

# ST. LAWRENCE COUNTY PLANNING BOARD

## 2023 NEWSLETTER

### 2023 MEETING DATES

The County Planning Board meets on the 2<sup>nd</sup> Thursday of each month at 7:00 PM. Meetings are held via Zoom, or in the 2<sup>nd</sup> Floor Conference Room of the Public Safety Complex, 49 ½ Court Street, Canton. The Executive Committee meets on the last Thursday of every month at 4:15 PM either via Zoom or in the Planning Office.

#### CPB Meeting

January 12  
February 9  
March 9  
April 13  
May 11  
June 8  
July 13  
August 10  
September 14  
October 12  
November 9  
December 14

#### Executive Committee Meeting

January 26  
February 23  
March 30  
April 27  
May 25  
June 29  
July 27  
August 31  
September 28  
October 26  
November 30\*  
December 28\*

\*At the call of the Chair

→ **Save this schedule for future reference** ←

### PROJECT REFERRALS

Sections 239-m and 239-n of New York's General Municipal Law require the referral of land use projects to the County Planning Board **before** a local board takes final action. Local boards must refer the following projects:

- ❖ **Town, village and city governing boards:** new or amended land use regulations/zoning text and maps (including Planned Unit Developments) and comprehensive plans.
- ❖ **Planning boards:** site plans, special use permits and subdivisions, and sign permits when they require local board action.
- ❖ **Zoning boards of appeal:** use and area variances must be referred. Some zoning boards have purview over special use permits and these too must be referred.

A referral is required when the property lines of a project are within **500 feet** of a:

- 1) municipal boundary
- 2) state or county highway right-of-way
- 3) state or county park or recreation area
- 4) county or state land with a public facility, or
- 5) the boundary of a farm operation in an ag district.

### Project Referral Fee

A fee is charged for reviewing projects and the fee schedule is attached to the [Project Referral Information Sheet](#).

### Referral Timeline

The deadline to refer a project is 14 days before the monthly meeting to allow staff time to research projects that are presented to the County Planning Board.

Project referrals can be faxed to (315) 379-2252, or emailed to [bartalo@stlawco.org](mailto:bartalo@stlawco.org), although hard copies of larger and more complex site plans should be provided.

As soon as your board's complete referral is delivered to the County Planning Office, a 30-day review period begins. The Planning Office evaluates each project to determine if it presents any countywide or inter-municipal impacts. If needed, the 30-day review period may be extended by mutual agreement between your board and the County Planning Board.

**Local boards may not take action** until a response has been received from the County. The County and local review process can be streamlined by referring projects as soon as possible so that the County and local reviews can take place simultaneously.

### Projects Returned for Local Action

The County Planning Board recognizes the burden of the State requirement on local boards to refer projects. **Please be assured that the County Planning Board sees that its chief responsibility is to address county-wide and intermunicipal considerations in its reviews.**

Projects that do not present county-wide or intermunicipal impacts are returned soon after they are submitted per a Memorandum of Understanding (MOU) between the County Planning Board and your municipality. This means the County neither approves nor denies, but considers the project's impacts to be primarily of local importance. The staff often sends non-binding, technical comments for the local board to consider. ***If you have any questions, or if we can be of assistance, please call the Office at 315-379-2292.***

### **Full Reviews**

The County Planning Board has determined the following project characteristics warrant a full review:

- Commercial projects in excess of 5,000 square feet
- Structures in excess of 10,000 square feet
- Projects that are large in size or scope (e.g. big box retail, renewable energy systems, etc.)
- Commercial rezoning
- Contaminated sites monitored by the DEC
- Alterations to a significant viewshed
- A Type 1 Action under SEQR

If a project appears to present countywide or intermunicipal characteristics such as these, staff will consult with the Executive Committee and hold the project for full review at the County Planning Board's monthly meeting.

### **Effect of CPB Decision**

The local board always has final jurisdiction to approve or deny applications. Should the County Planning Board disapprove or approve a project with conditions, the local board may vote to override the County Planning Board, **but only with a majority plus one of its full membership**. A denial by a local board is always possible with a simple majority vote.

### **Referral Follow Up Procedure**

Please note General Municipal Law § 239 requires **notifying the County Planning Board of a local board's final action** within 30 days of a decision. A copy of the project review and decision is kept on file at the office for reference.

### **What If a Project Is Not Referred?**

Failure to make § 239-m and § 239-n project referrals can invalidate any local action taken on them, even if the local board voted unanimously on the matter. There is no statute of limitations on § 239 referrals.

### **PROJECT REFERRAL FORM**

[Please use this linked referral form](#) as a cover sheet for project referrals. This form helps the Planning Office determine both the nature and completeness of a project. You can also email [lbartalo@stlawco.org](mailto:lbartalo@stlawco.org) for a digital copy.

### **BOARD QUORUM REQUIREMENTS**

Municipal planning boards consist of five or seven members, while ZBAs may consist of three or five members. Municipal board members are not eligible to serve on either board. Alternate members may be appointed to substitute for a member who is unable to participate in a meeting. Satisfying meeting quorums is important; subdivisions are automatically approved if a local board fails to satisfy subdivision timeframes listed in town and village law. Variances, meanwhile, are subject to a default denial in the absence of a quorum.

Communities that are having difficulty filling vacancies should consider consolidating planning and zoning boards between town and village governments. The Town and Village of Hammond, for example, have a joint planning board to review projects.

### **INTERNET MAPPING APPLICATION**

DANC's Internet Mapping Application depicts parcel boundaries, state and federal wetlands, soil information, aerial imagery, zoning, agricultural districts, and project referral boundaries.

Visit: <https://maps.dancgis.org/ima/>

**Streetview Imagery:** Local boards can see the street or roadfront of most buildings in the County's population centers at [www.bing.com/maps](http://www.bing.com/maps) or [www.google.com/maps](http://www.google.com/maps)

***You are encouraged to use these sites to help your local board make informed decisions on a project.***

### **AGRICULTURAL DATA STATEMENTS**

Projects within 500' of a farm operation in an agricultural district must include an Agricultural Data Statement to help local boards make informed decisions about potential impacts to agricultural lands and farms. Information in these statements can help local boards: protect prime and productive agricultural soils; minimize the conversion of farmland to non-agricultural uses; and minimize conflicts between agricultural operations and surrounding land uses. [Ag Data Statement Link](#)

### **OTHER GOOD STUFF**

- ❖ **Planning Board and ZBA Training.** The State requires Planning and Zoning Board members receive four hours of training per year. The Planning Office conducts training sessions each year in the spring and in the fall. **Please note: the Planning Office charges \$25 per individual for each training session.**
- ❖ **Local Planning Assistance.** The Office can assist local governments with everything from a particular project review, land use training, to working on a new land use regulation or zoning map. Staff can also prepare Comprehensive and Community Development Plans. We are happy to talk to any municipality about updating its planning and development resources.
- ❖ **Grant Writing.** The Office can assist with identifying appropriate funding sources for projects; our grant writing services tend to focus on major housing and infrastructure projects, but assistance can also be provided on smaller, targeted grants.

### **CONTACT INFORMATION**

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