

## **PROPOSED LOCAL LAW NO. 1 OF THE YEAR 2020**

### **Purpose**

The purpose and subject of this Local Law is to: 1) Abolish the Town Planning Board, 2) Transfer all Planning Board functions and duties to the existing Zoning Board of Appeals, 3) Rename the Zoning Board of Appeals to the 'Planning Board/Zoning Board of Appeals', and 4) Amend the Town of Coeymans Code where necessary to effectuate these changes.

### **Authority**

The Town Board of the Town of Coeymans as Legislative Body for the Town of Coeymans hereby enacts this Local Law pursuant to authority conferred by New York State Town Law Article 16, New York State Municipal Home Rule Law, and the New York State Constitution.

### **Legislative Intent**

The intent of this Local Law is abolish the Planning Board and transfer its functions to the Zoning Board of Appeals which will result in a streamlined review process for applicants and promote economic development by providing a more efficient and coordinated land use review process within the Town of Coeymans. Coordination of land use review functions pursuant to this Local Law will maintain the highest standards of review and approval as required by applicable state and local laws and regulations which will continue to protect and enhance the Town of Coeymans, its citizens, its environment, and its economy.

**THE TOWN BOARD OF THE TOWN OF COEYMANS HEREBY ENACTS LOCAL LAW NO. 1 OF THE YEAR 2020 AS FOLLOWS:**

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### **SECTION 1**

Chapter 34 of the Town of Coeymans Town Code is repealed and the Town of Coeymans Planning Board created pursuant thereto is hereby abolished except existing Code Section 34-9 shall survive and replace existing Code Section 165-13E(2) in its entirety.

### **SECTION 2**

The Town of Coeymans Zoning Board of Appeals shall hereafter be known as the Town of Coeymans "Planning Board/Zoning Board of Appeals". All references to either the Zoning Board of Appeals or Planning Board located within the Town of Coeymans Code shall be replaced with the term "Planning Board/Zoning Board of Appeals".

### **SECTION 3**

All functions, duties and authority of the former Planning Board, including but not limited to authority conferred by Town Code Chapter 136-Site Plan Review and Town Code Chapter 145-

Subdivision of Land, the powers and duties conferred by new Section 165-13E(2) (former Section 34-9), and all applicable state and local regulations are hereby vested with the Planning Board/Zoning Board of Appeals.

#### **SECTION 4**

The membership of the existing Zoning Board of Appeals, now to be known as the Planning Board/Zoning Board of Appeals is hereby increased to Seven (7) members. The additional sixth member shall be appointed to serve for a term of six (6) years and the additional seventh member shall be appointed to serve a term of seven (7) years. All future appointments shall be for a term of seven (7) years. Existing Code Section 165-13A(1) shall be amended in accordance with this Section.

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#### **SUPERCESSION**

The Town of Coeymans hereby exercises its authority pursuant to New York State Municipal Home Rule Law to supersede any conflicting state or local laws contrary to this Local Law.

#### **SEVERABILITY**

If any portion of this Local Law or the application thereof shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remaining portions of this Local Law.

#### **EFFECTIVE DATE**

This Local Law shall become effective immediately upon filing with the NYS Secretary of State in conformity with NYS Municipal Home Rule Law.