

This newsletter provides key information that benefits municipal boards and zoning officers that review proposed development applications.

2020



Jefferson County
PLANNING BOARD NEWSLETTER

JEFFERSON COUNTY PLANNING BOARD MEMBERS

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Andy Nevin, AICP
Senior Planner
Lesley Zlatev, Senior Planner
Sara Freda, Community
Development Coordinator
Erin Ermine, Assistant
Planner
Michelle Bunny, GIS Specialist

Jefferson County
Department of Planning
175 Arsenal Street
Watertown, NY 13601

Complete County Planning Board Referrals

The County Planning Board strongly encourages the submission of site plan/special permit referrals that are **drawn to scale, show existing features, and indicate anticipated improvements to the site**. It is only with an accurate depiction of the project site and proposed changes that the CPB can accurately assess potential county-wide or inter-municipal impacts for each referral.

Therefore, to maintain effective local and County Planning Board review processes in the future, municipalities should follow their local submittal requirements and refer plans that meet the intent of the "full statement" provisions described below.

Complete application information will benefit the local review process as well as enable the County Planning Board to identify any relevant issues more efficiently and allow better suggestions to be made by either board regarding any needed project enhancements.

Local boards should require, and only accept, plans that are drawn to scale, show the complete site, and illustrate existing and proposed structures and site improvements. Local boards should use a checklist to assist in determining whether an application is complete.

Referral notice: The County Planning Board requires that municipalities complete and enclose the County Referral Notice when sending a project in for review. **The notice is now a fillable pdf** and may be accessed from the Jefferson County Website by going to www.co.jefferson.ny.us, clicking on **Departments**, and then clicking on **Planning**. When the local official refers a project to the County Planning Board for review, the referral should include a "full statement" of the proposed action.

What is a Full Statement? According to NYS GML Section 239-m, a "full statement" of the proposed action includes all materials required by and submitted to the local board as an application. This includes the completed environmental assessment form as well as all other materials required to make a determination of significance pursuant to the State Environmental Quality Review Act. When the proposed action is the adoption or amendment of a zoning ordinance or law, the "full statement of such proposed action" also includes the complete text of the proposed ordinance or local law as well as all existing provisions to be affected thereby, if any.

County Planning Board Triggers

NYS General Municipal Law Section 239-m states that any town, village, or city, which:

- ⇒ Adopts or amends a zoning law or ordinance; or
- ⇒ Adopts or amends a comprehensive plan; or
- ⇒ Issues a special permit; or
- ⇒ Approves a site plan; or
- ⇒ Grants a use or area variance,

MUST REFER such actions to the County Planning Board prior to taking any final action thereon...

IF the real property affected by this action lies within 500 feet of the following:

- The boundary of any city, village, or town; or
- The boundary of any existing or proposed County or State Park or any other recreation area; or
- The right-of-way of any existing or proposed County or State road, highway, parkway, or roadway; or
- The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines; or
- The existing or proposed boundary of any County or State owned land on which a public building or institution is situated; or
- The boundary of a farm operation located in a NYS Certified Agricultural District.

County Planning Board Action: After receiving a referral of the proposed action, the County Planning Board shall within 30 days (or longer as mutually agreed upon) report its recommendation to the local board. If the CPB does not respond within 30 days from the time it received a full statement on the proposed action, then the local board may act without such a report. However, if the CPB report is received after such 30 days but two or more days prior to final action by the referring body, then the local board shall take into consideration the CPB report. If such report recommends modification or disapproval of the proposed action, then the referring body may act contrary to the County Planning Board's recommendation only by a majority-plus-one vote of the board and after giving an explanation of the reasons for such action.

Municipal Board Action: The Local Board may act only after the County Planning Board's decision has been issued and must consider the CPB recommendations prior to its final decision. Therefore, local approvals contingent upon the County review would violate this requirement.

Local Board Filing: Within 30 days after final action, the referring body shall file a report of the final action it has taken with the County Planning Board. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

County Planning Board Meeting Schedule:

The Jefferson County Planning Board meets the **LAST Tuesday** of every month.

Meetings are typically held at **175 Arsenal St., Watertown** in the **2nd floor conference room**.

Meetings start at **4:00 pm**, unless otherwise noted.

<u>2020</u>			
<u>Submission Deadlines</u>		<u>CPB Meeting Dates</u>	
January	16	January	28
February	13	February	25
March	19	March	31
April	16	April	28
May	14	May	26
June	18	June	30
July	16	July	28
August	13	August	25
September	17	September	29
October	15	October	27
November	12	November	24
December	17	December	29

What happens if a referral is not made or local decision is made out of sequence?

Neglecting to refer a land use action pursuant to General Municipal Law may constitute a “procedural or jurisdictional error” that could legally invalidate the local municipality’s land use decision.

Sending a referral, but not waiting to consider the County Planning Board recommendation would be procedurally deficient as well. In a court challenge, the local decision on an application may be nullified. To clarify any of these issues, the municipality or local board may wish to consult with its attorney.

LOCAL PLANNING BOARDS AND ZBA MEMBER TRAINING

Planning Board and Zoning Board of Appeals members are required by NYS Law to receive a minimum of four hours of training every year. Each municipality is responsible for determining what training formats they will accept for training credit.

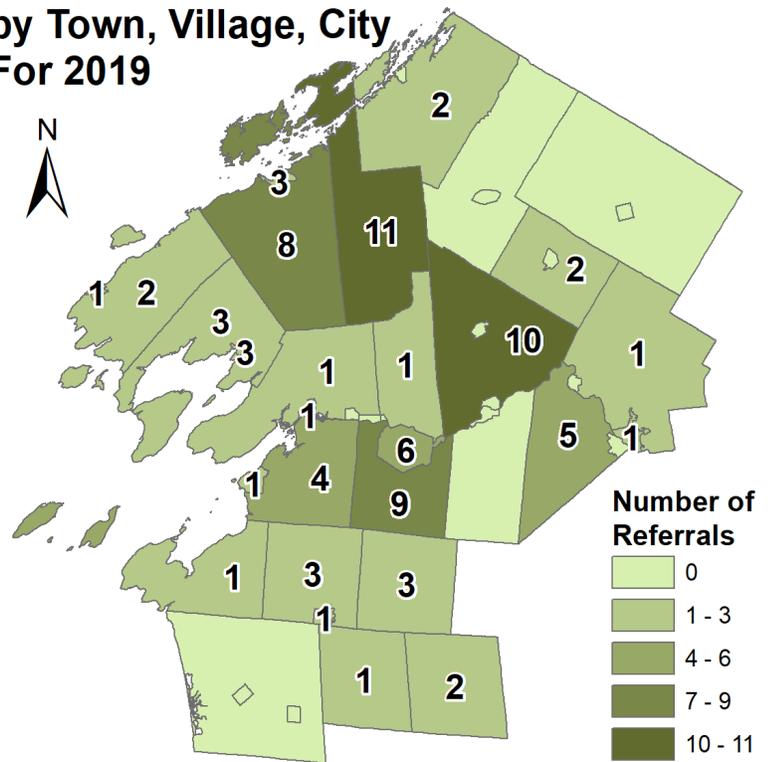
The Jefferson County Planning Office and the Tug Hill Commission sponsor **Land Use Training Workshops** held at Jefferson Community College. These workshops are offered for **free**. There are sessions in the spring and fall.

The Tug Hill Commission’s annual Local Government Conference will be on Thursday, March 26, 2020. This all-day conference includes sessions on a variety of planning issues facing municipal boards/zoning officials. Officials can earn a year’s worth of training in one day. For more information on the Local Government Conference, visit the Tug Hill Commission website: <http://www.tughill.org>

The NYS Department of State Land Use Training Unit offers on-line land use training courses. For more information on these training courses, visit the New York State Department of State’s website: <http://www.dos.ny.gov/lut/index.html>

In addition, the Jefferson County Planning Department has videos of training sessions available on-line at: <https://co.jefferson.ny.us/Planning> Planning staff can also provide direct training to local boards, upon request. Examples include; Planning and Zoning Authority of Municipal Boards, Airport compatibility training, and Basic SEQR training.

239-M PROJECT REFERRALS by Town, Village, City For 2019



MUNICIPAL PLANNING & MAPPING ASSISTANCE

The Jefferson County Planning Department provides various forms of planning assistance to local municipalities, including GIS mapping. Upon request, the Department can provide a variety of planning maps, such as:

- Zoning
- Land use (as determined by local assessors)
- Census demographics
- Comprehensive Plan maps
- Surface water resources (including streams/wetlands)
- Watersheds
- Trails and outdoor recreation
- Slope and topography
- Soils (prime farm soils, septic suitability)
- Agricultural Districts

View the County’s map viewer at: JeffCountyMaps.com

MUNICIPAL ASSISTANCE 2019 HIGHLIGHTS:

- ◆ Staff provided technical assistance to the Town of Orleans and Village of Alexandria Bay to update each municipality's Comprehensive Plan.
- ◆ Staff worked with numerous municipalities to develop Solar Energy Regulations based on the NYSERDA Model and revised to suit the needs of each municipality in Jefferson County.
- ◆ Training to local Boards regarding best practices for Airport Compatibility.

JEFFERSON COUNTY PLANNING DEPARTMENT STAFF ASSISTANCE

- The Planning Department is available to communities for assistance with a variety of tasks such as those listed to the left.
- Local board training can be tailored for individual municipalities pursuant to local needs.
- Procedural training related to local planning board reviews can be developed/presented.
- Custom maps to aid with local project inquiries such as zoning maps with parcels depicted can be developed for communities upon request.

SOLAR ENERGY FACILITIES THROUGHOUT 2019

Across the state, municipal planning and zoning boards are reviewing an increased number of applications for solar projects. On the State level various resources have been developed to guide the planning, siting, and regulation of projects for local municipalities. In 2019, Jefferson County experienced heightened interest by the development community to site more alternative energy solar projects in municipalities throughout the County.

Using the NYSERDA Model for solar energy regulations as a base, planning staff worked with communities to respond to the increased interest by solar developers and initiatives taken by County municipalities to develop solar laws which guide local solar project development.

THE COMPREHENSIVE PLAN PROCESS IN ACTION

Town of Orleans Comprehensive Plan :

Orleans recently completed a draft Comprehensive Land Use Plan. Through several phases of public input, including public open houses and a community survey, as well as a public meeting to devise the vision, goals, and objectives for the Town; the Plan Committee received substantive feedback about local priorities. The last Town-wide Plan was completed in 1961. The update to the Comprehensive Plan will be a practical resource to guide the planning and land-use management for the Town. In the update process attention was given to Character Areas to reinforce the Town's unique areas. A town-wide inventory was completed, which is a tool that provides data to identify where zoning changes may be necessary. The Comprehensive Plan fosters development projects and may help enhance quality of life throughout the Town.

Alexandria Bay Comprehensive Plan: The Village Comprehensive Land Use Plan is in the final phase of completion. Last updated in 1991, the update is scheduled for Public Hearing and Town Board review in January 2020.

Alexandria Bay intends to use it to guide amendments to the Village Zoning Law. A number of Village areas were identified through the Comprehensive Plan process as needing infrastructure improvements. A public open house, a community survey and a complete streets walkability workshop assisted the committee in its refinement of the Plan's vision, goals and implementation strategies. Priority infrastructure improvements, such as park related facilities, sidewalk systems, roadways, and various community facilities are being considered for potential funding or update.