

# Zoning Board of Appeals Responsibilities

## What is the Zoning Board?

The Zoning Board of Appeals, or “ZBA”, is basically a “people’s court” to anyone aggrieved by a decision regarding a use of land or a placement/height of a building/structure that is based upon the Town of Groton Land Use Code. (A Variance to the NY State Building Code is reviewed by the Department of State.)

- ✓ In order to appeal to the ZBA, there must first be a decision issued by an enforcement official.
- ✓ Anyone “aggrieved” by a decision may seek an Interpretation of the decision or Relief of the decision which is called a variance.
- ✓ In the review of the decision, the board has authority which resembles a court: It may subpoena, swear witnesses, ask its own questions, issue orders, request documents and/or individual members may view the site in question personally.
- ✓ The Board listens to all sides: the aggrieved, the municipality, and comments from the public.
- ✓ All hearings are public and require notification in the town designated newspaper as per open meetings law. State law provides the Board with a time period to render its decision after the hearing which it may affirm, reverse, or modify the enforcing officer’s decision.

## 2. There are two types of appeals to the ZBA:

- ✓ An **appeal for an interpretation** claims that the enforcing officer’s decision was wrong and incorrectly applied the zoning regulations. This kind of appeal seeks a reversal of the officer’s decision.
- ✓ An **appeal for a variance** can only be made after a permit has been denied or someone has been served with some sort of enforcement action. This kind of appeal admits that the denial or order to remedy was correctly issued but seeks to have the strict terms of the regulation varied in the appellant’s favor.

## 3. Position requirements:

- ✓ Must have an interest in the future of the Town and be willing to attend meetings currently set for the 3<sup>rd</sup> Wednesday of each month at 7pm.
- ✓ Become familiar with State laws regulating building and land use activities.
- ✓ Must have or be willing to gain an astute understanding of the Town of Groton Land Use and Development Code plus any NY State rules/regulations regarding zoning boards. (Land Use Code books & training materials will be provided. The Town is a member of the NY State Planning Federation <https://nypf.org/> as well as The Association of Towns which provides ample training each year. Members may be reimbursed for associated fees.)
- ✓ Complete and provide proof of the minimum 4 hours of training required by State Law, per year.

*Application to Serve on  
Town of Groton Zoning Board of Appeals*

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Length of residence in Town of Groton: \_\_\_\_\_

Education: \_\_\_\_\_

Relevant experience, community affiliations and/or why you would like this position:

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Signature of Applicant

Return application to: Groton Town Clerk, PO Box 36, 101 Conger Blvd., Groton, NY 13073