



ZONING BOARD OF APPEALS
TOWN OF HURLEY
PO BOX 569
Hurley, New York 12443
planning@townofhurley.org
(845)331-7474 Ext. 6

FOR OFFICE USE ONLY:

Application # _____ Date Filed: _____ Fee Paid: _____ Receipt No. _____

Date of Decision: _____

Please review the information in this packet and Chapter 210 of the Town of Hurley Code thoroughly.

Forms and Submittals – Required with submission

- ◆ Code Review Form – Code Enforcement Office (CEO’s Determination of denial of which the Appeal is based on)
- ◆ Application
- ◆ Fee
- ◆ SEQRA Environmental Assessment Form (Short EAF Part 1 only)
<http://www.dec.ny.gov/eafmapper/> . You MUST use this site to complete the Short EAF
- ◆ Written Narrative detailing section of code being appealed and reasons for Appealing to overturn CEO/Determination
- ◆ Letter Authorizing Representative Powers, if applicable.(If Applicant is not the property owner, a signed and notarized letter by all property owners listed in the deed authorizing named individual to act as their agent must accompany the application.
- ◆ A sketch plan drawn to scale or site plan to assist in the visual aspect of the Appeal
- ◆ Aerial Photos <https://ulstercountyny.gov/maps/parcel-viewer/>
- ◆ Deed and Easements

All Appeals must be filed within 30 days of the date of the CEO/ZEO Determination in order to be valid

All Applications and supporting materials must be completed and dropped off to the Zoning Board of Appeals (ZBA) Secretary 2 weeks before the monthly ZBA meeting, which is held on the second Thursday of each month, by 4:00PM to be placed on the following agenda. An electronic copy of the entire packet must be submitted on a USB or emailed to



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planning@townofhurley.org along with the hard copy and a check or money order payable to the Town of Hurley.

-If any agent is representing an applicant and/or property owners, a signed and notarized letter by the applicant(s) and/or property owner(s) listed in the deed authorizing the named individual to act as their agent must accompany the application.

APPLICATION

1. Name of Project: _____

2. All Property owners listed in the Deed: _____

Mailing Address: _____

Physical Address: _____

Primary Phone: () _____ Cell Phone: () _____

Email Address: _____

3. Applicant Name (if other than owner): _____

Mailing Address: _____

Primary Phone: () _____ Cell Phone: () _____

Email Address: _____

4. Site Location: _____

Tax Map Number: Section: ___ Block ___ Lot ___ Zoning District: ___ Total Acreage of Parcel(s): _____

5. This project is (check one): () Expansion of Use () Change of use () New Construction

6. Description of current use and facilities (buildings, use, other facilities, vacant land, etc.): _____

7. Describe current use(s) of all contiguous parcels (Include all types, Vacant Land, Residential, Commercial, Agricultural, Industrial, etc.): _____

8. Description of proposed use and facilities of parcel (If more space is needed please use a separate piece of paper): _____



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9. Will this project require permits or approval from any Federal, State or County agencies?
_____ If yes, please list the names: _____

10. Is the project contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places: _____ If yes, name: _____

11. Surveyor/Engineer/Attorney/Architect Name, if Applicable: _____

Mailing Address: _____

Telephone: () _____ Cell Phone: () _____

Email: _____

Applicant states that they are the owner or authorized agent of the owner for which the foregoing work is proposed to be done, and that they are duly authorized to perform such work, and that all work will be performed in accordance with all applicable State, County, and Local Ordinances.

Signature of all Owners in the Deed:

_____ ; _____

Date: _____

NOTARIZATION:

Acknowledgement Form State of _____) ss.: County of _____

On the _____ day of _____ in the year _____, before me, the undersigned notary public, 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 individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument. _____

Notary Public _____ Expiration: _____

210-60- Interpretations.

The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, interpretation or determination appealed from and shall make such order, requirement, decision, interpretation or determination as in its opinion ought to have been made in the matter by the Code Enforcement Officer/Zoning Enforcement Officer and to that end shall have all the powers of the Code Enforcement Officer/Zoning Enforcement Officer from whose order, requirement or decision the appeal is taken.



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The Board of Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the Code Enforcement Officer/Zoning Enforcement Officer under this chapter in accordance with the procedure set forth herewith:

- A. Notice of appeal shall be filed with the Code Enforcement Officer/Zoning Enforcement Officer and the Secretary to the Board of Appeals in writing, in a form required by such Board, within 30 days of the date of the action appealed from, specifying the grounds thereof
- B. Upon filing of a notice of appeal and payment of a filing fee as set forth in the fee schedule as adopted and amended from time to time by resolution of the Town Board by the appellant or applicant, the Code Enforcement Officer/Zoning Enforcement Officer shall forthwith transmit to the Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
- C. The Board of Appeals shall set a reasonable date for the hearing of each appeal, of which hearing date the appellant shall be given notice and at which hearing he or she shall appear in person or by agent or by attorney.
- D. An appeal stays all proceedings in furtherance of the action appealed from, unless the Code Enforcement Officer/Zoning Enforcement Officer certifies to the Board of Appeals, after notice of appeal shall have been filed with him or her, that, by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a court of record on application, on notice to the Code Enforcement Officer/Zoning Enforcement Officer and on due cause shown.
- E. Following public notice and hearing, the Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as, in its opinion, ought to be made in the premises and, to that end, shall have all the power of the Code Enforcement Officer/Zoning Enforcement Officer. If the action by the Board of Appeals is to reverse the action of the Code Enforcement Officer/Zoning Enforcement Officer in whole, the filing fee shall be refunded to the appellant. The Board of Appeals shall decide the same within 62 days following the final hearing

Answer in detail, the reasons the CEO/ZEO Determination is being Appealed:

Basis for denial by CEO/ZEO



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Reasons for challenging the above denial, be as specific as possible using as many exhibits as necessary to support your rationale

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