

**VILLAGE OF NEWARK  
ZONING BOARD OF APPEALS  
APPLICATION FORM**

PB MEETING DATE: \_\_\_\_\_

ZBA MEETING DATE: \_\_\_\_\_

APPLICANT'S NAME: \_\_\_\_\_ PHONE: (    ) \_\_\_\_\_

FIRM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_ ZIP: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_

OWNER OF PROPERTY: \_\_\_\_\_

SECTION, BLOCK & LOT NUMBER (tax acct.#): \_\_\_\_\_

PRESENT ZONING: \_\_\_\_\_

PLEASE CHECK APPROPRIATE BOX(ES)

AREA VARIANCE: Brief Description of Proposal: \_\_\_\_\_

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

APPLICABLE LOCAL CODE SECTION: \_\_\_\_\_

\_\_\_\_\_

Village Law Section 7-712 (b)(3) requires the Zoning Board of Appeals to balance two elements in its decision of an area variance:

- \* The benefit to the applicant from the variance.
- \* The detriment to the health, safety and welfare of the community and/or neighborhood that would occur if the variance were to be granted.

Five factors are considered by the Board:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.
2. Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.
3. Whether the requested variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty was self-created (that it will not necessarily preclude the granting of the area variance).

APPLICANT'S COMMENTS: \_\_\_\_\_

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USE VARIANCE: Brief Description of Proposal: \_\_\_\_\_

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APPLICABLE LOCAL CODE SECTION: \_\_\_\_\_

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Village Law, Section 7-712-b(2) requires an applicant for a use variance to demonstrate the zoning of the property has caused UNNECESSARY HARDSHIP, which is defined to require a showing:

1. that under the applicable zoning regulations, the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. that the hardship is unique, and does not apply to a substantial portion of the district or neighborhood, and

3. that the variance will not alter the essential character of the neighborhood, and

4. that the hardship is not self-created.

APPLICANT'S COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SPECIAL PERMIT: Brief Description of Proposal: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICABLE LOCAL CODE SECTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICANTS COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

INTERPRETATION: Specific Request: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICABLE LOCAL CODE SECTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICANT'S COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OTHER: Brief Description of Proposal: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICABLE LOCAL CODE SECTION: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has a previous application been made with respect to this property?

YES       NO

Type of Variance/Special Permit: \_\_\_\_\_  
\_\_\_\_\_

Was it APPROVED \_\_\_\_\_ or DENIED \_\_\_\_\_ and Date \_\_\_\_\_

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

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	<b>NO</b>	<b>YES</b>	<b>N/A</b>
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<b>NO</b>	<b>YES</b>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<b>NO</b>	<b>YES</b>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<b>NO</b>	<b>YES</b>	
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?			
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<b>NO</b>	<b>YES</b>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	<b>NO</b>	<b>YES</b>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	<b>NO</b>	<b>YES</b>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<b>NO</b>	<b>YES</b>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<b>NO</b>	<b>YES</b>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<b>NO</b>	<b>YES</b>	
16. Is the project site located in the 100 year flood plain?	<b>NO</b>	<b>YES</b>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	<b>NO</b>	<b>YES</b>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		