

# Please read and keep for your reference

## What is a Variance?

New York State Town Law (Section 267[s]) provides that:

“ Where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinances, the Board of Appeals **shall** have the power in passing upon appeals, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the use, construction or alteration of buildings, or the use of land, so that the spirit of the ordinance shall be observed, Public Safety and Welfare secured, and substantial justice done.”

**It is important for you to be aware of the following questions,  
so that relevant information is provided on your application or at the public hearing.**

Following your public hearing the board must ask itself the following 5 questions in order to arrive at a decision:

- 1) Can the benefit be achieved by other means feasible to the applicant without requiring a variance?
- 2) Will it cause an undesirable change in the neighborhood character or nearby properties?
- 3) Is the request substantial?
- 4) Will it have a detrimental physical or environmental affects?
- 5) Is the variance request self-created?

Whenever it is not clear where the front, side, or rear lot line is located it shall be up to the landowner to prove the location by survey or means found to be acceptable by the Code Enforcement Officer.

**Please fill out the application, the Short Environmental Assessment form,  
and the Agricultural Data Statement and return to the Town Clerk’s Office  
at Po Box 36, 101 Conger Blvd., Groton, NY 13073 with appropriate fee.**

# Town of Groton- Zoning Board of Appeals

## Appeal and Application for Variance or Interpretation Under the Town of Groton Land Use and Development Code

PO Box 36, 101 Conger Blvd. Groton, NY 13073

Application Fee: \$50.00

Tax Map # \_\_\_\_\_

Zone: \_\_\_\_\_

--Appeal for a variance to Section \_\_\_\_\_ of \_\_\_\_\_  
due to denial by Town of Groton Code Enforcement Officer.

-- Appeal for interpretation of Section \_\_\_\_\_ of \_\_\_\_\_  
due to belief that decision of Code Enforcement Officer is incorrect.

Owners Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Property Address involved (if different than above) \_\_\_\_\_

Purpose of Request: \_\_\_\_\_

Justification for Request: \_\_\_\_\_

Previous Appeals: (state, dates and purposes of request): \_\_\_\_\_

**\*\*Owner should submit with this application any additional supporting materials deemed necessary that will assist the Board to understand the request\*\***

Signature of Property Owner \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

-Approved     - Denied    Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Zoning Board of Appeals, Chair

For Office Use Only

Date Received \_\_\_\_\_

Receipt # \_\_\_\_\_ Date \_\_\_\_\_

Date Ad Paid \_\_\_\_\_

# Town of Groton Agricultural Data Statement

Name and Address of applicant: \_\_\_\_\_

Location of proposed action: \_\_\_\_\_

Name, address, telephone number (if known) and type of farm of owner (s) of land within the agricultural district which land contains farm operations (s) and upon which the project is proposed or which is located within 500 feet of the boundary of the property upon which the project is proposed:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Type of farm: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Type of farm: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Type of farm: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

Type of farm: \_\_\_\_\_

Tax map or other map showing the site of proposed project relative to the location of farm operations identified to the Ag Data Statement.

Comment by presiding Board:

Signed: \_\_\_\_\_ Position: \_\_\_\_\_ Date: \_\_\_\_\_

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<b>NO</b>	<b>YES</b>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<b>NO</b>	<b>YES</b>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p><b>NO</b></p>	<p><b>YES</b></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		