

ZBA PROCEDURES FOR HEARINGS

THE ZONING BOARD WILL RESUME IN-PERSON HEARINGS ON AUGUST 5, 2021

- ✓ All Zoning Board of Appeals (ZBA) applications (packets) **MUST contain a summary of the relief being sought and why it should be granted.** This should include, if deemed necessary/required as a matter of law, expert affidavits. This document must be submitted no later than **10 days** prior to the hearing.

The Summary Statement must be EMAILED to DMartin@HuntingtonNY.gov.

- ✓ An application will not be considered complete or calendared for a hearing unless all required information is included in the packet. If additional information is needed you will be notified.
- ✓ All applications will be uploaded to a shared site no less than 10 days prior to the scheduled hearing and will be accessible to the Planning/Zoning Department staff, Zoning Board members and to the general public.
- ✓ Procedurally on the hearing date, the applicant and any expert witnesses shall address the Board; with a ten-minute time limitation. Should an applicant wish to rely on their paper submission and not address the Board they may do so provided they give the Board notice of the fact no less than 5 days before the hearing date.
- ✓ After submission of the presentation by the applicant any members of the public who wish to be heard and who have signed up to speak either in opposition or in support of the application may do so with a 3 minute time limitation per speaker. Members of the public are still required to submit their written comments to the Board prior to the hearing and the Board members will review all comments. If you are unable to attend a hearing your comments will still be considered.
- ✓ In the event that opposition counsel or their experts wishes to speak in opposition to an application the ten-minute time frame on presentation will be imposed.
- ✓ After comments by the public in opposition or support are heard the applicant or their representative will be afforded a time to address any issues discussed during the hearing.
- ✓ The hearings will be fully transcribed by the Board stenographer.

- ✓ The Town of Huntington IT department would record the proceeding which will be simultaneously broadcast live on Optimum Channel 18, FIOS Channel 38 and also accessible on the Town website as a meeting online at huntingtonny.gov/meetings
- ✓ Discussion among Board Members would be limited and a vote taken, recorded by Mr. Bennett as counsel.
- ✓ Filing of decisions would be done in the ordinary course of business in the office of the Clerk and there will be no second vote on the verbiage of the decisions.
- ✓ The ZBA Court reporter would create a transcript from the hearings.
- ✓ All submission procedures established by the Board on April 7, 2020 and amended Jul 30, 2020 shall remain in full force and effect.

✓ **NOTIFICATION MAILING TO SURROUNDING PROPERTIES**

Send the Legal Notice of Hearing via CERTIFICATE OF MAILING (not certified). See instruction sheet enclosed. Attached is a cover sheet with the dates to mail the notice and post the sign. The Post Office can assist you with the mailing process. PAY CLOSE ATTENTION TO THESE DATES - IF THE NOTIFICATIONS ARE DONE INCORRECTLY, THE HEARING CANNOT BE HELD. (The Post Office will give you a receipt for each letter mailed. If you use the Post Office on Gerard Street in Huntington village they stamp your list of names as their certification of the mailing instead of issuing individual receipts. We will accept either form of certification from any Post Office.)

You must include a cover letter with the Legal Notice that includes these interim modified procedures; an agenda for each hearing date will be on the Town website a week prior to the hearing with an icon next to each hearing. By clicking on the icon, one will be able to view all submissions for each application. The public has ten (10) days time from the received date of the Legal Notice to submit written comments to the Board by emailing to planning@huntingtonny.gov. All comments from the public will be added to the record and put on the shared site.

*****please note: only comments received prior to the close of the hearing can be considered*****

If a comment contained a question to be answered by the applicant, the applicant would be directed to do so by the Board, if appropriate, to make a determination on the application.

✓ **PROOF OF MAILING**

Return your proof of mailing from the Post Office (either a copy of the lists stamped or the post office documents), a copy of the Legal Notice and the completed AFFIDAVIT OF MAILING (enclosed - notary can be waived during pandemic) to the ZBA office prior to the hearing date. These documents must be received in order to ensure the hearing is held.

✓ **POST SIGN**

You will be notified by email when to pick up your Notification Sign(s). Post the sign the Friday prior to your hearing date. See POSTING A SIGN REQUIREMENT (enclosed). Sign must be posted no more than 10 feet from edge of property and readable from the street. Return the signed AFFIDAVIT OF POSTING to the ZBA office prior to the hearing date, with a printed photo of the posted sign. These documents must be received in order to ensure the hearing is held.

PREPARE YOUR PRESENTATION TO BOARD

Read MAKING YOUR PRESENTATION (enclosed) and prepare your presentation. Prior hearings can be found on the Town of Huntington website; www.huntingtonny.gov, click on "Government" tab in blue, click "Meetings on Video", click "Zoning Board Meetings". Scroll through the meeting agendas to find cases similar to yours.