

# STATE OF NEW YORK

2247

2025-2026 Regular Sessions

## IN ASSEMBLY

January 15, 2025

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

AN ACT to amend the general city law, the town law, the village law and  
the general municipal law, in relation to providing notice of quorum  
requirements to applicants for a building or site permit, variance, or  
subdivision plat at zoning board of appeals and planning board meet-  
ings

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subdivision 13 of section 81-a of the general city law is  
2 amended by adding a new paragraph (c) to read as follows:

3 (c) Notice of quorum requirements. At the start of each meeting of a  
4 board of appeals at which the adoption of a motion or resolution to  
5 approve an application for a building or site permit, variance, or  
6 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
7 subdivision, the chairperson of the board of appeals shall inform any  
8 applicant for a building or site permit, variance, or subdivision plat  
9 of the following:

10 (i) the number of members of the board of appeals who are present or  
11 absent at such meeting;

12 (ii) the number of votes of the members of the board of appeals who  
13 are currently present at such meeting that is required to approve an  
14 application for a building or site permit, variance, or subdivision plat  
15 pursuant to paragraph (a) of this subdivision; and

16 (iii) the right of such applicant to table their application for a  
17 building or site permit, variance, or subdivision plat until a future  
18 meeting of the board of appeals if such applicant believes that the  
19 number of members of the board of appeals who are present or absent at  
20 such meeting will substantially impair such applicant's chances of  
21 getting their application for a building or site permit, variance, or  
22 subdivision plat approved.

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

LBD05071-01-5

1 § 2. Subdivision 17 of section 27 of the general city law, as added by  
2 chapter 662 of the laws of 2002, is amended to read as follows:

3 17. (a) Voting requirements. Every motion or resolution of a planning  
4 board shall require for its adoption the affirmative vote of a majority  
5 of all the members of the planning board. Where an action is the subject  
6 of a referral to the county planning agency or regional planning council  
7 the voting provisions of sections two hundred thirty-nine-m and two  
8 hundred thirty-nine-n of the general municipal law shall apply.

9 (b) Notice of quorum requirements. At the start of each meeting of a  
10 planning board at which the adoption of a motion or resolution to  
11 approve an application for a building or site permit, variance, or  
12 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
13 subdivision, the chairperson of the planning board shall inform any  
14 applicant for a building or site permit, variance, or subdivision plat  
15 of the following:

16 (i) the number of members of the planning board who are present or  
17 absent at such meeting;

18 (ii) the number of votes of the members of the planning board who are  
19 currently present at such meeting that is required to approve an appli-  
20 cation for a building or site permit, variance, or subdivision plat  
21 pursuant to paragraph (a) of this subdivision; and

22 (iii) the right of such applicant to table their application for a  
23 building or site permit, variance, or subdivision plat until a future  
24 meeting of the planning board if such applicant believes that the number  
25 of members of the planning board who are present or absent at such meet-  
26 ing will substantially impair such applicant's chances of getting their  
27 application for a building or site permit, variance, or subdivision plat  
28 approved.

29 § 3. Subdivision 13 of section 267-a of the town law is amended by  
30 adding a new paragraph (c) to read as follows:

31 (c) Notice of quorum requirements. At the start of each meeting of a  
32 board of appeals at which the adoption of a motion or resolution to  
33 approve an application for a building or site permit, variance, or  
34 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
35 subdivision, the chairperson of the board of appeals shall inform any  
36 applicant for a building or site permit, variance, or subdivision plat  
37 of the following:

38 (i) the number of members of the board of appeals who are present or  
39 absent at such meeting;

40 (ii) the number of votes of the members of the board of appeals who  
41 are currently present at such meeting that is required to approve an  
42 application for a building or site permit, variance, or subdivision plat  
43 pursuant to paragraph (a) of this subdivision; and

44 (iii) the right of such applicant to table their application for a  
45 building or site permit, variance, or subdivision plat until a future  
46 meeting of the board of appeals if such applicant believes that the  
47 number of members of the board of appeals who are present or absent at  
48 such meeting will substantially impair such applicant's chances of  
49 getting their application for a building or site permit, variance, or  
50 subdivision plat approved.

51 § 4. Subdivision 16 of section 271 of the town law, as added by chap-  
52 ter 662 of the laws of 2002, is amended to read as follows:

53 16. (a) Voting requirements. Every motion or resolution of a planning  
54 board shall require for its adoption the affirmative vote of a majority  
55 of all the members of the planning board. Where an action is the subject  
56 of a referral to the county planning agency or regional planning council

1 the voting provisions of sections two hundred thirty-nine-m and two  
2 hundred thirty-nine-n of the general municipal law shall apply.

3 (b) Notice of quorum requirements. At the start of each meeting of a  
4 planning board at which the adoption of a motion or resolution to  
5 approve an application for a building or site permit, variance, or  
6 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
7 subdivision, the chairperson of the planning board shall inform any  
8 applicant for a building or site permit, variance, or subdivision plat  
9 of the following:

10 (i) the number of members of the planning board who are present or  
11 absent at such meeting;

12 (ii) the number of votes of the members of the planning board who are  
13 currently present at such meeting that is required to approve an appli-  
14 cation for a building or site permit, variance, or subdivision plat  
15 pursuant to paragraph (a) of this subdivision; and

16 (iii) the right of such applicant to table their application for a  
17 building or site permit, variance, or subdivision plat until a future  
18 meeting of the planning board if such applicant believes that the number  
19 of members of the planning board who are present or absent at such meet-  
20 ing will substantially impair such applicant's chances of getting their  
21 application for a building or site permit, variance, or subdivision plat  
22 approved.

23 § 5. Subdivision 13 of section 7-712-a of the village law is amended  
24 by adding a new paragraph (c) to read as follows:

25 (c) Notice of quorum requirements. At the start of each meeting of a  
26 board of appeals at which the adoption of a motion or resolution to  
27 approve an application for a building or site permit, variance, or  
28 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
29 subdivision, the chairperson of the board of appeals shall inform any  
30 applicant for a building or site permit, variance, or subdivision plat  
31 of the following:

32 (i) the number of members of the board of appeals who are present or  
33 absent at such meeting;

34 (ii) the number of votes of the members of the board of appeals who  
35 are currently present at such meeting that is required to approve an  
36 application for a building or site permit, variance, or subdivision plat  
37 pursuant to paragraph (a) of this subdivision; and

38 (iii) the right of such applicant to table their application for a  
39 building or site permit, variance, or subdivision plat until a future  
40 meeting of the board of appeals if such applicant believes that the  
41 number of members of the board of appeals who are present or absent at  
42 such meeting will substantially impair such applicant's chances of  
43 getting their application for a building or site permit, variance, or  
44 subdivision plat approved.

45 § 6. Subdivision 17 of section 7-718 of the village law, as added by  
46 chapter 662 of the laws of 2002, is amended to read as follows:

47 17. (a) Voting requirements. Every motion or resolution of a planning  
48 board shall require for its adoption the affirmative vote of a majority  
49 of all the members of the planning board. Where an action is the subject  
50 of a referral to the county planning agency or regional planning council  
51 the voting provisions of sections two hundred thirty-nine-m and two  
52 hundred thirty-nine-n of the general municipal law shall apply.

53 (b) Notice of quorum requirements. At the start of each meeting of a  
54 planning board at which the adoption of a motion or resolution to  
55 approve an application for a building or site permit, variance, or  
56 subdivision plat shall be voted upon pursuant to paragraph (a) of this

1 subdivision, the chairperson of the planning board shall inform any  
2 applicant for a building or site permit, variance, or subdivision plat  
3 of the following:

4 (i) the number of members of the planning board who are present or  
5 absent at such meeting;

6 (ii) the number of votes of the members of the planning board who are  
7 currently present at such meeting that is required to approve an appli-  
8 cation for a building or site permit, variance, or subdivision plat  
9 pursuant to paragraph (a) of this subdivision; and

10 (iii) the right of such applicant to table their application for a  
11 building or site permit, variance, or subdivision plat until a future  
12 meeting of the planning board if such applicant believes that the number  
13 of members of the planning board who are present or absent at such meet-  
14 ing will substantially impair such applicant's chances of getting their  
15 application for a building or site permit, variance, or subdivision plat  
16 approved.

17 § 7. Subdivision 5 of section 239-c of the general municipal law, as  
18 added by chapter 662 of the laws of 2002, is amended to read as follows:

19 5. (a) Voting requirements. Every motion or resolution of a county  
20 planning board shall require for its adoption the affirmative vote of a  
21 majority of all the members of the county planning board.

22 (b) Notice of quorum requirements. At the start of each meeting of a  
23 county planning board at which the adoption of a motion or resolution to  
24 approve an application for a building or site permit, variance, or  
25 subdivision plat shall be voted upon pursuant to paragraph (a) of this  
26 subdivision, the chairperson of the county planning board shall inform  
27 any applicant for a building or site permit, variance, or subdivision  
28 plat of the following:

29 (i) the number of members of the county planning board who are present  
30 or absent at such meeting;

31 (ii) the number of votes of the members of the county planning board  
32 who are currently present at such meeting that is required to approve an  
33 application for a building or site permit, variance, or subdivision plat  
34 pursuant to paragraph (a) of this subdivision; and

35 (iii) the right of such applicant to table their application for a  
36 building or site permit, variance, or subdivision plat until a future  
37 meeting of the county planning board if such applicant believes that the  
38 number of members of the county planning board who are present or absent  
39 at such meeting will substantially impair such applicant's chances of  
40 getting their application for a building or site permit, variance, or  
41 subdivision plat approved.

42 § 8. Subdivision 6 of section 239-h of the general municipal law, as  
43 added by chapter 662 of the laws of 2002, is amended to read as follows:

44 6. (a) Voting requirements. Every motion or resolution of a regional  
45 planning council shall require for its adoption the affirmative vote of  
46 a majority of all the members of the regional planning council.

47 (b) Notice of quorum requirements. At the start of each meeting of a  
48 regional planning council at which the adoption of a motion or resol-  
49 ution to approve an application for a building or site permit, variance,  
50 or subdivision plat shall be voted upon pursuant to paragraph (a) of  
51 this subdivision, the chairperson of the regional planning council shall  
52 inform any applicant for a building or site permit, variance, or subdi-  
53 vision plat of the following:

54 (i) the number of members of the regional planning council who are  
55 present or absent at such meeting;

1 (ii) the number of votes of the members of the regional planning coun-  
2 cil who are currently present at such meeting that is required to  
3 approve an application for a building or site permit, variance, or  
4 subdivision plat pursuant to paragraph (a) of this subdivision; and

5 (iii) the right of such applicant to table their application for a  
6 building or site permit, variance, or subdivision plat until a future  
7 meeting of the regional planning council if such applicant believes that  
8 the number of members of the regional planning council who are present  
9 or absent at such meeting will substantially impair such applicant's  
10 chances of getting their application for a building or site permit,  
11 variance, or subdivision plat approved.

12 § 9. This act shall take effect immediately.