

7686

2015-2016 Regular Sessions

I N A S S E M B L Y

May 22, 2015

Introduced by M. of A. ZEBROWSKI -- read once and referred to the
Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the rights and
duties of neighboring municipalities in planning and zoning matters

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

1 Section 1. Subdivisions 3 and 4 of section 239-nn of the general
2 municipal law, as added by chapter 658 of the laws of 2005, are amended
3 to read as follows:
4 3. The legislative body or other authorized body having jurisdiction
5 in a municipality shall give notice to an adjacent municipality when a
6 hearing is held by such body relating to:
7 (a) the issuance of a proposed special use permit or the granting of a
8 use variance on property that is within five hundred feet of an adjacent
9 municipality;
10 (b) site plan review and approval on property that is within five
11 hundred feet of an adjacent municipality; [or]
12 (c) a subdivision review and approval on property that is within five
13 hundred feet of an adjacent municipality; OR
14 (D) ADOPTION OR AMENDMENT OF ANY ZONING ORDINANCE OR LOCAL LAW OR
15 COMPREHENSIVE PLAN, PURSUANT TO SECTION TWO HUNDRED SEVENTY-TWO-A OF THE
16 TOWN LAW, SECTION 7-722 OF THE VILLAGE LAW OR SECTION TWENTY-EIGHT-A OF
17 THE GENERAL CITY LAW, WHERE SUCH CHANGES WOULD AFFECT A PARCEL OR
18 PARCELS THAT ARE WITHIN FIVE HUNDRED FEET OF AN ADJACENT MUNICIPALITY.
19 4. Such notice shall be given by mail or electronic transmission to
20 the clerk of the adjacent municipality at least ten days prior to any
21 such hearing. A FULL STATEMENT OF SUCH PROPOSED ACTION SENT TO A COUNTY
22 PLANNING AGENCY OR REGIONAL PLANNING COUNCIL AS REQUIRED BY SECTION TWO
23 HUNDRED THIRTY-NINE-M OF THIS ARTICLE SHALL ALSO BE SENT TO AN ADJACENT
24 MUNICIPALITY. SUCH ADJACENT MUNICIPALITY SHALL HAVE THIRTY DAYS AFTER
25 RECEIPT OF A FULL STATEMENT OF SUCH PROPOSED ACTION TO COMMENT TO THE

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

LBD10873-01-5

1 REFERRING BODY, ACCOMPANIED BY A STATEMENT OF ITS REASONS FOR SUCH
2 COMMENT.
3 S 2. This act shall take effect on the sixtieth day after it shall
4 have become a law.