z.C.)	1	Please provide certificate(s) for all structures on site.
15		Deed and/or deed covenants and restrictions or easements affecting subject property	3	No older than 3 months and each page signed and notarized by the preparer.
16		Filing fees in accordance with fee schedules	1	Please make check or money order payable to Town of Brookhaven.



3. Planning Division 3c. Test Hole

The purpose of the Test Hole permit from the Town of Brookhaven is to minimize the disturbance (ie tree clearing, excavation) of the surrounding area in the process of securing boring samples.

Test Hole or "borings" come in two main varieties: large-diameter and small-diameter. Large-diameter borings are rarely used due to safety concerns and expense, but are sometimes used to allow a geologist or engineer to visually and manually examine the soil and rock stratigraphy in-situ. Small-diameter borings are frequently used to allow a geologist or engineer examine soil or rock cuttings from the drilling operation, to retrieve soil samples at depth, and to perform in-place soil tests. Soil samples are obtained in either "disturbed" or "undisturbed" condition; however, "undisturbed" samples are not truly undisturbed. A disturbed sample is one in which the structure of the soil has been changed sufficiently that tests of structural properties of the soil will not be representative of in-situ conditions, and only properties of the soil grains can be accurately determined. An undisturbed sample is one where the condition of the soil in the sample is close enough to the conditions of the soil in-situ to allow tests of structural properties of the soil to be used to approximate the properties of the soil in-situ.

1. When do you need to file?

1a. Residential Property:

Any boring required as part of securing Suffolk County Health Department Permit. Subdivisions must have a preliminary approval.

1b. Commercial and Industrial Properties:

Any boring required as part of securing Suffolk County Health Department Permit. Subdivisions must have a preliminary approval.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Please detail the scope of boring equipment used.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
I(D)	General Application Data: Plan Preparer		X		
I(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.			See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Permit duration is one (1) to five (5) years depending on scope of project.

5. Permit Renewal:

A maximum of two renewals is permitted.

6. Additional Notes:

Paraphrased from Code of the Town Of Brookhaven: § Chapter 70-4(3)

Application must be accompanied by a one-inch-equals-two-hundred-foot scale topographical map of the site and a one-inch-equals-two-hundred-foot scale aerial photograph. The application is for approval to construct test holes for soil analyses and groundwater monitoring, the applicant shall provide a map from the Suffolk County Department of Health Services indicating its approved test hole and well sites. The topographical map and the aerial photograph must show the boundaries of the site and the extent of clearing needed for the surveying and soil investigation activities.

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.



3. Planning Division

3d. Tree Clearing

For planning purposes, a tree is defined as any living, perennial woody plant, its branches, its root system and its trunk, is greater than 3 inches in diameter measuring three feet from the ground level, and six feet in height measured from ground level.

1. When do you need to file?

1a. Residential Property:

When the residential property is two acres or more in area, including the total area of contiguous properties by the same owner.

1b. Commercial and Industrial Properties:

Commercial and industrial properties will not use a Tree Clearing (3d) application. Any tree clearing activity on commercial and industrial properties follow the Site Plan (2i) application instructions and Building Permit process.

2. Sections in the PL-01 Land Use Application:

Req – Required to be completed. **Opt** – Optional for this application type.

X – To be completed for this application type. **"Blank"** – Skip the section.

Section	Land Use Application Section	Req	Opt	Comments	✓
I(A)	General Application Data: Property Location	X		Please detail the scope of work proposed.	
I(B)	General Application Data: Owner/Entity Consent	X		Signature required, notary required.	
I(C)	General Application Data: Applicant/Contract Vendee/Lessee	X			
II(D)	General Application Data: Plan Preparer		X		
II(E)	General Application Data: Attorney/Agent		X		
I(F)	Excess Materials		X	Signature required, if removal of excess materials.	
II(A)	Board of Ethics Transactional Disclosure:	X		Signature required, notary required.	
III(A)	Project Data: Is the Property	X			
III(B)	Project Data: Project Background	X			
IV(A)	Special Use Permits & Variances: Special Permit				
IV(B)	Special Use Permits & Variances: Variances				
IV(C)	Special Use Permits & Variances: Amendment to Restrictive Covenant				
V	Subdivision/Land Division				



Brookhaven

LONG ISLAND, NEW YORK

Planning Division Tree Clearing Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0113d rev 8/08

3. Supporting Documentation for Application:

Question	Supporting Documentation for Application	Req	Opt	Comments	✓
III(B1)	Covenants and/or restrictions If you answered "Yes", please <u>attach with the application</u> a copy of covenants certified by the Suffolk County Clerk.	X		See number of copies required below for application package.	
III(B3)	Structures or Signs If you answered "Yes", please <u>attach with the application</u> copies of any Certificates of Occupancy, Certificates of Existing Use and/or Certificates of Zoning Compliance for all of the existing structures.			See number of copies required below for application package.	
III(B13)	Stormwater Pollution Prevention Plan If you answered "Yes", please <u>attach with the application</u> a copy of the Stormwater Pollution Plan.			Please contact Planning at 631-451-6400 for further instructions.	

4. Permit Duration:

Permit duration is one (1) to five (5) years depending on scope of project.

5. Permit Renewal:

To be determined, a maximum of two renewals are permitted.

6. Additional Notes:

- If the property is located in the New York State designated Central Pine Barrens area and was purchased in 1993 or later, a jurisdictional Letter may be required from the Pine Barrens Commission. The Division of Environmental Protection will make the determination.
- Upon preliminary application review by an analyst, additional documentation may be required to understand scope and impact of project.

Paraphrased from the Code of the Town of Brookhaven: **[Chapter §70-6]**

In reviewing the application, the Planning Board shall take into account the following considerations:

- (1) The location and size of the tree or trees to be removed.
- (2) The condition of the trees with respect to disease and potential for creating hazardous conditions.
- (3) The proximity of the trees to existing or proposed structures and utility appurtenances.
- (4) The necessity of the removal for the proposed project.
- (5) The environmental effect of the removal.
- (6) Any of the considerations enumerated in the legislative intent of this chapter.



Brookhaven

LONG ISLAND, NEW YORK

Planning Division Tree Clearing Instructions

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-0113d rev 8/08

7. Documents to include with the Land Use Application.

The application checklist on the following page is designed to guide the applicant and ensure that the correct numbers of copies of all required documents are included in the application package. Only a complete application package, with the correct quantities of all required documents, will be accepted.

- The **Form** number provided refers to a form on the [Licenses, Permits & Applications](#) page of the Town website. It can be printed or downloaded from the site.
- The **Document** name or type to be provided with the application package.
- The number of **Copies** to provide with the application package. Please note that some documents require one original with the copied set. Please see comments.
- Comments** are provided to give additional tips in preparing the application package.

App #	Application Fees	Req Fee	Add'l Fee	Description
3d	Tree Clearing	\$300.00 \$200.00		Application. EP-06 Long Environmental Assessment Form (LEAF).



Brookhaven

LONG ISLAND, NEW YORK

for Land Use Application

Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

PL-41 rev 808

Land Use Application and Review Fee Schedule

Instructions:

- Below is the schedule of basic fees for each Land Use Application "package". In the tables below, the application number (**App #**) on the leftmost column refers to the application type filed with the Town of Brookhaven.
- Additional fees may be charged in connection with the Land Use application, which is determined upon application review.
- Method of payment can only be made by check or money order. Please make checks payable to the "**Town of Brookhaven**".
- For each application and review fees under each application "package" requires a separate check.
- Applications will not be accepted without proper fees.

1. Town Board

App #	Application Type	Req Fee	Add'l Fee	Description
1a	Amendment of Restrictive Covenant	\$500.00	\$100.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).
		\$200.00		
1b	Change of Zone	\$1,500.00	\$150.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).
		\$200.00		
1c	Planned Development District (PDD)	\$2000.00	\$200.00	Parcel up to 10 acres, plus each additional acre or fraction thereof.
1d	Special Use Permit	\$600.00	\$100.00	Parcel up to one acre, plus each additional acre or fraction thereof.
			\$600.00	Place of amusement permit.
			\$300.00	Single-family residence in a business zone.
		\$200.00		EP-06 Long Environmental Assessment Form (LEAF).

2. Planning Board

App #	Application Type	Req Fee	Add'l Fee	Description
2a	Amend Restricted Covenant	\$200.00	\$500.00	Application (lot in conformance).
				Application (lot <u>not</u> in conformance).
2b	Final Subdivision	\$500.00	\$200.00	Parcel up to one acre, plus each additional acre or fraction thereof.
		\$150.00	\$150.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.
		\$200.00		Stormwater Pollution Prevention Plan (SWPPP), plus
			\$100.00	per acre or part thereof.



Brookhaven

LONG ISLAND, NEW YORK

FOR LAND USE APPLICATION

Planning, Environment and Land Management

One Independence Hill, Farmingville, NY 11738

(631) 451-6455 Fax: (631) 451-6459

PL-41 rev 808

App #	Application Type	Req Fee	Add'l Fee	Description
2c	Land Division	\$300.00 \$200.00	\$200.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF).
2d	Planning Board Variance	\$500.00 \$200.00		Commercial application. Residential application.
2e	Preliminary Final Subdivision	\$250.00	\$250.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.
2f	Preliminary Subdivision	\$500.00 \$200.00 \$350.00 \$150.00	\$200.00 \$150.00 \$1100.00	Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF). Traffic Review.* Drainage Review up to one acre, plus each additional acre or fraction thereof. *Traffic study may be required if deemed necessary.
2g	Road Improvement/ Resubdivision	\$400.00 \$350.00 \$200.00	\$3.00	Application, plus per linear foot of road to be improved. Traffic Review. EP-06 Long Environmental Assessment Form (LEAF).
2h	Single Family Residence	\$200.00 \$100.00	\$50.00 \$50.00 \$100.00 \$100.00	Application for Preliminary Review (to obtain Building Permit) Revise a Preliminary Review . Final Inspection/Review (to obtain Certificate of Occupancy (CO)) . Revise a Final Inspection/Review . Re-inspection on Final Review . Renewal within 6 months of expiration of original approval.
2i	Site Plan/Amended Site Plan	\$500.00 \$200.00 \$350.00 \$200.00 200.00 \$500.00	\$500.00 \$200.00 \$100.00 \$300.00 \$75.00	Site Plan: Parcel up to one acre, plus each additional acre or fraction thereof. EP-06 Long Environmental Assessment Form (LEAF). Traffic Review. Drainage Review up to one acre, plus each additional acre or fraction thereof. Stormwater Pollution Prevention Plan (SWPPP), plus per acre or part thereof. Amended Site Plan: Parcel up to one acre, plus up to two acres, and each additional acre or fraction thereof.
2j	Special Use Permit	\$800.00	\$400.00	Application. Renewal of application.



Brookhaven

LONG ISLAND, NEW YORK

Form of Land Use Application

Planning, Environment and Land Management
 One Independence Hill, Farmingville, NY 11738
 (631) 451-6455 Fax: (631) 451-6459

PL-41 rev 808

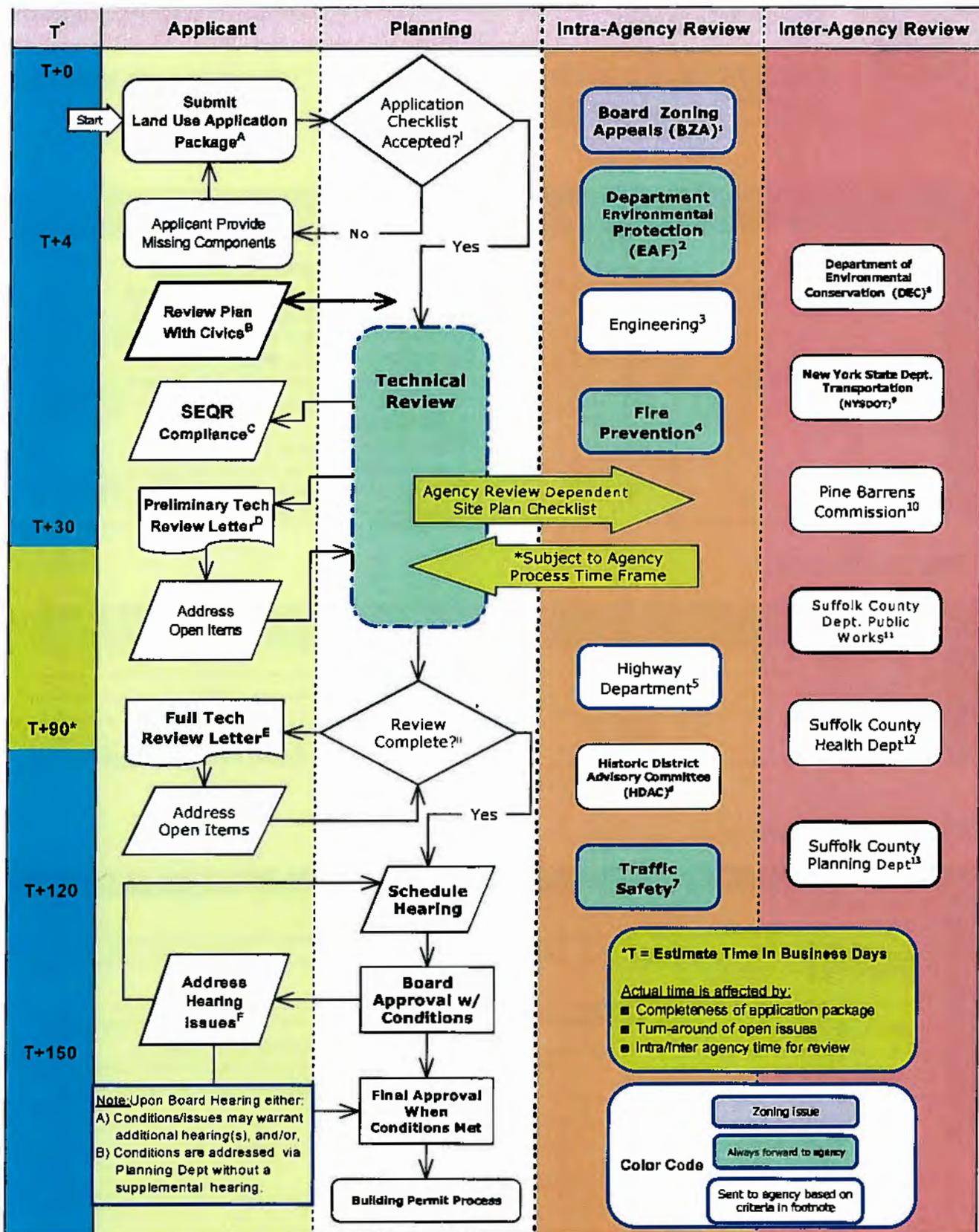
App #	Application Type	Req Fee	Add'l Fee	Description
2k	278 Cluster Treatment	\$0.00		No Application fee
		\$80.00	\$80.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.
		\$500.00	\$500.00	Preliminary with Cluster Treatment: (Application packages submitted together) Parcel up to one acre, plus each additional acre or fraction thereof.
		\$200.00		EP-06 Long Environmental Assessment Form (LEAF).
		\$350.00		Traffic Review.
		\$180.00	\$180.00	Drainage Review up to one acre, plus each additional acre or fraction thereof.
		200.00		Stormwater Pollution Prevention Plan (SWPPP), plus per acre or part thereof.
			\$100.00	

3. Planning Division

App #	Application Type	Req Fee	Add'l Fee	Description
3a	Change of Use	\$250.00		Application.
3b	Fire/Ambulance	\$0.00		Fees waived.
3c	Test Hole	\$300.00		Application.
3d	Tree Clearing	\$300.00		Application.
		\$200.00		EP-06 Long Environmental Assessment Form (LEAF).

4. Miscellaneous Fees

#	Fee Type	Fee	Description/Comments
	As-built Foundation Inspection	\$100.00	
	Change of Use Review	\$250.00	
	Planning Division Research fee	\$25.00	
	Preconstruction fee	Triple applicable fees.	Commencement of any construction/clearing activity without first securing proper permits.
	Re-vegetation Plan Review	\$500.00	In lieu of a covenant application before Planning Board. For applicants re-vegetating back to required limit.



	Application	Comments
A	Application Package	Use the application package checklist provided within the Land Use Application instructions for the specific application type to ensure that all components are included.
B	Review Plan with Civics	It is strongly advised to provide the application package to the Town first before approaching civic organizations. The Town can provide background and other related information in preparation for the meetings.
C	SEQR Compliance	At preliminary review and following Board recommendations, State Environmental Quality Review (SEQR) compliance issues may result that need to be addressed before final approval may be granted.
D	Preliminary Tech Review Letter	A letter is provided to the applicant after a preliminary technical review of the application. It outlines open issues and next steps of the process. This allows the applicant to address preliminary issues and receive status of the application.
E	Full Technical Review Letter	A letter is provided to the applicant after a full technical review has been reached. This includes agencies that have responded to the review and consolidate comments and issues. Significant outstanding issues must be addressed before a board meeting can be scheduled.
F	Address Hearing Issues	Upon approval by the board, issues may result which the applicant will need to address before final approval can be granted. Once final approval, the applicant may apply for the building permit.
Footnote	Planning	Application Reviewed:
i	Application Accepted	The application is accepted when all basic items have been provided in the application checklist, and is ready to be reviewed by a planning analyst.
ii	Application Completed	The application is completed when the analyst: a) has reviewed the application, b) received comments from relevant agencies, c) major issues identified and addressed, and d) hearing can be scheduled.
Footnote	Agency	Application Reviewed:
1	BZA	Early in the review process, if the property does not meet current zoning requirements, the application will be forward to the Board of Zoning Appeals. Once approved, the application will continue through the Planning Board process.
2	DEP	Always: Potential environmental impact.
3	Engineering	If property: a) Falls within storm water pollution prevention plan (SWPPP) guidelines, b) Drainage review.
4	Fire Prevention	Always: Application meets fire prevention guidelines
5	Highway Department	If property: a) On a town road, b) Requires curbing, apron, sidewalks.
6	HDAC	If property: a) Located within a Historic District.
7	Traffic Safety	Always: Review traffic impact, ingress and egress.
8	NYSDEC	If property: Requires tidal wetlands review.
9	NYSDOT	If property: a) Falls within 500' of state road.
10	Pine Barrens Commission	If property: a) Located within the Pine Barrens region.
11	SC Dept. Public Works	If property: a) Falls within 500' of a county road.
12	SC Health Dept.	Always: Review sanitary and waste treatment systems.
13	SC Planning Dept.	If property: a) Falls within 500' of county road, b) Parklands,



General Instructions for the Land Use Application

Reminders

Please complete all items within the application based on the type of permit being requested. Any missing or incomplete information will delay processing of the application.

The electronic PDF package also contains instructions for the specific permit being applied for. Please be sure to read through the instructions for additional information.

Please include the supporting documentation and number of copies as needed, based on the type of action being requested.

Additional Information

Town of Brookhaven website: www.brookhaven.org. Click on the Planning link.

Some instructions will refer to Town code. You may click on the hyperlink provided: [Code of the Town of Brookhaven](#) and type in the section referred to in the instructions on the codebook search line. For example, type: **85-31.3** to get to the section of Town code on Special Use Permits.

Where can you get help?

For questions and additional help, you may contact Planning, Environment & Land Management (PELM) at (631) 451-6400, or visit PELM on the first floor of Brookhaven Town Hall, One Independence Hill, Farmingville, NY 11738.

General Instructions

How to use Instructions

There are three parts to the instruction package:

a) General Instructions:

Provides direction on how to complete each section of the Land Use Application.

b) Application Request Type Instructions (see below): Provides specific information and application checklist for the type of application filed.

c) Fee Schedule:

Provides the chart of fees for applications and review.

Who must file?

Applicants who are filing for one of the following permit types will need to complete the Land Use Application. This form must be included with the overall application package submitted to the Town. Certain permits pertain to residential, commercial/industrial or both.

To be sure, please read the specific section of the instructions pertaining to the type of application to be applied for.

Application Request Type

1. Town Board

- a. Amendment of Restrictive Covenant
- b. Change of Zone
- c. Planned Development District (PDD)
- d. Special Use Permit

2. Planning Board

- a. Amend Restrictive Covenant
- b. Final Subdivision
- c. Land Division
- d. Planning Board Variance
- e. Preliminary Final Subdivision
- f. Preliminary Subdivision
- g. Road Improvement/Resubdivision
- h. Single Family Residence
- i. Site Plan/Amended Site Plan
- j. Special Use Permit
- k. 278 Cluster Treatment

3. Planning Division

- a. Change of Use
- b. Fire/Ambulance, Etc.
- c. Test Hole
- d. Tree Clearing



Planning, Environment and Land Management

One Independence Hill, Farmingville, NY 11738

(631) 451-6455 Fax: (631) 451-6459

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Where to File?

The Land Use Application filed with the Town Board (1 above) is submitted to the Town Clerk's office located at Brookhaven Town Hall, right off the north side of the main lobby.

The Land Use Application filed with the Planning Board or Planning Division (2,3 above) is submitted to the Planning Department office located at Brookhaven Town Hall on the first floor on the south side of the building.

Note: It is recommended the application package is submitted in person so it can be reviewed for completeness.

Additional Notes

When the application is submitted to a Town representative, the forms, supporting documentation and fees "package" will be checked per the Application Checklist for the request type. **The application package will be accepted only if complete.** Partial application packages will be returned to the applicant.

A detailed review of the application will be performed within fourteen (14) business days to certify all information has been fully completed and is accurate. The application is then considered **complete** and ready for the detailed examination and project review cycle by a review analyst.

If items are missing or incomplete, a letter will be sent to the applicant. To avoid delays, complete all items and submit supporting documents with the application.

Definitions

Terms most commonly referred to in the instruction set are provided in a "Glossary of Terms for Building, Planning." The document is located on the Planning page of the Town of Brookhaven website.

Instructions

The Land Use Application can be entered, saved and printed electronically using the Adobe Reader® v.7 or

higher. The reader is available free by going to the Adobe® website.

Tip: To save time, you may also cut and paste from a Microsoft Word® document or some other word processing programs into the electronic form.

Page 1 - Application Request

Page 1 of the application is used to determine the type of permit being requested.

1. Please check the appropriate application request. If you need a further description of each application type, please go to the section of the instruction package that pertains to the specific area.
2. **Case Number** - Reserved for Town use.
3. **Application Date** - Reserved for Town use.

Print Form – Selecting the button allows you to directly print the application form.

Page 2 - General Application Data Property Location

This section provides general information about the property and scope of project.

1. **Suffolk County Tax Map (SCTM) Number** – This number is the identifier of the parcel. Enter the District, Section, Block and Lot number of the property. Example: 0200 111.00 02.00 033.001.
2. **Name of Application** - The name the project will be known as. For example: "Carl's & Frank's Bike Shop" or "The Johnson Residence."
3. Describe the exact location details of the property. Example: **Located at #:** 23, on the **North side of Lakeside Drive, Distance** 220 feet **West of Church Lane.**
4. Enter the **Hamlet, Post Office, Ambulance District, School District, and Fire District** from the drop-down menus on the form.



Planning, Environment and Land Management

One Independence Hill, Farmingville, NY 11738

(631) 451-6455 Fax: (631) 451-6459

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5. **Acreage/Liner Feet of Site** – Enter the total size of the parcel or contiguous parcels of the project.
6. **Acreage/Linear Feet of Disturbed Area** - Enter the amount of project area that will be disturbed. Example: The total size of the property is 1 acre; the amount of disturbed area is 0.3 acre.
7. **Present Zoning/Use of Site** – Enter the present zoning of the parcel.
8. **Proposed Zoning/Use of Site** - Enter the proposed zoning or use of site. If there is no change, enter the same zoning as the present zoning/use of site.
9. **Name of Subdivision** – Enter the name of the subdivision the parcel is part of. For example: "Pine Lake Farms".
9. **Subdivision Lot Number** – Enter the lot number of the subdivision.
10. **Date Property Acquired** – Enter the date the property was purchase or acquired by the present owner.
11. **Yes/No** - Does the property in question conform to the lot area requirement? In other words, does the parcel size meet the current zoning requirement?
12. **Scope of Work Proposed** – Describe in much detail the nature of the proposed work or project. Please include such items as dimensions, lighting, parking, drainage, and landscaping, grade, and overall features of the project.

Page 3 – Owner/Entity Consent

This section allows employees and representatives of the Town of Brookhaven to enter the premises and inspect the property in conjunction with the application. Please complete all fields and have the document notarized.

Note: The application will not be accepted unless completed and notarized.

Page 4 – Project Contact Information

This section provides the contact information of the parties involved with the project.

C. Applicant/Contract Vendee/Lessee - Provide the contact information for the applicant, contractor or lessee of the property. If you are the owner of the property and acting as the contractor for the project, state "Same as Owner" in the name field.

D. Plan Preparer - If you are using a plans preparation service, architect, surveyor, or engineering firm, please provide the contact information.

E. Attorney/Agent – If an attorney or agent is used in the preparation or project implementation, please provide the contact information.

F. Excess Materials - If excess material is to be removed from the site, provide the estimated quantity and certification by the engineer.

Page 5 – Board of Ethics Transactional Disclosure

This section identifies any potential conflict of interest in proposing and carrying out the project.

A. Applicant – Please complete the applicant's contact information.

Please read and answer the ethics question in the application.

B. If you checked "Yes", please provide more detail by completing the section.

Note: The application will not be accepted unless completed and notarized.



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
(631) 451-6455 Fax: (631) 451-6459

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Page 6 - III. Project Data

This section elicits more detail regarding the surrounding property area and project characteristics/background.

A. Is the Property Location Within:

1. 500' of the boundary of any village or town? Example boundaries include adjacent towns such as (Islip, Riverhead, Smithtown) or villages such as Port Jefferson, Patchogue.
2. 500' of any existing or proposed County or State Parkway, Thruway, Expressway, or highway? Examples include county routes (CR), state routes (SR), interstate (495).
3. 500' of any existing or proposed boundary of any County, State or Federal owned land? Examples include county, state parklands, watershed or other identified properties.
4. 500' of any existing or proposed place of assembly? This includes places such as schools, parks, churches, etc.
5. 150' of any freshwater wetland system? Includes surface water or vegetated wetlands, marshes, or bogs.
6. 100' of any tidal wetlands? Marsh grass or planned community known as wetlands.
7. A designated Historic District or Historic Transition Zone? These areas of historical significance established by the Town Board.

B. Project Background

1. Are there any existing covenants or restrictions affecting the premises for which the approval is sought? If **Yes**, please attach a copy certified by the Suffolk County Clerk.
2. Are there covenants or conditions being offered which would affect the use or development of this property?

Examples include expanded natural buffer areas, areas dedicated for recreational use, etc.

3. Is the property improved with any structures or signs? If **Yes**, attach a copy of any Certificate of Occupancy(s), Certificates of Existing Use(s), and/or Certificate of Zoning Compliance(s) for all of the existing structures and/or signs.
4. Is the property located within the New York State Hydrogeologic Sensitive Zone? A hydrogeologic sensitive zone was established to identify aquifers sensitive to drinking water (well) supply. This map can be found on the map located on the [Town of Brookhaven Planning Page](#) of the Town of Brookhaven website.
5. Is the property located within the New York State designated Central Pine Barrens area? Mapped areas established by the Pine Barrens Commission.
6. Are any Pine Barrens Credits being purchased? For more information, go to [Pine Barrens Credit Program](#).
7. Does the owner/applicant own or have any interest in any contiguous property? If **Yes**, list the SCTM numbers adjacent/contiguous to the subject property.
8. Have you applied for Health Department approval for sanitary waste for the proposed use? Indicate whether permit has been applied for from the Suffolk County Health Department.
9. Do any Special Districts or utilities service the site? If **Yes**, please explain below. Example sewer district, lighting district or other special district.
10. Will there be any use, manufacture, or disposal of any hazardous materials, and/or ground water resources be utilized in any other way other than for normal potable consumption, and/or any air, noise or light emissions occur. If **Yes**, please explain below:
11. Is the property located on an improved road? Established road with subsurface and surface material added such as gravel, asphalt.
12. Is the road Town maintained? Indicate whether the Town of Brookhaven maintains the road.



Planning, Environment and Land Management
One Independence Hill, Farmingville, NY 11738
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13. Does the proposed property disturb more than one acre of land? If **Yes**, please prepare a Stormwater Pollution Prevention Plan.

Page 7 – IV. Special Use Permits & Variances

A1. Special Permit

Town Board

The Town Board hears certain applications for special use permits. For details, please see the Code of the Town of Brookhaven, Land Use Legislation, §85-31.3 Special Use Permits

Please describe in detail the nature and reason for the request in the space provided.

B1. Variances

Town Board

A variance is requested when the use of the property does not meet the use of the zoning requirements as defined in Chapter 85 of the Code of the Town of Brookhaven. For specific information, please see §85-31.4. Variances.

Please describe in detail the nature and reason for the request in the space provided.

2. Variances Requested

Please check the type of variance(s) requested and specify the dimensions proposed.

Page 8 - Restrictive Covenant & Subdivision/Land Division

C1. Amendment to a Restrictive Covenant

You can request an amendment to a restrictive covenant by applying to the Board that established the covenants, whether it is the Town Board, Planning Board, or Zoning Board of Appeals.

In this section, please describe the existing covenant for which relief is sought, and provide a detailed description of the requested relief and reason for the requested relief.

V. Subdivision/Land Division

A1. Complete for all subdivisions/land divisions/road improvements

Please list the deeds for all lots recorded in the Suffolk County Clerk's office. Please include the date, liber and page number.

Please answer questions A2 through A5 in this section.

Reset Form button – The reset form button will clear all fields in the application.



Brookhaven

Long Island, New York

Land Use Application

Division of Planning, Environment and
Land Management

One Independence Hill, Farmingville, NY 11738
(631)-451-6400 Fax: (631)451-6419

Form PL-01 rev C 7/08

Page 1 of 8

Please check the appropriate application request:

1. TOWN BOARD:

- 1a. AMENDMENT OF RESTRICTIVE COVENANT
- 1b. CHANGE OF ZONE
- 1c. INTERPRETATION OF TOWN CODE
- 1d. PLANNED DEVELOPMENT DISTRICT (PDD)
- 1e. SPECIAL USE PERMIT

Case Number:

Application Date:

Town Use Only

2. PLANNING BOARD:

- 2a. AMEND RESTRICTIVE COVENANT - (Relief of Covenant)
- 2b. FINAL SUBDIVISION - FS
- 2c. LAND DIVISION - LD
- 2d. PLANNING BOARD VARIANCE - PV
- 2e. PRELIMINARY FINAL SUBDIVISION - PF
- 2f. PRELIMINARY SUBDIVISION - PS
- 2g. ROAD IMPROVEMENT/RESUBDIVISION - RI
- 2h. SINGLE FAMILY RESIDENCE - PB
- 2i. SITE PLAN/AMENDED SITE PLAN - SP
- 2j. SPECIAL USE PERMIT - UP
- 2k. 278 CLUSTER TREATMENT (Submitted w/PS, FS, PF, LD or RI)

Application is hereby made to
the Town of Brookhaven for
the application type
requested.

By application submittal, the
applicant does hereby
authorize employees or
agents of the Town of
Brookhaven to enter and
inspect the project site as
necessary in conjunction with
this application.

3. PLANNING DIVISION:

- 3a. CHANGE OF USE - CU
- 3b. FIRE/AMBULANCE, ETC. -
- 3c. TEST HOLE - TH
- 3d. TREE CLEARING - TC



I. GENERAL APPLICATION DATA:

A. PROPERTY LOCATION:

Suffolk County Tax Map (SCTM) number(s): _____

Name of Application: _____

Located at #: _____, on the N E S W side of: _____

Distance: _____, N E S W of: _____

Hamlet: _____

Post Office: _____

Ambulance District: _____

School District: _____

Fire District: _____

Property Size: _____ Acre Sq. Ft.

Total Area Disturbed on Property _____ Acre Sq. Ft.

Present Zoning/Use of Site _____

Proposed Zoning/Use of Site _____

Name of Subdivision: _____

Subdivision Lot Number: _____

Yes No Does the property in question conform to the lot area requirement?

Scope of Proposed Work:

Large empty rectangular box for describing the scope of proposed work.



Brookhaven

Long Island, New York

Land Use Application

Form PL-01 rev C 7/08

Page 3 of 8

B. OWNER/ENTITY CONSENT: *(separate sheets may be used for multiple owners)*

Be advised that I am the owner of record of the property referenced herein and hereby consent to this application. This acknowledges that this is not an application for final approval pursuant to Section 276 of the Town Law and waives all time limitation except as provided in the Subdivision Regulations in the Town of Brookhaven. By this application, the owner does hereby authorize employees or agents of the Town of Brookhaven, in conjunction with this application, to enter and inspect the project site as necessary.

Owner/Entity Name: _____

Firm Name: _____

Address: _____ Tel#: _____

Hamlet: _____ State: _____ Zip: _____ Alt Tel#: _____

E-mail: _____ Fax#: _____

If corporation, name of responsible officer: _____ Title _____

IN WITNESS WHEREOF I have hereto set my hand onto this _____ day of _____, _____

Sign By Owner/Officer

STATE OF NEW YORK)
) ss:
 COUNTY OF SUFFOLK)
 On the _____ day of _____ in the year _____ before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individuals(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public



C. APPLICANT/CONTRACT VENDEE/LESSEE

(If same as owner, state in name field below)

Name: _____ Address: _____

Firm Name: _____

City: _____ State: _____ Zip: _____ Tel#: _____

E-mail: _____ Fax#: _____

D. PLAN PREPARER

Firm Name: _____

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Tel#: _____

E-mail: _____ Fax#: _____

Removal Of Excess Materials

Engineers Certification:

The site plan or subdivision submitted to the Board depicts an excess of cubic yards, proposed to be removed from the premises.

Name: _____ Phone Number: _____

E-mail: _____ License Number: _____

Signature: _____ Date: _____

E. ATTORNEY/AGENT (If applicable):

Firm Name: _____

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Tel#: _____



II. BOARD OF ETHICS TRANSACTIONAL DISCLOSURE:

Case Number: _____

A. APPLICANT

Application Date: _____

Name: _____ Address: _____

City: _____ State: _____ Zip: _____ Tel#: _____

E-Mail _____ Fax#: _____

Does any officer of the State of New York, officer or employee of the Town of Brookhaven, officer or employee of Suffolk County, officer of a political party in Suffolk County or his or her spouse, brother, sister, parent, child, grandchild, or the spouse of any of them have an interest in this application by virtue of being the actual applicant, or, by virtue of having an interest in the corporation, partnership, or association making such application?

Yes No

B. If you checked "Yes" above, please complete the following section below:

Interested Party and Nature of Interest:

Name: _____ Address: _____

City: _____ State: _____ Zip: _____

Title: _____ Department: _____

Relationship to Public Officer/Employee and Title if other than Self: _____

Yes No 1. Is the owner of greater than five percent (5%) of the corporate stock of the application when the applicant is a corporation whose stock is listed on the New York or American Stock Exchanges,

Yes No 2. The actual applicant,

Yes No 3. An Officer, Director, Partner, or Employee of the applicant, or ,

Yes No 4. Legally or beneficially owns or controls any stock of a non-publicly traded corporate applicant or is a member of a partnership or association of the applicant.

Print Name: _____

Signature: _____

On the ____ day of _____, in the year _____, before me, the undersigned, a Notary Public in and for said State, appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their/ capacity(ies), and they by his/her/their signature(s), on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.



III. PROJECT DATA:

A. IS THE PROPERTY LOCATION WITHIN:

- Yes No 1. 500' of the boundary of any village or town?
- Yes No 2. 500' of any existing or proposed County or State Parkway, Thruway, Expressway or highway?
- Yes No 3. 500' of any existing or proposed boundary of any County, State or Federal owned land?
- Yes No 4. 500' of any existing or proposed place of public assembly?
- Yes No 5. 150' of any freshwater wetland system?
- Yes No 6. 100' of any tidal wetlands?
- Yes No 7. A designated Historic District or Historic District Transition Zone?

B. PROJECT BACKGROUND:

- Yes No 1. Are there any existing covenants or restrictions affecting the premises for which the approval is sought?
If **Yes**, please attach a copy certified by the Suffolk County Clerk.
- Yes No 2. Are there covenants or conditions being offered which would affect the use or development of this property?
- Yes No 3. Is the property improved with any structures or signs? If **Yes**, attach a copy of any Certificate of Occupancy(s), Certificates of Existing Use(s), and/or Certificate of Zoning Compliance(s) for all of the existing structures and/or signs.
- Yes No 4. Is the property located within the New York State Hydrogeologic Sensitive Zone?
- Yes No 5. Is the property located within the New York State designated Central Pine Barrens area?
- Yes No 6. Is there any Pine Barrens Credits being purchased?
- Yes NO 7. Does the owner/applicant own or have any interest in any contiguous property?
If **Yes**, list the SCTM numbers below:

[Empty box for SCTM numbers]

- Yes No 8. Have you applied for Health Department approval for sanitary waste for the proposed use?
- Yes No 9. Do any Special Districts or utilities service the site?
If **Yes**, please explain below:

[Empty box for utility explanation]

- Yes No 10. Will there be any use, manufacture, or disposal of any hazardous materials, and/or ground water resources be utilized in any other way other than for normal potable consumption, and/or any air, noise or light emissions occur. If **Yes**, please explain below:

[Empty box for hazardous materials explanation]

- Yes No 11. Is the property located on an improved road?
- Yes No 12. Is the road Town maintained?



IV. SPECIAL USE PERMITS & VARIANCES:

A1. If the proposed project requires a **Special Permit**, please **check** the appropriate **Board** and describe the Special Permit request in the space below:

- Town Board
- Planning Board
- Zoning Board of Appeals

B1. If the proposed project requires **Variations**, please **check** the appropriate **Board**, state the nature of the request and the reason in the space below:

- Town Board
- Planning Board
- Zoning Board of Appeals

2. VARIANCES REQUESTED: Please check the type of variance request and specify the size proposed:

[Note: Upon application review, additional variance request(s) may be added by Town Application Examiners.]

<input type="checkbox"/> Lot Area <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Lot Width <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Front Yard Setback <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Rear Yard Setback <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Side Yard Setback Minimum <input style="width: 150px; height: 20px;" type="text"/>	<input type="checkbox"/> 1st Story Sq. Ft. <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> 2nd Story Sq. Ft. <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Other <input style="width: 150px; height: 20px;" type="text"/> <input type="checkbox"/> Total <input style="width: 150px; height: 20px;" type="text"/>
---	--

3. List the structure(s) requiring variance(s): Specify whether each structure is PROPOSED or EXISTING:

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



C1. If the proposed project requires an **Amendment to a Restrictive Covenant**, please check the appropriate Board and describe: A) Existing covenant for which relief is sought; B) Description of requested relief; and, C) Reason for requested relief, in the space below:

Town Board Planning Board Zoning Board of Appeals

[Empty space for describing the amendment to a restrictive covenant]

2. Percentage of current covenant area affected: % Proposed percentage of covenant area affected: %

3. Percentage of current buffer area affected: % Proposed percentage of buffer area affected: %

V. SUBDIVISION/LAND DIVISION:

A1. Complete for all subdivision/land division/road improvements

Deed(s) recorded in the Suffolk County Clerk's Office:	Number of Lots:
Date:	Page:
Liber:	
<input type="text"/>	<input type="text"/>

- Yes No 2. Are there encumbrances or liens against this land other than mortgages?
- Yes No 3. Will the final plat be filed in sections, or will it cover the entire preliminary layout?
- Yes No 4. Are all the public open spaces shown on the layout to be dedicated for public purposes?
- 5. How many acres are to be dedicated for public park or playground purposes?

RESOLUTION SUBMISSION

MEETING OF: December 23, 2008

RESOLUTION NO. 1048-08

MOVED BY COUNCILMEMBER: Constance Kepert

REVISION:

SHORT TITLE: AUTHORIZE THE TOWN OF BROOKHAVEN TO ACCEPT ELECTRONIC SIGNATURES

DEPARTMENT: Town Board

REASON: To expedite documentation process and to prepare to accept documents electronically and to reduce the number of paper copies.

PUBLIC HEARING REQUIRED: NO

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED:

DJM:fjb *[Signature]*

SEQRA REQUIRED: no

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED:

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember Bonner	2				
		Councilmember Walsh					
		Councilmember Kepert	1				
		Councilmember Mazzei	1				
		Councilmember Romaine					
		Supervisor Foley					

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 1048-08

MEETING: December 23, 2008

**AUTHORIZE THE TOWN OF
BROOKHAVEN TO ACCEPT ELECTRONIC
SIGNATURES**

WHEREAS, New York State has adopted the Electronics Signatures and Records Act (ESRA) and the passing of the Electronic Signatures in Global and National Commerce Act (US E-SIGN ACT) the Town of Brookhaven is desirous of accepting electronic signatures in an effort to expedite the documentation process and to prepare to accept documents electronically signed; and

WHEREAS, the resolution process can be expedited by accepting electronic signatures as well as conserving paper by reducing the number of copies needed in the process and thereby saving both time and money for the constituents of the Town of Brookhaven,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that Town of Brookhaven is authorized to accept electronic signatures in accordance with Electronic Signatures and Records Act (ESRA) and Electronic Signatures in Global and National Commerce Act (US E-SIGN ACT).

RESOLUTION SUBMISSION

MEETING OF: AUGUST 5, 2008

RESOLUTION NO. 258-A1-07

MOVED BY COUNCILMEMBER: Connie Kepert

REVISION

SHORT TITLE: AMENDING RESOLUTION NO. 258-07 ENTITLED "APPROVAL OF APPLICATION FORM FOR ALL TOWN BOARD LAND USE APPLICATIONS"

DEPARTMENT: P.E.L.M.

REASON: Pursuant to Chapter 85 of the Town Code, the Town Board must approve the application form for land use applications

PUBLIC HEARING REQUIRED:

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED: None

SEORA REQUIRED: no

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED: No

BAR:pd

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember Bonner					
		Councilmember Walsh					
		Councilmember Kepert					
		Councilmember Mazzei					
		Councilmember Romaine					
		Supervisor Foley					

RESOLUTION NO. 258-A1-07
MEETING: AUGUST 5, 2008

AMENDING RESOLUTION NO. 258-07
ENTITLED "APPROVAL OF APPLICATION
FORM FOR ALL TOWN BOARD LAND USE
APPLICATIONS"

WHEREAS, Resolution No. 258-07 approved an application form for all land use applications heard by the Town Board;

WHEREAS, said application form has been updated for all land use applications for the Town Board, Planning Board and Planning Division for electronic filing to reduce paperwork and paper processing; and

WHEREAS, said updated application form has been reviewed and approved by the Town Attorney's office;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Brookhaven that Resolution No 258-07 is hereby amended to approve the attached application form for all land use applications; and be it further

RESOLVED that the new application form must be submitted by applicants for all land use applications as of September 1, 2008.

RESOLUTION SUBMISSION

MEETING OF: FEBRUARY 10, 2009

RESOLUTION NO. 129-09

MOVED BY COUNCILMEMBER: CONNIE KEPERT

REVISION **2/5/09**

SHORT TITLE: AUTHORIZATION TO DISBURSE FUNDING FROM THE SARG
LLC/QUALITY KING DISTRIBUTORS FINANCIAL CONTRIBUTION TO THE
GREATER BELLPORT SUSTAINABLE COMMUNITY PLAN

DEPARTMENT: TOWN COUNCIL

REASON:

PUBLIC HEARING REQUIRED:

DEPARTMENT OF FINANCE APPROVAL: YES NO

DOLLARS INVOLVED: \$15,000.00 (TMIS 909)

SEQRA REQUIRED: no

DETERMINATION MADE: POSITIVE NEGATIVE

FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED: No

BAR:pd 

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember Bonner					
		Councilmember Walsh					
		Councilmember Kepert					
		Councilmember Mazzei					
		Councilmember Romaine					
		Supervisor					

RESOLUTION NO. 129-09
MEETING: FEBRUARY 10, 2009

AUTHORIZATION TO DISBURSE
FUNDING FROM THE SARG
LLC/QUALITY KING DISTRIBUTORS
FINANCIAL CONTRIBUTION TO THE
GREATER BELLPORT SUSTAINABLE
COMMUNITY PLAN

WHEREAS, pursuant to Decision Resolution No. 3A of March 6, 2007,
Sarg LLC/Quality King Distributors made a financial contribution in the sum of
\$75,000.00 to the Town to partially fund the implementation of the Great Bellport
Sustainable Community Plan; and

WHEREAS, the Greater Bellport Coalition has requested that \$15,000.00
be disbursed from the fund for the purchase of two (2) low intensity surveillance
cameras for security purposes at the Bellport train station that will be installed and
maintained for one year;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town
of Brookhaven that the Commissioner of Finance is hereby authorized and directed to
disburse the requested \$15,000.00 from the Sarg LLC/Quality King Distributors
contribution upon the submission of the proper vouchers and bills.