

Town of Marshall
Zoning Board of Appeals
2651 State Route 12B, P O Box 233, Deansboro, New York 13328

Appealing for an Area Variance

Obtain the determination of the Codes Enforcement Officer in writing which you are appealing.

Confirm that it is appropriate to apply for an area variance. Consult the the Zoning Ordinance of the Town of Marshall and the Codes Enforcement Officer if clarification is needed. The document “Guidelines for Applicants to the Zoning Board of Appeals” in the James A Coon Local Government Technical Series and NYS Town Law Para 267-b, may be helpful.

Submit a Notice of Appeal to the Codes Enforcement Officer and to the Chair of the Zoning Board of Appeals.

Complete the Agricultural Data Statement (See Town Law, Article 16 § 283-A)

Complete Part 1 of The Environmental Assessment Form

State Environmental Conservation Law (SEQR) requires the identification and mitigation of significant environmental impacts. Environmental assessments are standardized through use of the Environmental Assessment Form (EAF).

http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seaf.pdf

For information about SEQRA go to <http://www.dec.ny.gov/permits/357.html>

Prepare the map(s) and site plan.

Write a check payable to the Town of Marshall for the appeal fee.

Provide seven (7) copies of the completed appeal (appeal form, Agricultural Data Statement, Environmental Assessment Form, map and site plan and appeal fee) to the Codes Enforcement Officer with a request that the appeal be presented to the Zoning Board of Appeals at its next regular meeting. To come before the ZBA, the appeal must be received by the chair of the ZBA a minimum of 10 days prior to a meeting at which it will be considered.

The applicant, or the applicant's representative, must be present at the ZBA meeting to present and explain the proposed project and to answer questions.