

VILLAGE OF STAMFORD, COUNTY OF DELAWARE

Zoning Board of Appeals Committee Bylaws

UPDATED: January 20, 2026

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**Purpose**

The Zoning Board of Appeals Committee of the Village of Stamford shall be governed by the become familiar with all the duly enacted ordinances and laws of the village under which it may be expected to act as well as with the applicable state statutes. The committee shall become familiar with the community goals, desires and policies as expressed in the comprehensive plan and grant the minimum relief which will ensure that the goals and policies of the plan are preserved and substantial justice provisions of all applicable state statutes, local laws, ordinance, and these rules. The committee shall is served.

**Members**

Three (3) members, are appointed to three (3) year terms with no more than one (1) term expiring in any given year.

- Persons appointed to the Zoning Board of Appeals must be resident of the Village of Stamford, the Town of Stamford or the Town of Harpersfield, and/or own a business or property in the Village of Stamford.
- Each member will be appointed by the Village Mayor, subject to final approval of the Board of Trustees, with recommendations and performance evaluation (including training hours requirement compliance) from the Zoning Board of Appeals committee chairman.
- The Village Mayor, after a public hearing, may remove any member from the Zoning Board of Appeals for cause, e.g. non-compliance with minimum requirements relating to attendance and training established by the Board of Trustees.
- If someone resigns or is removed from the Zoning Board of Appeals committee before their term is complete, then a new member will be appointed by the Village Mayor and they will complete the remaining term before being reappointed.

**Officers**

- Chairman – one (1) year term, appointed by the Mayor, subject to approval by the Board of Trustees.
- Secretary – one (1) year term, selected by majority of the Zoning Board of Appeals committee present.

\*\*Office Term shall be the same as the Village of Stamford's Fiscal Year. (June 1<sup>st</sup> to May 31<sup>st</sup>) \*\*

**Duties of Chairman**

- 1) Serves as the Chief Volunteer of the Zoning Board who provides leadership to the Zoning Board, to whom other members are accountable,
- 2) Chairs meetings of the Zoning Board after developing and publishing an agenda with the Secretary
- 3) Encourages Zoning Board's role in strategic planning
- 4) Appoints another member to serve as Chair if he/she cannot be present at a given meeting.

- 5) Designate when the alternate member is to be present
- 6) Serves *ex officio* as a member of the Zoning Board and attends BOT meetings.
- 7) Discusses issues confronting the zoning board with the Board of Trustees when required.
- 8) Helps guide and mediate ZBA actions with respect to organizational priorities and governance concerns.
- 9) Evaluates the performance of the other ZBA and provides input on appointment/reappointment to the ZBA.

#### **Duties of the Secretary**

- 1) Maintains records/minutes of ZBA Meetings
- 2) Ensures effective management of records by,
  - a) Working with the Village Clerk, publishing the ZBA agenda & materials at least 24 hours prior to the scheduled ZBA meeting
  - b) Manages minutes of ZBA meetings and presents them to the Village Clerk within three (3) days of meeting's completion
  - c) Ensures minutes are distributed to other members of the ZBA shortly after the meeting
- 3) Is responsible for all correspondence, and picking up messages from the Village Clerk, must pick up the mail and prepare all documents for the **Zoning Board** meetings and notify Chairman of any issues, works with the Chairman to prepare the monthly meeting agenda, and performs other responsibilities as assigned by the Chairman of the Zoning Board

#### **Responsibilities of all Members**

- 1) All ZBA members are expected to attend all meetings. The Board of Trustees has set minimum meeting attendance at 85% (10 of 12 annual meetings)
- 2) Keep informed of materials, topics and tools of the Zoning Board of Appeals committee such as:-zoning ordinances, bi-laws, rules and regulations, Village comprehensive plan, municipal laws, and zoning maps.
- 3) Training –
  - a) All new members must complete the New York State, Department of State webinar “Zoning Board of Appeals Overview”, or equivalent as determined by the Board of Trustees, within one (1) month of being appointed to the Zoning Board.
  - b) All members must receive four (4) hours of continuous training annually (providing certified proof of course completion to the Chairman). What constitutes acceptable training is established by the Board of Trustees. The requirement for training can be modified /waived by resolution of the Board of

Trustees when, in their judgement, it is in the best interest of the Village to do so.

### **Alternate Member**

- 1) One (1) Alternate Member shall be appointed by the Mayor; subject to approval of the Board of Trustees, for a term established by the Board of Trustees.
- 2) The Alternate Member may be called in for purposes such as substituting for a member of the ZBA who is unable to participate because of conflict of interest.
- 3) The ZBA Chairman will designate when the Alternate Member will substitute for a ZBA member.
- 4) When so designated the Alternate Member shall possess all the powers and responsibilities of such member of the ZBA.
- 5) Such designation will be entered into the minutes of the initial ZBA meeting at which the substitution is made.
- 6) The Alternate Member then has responsibility to reside over all matters brought before the ZBA during their designation.

### **Meetings**

- 1) Zoning Board of Appeals Committee Meetings, normally, will be held on the 3<sup>rd</sup> Thursday of every month at 7:00pm.
- 2) Required paperwork and materials must be submitted to the Secretary no later than seven (7) days prior to the board meeting date in order to be included on the agenda.
- 3) In the event that no application & material has been submitted or received, the Chairman may cancel the Zoning Board of Appeals committee meeting for the month. Cancellation of the meeting is to be communicated to the Village Clerk at least two (2) days ahead of the scheduled meeting so that the Village website can be updated.
- 4) If for some reason the date of a meeting must be moved, the new date must be set and communicated IAW the expectations of Open Meetings Law.

### **Absences**

Recommendations may be made to the Village Mayor for possible removal from the Zoning Board of Appeals Committee after missing three (3) scheduled meetings during a given year without adequate excuse and proof thereof.

### **Quorum/Voting**

- 1) Two (2) members (majority of the three (3) member zoning board of appeals committee) are required to ~~have~~ conduct a legal meeting.
- 2) All matters shall be decided by a roll call vote lead by the Chairman.
- 3) When three (3) members are present, a tie vote shall be decided by the Chairman of the committee.
- 4) When two members are present, the vote must be unanimous, in order for the vote to pass.

### **Minutes of meeting**

- 1) Format - Minutes of all meetings must include, but are not limited to, members and/or residents present, date, time, place, old business discussed, new business discussed, recommendations for each topic.
- 2) All minutes are required to be emailed to all members of the Zoning Board of Appeals committee members and the Village Clerk no later than three (3) days after the meeting.

#### **Appeals, Procedures and Hearings**

- 1) The board shall hear and decide appeals from and review any order, requirement, decision or determination made by the Code Enforcement Officer or Planning Board committee, who are charged with the enforcement of any ordinance or local law within the Village of Stamford.
- 2) It shall also hear and decide all matters referred to it, which is it is required to pass under any other law.
- 3) An appeal must be made within ~~thirty~~ (30) 30 days of the action of the Code Enforcement Officer or Planning Board committee.
- 4) The applicant must file a notice of appeal with the secretary of the Zoning Board of Appeals. The notice shall be made on the proper forms provided for such purpose.
- 5) The Village Clerk or Code Enforcement Officer shall be responsible for providing any applicant with the proper forms and for instructing the parties concerned on the proper manner for completing and filing said forms.
- 6) The board shall schedule a hearing on all appeals or applications within sixty (60) days of the filing of the appeal or application.
- 7) The board shall give notice of the hearing at least five (5) days prior to the date thereof by publication in the village paper.
- 8) Prior to taking action on any matter, which would cause any change in the regulations or use of land or building on real property as specified in Section 239-M of the General Municipal Law, the board shall make referrals to the County Planning Agency.
- 9) Decisions by the board shall be made not later than sixty (60) days from the date of the final hearing.

#### **Procedures of Amending the Bylaws**

If an amendment to the bylaws becomes necessary

- 1) The Planning Board Chairman, or other Village Official, proposes & describes requested change to the Village Board of Trustees.
- 2) If Board of Trustees is in agreement, an individual will be tasked with drafting the updated bylaws.
- 3) The updated bylaws are introduced by resolution at a public meeting of the Board of Trustees.
- 4) The resolution is discussed and voted upon at a public meeting of the Board of Trustees.