



Town of Brookhaven Long Island

Law Department

One Independence Hill, Farmingville, NY 11738
(631) 451-6500 Fax: (631) 451-6505

INSTRUCTIONS FOR ZONING BOARD COVENANTS

Applicant must submit the following:

1. Original covenants including Schedule A, metes and bounds description (can be taken from the title certification); must have the description initialed by the Planning Department;
2. Zoning Board grant letter and DEP letter attached to grant setting forth covenants to be included;
3. Original title certification certifying as to owner(s), mortgage(s) and lien(s) (must be dated no later than three months of the date of the Covenant(s)). If there is a mortgage on the property, the written, acknowledged consent must be included in the Declaration of Covenants as Schedule B (sample Consent attached). If the title certification indicates that there are liens on the property, the liens must be satisfied prior to covenant approval; **IMPORTANT: CONSENT IS NOT REQUIRED IF COVENANT IS FOR "NO HABITABLE SPACE, ETC."**
4. A copy of the survey.

Once the Declaration of Covenants and Restrictions and accompanying documents have been reviewed, it will be returned to you with either an approval or a list of deficiencies.

If the Declaration of Covenants is deemed sufficient, it will be returned to you for recording with the Suffolk County Clerk. You must obtain a certified copy of the recorded Declaration of Covenants from the Clerk to be approved by the Department of Law and returned to you for submission to the Building Department.

If you have any questions concerning the above, please contact John Doyle of the Law Department at (631) 451-6500.