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INCORPORATED VILLAGE OF SOUTHAMPTON

BOARD OF ZONING APPEALS

Resolution Adopting Submission Procedures

APPROVED

WHEREAS, the Board of Zoning Appeals (“ZBA”) of the Village of Southampton desires to establish a policy to ensure that all Board Members and members of the public have adequate opportunity to review materials with respect to any application and should have a full opportunity to do so; and

WHEREAS, the Board of Zoning Appeals (“ZBA”) of the Village of Southampton is a public agency whose records are subject to the Freedom of Information Law (FOIL), and whose proceedings are subject to the New York State Open Meetings Law (OML) which requires that documents scheduled to be discussed on the meeting agenda, which board members have received, should be posted online for the public to see; and

WHEREAS, the ZBA relies on the Southampton Village Building Department and its staff to maintain its files in both hardcopy and digital formats, and is responsible for distributing plans as well as making them available to the public; and

WHEREAS, the ZBA, in order to best facilitate the above, wishes to adopt clear policies and procedures to ensure each submission is made in a complete and timely manner, and these policies and procedures should be followed by all applicants who wish to submit documents to the ZBA; and

WHEREAS, the ZBA has further determined that establishing certain procedures and policies regarding the submission of anyone who wishes to be heard by the ZBA at each meeting will serve the best interest of the Village; and

WHEREAS § 116-24C of the Zoning Ordinance states that the Board shall prescribe rules for the conduct of its affairs,

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NOW THEREFORE, IT IS HEREBY RESOLVED:

The policies and procedures included here are to be followed by all applicants appearing before the ZBA, and all other interested parties submitting records to the ZBA; and

IT IS HEREBY FURTHER RESOLVED:

New complete ZBA applications shall be submitted to the Building Department in a manner and format consistent with the Board and Building Department's instructions no later than the Friday at Noon at least four (4) weeks prior to the hearing date. Applications are subject to review by staff and applications deemed incomplete may be returned to applicants and shall not be advertised for a public hearing or distributed to Board members until they are determined to be complete. An applicant aggrieved by a decision of the Building Department may appeal to the Zoning Board of Appeals in writing within 15 days; and

IT IS HEREBY FURTHER RESOLVED:

Application-related submissions including revised plans and supplemental information or documents that are provided to the ZBA during the course of an open public hearing on a carryover application shall be submitted to the Building Department in advance of the public hearing continuation date as follows: By Tuesday at noon the week prior to a Tuesday hearing, and by Thursday at noon on the week prior to a Thursday hearing. A complete submission shall include seven (7) hard copies of all materials, folded and collated as applicable, as well as a digital copy in PDF format. Digital copies may be provided on a flash drive, uploaded on to a Dropbox using a link provided by the Building Department, or emailed to BuildingInspector@southamptonvillage.org with a copy to awallach@southamptonvillage.org; and

IT IS HEREBY FURTHER RESOLVED:

Submissions to the Zoning Board of Appeals from neighbors and other interested parties other than the applicant and their agent(s) shall submit to Building Department seven (7) hardcopies as well as PDF format no later than 12 PM on the hearing date; and

IT IS HEREBY FURTHER RESOLVED:

That all those wishing to be heard are to be aware that in order for the Board to properly assess each application the Board Members must receive complete information in a timely manner,

That upon a failure of any person being heard by the Board to comply with these policies in providing a complete submission, the Board cannot consider documents or records which were not submitted in accordance with these policies,

That upon a failure of any applicant being heard by the Board to submit documents in a timely manner in advance of the meeting, the Board may take steps as it deems appropriate to ensure that all Board Members and members of the public have adequate opportunity to review the materials, and the record is made complete by keeping the record open and adjourning the matter to a future meeting date, including adjourning further testimony to a future meeting date.

NOW, THEREFORE, BE IT RESOLVED, that the ZBA hereby adopts the above policy for ZBA submission Procedures.

Dated: July 25, 2024

VOTE	AYE	NAY
Mr. Ferran	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Giuffra	<input type="checkbox"/>	<input type="checkbox"/>
Mr. Kempner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Zacharias	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ms. Munn	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest as to vote:



Board Member

Date Filed:

July 26, 2024


Southampton Village Clerk