



Town of Stuyvesant  
Planning Board

**Planning Board Overview**



# Disclaimer

- This is intended as a brief overview of the Planning Boards role and review processes
- This is not a comprehensive presentation involving all aspects of the Planning Boards activities that may be required in a specific instance as these may vary from one applicant's proposal to another

# Planning Board's Authority

New York State Town Law Sec. 271

- Authorizes towns to create Planning Boards
- Establishes general outline of the Planning Boards jurisdiction and administration
- Establishes the size, terms of appointments, training and attendance requirements, removal of members, designating alternates, establishes specific powers of the Planning Board and the “referral of certain matters by the town to the board”
- Various other provisions relating to the board's operations

# Town of Stuyvesant Planning Board

- Is made up of town residents who volunteer their time and expertise
  - Is made up of Seven members
  - Each member is a duly appointed Public Official
    - Each is required to take an Oath of Office
    - Each serves a specified term of office

# What Does The Planning Board Do?

The Planning Board is a regulatory body that applies the Town Zoning Law

Conducts *Site Plan Reviews*

Reviews *Plat* or *Subdivision Requests*

Issues *Special Use Permits*

Holds *Public Hearings*

May *Advise the Town Board about Zoning Law*

(\*The Town has a standing Zoning Law Review Committee)

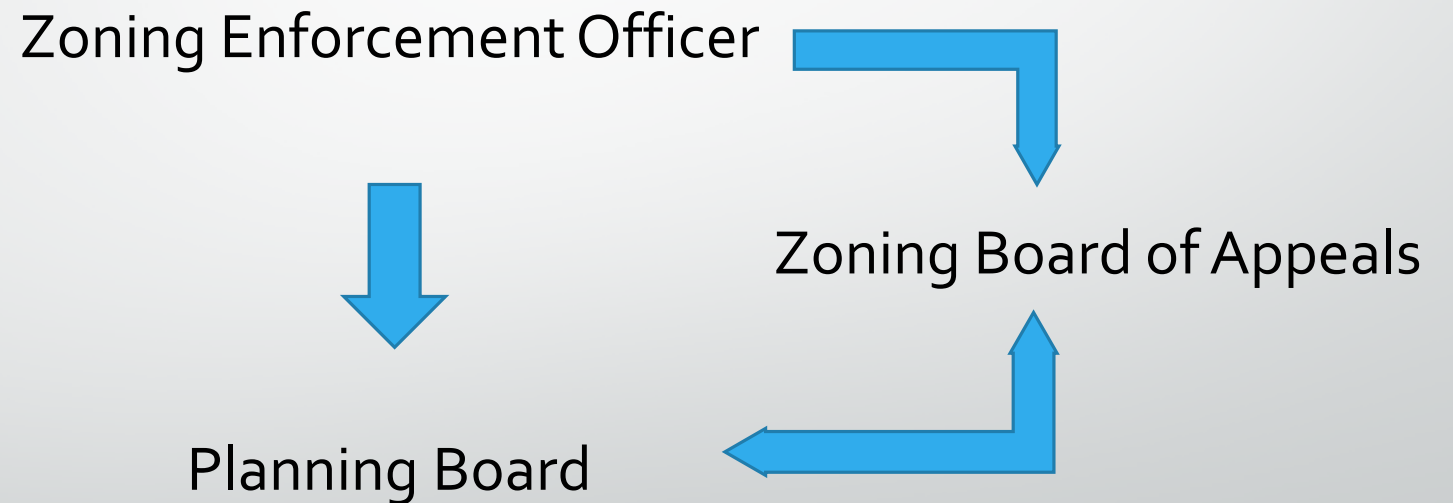
# How Does an Application Come Before the Board?

An Applicant must first discuss the proposed project with the Town Zoning Enforcement Officer (ZEO)

The ZEO will determine if the proposed project is *permitted* under the Town Zoning Law

The ZEO may also determine that certain projects are of sufficient scope or complexity that it may be forwarded to the Planning Board, or it may be referred to the Zoning Board of Appeals (ZBA) for review

# "Site Plan Review" Application Flow Chart



# Planning Board Review Process

- The board's process are generally defined in the Town Zoning Law
- The law can direct the board to take specific actions
- The law may also provide for a certain amount of discretionary action
- In certain areas the law leaves matters at the sole discretion of the board



# Town of Stuyvesant Zoning Law (Sec. 2)

## Key Definitions

For the purpose of this section, certain terms or words used herein shall be interpreted as follows:

- The word person includes a firm, association, organization, partnership, or corporation as well as an individual
- The word **shall** is mandatory, the word **may** is permissive
- The words **used** or occupied include the words intended, designed, arranged , or to be occupied
- The word lot includes the words plot or parcel

## Key Definitions (Cont.)

- ***Permitted Use*** – A specific use of building, structure, lot or land, or part thereof, which this Local Law provides for in a particular District *as a matter of right*. Any use **not** listed in the Table of Use Regulations shall be deemed a ***prohibited use***.

# Site Plan Review

NYS Town Law, Sec 274 and Stuyvesant Town Zoning Law. Sec. 9

- Sketch Plan Conference or “Application Workshop”

Prior to the formal application for review the Site Plan Review, meets with the Planning Board at a regularly scheduled meeting to discuss the applicability of the proposed development.

## Site Plan Review (Cont.)

- The “**Application Workshop**” may take any number of meetings to address issues, the applicant may take feedback from the board and public and modify the proposed project.
- It is not uncommon for a potential applicant to attend a number of meetings and never formally apply to the board.
- The board may also determine that a proposed project is limited in scope and does not require a further review.



## Site Plan Review (Cont.)

Determining that a project requires a full review under Section 9.

This is made due to a proposed projects scope and/or land use, site and building design characteristics. The board will advise the applicant of submission requirements or any additional information that may be required, before an application may move forward.

# Planning Board Review

## Town Zoning Law Section 9

- Sets forth nine (9) items that that **shall** include, “as appropriate, but not limited to” matters concerning;

Vehicular traffic, roadways, circulation, parking, design and general appearance of buildings, lighting, signage, drainage, stormwater facilities, water supplies, sewage disposal, adequacy of trees, shrubs, and other landscaping, protection of adjacent properties against noise, glare, unsightliness or other objectionable features, adequacy of fire lanes and other emergency zones, compatibility of the building design with existing characteristics of the neighborhood

\*Additional requirements may be set forth in specific, applicable sections of the Zoning Law

# Environmental Review

- An environmental review is required for each Site Plan Review
- The environmental review may either be completed in a Short Environmental Assessment (short form) or Full Environmental Assessment (long form)
- Which type of assessment is based on the project

# Referrals for Review and Opinion

Required Referrals – Under certain circumstances, prior to taking any action the board must refer the site plan to the Columbia County Planning Board. Other state agencies may also require a referral, such as DEC, due the nature of the property involved.

Optional Referrals – the board may refer a project to an interested stakeholder for an advisory opinion at its discretion.



# The Public Hearing

- The purpose of the Public Hearing pursuant to Sec. 274, NY State Town Law is to ***"elicit public comment"***.
  - A Public Hearing must be held within 45 days of a of a "complete" application
  - A Public Hearing in the context of this process is not intended to be a forum to *litigate* an issue.
    - The board has considerable latitude in how the hearing may be conducted.
    - It may impose time limits for the purposes of allowing fair access to the public to be heard
- It may require members of the public who intend to speak to sign in and to also leave copies of materials to become part of the record.
- The Planning Board is **not** required to make a decision at the conclusion of the Public Hearing but must do within 45 days.

# Planning Board Resolution(s)

The Planning Board acts by “**resolution**”

The board may take one of three courses of action;

1. Approve

2. Approve with modifications

3. Disapprove\*

(\*Disapproval requires a statement of reasons for the disapproval)



Q & A



Thank you for attending!

We hope this was informative