

**VILLAGE OF BAXTER ESTATES  
315 MAIN STREET  
PORT WASHINGTON, NY 11050  
Telephone (516) 767-0096  
Facsimile (516) 767-0058  
Email: [building@baxterestates.org](mailto:building@baxterestates.org)**

**LANDMARKS PRESERVATION COMMISSION APPLICATION PACKET FOR  
SUBDIVISION/PARTITIONING APPROVAL OR SITE PLAN APPROVAL**

**PLEASE READ ALL APPLICATIONS INSTRUCTIONS (I1- to I6) before proceeding with the checklist below.**

Each complete Landmarks Preservation Commission Application **MUST** include **two separate checks** made out to the "**Village of Baxter Estates**":

1. \$500.00 processing fee (non-refundable) for Residential or Commercial
2. \$1,500.00 check for legal fees, legal notices & court reporter for Residential or \$3,000.00 for Commercial - *Any monies not expended will be refunded to the applicant. Additional money may be required if expenses exceed the deposit.*

**APPLICATION CHECKLIST: SUBMIT ONE (1) ORIGINAL AND NINE (9) COPIES OF A FULL APPLICATION, WHICH IS TO INCLUDE:**

<b>Subdivision</b>	<b>Site Plan Approval</b>
<input type="checkbox"/> Application for Subdivision [A1-A2]	<input type="checkbox"/> Application for Site Plan Approval [A6-A7]
<input type="checkbox"/> Affidavit To Be Completed by Owner/ Agent/ Corporate Owner/ LLP Partner (one affidavits must be completed) [A3-A4]	<input type="checkbox"/> Affidavit To Be Completed by Owner/ Agent/ Corporate Owner/ LLP Partner (one affidavits must be completed) [A8-A9]
<input type="checkbox"/> 200' Radius Affidavit, Map and Listing [A5]	<input type="checkbox"/> 200' Radius Affidavit, Map and Listing [A10]

- Affidavit of Disclosure in Compliance with Section 809 of the General Municipal Law [A11-A12]
- Inspection Authorization Forms [A13]
- Applicant Acknowledgment of Deposit Obligations [A14]
- Short Environmental Assessment Form (SEQRA)
- Denial Letter
- Denied Building Permit Application
- Affidavit in Lieu of Current Survey/Or Current Survey [S1]

**Please note that ALL pages beginning with an "A" are REQUIRED with every submission. All pages beginning with an "S" may still be required, consult with your architect, contractor, or the Village Building Department. No copies shall be made by the Clerk's Office upon submittal.**

**Also note that there are two separate applications enclosed in this application, one for subdivision approval and one for site plan approval.**

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Required after Submittal:

- Affidavit of Mailing** [S2] – An Affidavit of said mailing, setting forth the date of the mailing and the names, addresses, and tax lot designations of the addresses, together with a copy of the Legal Notice. Affidavit shall be filed with the Village Clerk not less than 5 days before the public hearing, recommended to file with the Certified Mail Receipts.
- Certified Mail Receipts** – White and Green slip received when dropping off the mailing. Must be filed with the Village Clerk not less than 5 days before the public hearing, recommended to file with the Affidavit of Mailing.
- Green Certified Mailing Cards** – These will be returned to you in the mail after the mailing is done up to the hearing date. They must be filed with the Village Clerk prior to the commencement of the public hearing. You may bring them the night of the hearing and hand them to the clerk before 7:30 PM.

Also, if applicable to your application:

- Floor plans- If the application involves a commercial property or the addition to an existing building (including a single family home), floor plans of the entire building as it exists and as proposed.
- A copy of any previous determination, if applicable- If the subject premises are subject to the terms of a previous Board determination.
- A copy of any outstanding notices, if applicable- of violation, summonses, or appearance tickets with regard to the premises
- In an appropriate proceeding involving new construction which may substantially impact upon adjacent properties, the Board may additionally request a radius map showing all of the structures on all of the properties within sixty (60) feet of the subject premises.
- In an appropriate proceeding involving issues of traffic and/or parking, the Board may additionally request a traffic and/or a parking study.
- If the application involves a commercial property and a change of use, floor area, building area, or site plan, a site plan showing the existing and proposed parking and landscaping.

**Definitions and Specifications:**

- **Survey** guaranteed to an owner, a title company or a bank showing all of the structures (including, but not limited to, decks, basketball courts, handball courts, fences, sheds, and retaining walls) on the premises, whether or not those structures relate to the specific application; and, if the request relates to setback requirements or distances between structures all of the distances which affect the Board's consideration. No changes or sketches or markings on a survey will be accepted. If a survey is not current, dated or recertified within the previous six months, an affidavit in lieu of current survey [S1] stating there have been no physical changes to the premises, including, but not limited to, the boundaries and contours of the land and the sizes and locations of all of the buildings, structures, and utility lines thereon or overhead, which are not shown on the survey, and that the survey properly shows the premises as they currently exist.

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- **Site Plan** showing all of the proposed structures- Separate site plans shall be submitted showing existing improvements and any change being requested to change or add to the existing improvements. Setbacks shall always be measured from the closest point of a structure to the relevant property line.
- **Building Plans prepared by Licensed Design Professional, Engineer or Surveyor, as applicable.**
- **Denied Building Permit Application identifying variances required, or Determination of Superintendent of Buildings for which review is sought.**
- **Denial letter** - issued from the Building Superintendent, this is received after the building permit is submitted.
- **Affidavit of Mailing** - An Affidavit of said mailing, setting forth the date of the mailing and the names, addresses, and tax lot designations of the addresses, together with a copy of the Legal Notice, shall be filed with the Village Clerk not less than 5 days before the public hearing. All of the return receipts and signed light green certified mailing cards received by the applicant prior to the public hearing shall be filed with the Village Clerk prior to or at the public hearing.

**VILLAGE OF BAXTER ESTATES**

**INSTRUCTIONS FOR APPLICANTS FOR  
SUBDIVISION/PARTITIONING APPROVAL OR SITE PLAN APPROVAL**

**(USE FOR SUCH APPLICATIONS WHETHER BOARD WITH JURISDICTION IS  
PLANNING BOARD, BOARD OF TRUSTEES, BOARD OF APPEALS OR  
LANDMARKS PRESERVATION COMMISSION)**

**NOTE:** If the project that is the subject of your application requires a variance, conditional use permit or similar use permit, or subdivision or partitioning approval, then you may need to make application to one or more of the Board of Appeals, Planning Board and Board of Trustees, and if your application relates to a parcel within an historic district or upon an historic site, then, you may need to make application to the Landmarks Preservation Commission, as well. Decisions from all Village Boards and Commissions having jurisdiction over your proposed project must be obtained before any permit authorizing you to proceed with your project will be issued.

You must submit with your application the Village Superintendent of Building's certification that the proposed project plans meet the requirements of the zoning law, or if a variance has been obtained from the Board of Appeals, that the plans meet the requirements of the Board of Appeals in its decision granting such variances, with a copy of the variance decision attached.

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While the Landmarks Preservation Commission ordinarily has jurisdiction over site plan applications for projects within any historic district or upon any historic site, if the application or site plan approval and the proposed project requires a permit, approval or variance from the Board of Trustees or the Board of Appeals, then site plan review and approval shall be the responsibility of the Board designated by resolution of the Board of Trustees in such instance as responsible for same. In rendering such designation, the Board of Trustees shall have broad discretion. In any case in which the Board of Trustees determines that the Board of Appeals shall have such responsibility, then the function of the Landmarks Preservation Commission with respect to such application shall be performed by the Board of Appeals and no separate application need be made to the Landmarks Preservation Commission for such relief.

**A. THE APPLICATION**

You must submit an original and nine (9) copies of a signed and completed Application.

- a. Such Application includes:
  - i. Application cover form;
  - ii. Short Environmental Assessment Form;
  - iii. Certified List of Property Owners within 200 feet of Subject Premises;
  - iv. Radius Map reflecting parcels within 200 feet of Subject Premises;
  - v. Letter Permitting Village representatives to go upon Subject Premises;
  - vi. Letter Agreeing to Coordination of Time Frames for SEQRA and Subdivision Review; and
  - vii. With respect to an application for Subdivision or Partitioning approval, the proposed Subdivision or Partitioning Plat, with certification of Superintendent of Buildings as to zoning compliance; or, with respect to an application for Site Plan Approval, the proposed Site Plan, with certification of Superintendent of Buildings as to zoning compliance.
- b. **NON-REFUNDABLE FEE.** Pay a non-refundable fee of five hundred dollars (\$500.00), by check made payable to the Village of Baxter Estates.
- c. **COSTS.** On all applications, the applicant shall be liable for and shall pay the following costs which may be incurred by the Village in processing the application:
  - i. Advertising
  - ii. Stenographic minutes of meetings and hearings
  - iii. Engineering costs for the Village Engineer
  - iv. Legal fees for the Village Attorney which shall be charged at an hourly rate approved by the Board of Trustees, for time that the office of the Village Attorney spends on the application
  - v. Recording fees
  - vi. Planning, sound, traffic, environmental or other specialized study or consultant's fees.

\*\* All the foregoing fees and costs shall be consistent with fees for services then prevailing in the community.

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- d. **DEPOSITS.** In addition to the required non-refundable fee, the applicant shall deposit with the Village Clerk the sum of \$2,000.00, to be used by the Village to defray the expenses listed under Costs above, which are actually and necessarily incurred by the Village in processing and reviewing the application. The sum deposited shall be by check made payable to the Village of Baxter Estates. In the event the amount of the deposit is insufficient to cover the expenses listed under Costs above, the applicant shall, at such time as is fixed by the Village Clerk, deposit with the Village an amount deemed sufficient to defray all such costs. If the amount deposited exceeds the actual expenses listed under Costs which are actually and necessarily incurred by the Village, then the unused portion of such deposit shall be returned to the applicant within sixty (60) days after the decision on the application is filed.
- i. The applicant or a representative must be present at the hearing on the application.
  - ii. Ten (10) copies of a CURRENT SURVEY of the Subject Premises by a duly licensed land surveyor – “current” means one that is not more than one (1) year old. In lieu of a current survey, an applicant may furnish an older survey, accompanied by an affidavit by the owner of the Subject Premises, or a licensed land surveyor, stating that the survey is an accurate representation of the existing conditions on the premises. This must be attached to each copy of the survey. Notwithstanding the foregoing, the Board may at any time during its consideration of your application require that a current survey be submitted.

**B. REQUIREMENTS NEEDED ON PLAT FOR SUBDIVISION/PARTITIONING APPROVAL.**

The applicant shall cause a subdivision or partitioning plat map to be prepared by a duly licensed civil engineer or surveyor at a scale of not less than “one (1) inch equals thirty (30) feet,” and not more than “one (1) inch equals ten (10) feet.” The plat shall include the elements listed below unless one (1) or more thereof are waived by the applicable Board's representatives at a preliminary conference.

- a. Legal Data:
  - i. Name and address of the owner of record.
  - ii. Name and address of person, firm or organization preparing the plat.
  - iii. Date, north arrow and written graphic scale.
  - iv. Sufficient description or information to define precisely the boundaries of the property. All distances shall be feet and tenths of a foot. All angles shall be given to the nearest ten (10) seconds or closer. The error of closure shall not exceed one (1) in ten thousand (10,000).
  - v. The lot lines and owners, as shown on the latest tax records, and description of uses, of all adjoining lands.
  - vi. The locations, names and existing widths of adjacent streets and curb lines.

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- vii. The locations, widths and purposes of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use within or adjacent to the property.
  - viii. A complete outline of existing deed restrictions or covenants applying to the property.
  - ix. Existing zoning, setting forth requirements and actual dimensions for all proposed lots or parcels affected by the proposed subdivision or partitioning.
  - x. Section lines depicting all proposed parcels affected by the proposed subdivision or partitioning.
  - xi. Existing contour from a national field survey, based on County datum.
  - xii. Nassau County land and tax map, section, block, and lot numbers.
  - xiii. Zoning use district (if more than one district, reflect exact boundary lines of each district in which a portion of the Subject Premises is located).
  - xiv. Indicate whether any portion of Subject Premises is within 300 feet of any Village or Town of North Hempstead boundary.
  - xv. Location and types of sidewalk, curb and pavement on existing streets surrounding Subject Premises.
  - xvi. Existing and proposed drainage structures (showing invert elevations).
  - xvii. Proposed curb cuts onto or abutting public streets.
  - xviii. Show curb cuts on adjacent properties and properties across the public street and within 100 linear feet of the Subject Premises.
  - xix. Proposed finished elevation of first floor and garage of all contemplated structures.
- b. Natural Features:
- i. Existing contours with intervals of five (5) feet or less referred to a datum satisfactory to the applicable Board.
  - ii. Approximate boundaries of any areas subject to flooding or storm water overflows.
  - iii. Location of existing watercourses, marshes, wooded areas, rock outcrops, isolated trees with a diameter of six (6) inches or more, measured three (3) feet above the base of trunk, and any other significant existing natural features.
- c. Existing Structures and Utilities:
- i. Outlines of all structures and location of all uses not requiring structures.
  - ii. Paved areas, sidewalks and vehicular access between the site and public streets.
  - iii. Locations, dimensions, grades and flow direction of any existing sewers, culverts, and waterlines, as well as other underground and aboveground utilities within and adjacent to the property.
  - iv. Other existing development, including fences, landscaping and screening.
- d. Proposed Development
- i. The location of proposed buildings or structural improvements.

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- ii. The location and design of all uses not requiring structures, such as off-street parking and loading areas and any common spaces and/or recreation areas.
- i. The location and plans for any outdoor signs.
- ii. The location, arrangement and materials of proposed means of ingress and egress, including sidewalks, driveways or other paved areas. Profiles indicating grading cross sections showing width of roadway, location and size of water and sewer lines. Any proposed direct pedestrian connection to public parking lots or structures will also be shown.
- iii. A planting plan, prepared by a qualified landscape architect or architect, showing any proposed screening and other landscaping.
- iv. The location of all proposed waterlines, valves and hydrants and of all sewer lines or alternate means of water supply and sewage disposal and treatment.
- v. An outline of any proposed easements, deed restrictions or covenants.
- vi. Any contemplated public improvements on or adjoining the property.
- vii. Any proposed new grades, indicating clearly how such grades will meet existing grades or adjacent properties or the street.
- viii. Elevations of all proposed principal or accessory structures.
- ix. Any other information deemed by the applicable Board to be necessary for its determination that the plan conforms with the spirit and intent of the subdivision and partitioning chapter of the Village Code.

**A. REQUIREMENTS NEEDED ON SITE PLAN PRESENTED FOR SITE PLAN APPROVAL.**

The applicant shall cause a site plan to be prepared by a duly licensed civil engineer or surveyor at a scale of not less than “one (1) inch equals thirty (30) feet,” and not more than “one (1) inch equals ten (10) feet.” The site plan shall include the elements listed below unless one (1) or more thereof are waived by the applicable Board.

- a. Legal Data:
  - i. Name and address of the owner of record.
  - i. Name and address of person, firm or organization preparing the plat.
  - ii. Date, north arrow and written graphic scale.
  - iii. Sufficient description or information to define precisely the boundaries of the property. All distances shall be feet and tenths of a foot. All angles shall be given to the nearest ten (10) seconds or closer. The error of closure shall not exceed one (1) in ten thousand (10,000).
  - iv. The lot lines and owners of all adjoining lands, as shown on the latest Village property tax records.
  - v. The locations, names and existing widths of adjacent streets and curb lines.
  - vi. The locations, widths and purposes of all existing and proposed easements, setbacks, reservations and areas dedicated to public use within or adjacent to the property.

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- vii. A complete outline of existing deed restrictions or covenants applying to the property.
- viii. Existing zoning, setting forth requirements and actual dimensions for the subject parcel.
- ix. Nassau County land and tax map section, block, and lot numbers.
- x. Zoning use district (if more than one district, reflect exact boundary lines of each district in which a portion of the Subject Premises is located).
- xi. Location and types of sidewalk, curb, and pavement on existing streets surrounding Subject Premises.
- xii. Existing and proposed drainage structures (showing invert elevations).
- xiii. Existing and proposed curb cuts onto or abutting public streets.
- xiv. Show curb cuts on adjacent properties and properties across the public street and within 100 linear feet of the Subject Premises.
- b. Natural Features:
  - i. Existing contours with intervals of five (5) feet or less referred to a datum satisfactory to the applicable Board.
  - ii. Approximate boundaries of any areas subject to flooding or storm water overflows.
  - iii. Location of existing watercourses, marshes, wooded areas, rock outcrops, isolated trees with a diameter of six (6) inches or more, measured three (3) feet above the base of trunk, and any other significant existing natural features.
- b. Existing Structures and Utilities:
  - i. Outlines of all structures and location of all uses not requiring structures.
  - ii. Paved areas, sidewalks and vehicular access between the site and public streets.
  - iii. Locations, dimensions, grades and flow direction of any existing sewers, culverts and waterlines, as well as other underground and aboveground utilities within and adjacent to the property.
  - iv. Other existing developments, including fences, landscaping, and screening.
- c. Proposed Development
  - i. The location of proposed buildings or structural improvements.
  - ii. The location and design of all uses not requiring structures, such as off-street parking and loading areas and any common spaces and/or recreation areas.
  - iii. The location and plans for any outdoor signs.
  - iv. The location, arrangement, and materials of proposed means of ingress and egress, including sidewalks, driveways, or other paved areas. Profiles indicating grading cross sections showing width of roadway, location and size of water and sewer lines. Any proposed direct pedestrian connection to public parking lots or structures will also be shown.
  - v. A planting plan, prepared by a qualified landscape architect or architect, showing any proposed screening and other landscaping.
  - vi. The location of all proposed waterlines, valves, and hydrants and of all sewer lines or alternate means of water supply and sewage disposal and treatment.



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- vii. An outline of any proposed easements, deed restrictions or covenants.
- viii. Any contemplated public improvements on or adjoining the property.
- ix. Any proposed new grades, indicating clearly how such grades will meet existing grades or adjacent properties or the street.
- x. Elevations of all proposed principal or accessory structures.
- xi. Any other information deemed by the Commission to be necessary for its determination that the site plan conforms with the spirit and intent of the Site Plan Chapter of the Village Code.

**PLEASE NOTE:**

1. The Applicant must notify the owners of all property within a 200-foot radius of the Subject Property of the public hearing for the application. Such notice must be mailed Certified Mail, Return Receipt Requested, to each record owner of each such parcel, not less than 10 days and not more than 25 days prior to the date set for the Public Hearing on the Application. An Affidavit of Mailing must be filed with the Village Clerk not later than five (5) days prior to the date of the Public Hearing, and all Certified Mail receipts and Return Receipts must be filed with the Village Clerk.
2. In the event that revisions are made to any site plan, or subdivision or partitioning plat, that had been reviewed by the applicable Board, all such re-submissions must be highlighted to reflect any and all changes requested by the applicable Board from the most recently submitted version thereof.

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**APPLICATION FOR LAND SUBDIVISION OR PARTITIONING APPROVAL**

Proposed Name of Subdivision (if applicable): \_\_\_\_\_

Location of property: \_\_\_\_\_

Nassau County Tax Map – Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

Bounded by or abutting what street(s)? \_\_\_\_\_

Name, address, and telephone number of owner: \_\_\_\_\_

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

Name, address and telephone number of applicant: \_\_\_\_\_

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

Name, address, telephone number and license number of architect or engineer or land surveyor:

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

Village Zoning District: \_\_\_\_\_

Has any change in the zoning been requested? \_\_\_\_\_

If so, give details: \_\_\_\_\_

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

If not, do you contemplate any future requests for a change in zoning? \_\_\_\_\_

Date of Deed or Deeds recorded in the Nassau County Clerk's Office establishing Owner's  
record title of Subject Premises: \_\_\_\_\_

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

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Preliminary layout covers \_\_\_\_\_ acres \_\_\_\_\_ plots \_\_\_\_\_

Does the owner propose to dedicate to public use all open spaces shown on the map? \_\_\_\_\_

Give number of acres which owner proposes to dedicate to public use for park and/or playground purposes \_\_\_\_\_

Does the owner propose to submit a plat to cover entire preliminary layout or to file same in sections? \_\_\_\_\_

Does the preliminary layout cover the entire contiguous holdings of the owner and the applicant? \_\_\_\_\_

Does the owner intend to request any variances from the requirements of the Regulations of the Village Board having jurisdiction upon the submission of the approval of the final plat? \_\_\_\_\_

If so, give details: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

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ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

**AFFIDAVIT TO BE COMPLETED BY OWNER OTHER THAN CORPORATION**

STATE OF NEW YORK )

) ss:

COUNTY OF NASSAU )

I, \_\_\_\_\_, being duly sworn, deposes and says that they are the owner in fee of the property described in the foregoing application for consideration of subdivision or partitioning of land, and that the statements contained therein are true to the best of their knowledge and belief.

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Owner's Signature

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

**AFFIDAVIT TO BE COMPLETED BY CORPORATE OWNER**

STATE OF NEW YORK )

) ss:

COUNTY OF NASSAU )

I, \_\_\_\_\_, being duly sworn, deposes and says that he/she resides at \_\_\_\_\_, in the County of \_\_\_\_\_, and State of \_\_\_\_\_, that they are the \_\_\_\_\_ of fee of the property described in the foregoing application for consideration of subdivision or partitioning of land, and that the statements contained therein are true to the best of their knowledge and belief.

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Print Name



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**NOTICE TO PROPERTY OWNERS**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE TAKE NOTICE THAT the undersigned has made application to the Board of Trustees/Planning Board/Landmarks Preservation Commission of the Village of Baxter Estates for subdivision/partitioning of land.

At: (Street Address) \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Described on the Nassau County Land & Tax Map as:

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Zone: \_\_\_\_\_

A public hearing will be held by the Landmarks Preservation Commission, on this application at the Village Hall, 315 Main Street, Port Washington, New York, on \_\_\_\_\_, \_\_\_\_\_, 20\_\_ at 7:30 p.m.

This notice is sent to you by first class [certified mail/return receipt requested].

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Dated

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**APPLICATION FOR SITE PLAN APPROVAL**

Location of property: \_\_\_\_\_

Nassau County Tax Map – Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_

Bounded by or abutting what street(s)? \_\_\_\_\_

Name, address, and telephone number of owner: \_\_\_\_\_

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

Name, address and telephone number of applicant: \_\_\_\_\_

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

Name, address, telephone number and license number of architect or engineer or land surveyor:

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

Village Zoning District: \_\_\_\_\_

Has any change in the zoning been requested? \_\_\_\_\_

If so, give details: \_\_\_\_\_

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

If not, do you contemplate any future requests for a change in zoning? \_\_\_\_\_

Date of Deed or Deeds recorded in the Nassau County Clerk's Office establishing Owner's  
record title of Subject Premises: \_\_\_\_\_

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

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Does the owner intend to request any variances from the requirements of the Regulations of the Village Board having jurisdiction upon the submission of the approval of the final plat? \_\_\_\_\_

If so, give details: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name



**VILLAGE OF BAXTER ESTATES  
315 MAIN STREET  
PORT WASHINGTON, NY 11050  
Telephone (516) 767-0096  
Facsimile (516) 767-0058  
Email: building@baxterestates.org**

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

**AFFIDAVIT TO BE COMPLETED BY OWNER OTHER THAN CORPORATION**

STATE OF NEW YORK )

) ss:

COUNTY OF NASSAU )

I, \_\_\_\_\_, being duly sworn, deposes and says that they are the owner in fee of the property described in the foregoing application for site plan approval, and that the statements contained therein are true to the best of their knowledge and belief.

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Owner's Signature

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

**AFFIDAVIT TO BE COMPLETED BY CORPORATE OWNER**

STATE OF NEW YORK )

) ss:

COUNTY OF NASSAU )

I, \_\_\_\_\_, being duly sworn, deposes and says that he/she resides at \_\_\_\_\_, in the County of \_\_\_\_\_, and State of \_\_\_\_\_, that they are the \_\_\_\_\_ of fee of the property described in the foregoing application for site plan approval, and that the statements contained therein are true to the best of their knowledge and belief.

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Print Name



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**NOTICE TO PROPERTY OWNERS**

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PLEASE TAKE NOTICE THAT the undersigned has made application to the Board of Trustees/Planning Board/Landmarks Preservation Commission of the Village of Baxter Estates for site plan approval.

At: (Street Address) \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Described on the Nassau County Land & Tax Map as:

Section: \_\_\_\_\_ Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Zone: \_\_\_\_\_

A public hearing will be held by the Landmarks Preservation Commission, on this application at the Village Hall, 315 Main Street, Port Washington, New York, on \_\_\_\_\_, \_\_\_\_\_, 20\_\_ at 7:30 p.m.

This notice is sent to you by first class [certified mail/return receipt requested].

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Dated



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GENERAL MUNICIPAL LAW, § 809 provides as follows:

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person, partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.
2. For the purposes of this section an officer or employee shall be deemed to have an interest in the applicant when he, his spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them is:
  - a. the applicant or is an officer, director, partner or employee of the applicant, or legally or beneficially owns or controls stock of a corporate applicant or is a member of a partnership or association applicant, or is a party to an agreement with such an applicant, express or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request.
3. In the County of Nassau the provisions of subdivisions one and two of this section shall also apply to a party officer. "Party officer" shall mean any person holding any position or office, whether by election, appointment or otherwise, in any party as defined by subdivision four of section two of the Election Law.
4. Ownership of less than five percent of the stock of a corporation whose stock is listed on the New York or American Stock Exchanges shall not constitute an interest for the purposes of this section.
5. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

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**AUTHORIZATION BY OWNER FOR REPRESENTATIVES OF THE VILLAGE OF  
BAXTER ESTATES TO GO UPON SUBJECT PREMISES**

I hereby authorize the members of the Planning Board/Board of Trustees/Landmarks Preservation Commission, the Village Superintendent of Buildings, the Village Engineer, and the legal counsel to the Planning Board/Board of Trustees/Landmarks Preservation Commission to enter upon and inspect my property prior to the Planning Board/Board of Trustees/Landmarks Preservation Commission rendering a determination with regard to this application.

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(Signature of Owner)

---

(Print Name)

---

(Date)

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**VILLAGE OF BAXTER ESTATES LAND USE APPLICATION**  
**APPLICANT ACKNOWLEDGEMENT OF DEPOSIT OBLIGATIONS**

The undersigned, an applicant to a board, department or agency of the Village of Baxter Estates with respect to the development or use of a parcel of real property within the Village, hereby acknowledges that Village Code §§102-1, 175-2 and 175-83, and resolutions adopted by the Board thereunder, require that the undersigned, as a land use applicant to the Village, is liable and shall pay for those fees, costs and expenses set forth in said Code Sections or resolutions, including engineering, legal, advertising, stenographic and consultant expenses, that are incurred by the Village in connection with my application.

I understand that my initial deposit made against such expenses may be insufficient, depending upon the circumstances of my application, and that I shall be responsible for replenishing the amount on deposit upon request of the Village Clerk, and that all amounts due and owing must be paid before a certificate of occupancy or a certificate of completion with respect to my project will be issued by the Village.

The undersigned, as owner of the affected parcel, acknowledges that any unpaid balance of such expenses shall constitute a lien upon the parcel that is the subject of this application, pursuant to Village Code §102-7.

\_\_\_\_\_  
Signature of Property Owner-Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant  
(if different from Property Owner)

\_\_\_\_\_  
Date





