



# TOWN of GREENBURGH

## Community Development & Conservation

**Paul Feiner**  
*Supervisor*

**Garrett Duquesne, AICP**  
*Commissioner*

**Aaron Schmidt**  
*Deputy Commissioner*

**Planning Board Members**

**Walter Simon, Chair**  
**Hugh Schwartz, Vice Chair**  
**Michael Golden**  
**Kirit Desai**

**Thomas Hay**  
**Mona Fraitag**  
**Johan Snaggs**

## TOWN AND PLANNING BOARD APPLICATION FOR

### SPECIAL PERMIT – INCIDENTAL DINING

#### Application Contents

- **Fee Schedule**
- **Affidavit of Ownership**
- **Disclosure Form**
- **Special Permit Application Form**
- **Environmental Clearance Form**

**TOWN OF GREENBURGH SPECIAL PERMIT – INCIDENTAL DINING FEE SCHEDULE**

**This form is to be included in the Application Package**

Special Permit Fees	Fee		Totals
Special Permit	\$250		\$250
Parking Fee Per Space for Proposed Use	\$25	x _____ Number of Spaces	
Environmental Clearance Form	\$150		\$150
		<b>Subtotal</b>	
Escrow Fees	Fee		Totals
Public Hearing Notice (Escrow) (separate check)	\$200		\$200
Public Hearing Transcript (Escrow) (separate check)	\$200		\$200
		<b>Subtotal</b>	
<p><b>Please include a <u>separate check</u> for each subtotaled portion of the application.</b></p> <p><b>All fees must be made payable to the “Town of Greenburgh”</b></p>			
Town of Greenburgh, Department of Community Development and Conservation – File Use			
	Date Received	Total	Staff initials
<b>Special Permit Fees</b>			
<b>Escrow Fees</b>			

**AFFIDAVIT OF OWNERSHIP**

State of New York )ss.  
County of Westchester)

\_\_\_\_\_ being duly sworn, deposes and says that (s)he resides at  
\_\_\_\_\_ in the Town of \_\_\_\_\_ in the County  
of \_\_\_\_\_ in the State of \_\_\_\_\_ that (s)he is the  
owner in fee of all that piece or parcel of land situated and lying in the Town of Greenburgh  
aforesaid and known and designated as the Parcel ID \_\_\_\_\_  
and that (s)he hereby authorizes \_\_\_\_\_ to make application in his/her  
(its) behalf and that the statement of facts contained in said application is true.

\*\*\*\*\*

\_\_\_\_\_  
Signature of Owner

Sworn to me before this \_\_\_\_\_

Day of \_\_\_\_\_ 20\_\_\_\_\_

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

TOWN OF GREENBURGH  
DISCLOSURE FORM TO ACCOMPANY CERTAIN APPLICATIONS\*

1. This form relates to property located within the Town of Greenburgh. The street address of the property which is the subject of this application is:

\_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Date(s) of Application(s): \_\_\_\_\_

Type(s) of Application(s): \_\_\_\_\_

Project Name: \_\_\_\_\_

2. Name and address of Owner(s) if different from Applicant: \_\_\_\_\_

\_\_\_\_\_

3. Do any officers or employees of the State of New York, County of Westchester, Town of Greenburgh and/or Town of Greenburgh Agency have an interest\*\* in the applicant or owner of the property? \_\_\_\_\_

If the answer is "yes", please identify the person(s) by name, residence and the nature of extend of such interest.

\_\_\_\_\_

\_\_\_\_\_

4. If the application is for a project involving site plan approval of five acres or more and/or for a change of zoning, and either or both the applicant or the owner, if different from the applicant, is not an individual or individuals, list the owners and officers of the corporation, limited liability corporation, partnership or other legal entity.

Name of Applicant Legal Entity: \_\_\_\_\_

Name(s) and Addresses of Applicant Owners\*\*\* and Officers:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Every application, petition, or request submitted for a variance, amendment, change of zoning, site plan approval, approval of plat, exemption from a plat or official map, license, special permit or permit pursuant to the provisions of any ordinances, local law or rule constituting the zoning and planning of the Town of Greenburgh.

\*\*For the purpose of this paragraph, an officer or employee shall be deemed to have an interest in an applicant when s/he, his or her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them (a) is the applicant or (b) is an officer, director, partner of the applicant, or (c) legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or (d) is a party to an agreement with such applicant, express or implied, whereby he or she may receive payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.

\*\*\*With respect to any corporation traded on the New York, American or other stock exchange, any person who is the owner of more than 5% of the outstanding shares of stock or any class of such a corporation, and with respect to other than a publically traded corporation, a limited liability company or other legal entity, any person who is an owner of more than 2% of the equity of such legal entity.

Name of Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Paul J. Feiner  
Supervisor

**TOWN of GREENBURGH**  
**DEPARTMENT OF COMMUNITY**  
**DEVELOPMENT AND CONSERVATION**

177 Hillside Avenue, Greenburgh, NY 10607

Office: (914) 989-1530

Web Site <http://www.greenburghny.com>

Garrett Duquesne, AICP  
Commissioner  
Aaron Schmidt  
Deputy Commissioner

**SPECIAL PERMIT APPLICATION FORM**

**Subject Property:**

Street Address:

Parcel ID:

**Property Owner:**

Name: \_\_\_\_\_ Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell Phone : \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**Representative:**

Name: \_\_\_\_\_ Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell Phone : \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

List specific special permit(s) requested (attach additional sheets if necessary), include the Sections of Town of Greenburgh Zoning Code for each special permit, including chapter, section, subsection or paragraph.

§. \_\_\_\_\_ Special Permit Request: \_\_\_\_\_

§. \_\_\_\_\_ Special Permit Request: \_\_\_\_\_

§. \_\_\_\_\_ Special Permit Request: \_\_\_\_\_

Describe use(s) for which Special Permit(s) is/are sought:

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

State how use(s) meet Special Permit criteria:

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

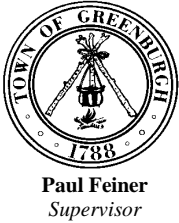
State name and residence, nature and extent of the interest of any state officer or employee of the Town of Greenburgh, pursuant to the provisions of § of the General Municipal Law of the State of New York.

\_\_\_\_\_

Date

Signature of Applicant or Representative

Print or type name



**TOWN OF GREENBURGH  
DEPARTMENT OF COMMUNITY  
DEVELOPMENT & CONSERVATION**

**Garrett Duquesne, AICP**  
*Commissioner*

**Aaron Schmidt**  
*Deputy Commissioner*

**ENVIRONMENTAL CLEARANCE FORM**

**Name of Application:**

**Applicant:**

Name: \_\_\_\_\_ Street: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Subject Property:**

Name or other identification of site: \_\_\_\_\_  
Streets which site abuts: \_\_\_\_\_  
Parcel ID#: \_\_\_\_\_ Total site area (sq. ft): \_\_\_\_\_

**Proposed Action:**

**A. State Type I actions** - This Type I list, is not an exhaustive list of those actions that an agency determines may to have a significant effect on the environment and may require the preparation of an EIS. Therefore, the fact that an action or project has not been listed as a Type I action does not carry with it the presumption that it will not have a significant effect on the environment. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

1. The following changes in the allowable uses within any zoning district, affecting 25 or more acres of the district:
  - (a) Authorizing industrial or commercial uses within a residential or agricultural district; or
  - (b) Authorizing residential uses within an agricultural district.
2. The granting of a zoning change at the request of an applicant for an action that meets or exceeds one or more of the thresholds given in other sections of this list.
3. Construction of new residential units which meet or exceed the following thresholds:
  - (a) Fifty units not to be connected (at commencement of habitation) to community or publicly owned utilities.
  - (b) In a city, town or village having a population of less than 150,000, 250 units to be connected (at the commencement of habitation) to community or publicly owned utilities.
4. Construction of a new or the expansion of existing nonresidential facilities which meet or exceed any of the following thresholds, provided that the expansion and the existing facilities, when combined, meet or exceed any threshold contained in this section:
  - (a) A project or action which involves the physical alteration of 10 acres.
  - (b) A project or action which would use ground- or surface water in excess of 2,000,000 gallons per day.
  - (c) Parking for 1,000 vehicles.
  - (d) In a city, town or village having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area.
5. Any structure exceeding 100 feet above original ground level in a locality without any zoning regulation pertaining to height.
6. Any action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within or contiguous to any facility or site listed on the National Register of Historic Places or any historic building, structure or site or prehistoric site that has been proposed by the Committee on the Register for consideration by the New York State Board on Historic Preservation for a recommendation to the State Historic Officer for nomination for inclusion in said National Register.
7. Any project or action, which exceeds 25% of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space.
8. Any action which exceeds the locally established thresholds or, if no such thresholds are established, any action which takes place wholly or partially within or substantially contiguous to any critical environmental area designated by a local agency pursuant to Section 617.4

**B. Local Type I - Activities located in: (Please check all items that apply)**

- 1. Floodplains, as defined in Article 36 of the Environmental Conservation Law.
- 2. Tarrytown Lakes, watershed area.

**C. Unlisted Action.** Unlisted actions that do not meet the Type I thresholds, however some actions may still require an EIS. Some examples: nonresidential projects physically altering less than 10 acres of land, adoption of regulations, ordinances, local laws and resolutions that may affect the environment

**D. State Type II actions.** Action will in no case have a significant effect on the environment based on the criteria contained in Section 617.11 and any additional criteria contained in its procedures adopted pursuant to Section 617.4. This list is provided as a convenience. Please check 6 NYCRR Part 617 for further information on classifying the type of action. **(Please check all items that apply)**

- 1. The granting of individual setback and lot line variances.
- 2. Construction or placement of minor structures accessory or appurtenant to existing facilities, including garages, carports, patios, home swimming pools, fences, barns or other buildings not changing land use or density.
- 3. Street openings for the purpose of repair or maintenance of existing utility facilities.
- 4. Agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures and land use changes consistent with generally accepted principles of farming.
- 5. Repaving of existing highways not involving the addition of new travel lanes.
- 6. Installation of traffic control devices on existing streets, roads and highways.
- 7. Public or private forest management practices other than the removal of trees or the application of herbicides or pesticides.
- 8. Minor temporary uses of land having negligible or no permanent effect on the environment
- 9. Replacement of a facility, in kind, on the same site unless such facility meets any of the thresholds in Section 617.12.

**Involved Agencies**

1) Is the action located on property within 500 feet of:

- a) The boundary of an adjoining city, town or village Yes  No   
If yes, which municipality?
- b) The boundary of an existing or proposed state or county park, recreation area or road right-of-way Yes  No   
If yes, who has jurisdiction? Westchester County  NYSDOT  NYSOPRHP
- c) An existing or proposed county drainage channel line Yes  No
- d) The boundary of state- or county-owned land on which a public building/institution is located Yes  No
- e) The boundary of a farm located in an agricultural district. Yes  No

2) Will a sewer district have to be expanded for the project? Yes  No   
If yes, which district?

**Relationship to other actions:**

1) List any related action that may be undertaken as a result of this proposed action:

2) List any actions, which are dependent upon this proposed action, and therefore should be reviewed as a part of this action (e.g., house construction in the case of a residential subdivision):

**Signature of Applicant**

**Print Applicant's Name**

**Date**

**NOTE:** The completion of this Environmental Clearance Form does not confer any rights, privileges, licenses, permits or other entitlement upon the applicant and does not relieve the applicant from compliance with all other applicable laws, rules and regulations of the Town of Greenburgh.