



# TOWN OF SMITHTOWN

PLANNING and COMMUNITY DEVELOPMENT DEPARTMENT

## TRANSFER of DENSITY FLOW RIGHTS APPLICATION

Case # \_\_\_\_\_

### A. Application type:

- Nondiscretionary private party transfer
- Discretionary private party transfer
- Request for town to purchase rights (fill out parts A, B, C and E)
- Purchase rights from the town's density flow rights bank (fill out parts A, B, D and E)

Number of rights to be transferred: \_\_\_\_\_

### B. Applicant's information

Applicant: \_\_\_\_\_

Applicant's mailing address: \_\_\_\_\_  
\_\_\_\_\_

Applicant's telephone #: (\_\_\_\_\_) \_\_\_\_\_

Applicant's standing:  Owner of  Sending parcel  
 Contract Vendee  Receiving parcel

Contact person: \_\_\_\_\_

Contact's mailing address: \_\_\_\_\_  
\_\_\_\_\_

Contact's telephone #: (\_\_\_\_\_) \_\_\_\_\_

### C. Sending parcel information

1. Owner's name	3. Address or location of property
2. Suffolk County Tax Map # 0800 - - -	

4. Total lot area: \_\_\_\_\_ sq. ft.

5. Area of sending parcel, if the application is only for a portion of the tax lot: \_\_\_\_\_ sq. ft.

6. Is lot held in single and separate ownership from all adjoining lots?  Yes  No

a. If yes, since what date? \_\_\_\_\_

b. If no, what is the Tax Map# of the adjoining property held by the same owner? 0800 - - -

7. Are there any surface water features or wetlands on the lot?  Yes  No

a. If yes, please indicate the area of the lot that is covered by these features. \_\_\_\_\_ sq. ft.

8. Is the sending parcel part of a buffer, parkland, or open space that was created as a condition of any town, county, state, or federal approval?  Yes  No

9. Is the sending parcel within an easement area or right of way or, land restricted by some other condition, covenant or encumbrance of record, to the extent that any of these prevent development thereon?  Yes  No

10. Following the transfer of density flow rights, the sending parcel will be:

- Conveyed to a government agency: (agency) \_\_\_\_\_
- Maintained in private ownership

11. If this application is for a *nondiscretionary* private party transfer; please mark all criteria that the proposal meets:

- The parcel is lawfully developed for a commercial or institutional use, or for more than one dwelling unit
- The parcel is vacant and meets the minimum lot area and frontage required by the zoning ordinance
- A sufficient area variance has been granted by the Board of Zoning Appeals for the parcel and/or, if necessary, the adjoining lot
- The application includes a yield plan that complies with §323-7B and does not require discretionary modification by the Town Board of any of those standards identified in §323-7C(3)

12. If this application is for a *discretionary* transfer, please indicate the standard(s) in §323-7(C)3 for which relief is sought (highway design standards or frontage, setback, parking, or buffer requirements) and explain the need for such relief.

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**D. Receiving parcel information**

1. Owner's name	3. Address or location of property
2. Suffolk County Tax Map # 0800 - - -	

4. Lot area: \_\_\_\_\_ sq. ft.

5. Is parcel connected to a public drinking water service?  Yes  No

6. Existing wastewater flow per Suffolk County Department of Health Services: \_\_\_\_\_ gallons per day

7. Proposed use(s) of receiving parcel: \_\_\_\_\_

8. Proposed wastewater flow: \_\_\_\_\_ gallons per day

- If the wastewater flow calculations are not noted on the site plan, please use the space below to describe how the proposed wastewater flow was calculated (e.g. existing flow of 500 gpd + 30 restaurant seats @ 10 gpd/seat = proposed flow of 800 gpd).

Wastewater flow calculation:

**E. Affidavits**

**OWNER of SENDING PARCEL'S ENDORSEMENT**

STATE OF NEW YORK  
COUNTY OF SUFFOLK

\_\_\_\_\_ being duly sworn, deposes and says he/she resides at \_\_\_\_\_ in the County of \_\_\_\_\_ and that he/she is owner in fee or (title) \_\_\_\_\_ of (corporation) \_\_\_\_\_, which is the owner in fee of the proposed sending parcel described in the foregoing application and that he/she has authorized \_\_\_\_\_ to make the foregoing application.

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

\_\_\_\_\_  
Notary Public, Suffolk County \_\_\_\_\_ Print or Type Name

**OWNER of RECEIVING PARCEL'S ENDORSEMENT**

STATE OF NEW YORK  
COUNTY OF SUFFOLK

\_\_\_\_\_ being duly sworn, deposes and says he/she resides at \_\_\_\_\_ in the County of \_\_\_\_\_ and that he/she is owner in fee or (title) \_\_\_\_\_ of (corporation) \_\_\_\_\_, which is the owner in fee of the proposed receiving parcel described in the foregoing application and that he/she has authorized \_\_\_\_\_ to make the foregoing application.

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

\_\_\_\_\_  
Notary Public, Suffolk County \_\_\_\_\_ Print or Type Name

**APPLICANT'S AFFIDAVIT**

STATE OF NEW YORK  
COUNTY OF SUFFOLK

\_\_\_\_\_ being duly sworn, deposes and says he/she is the owner, attorney for owner, or contract vendee of the sending or receiving parcel(s) described in the foregoing application, and that all statements made in the foregoing application are true to the best of his/her knowledge and belief, except as to the matters therein stated to be alleged on information and belief and as to the matters he/she believes the same to be true.

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

\_\_\_\_\_  
Notary Public, Suffolk County \_\_\_\_\_ Print or Type Name