

# ST. LAWRENCE COUNTY PLANNING BOARD

## YEAR 2010 NEWSLETTER

*The County Planning Board sends its greetings and best wishes for success in your planning and community development activities this year. 2010 will undoubtedly bring several new challenges and opportunities and we are looking forward to working with you.*

intermunicipal impacts.

### SCHEDULE OF 2010 CPB MEETINGS

In 2010 County Planning Board meetings will continue to be held the second Thursday of each month at 7:00 PM in Room 226 at the Courthouse. The Executive Committee meets 2 weeks prior to the regular meeting. The County Planning Board is willing to hold meetings in communities during the year to discuss local development topics.

**If you have an issue you would like to discuss with us, please call the County Planning Office (379-2292) and we can arrange a mutually acceptable meeting date.**

The date for referrals will be twelve days prior to the meeting to allow for staff research on "full" reviews and mailing to the CPB. Please save the schedule below for future reference.

<u>Executive Committee Meeting</u>	<u>CPB Meeting Date</u>
December 29, 2009	January 14, 2010
January 28, 2010	February 11, 2010
February 25, 2010	March 11, 2010
March 25, 2010	April 8, 2010
April 29, 2010	May 13, 2010
May 27, 2010	June 10, 2010
June 24, 2010	July 8, 2010
July 29, 2010	August 12, 2010
August 26, 2010	September 9, 2010
September 30, 2010	October 14, 2010
October 28, 2010	November 10, 2010
November 23, 2010	December 9, 2010

### THE REFERRAL REVIEW PROCESS

It has been our experience through the years that only a few projects have truly significant countywide or intermunicipal impacts requiring a full review by the County Planning Board. Most referrals are returned very soon after they are referred per the Memorandum of Understanding (MOU) procedure. This procedure allows the staff of the County Planning Office to make a preliminary determination of significance and to return for local action those projects lacking countywide or

### Minimum Standards for Referrals

We request that you utilize the attached referral form as a cover on referrals. This form is used by the Planning Office to determine both the nature and completeness of referrals. The referral form can also be found on the County Website at <http://www.stlawco.org/data/form/Project%20Referral%20Form.pdf> or call the Planning Office at 379-2292 if you need additional copies.

### What Projects Must Be Referred?

Sections 239-m and 239-n of New York State's General Municipal Law require that comprehensive plans, rezonings, special permits, variances, site plans and subdivisions be referred to the County Planning Board for review before the local board having jurisdiction takes its final action. A referral is required if the project is within **500 feet** of any municipal boundary, state or county highway right-of-way, state or county park or recreation area, existing or proposed county or state land on which a public building or institution is located, or the boundary of a farm operation that is within an agricultural district. Most farms in St. Lawrence County are located in an agricultural district. The following listing details required referrals:

- ❖ **Town, village and city governing boards** must refer new or amended zoning code texts and zoning maps (including Planned Unit Developments) and comprehensive plans.
- ❖ **Planning boards** must refer site plans and permits requiring a local board action. This includes sign permits requiring board approval. Even if there is no zoning law, there is still a requirement to refer a site plan. In addition, subdivisions must be referred to the County Planning Board under the similar § 239-n of General Municipal Law.
- ❖ For **zoning boards of appeal**, use and area variances must be referred. Some zoning boards have purview over special permits and these too must be referred.

## OTHER GOOD STUFF

As soon as your board's complete referrals have been sent to the County Planning Board, a 30-day review period begins. The county and local review process can be streamlined by making referrals as soon as possible so that county and local reviews can take place simultaneously. However, **the local board may not take action** until a response has been received from the county. If needed, the 30-day review period may be extended by mutual agreement between your board and the County Planning Board.

### What Happens to the Local Board's Referral?

The County Planning Board's staff evaluates each proposal and either returns it pursuant to an MOU or presents the referral and a recommended action at the Board's monthly meeting, depending upon the significance of any determinable countywide or intermunicipal impacts.

### Effect of CPB Decision

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

The County Planning Board fully realizes the burden that the State requirements for referral place upon local boards. **Please be assured that the County Planning Board sees that its chief responsibility is that countywide and intermunicipal considerations are addressed in its reviews.** Because of this emphasis on countywide and intermunicipal concerns the Board returns most projects to the local boards "for local action" via the MOU. This means the county neither approves nor denies, but considers the project's impacts to be primarily of local importance. The staff often sends technical comments that the local board may wish to consider. ***If you have any questions, or if we can be of assistance, please don't hesitate to call the office.***

### Referral Follow Up Procedure

Please note General Municipal Law § 239 requires that the **County Planning Board be notified of the final action** taken by a local board within 30 days of the final action. We keep a copy of the project review and the action on file, or on microfilm, for reference.

### What If the Project Is Not Referred?

Failure to make these § 239-m and § 239-n 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.

You can reach the staff of the County Planning Office at 379-2292. You can also fax (379-2252) your referrals to the office although we ask that you send hard copies of larger and more complex site plans. Our e-mail address is [Planning@stlawco.org](mailto:Planning@stlawco.org)

The County Planning Office offers a variety of services to local governments and agencies, some of these include:

- ❖ **Planning Board and ZBA Training.** The State requires Planning and Zoning Boards to have 4 hours of training per year. The County Planning Office will once again be providing multiple training sessions around the county this year. Training will be held in Massena, Gouverneur and Canton in late May and again in Canton in late November. Additional information on dates and times will be forthcoming.
- ❖ **Grant Writing.** The Office has had considerable success in recent years with its grant writing services. While it tends to focus on major housing and infrastructure projects, the Office also assists with the preparation of a number of smaller, targeted planning grants through a variety of funding sources. We have a Foundation Directory available for use as well.
- ❖ **Geographic Information System.** The Office has enhanced its ability to digitally link spatial and other data into maps for display and analysis purposes. Examples of interest to local boards might include: land uses, wetlands, soil types, property boundaries and zoning districts. Special maps can be prepared for customized needs. The county has a large amount of spatial data available online through its web mapping portal. The web address is [www.opengeohost.com/maps/stlawrence/](http://www.opengeohost.com/maps/stlawrence/)
- ❖ **Local Planning Assistance.** The Office is able to assist local governments with everything from a particular project review or training needs to working on the development of a new land use regulation or zoning map. We can also assist you with projects like recreation park design and layout.
- ❖ **Let's Count Everybody in 2010.** The goal of the 2010 Census is to count all residents living in the United States on April 1, 2010. It will take about 10 minutes for the average household to complete the Census form. All responses are used for statistical purposes only, and all are strictly confidential. When you get your Census form in March, please fill it out and send it in. If you don't get a Census form by April 1, 2010 please call the St. Lawrence County Planning Office at 315-379-2292. **We'll help you get counted!**

## STAFF OF THE PLANNING OFFICE

Keith Zimmerman	Director
Jason Pfothauer	Deputy Director
Jon Montan	Planner III
John Tenbusch	Planner II
Matilda Larson	Planner II
Heidi Ames	Grants Manager
Denise Russell	Office Manager