

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED

MAY 19 2000

Alexander F. Eisenberg
Secretary of State

~~County~~

~~City~~

~~Town~~

Village

of Sackets Harbor

Local Law No. 2 of the year 2000

A local law amending Local Law No. 2 of the Year 1987, as
(Insert Title)
amended, Village of Sackets Harbor Zoning Law

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

Village

of Sackets Harbor

as follows:

Section 1. Local Law No. 2 of the Year 1987, as amended, the Village of Sackets Harbor Zoning Law, is amended to read, in part, as provided below.

A) Section 2-1, Specific Definitions, is amended, in part, to change the following definition to read as follows:

STRUCTURE: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. The term includes, but is not limited to, dwelling units, buildings, swimming pools, platforms, towers, billboards, signs, fences and walls but is not intended to include conventional sidewalks, driveways, curbs, and chimneys.

B) Section 7-1, Application for Site Plan, Review is amended to read as follows:

Section 7-1 Application for Site Plan Review

A. All applications for site plan review shall be submitted to the Village Clerk at least fourteen (14) days prior to a regularly scheduled Planning Board meeting. All applications for

(If additional space is needed, attach pages the same size as this sheet, and number each.)

site plan review submitted to the Village Clerk less than fourteen (14) days prior to a regularly scheduled Planning Board meeting shall be processed for the next following regularly scheduled Planning Board meeting. Upon receipt of an application for site plan review, the Village Clerk shall notify the Chairman of the Planning Board of the application, who shall promptly review the application for completeness under this Article. If Chairman of the Planning Board believes that the application is complete enough that the Planning Board would accept the application as complete as required by this Article and there is sufficient time for publication of all required legal notices for a public hearing on the site plans, then the Chairman of the Planning Board shall cause to be published and posted all required notices for a public hearing and refer the application to the Jefferson County Planning Board when the site plan is subject to the review requirements for Section 239-m of the General Municipal Law. If Chairman of the Planning Board believes the application is incomplete and would not be accepted as complete by the Planning Board, he shall forthwith notify the applicant of the deficiencies in the application. If the applicant does not supply the missing materials, information or otherwise correct the deficiencies in the Application, the Chairman of the Planning Board shall forward the Application to the Planning Board for a determination of completeness of the application at the first available Planning Board meeting. In the absence or inability of the Chairman of the Planning Board, the Zoning Officer shall perform the foregoing duties.

B. Presubmission Conference: If the applicant files a request with the Village Clerk fourteen (14) days prior to a regularly scheduled Planning Board meeting, a presubmission conference between the applicant and the Planning Board shall be held to review the proposed development in light of existing conditions and to generally determine the information to be required on the site plan. At the conference the applicant shall provide a statement and a rough sketch describing what is proposed and showing the location of the tract and its relationship to the surrounding area.

C. Application Requirements: The Planning Board may require at the presubmission conference that any or all of the following elements be included in the site plan review application. If no presubmission conference is held, then all of the following elements shall be included in the site plan review application.

1. Name and address of applicant and owner, if different, and of the person responsible for preparation of such drawings.

2. Site map(s) bearing date, north point, written and graphic scale.

3. Boundaries of the area plotted to scale, including distances, bearings, and areas.

4. Location and ownership of all adjacent lands as shown on the latest tax records.

5. Location, name, and existing width and right-of-way of adjacent streets.

6. Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to public use on/or adjoining the property.

7. Location, size, design of the following: existing and proposed buildings, driveways, parking, outdoor storage, sidewalks or pedestrian paths, drainage facilities, sewage facilities, water facilities, signs, outdoor lighting, landscaping or screening.

8. Plans for controlling soil erosion and sedimentation during the development.

9. Plans for grading and drainage showing existing and proposed contours of five-foot intervals;

10. Designation of the amount of gross floor area and gross leasable area proposed for each non-residential use.

11. A Long Form Environmental Assessment Form or Short Form Environmental Assessment Form (EAF) as required by the New York State Environmental Quality Review Act and the regulations promulgated thereto.

12. Other elements integral to the proposed development as considered necessary by the Planning Board including identification of any federal, state, or county permits required for the project's execution.

13. All applicants shall deposit with the Village Clerk sufficient security to cover the anticipated administrative expenses of the Village as provided in Section 9-1 of this Local Law.

D. Once a completed application has been formally received and accepted by the Planning Board, the Board shall have a maximum of one hundred twenty (120) days (from the date of receipt) to review and approve, approve with conditions, or disapprove the proposal.

E. Within sixty (60) days from the date the Planning Board has received and accepted the completed application, a public hearing shall be held on the proposal to entertain public comment. At least five (5) days advance public notice of the hearing shall be published in the official newspaper.

F. The final decision by the Planning Board must be made within sixty (60) days following the hearing, in writing,

specifying any conditions that may be attached to an approval, the reasons that the Planning Board approved or denied the proposal and the motions/vote by the Planning Board members. All decisions shall be filed in the Office of the Village Clerk and a copy mailed to the applicant.

G. A Site Plan Approval is valid for one (1) year. Applicants are required to resubmit site plan applications for review after the one-year deadline, unless significant progress has been made on the development's site.

H. The Planning Board shall refer all site plan review applications that fall within those areas specified under General Municipal Law, Article 12 B, Section 239-m to the County Planning Board prior to their final vote thereon. All filing provisions of General Municipal Law, Article 12 B, Section 239-m shall be adhered to.

C) Subsection 9-0 (F) is hereby deleted in its entirety.

Section 2. This Local Law shall take effect upon filing with the Secretary of State and as provided in Section 7-706 of the Village Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2000 of the ~~(County)(City)(Town)~~ (Village) of Sackett Harbor was duly passed by the Board of Trustees on May 9, 2000, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____, above.

Betsy Stoker

Clerk of the County legislative body, ~~City~~ Town or Village Clerk
or officer designated by local legislative body

(Seal)

Date: May 9, 2000

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF JEFFERSON

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto

Signature

[Signature]

Village Counsel
Title

~~COUNTY~~
~~CITY~~ of SACKETT HARBOR
~~TOWN~~
Village

Date: May 16, 2000