

## **ZBA COVID-19 PROCEDURES (Effective July 30, 2020)**

Those COVID-19 procedures established by the Board on April 7, 2020 shall remain in full force and effect with the following **change to Rule # 6 which is replaced in its entirety with the following:**

#6. Effective July 30, 2020, all applicants will have Zoom access to the virtual Zoning Board hearing. The applicant must file with their application packet a valid email contact for all persons who will be speaking on behalf of an application. This would include the applicant and any experts who will be called to testify. No later than five (5) days before the scheduled hearing any representative of an applicant or expert witness or member of the public desiring to be heard and participate in a zoom call in support of or in opposition to an application must go on the Town Website Zoning Board Agenda and select the registration link for that hearing date to register to participate in the zoom hearing.

Procedurally on the hearing date, the applicant and any expert witnesses shall address the Board initially by Zoom; with a ten-minute time limitation. Should an applicant wish to rely on their paper submission and not address the Board they may do so provided they give the Board notice of the fact no less than 5 days before the hearing date.

After submission of the presentation by the applicant any members of the public who wish to be heard and who have signed up to speak either in opposition or in support of the application may do so with a 3 minute time limitation per speaker. Members of the public are still required to submit their written comments to the Board prior to the hearing and the Board members will review all comments. If you are unable to attend a Zoom session your comments will still be considered.

In the event that opposition counsel or their experts wishes to speak in opposition to an application the ten-minute time frame on presentation will be imposed.

After comments by the public in opposition or support are heard the applicant or their representative will be afforded a time to address any issues discussed during the hearing.

The hearings will be fully transcribed by the Board stenographer.

All other terms and conditions of the April 7, 2020 Procedural amendment shall remain in full force and effect.

## **ZBA COVID-19 PROCEDURES (Revised 4/7/2020)**

1. All applicants' packets must contain a summary of the relief they are seeking and why it should be granted, including expert affidavits if deemed necessary or required as a matter of law. Cases

already filed and online would need to be augmented with the additional submissions. All applicants residential and commercial must email their digital applications to [planning@huntingtonny.gov](mailto:planning@huntingtonny.gov)

**Applicants:** The application will not be deemed complete or heard unless this information is in the packet. Minor residential applications could be triaged to determine if additional information is needed. If so, a letter would be sent but more likely than not it would be uploaded to the Cloud by TOH.

2. The packet for each application would then be uploaded by TOH to the Cloud ten days before the hearing; this would be accessible to both Board Members and the general public. Applicants or their counsel would have to do a mail notification to anyone within the Notice radius with an affidavit of service to the Board with written advice concerning these interim modified procedures. An Agenda for each hearing date will be on the Town website with an icon next to each hearing. By clicking on the icon you will be able to view all submissions.
3. The public would have ten days' time from the date of the additional mail Notice to submit written comments to the Board by emailing same to [planning@huntingtonny.gov](mailto:planning@huntingtonny.gov)
4. Upon receipt of the comments from the public, the matter would be marked "fully submitted." Signs and proof of posting must be submitted.
5. All comments from the public would be added to the record by adding them to the Cloud as well. If comments contained a question to be answered by the applicant, the applicant would be directed to do so by the Board, if appropriate, to make a determination on the application.
6. ~~Once fully submitted the "hearing" would consist of a conference call or web conference with only Board Members and counsel for the Board on the line. No applicant or counsel and no general public would participate. Both applicant and the public would, of course, have the right to listen.~~ **(SEE REPLACEMENT FOR #6 ON FIRST PAGE ABOVE)**
7. The IT department would record the proceeding which will be simultaneously broadcast live on Optimum Channel 18, FIOS Channel 38 and also accessible on the Town website as a meeting online at [huntingtonny.gov/meetings](http://huntingtonny.gov/meetings)
8. Discussion among Board Members would be limited and a vote taken, recorded by Mr. Bennett as counsel.
9. Filing of decisions would be done in the ordinary course of business in the office of the Clerk and there will be no second vote on the verbiage of the decisions.
10. The ZBA Court reporter would create a transcript remotely from the broadcast.