

Policy for the Review and Processing of Applications for Requests for Rezoning

I. Intent

This policy is intended to better manage requests for rezoning submitted to the Town by providing a fixed time frame for processing and review of applications. The review of petition for rezoning will be performed consistent with NYS Town Law. It is proposed that applications will be reviewed four (4) times per year (quarterly) in order to provide for a more thorough examination of applications by the Town Board, Planning Board, Planning Staff and the Public.

II. Review Process

A.) Submission of Applications

Individual applicants, the Town Board, or Planning Board may submit applications to the Town Clerk. Petitions may be submitted to the Town Clerk at any time. The Town Clerk will forward the application to the Zoning Administrator for a determination of completeness. Application requirements are identified on the application form.

B.) Town Board Referral

Complete applications shall be submitted to the Town Board for consideration on a quarterly basis according to the schedule below. Request for re-zonings are legislative acts subject to the discretion of the Town Board. Application may or may not be considered by the Board. The Town Board will refer any applications it chooses to consider to the Town Planning Staff and Planning Board for a staff report and Planning Board recommendation in accordance with the schedule.

C.) Planning Staff Report

Planning staff will prepare a report regarding the request, identifying the impacts of the proposal as outlined on the application materials. The Planning staff shall also prepare an evaluation of the suitability of the uses with the physical characteristics of the property and evaluate the proposal for consistency with adopted land use plans or master plan.

D.) Planning Board Recommendation

The Planning Board will evaluate the staff report together with the application materials provided by the applicant in considering its recommendation. A public hearing is not required at this juncture, although the Planning Board may choose to conduct a public hearing. The Planning Board will issue findings identifying

the Board’s response to the evaluation criteria as outlined on the application materials <<and as identified in Section 179-xx-xx.>>

III. Review Schedule

Applications will be considered for evaluation/recommendation by the Town Board/Planning Board on a quarterly basis according to the schedule outlined in Table 1.

Applications received by the Town Clerk by the first business day of the month of February, May, August or November may be forwarded by the Town Board at its next regularly scheduled meeting of the month. For applications the Town Board chooses to consider it will refer the application to the Planning Department and Planning Board for evaluation and recommendation.

The Planning Department shall prepare a report within 60 days as outlined below for review by the Planning Board. The Planning board will review the application and staff report and provide timely recommendation. The Town Board will consider the Planning Staff Report and Planning Board findings when considering the application and will also conduct a public hearing to solicit public input.

Table 1: Schedule

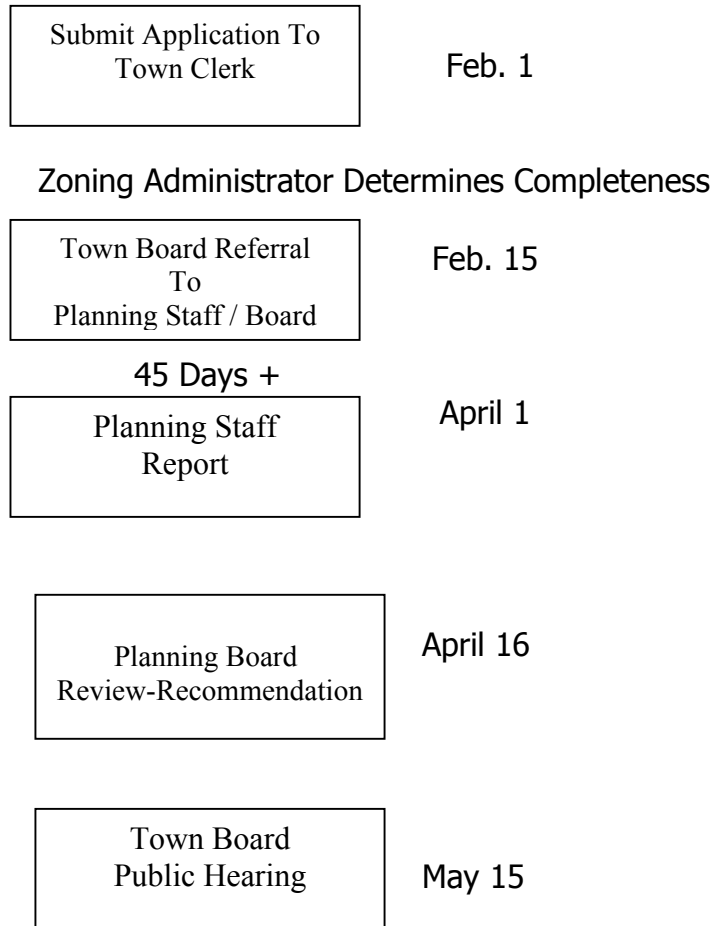
Application to Clerk on or Before	Town Board Referral ⁽¹⁾ to Staff/Planning Board	Staff Review Report by	Planning Board Recommendation (No Public Hearing Required) ⁽²⁾	Town Board Public Hearing
February 1	February	April 1	2 nd April Mtg.	May
May 1	May	July 1	2 nd July Mtg.	August
August 1	August	October 1	2 nd October Mtg.	November
November 1	November	January 1	2 nd January Mtg.	February

Notes :

(1) Referral by the Town Board is completely discretionary. The Town Board may chose not to act on the application and therefore not refer the application for consideration.

(2) The Planning Board is not required to conduct a public hearing but may chose to do so.

Example:



Last Revised June 10, 2002
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