## 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 Blv	vd. Groton, NY 13073
Application Fee: \$50.00	Tax Map # Zone:
Appeal for a variance to Section due to denial by Town of Groton Code Enfo Appeal for interpretation of Section due to belief that decision of Code Enforce	orcement Officer of
Owners Name:	Phone:
Address:	
Property Address involved (if different than about	
Purpose of Request:	
Justification for Request:	
Previous Appeals: (state, dates and purposes of	of request):
**Owner should submit with this application any necessary that will assist the Board to understa Signature of Property Owner_	and the request**
Public Hearing Date:	Date Received  Receipt # Date
Signature:	Date Ad Paid
Zoning Board of Appeals, Chair	

## Town of Groton Agricultural Data Statement

Name and Address of applic	cant:	
Location of proposed action:	:	
	umber (if known) and type of farm of o	
_	and contains farm operations (s) and up	
which is located within 300	feet of the boundary of the property u	pon which the project is proposed:
Name:		Phone:
Type of farm:		
Name:		Phone:
Address:		
Name:		Phone:
λ 1 1		
Address:		
Type of farm:		
	ng the site of proposed project relative	
Comment by presiding Boo	ard:	
S. c J.	P	D-4
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.

Part 1 - Project and Sponsor Information					
Name of Action or Project:					
Project Location (describe, and attach a location map):					
110Jeor 200mion (accorno), and aman a 100mion map).					
Brief Description of Proposed Action:					
	1				
Name of Applicant or Sponsor:	Teleph				
	E-Mai	l:			
Address:					
City/PO: State: Zi		Zip (	Zip Code:		
1. Does the proposed action only involve the legislative adoption of a plan, l	local law	, ordinance,		NO	YES
administrative rule, or regulation?  If Yes, attach a narrative description of the intent of the proposed action and	the env	ironmental resources t	that		
may be affected in the municipality and proceed to Part 2. If no, continue to	questio	n 2.			
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:			NO	YES	
in rest, has agone y(s) name and permit of approval.					
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  □ Urban □ Rural (non-agriculture) □ Industrial □ Comm		□ Residential (subur	ban)		
□ Forest □ Agriculture □ Aquatic □ Other		`			
□ Parkland					

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural		NO	YES
landscape?			
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Al If Yes, identify:	rea?	NO	YES
If Tes, identify.			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation service(s) available at or near the site of the proposed action?			
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed ac	tion?		
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
If No, describe method for providing potable water:			
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No, describe method for providing wastewater treatment:			
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic		NO	YES
Places?  b. Is the proposed action located in an archeological sensitive area?			
b. is the proposed action located in an archeological sensitive area:			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	n	NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	ı		
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check a	all that	apply:	
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successi	ional		
☐ Wetland ☐ Urban ☐ Suburban		NO	***********
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO	YES
		NO	TITIO
16. Is the project site located in the 100 year flood plain?		NO	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO	YES
If Yes, a. Will storm water discharges flow to adjacent properties? □ NO □ YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drain If Yes, briefly describe:	1s)?		

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)?		YES
If Yes, explain purpose and size:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or		YES
completed) for hazardous waste?  If Yes, describe:	-	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST (	)F MY
Applicant/sponsor name: Date:		
Signature:		