

TOWN OF NORTH CASTLE
Local Law # 22 For the Year 2006
(Adopted November 15, 2006)

A local law to amend the Town Code to add a public hearing requirement for site plans located within business, office and industrial zoning districts.

Be It Enacted by the Town Board of the Town of North Castle as follows:

Section 1. Create a new Section 213-35.2 of the Town Code immediately following Section 213-35.1 as follows:

213-35.2. Public hearing and action by Planning Board.

213-35.2. The Planning Board shall schedule and conduct a public hearing on each site development plan application located in a business, office or industrial zoning district within 62 days from the date of the meeting at which it was officially submitted. Public notice of such hearing shall be given by publication in the town's official newspaper ten (10) days prior to the date thereof.

213-35.3. Notice of hearing shall be sent by certified mail, return receipt requested, to all property owners within a distance of 250 feet of all property lines. In addition, the Board shall give any other notice required by law.

Section 2. Replace Section 213-36 with the following:

213-36. Within 62 days of the date of the close of the public hearing, the Planning Board shall act to approve, approve with modifications or disapprove the proposed site development plan. A copy of the Board's decision shall be filed in the office of the Town Clerk within five days after such decision is rendered and a copy thereof mailed to the applicant. The time within which the authorized Board must render its decision may be extended by mutual consent of the applicant and said Board. However, failure to act within the specified time periods shall not result in the approval of the application by default.

213-36.1. Within 60 days of the date of approval or approval with modifications, the applicant shall present to the Planning Board a corrected final site plan in reproducible form, including any modifications required by the Planning Board as a condition of its approval. Upon verification by the Planning Board and the Town Engineer that the plan complies with the requirements of the Board's approval, the plan shall be endorsed by the Planning Board Chairman and the Town Engineer.

Section 2. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 3. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 4. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: _____, 2006