

TOWN OF SMITHFIELD

APPLICATION FOR SPECIAL USE PERMIT

Town Use Only (Date Application Filed _____)
(Date of Hearing _____)
(Date of Final Action _____)
(Action _____)

TO THE PLANNING BOARD OF THE TOWN OF SMITHFIELD:

_____, (Applicant) hereby requests approval by the Planning Board of the Special Use Permit proposed herein and respectfully states:

1. Applicant is the (owner) (purchaser under contract) of the subject property containing approximately _____ acres, identified on the tax map as account number (s) _____, and _____ located at (show street address, or if none, general description; attach legal description, survey map and any restrictive covenants if applicable):

2. Applicant acquired the subject property on _____, 20_____, or if not the owner, the name(s), address(es), and telephone number(s) of the owner(s) of record of the subject property (is) (are):

3. Applicant requests a Special Use Permit in relation to the subject property pursuant to Section _____ of the Building and Development Control Law of the Town of Smithfield for the purpose of:

4. The present land use of the subject property is:

5. The proposed operation under the requested Special Use Permit is:
 - a. Day of week and hours of operation _____
 - b. Maximum number of employees on site at one time _____
 - c. Number of off-street parking spaces available _____
 - d. Size and location of all signage _____

6. The proposed use will not be inconsistent with any provision of the Town of Smithfield Building and Development Control Law or Subdivision Regulations.

7. The proposed use will not create a hazard to public health, safety, morals or the general welfare because:

8. The proposed use will not alter the essential character of the area because:

9. The proposed use will not be detrimental to the neighborhood or its residents because:

10. There are no existing violations of applicable land use or development regulations with respect to the subject property except:

11. Upon information and belief, the names and mailing addresses of all adjoining property owners of each adjoining parcel, are as follows:

Name

Address

North:

South:

East:

West:

12. Applicant's Licensed Land Surveyor:

Name: _____
Address: _____
Telephone: _____

13. Applicant's Engineer:

Name: _____
Address: _____
Telephone: _____

14. Applicant's Architect:

Name: _____
Address: _____
Telephone: _____

15. Applicant's Attorney:

Name: _____
Address _____
Telephone _____

16. In the event that all required documents are not furnished to the Planning Board at the time of submission of this application, applicant hereby waives any and all rights which might otherwise accrue by virtue of Article 16 of the New York Town Law.

17. Applicant consents to appropriate Town action either revoking any approval which may be granted hereafter or obtaining necessary injunctive relief in the event applicant fails to abide by any conditions or restrictions contained herein or imposed hereafter by the Planning Board.

18. Applicant hereby acknowledges and represents that all disclosures required by law, and specifically those required by Section 809 of the New York General Municipal Law, have been submitted in writing to the Planning Board prior to or at the time of submission of this application.

Applicant's Signature

Dated _____, 20 _____

(Individual Signature)

(Corporate Name)

(Officer)

(Mailing Address of Applicant)

(Phone number)

Signature of owner who is not the applicant:

The undersigned owner(s) of the above described property hereby acknowledge and consent to the submission of this application for a Special Use Permit.

(Owner's Signature)

(Date)

(Owner's Signature)

(Date)

(Owner's Signature)

(Date)

Individual Applicant's Acknowledgment

State of New York)
County of) ss.:

On this _____ day of _____, 20 ____, before me personally came and appeared _____, to me known, and known to me to be the person described in and who executed the foregoing Application, and he duly acknowledged to me that he executed the same.

(Notary Public)

Corporate Applicant's Acknowledgment

State of New York)
County of) ss.:

On this _____ day of _____, 20 ____, before me personally came and appeared _____, to me known, who being by me duly sworn did depose and say reside he resides at _____ that he is the _____ of the corporation described in and which executed the foregoing Application; that he knows the seal of said corporation; that the seal affixed to said instrument is such seal; that it was so affixed by order of the directors of said corporation and that he signed his name thereto by like order.

(Notary Public)

**TOWN OF SMITHFIELD
DISCLOSURE STATEMENT**

This affidavit is apart of and must be completed and attached to every application, petition, or request submitted for subdivision approval (approval of a plat) or other approval under the Town of Smithfield Subdivision and Land Use Regulations.

State of New York)
County of) ss.:

1. _____ being duly sworn, deposes and says that

(s)he is: _____
(Applicant, petitioner, corporation officer, property owner, etc.)

2. That deponent has read and is familiar with the provisions of the General Municipal Law Section 809 which states:

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 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 purpose of this action an officer or employee shall be deemed to have an interest in the application when he, his 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 or employee 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 an applicant, express or implied, whereby he/she 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. 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.
4. A person who knowingly and intentionally violates this section shall be guilty of a misdemeanor.

-OR-

4. If a Town of Smithfield Officer, employee or a relative of either as defined in Section 809 of the General Municipal Law, has any interest in this application or request give the full particulars in the following paragraph.

(Applicant, etc. – signature)

(Date)

Individual Acknowledgment

State of New York)
County of) ss.:

_____, being duly sworn, deposes and says that he/she is the Applicant in this (Application or Request): that he/she has read the foregoing affidavit and knows the contents thereof; that the same is true to the knowledge of deponent, except as to matters therein stated to be alleged in information and belief, and that as to those matters he/she believes it to be true.

(Applicant, etc. – signature)

Subscribed to before me, this _____ day of _____, 20 ____.

Notary Public

Corporate Acknowledgment

State of New York)
County of) ss.:

_____, being duly sworn, deposes and says that he/she is the _____ of _____, the corporation named within entitled Application, that he/she has read the foregoing affidavit and knows the contents thereof; and that the same is true to his/her own knowledge, except within the matters therein stated to be alleged upon information and belief, and as those matters he/she believes it to be true.

(Applicant, etc. – signature)

Subscribed to before me this _____ day of _____, 20 ____.

Notary Public