S T A T E O F N E W Y O R K

2964

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the town law, in relation to the review of projects with regional significance by town planning boards

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The town law is amended by adding a new section 275 to read as follows:

S 275. PROJECTS WITH REGIONAL SIGNIFICANCE. 1. FOR PURPOSES OF THIS SECTION THE TERM "PROJECT WITH REGIONAL SIGNIFICANCE" SHALL MEAN:

(A) A HOUSING PROJECT CONTAINING FIFTY OR MORE UNITS;

(B) ANY PROJECT CONTAINING ONE HUNDRED THOUSAND SQUARE FEET OR MORE; OR

(C) ANY PROJECT WHICH REQUIRES THE INVESTMENT OF FIVE MILLION DOLLARS OR MORE.

2. IN ADDITION TO THE REVIEW REQUIRED BY THIS ARTICLE, THE PLANNING BOARD SHALL INCLUDE THE FOLLOWING IN ITS REVIEW OF A PROJECT WITH REGIONAL SIGNIFICANCE:

(A) THE IMPACT OF SUCH PROJECT ON THE CREATION OF JOBS WITHIN THE TOWN;

(B) THE IMPACT OF SUCH PROJECT ON THE TOTAL TAX REVENUES GENERATED IN SUCH TOWN; AND

(C) THE OVERALL ECONOMIC IMPACT OF SUCH PROJECT ON SUCH TOWN.

3. ANY PERSON OR PERSONS AGGRIEVED BY A DECISION BASED ON THE REVIEW REQUIRED BY THIS SECTION MAY APPLY TO THE SUPREME COURT FOR REVIEW BY A PROCEEDING UNDER ARTICLE SEVENTY-EIGHT OF THE CIVIL PRACTICE LAW AND RULES CONSISTENT WITH THE PROVISIONS OF SECTION TWO HUNDRED SIXTY-SEVEN-C OF THIS ARTICLE.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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