

LOCAL LAW NO. 11 OF 2019
(AMENDING CHAPTER 280 TO ADD PRE-APPLICATION CONFERENCE &
SUPPLEMENTAL NOTICE PROVISIONS)

A local law which amends Chapter 280 ("Zoning") of the Town of Guilderland Code by adding provisions for pre-application conference for land use applications and supplemental notice for public hearing requirements.

Be it enacted by the Town Board of the Town of Guilderland as follows:

SECTION 1 .

§280-42.1 Pre-Application Conference.

- A. Application and fees. An application for a pre-application conference shall be made on forms and with plans, specifications, and fees required by this chapter.
- B. Procedure. A pre-application conference is required prior to filing an application for a planned unit development, county hamlet and major subdivision and recommended prior to filing an application for site plan approval or special use permit. The pre-application conference allows early review of a concept development plan by Town department heads, staff, and the public. A request for a pre-application conference shall be submitted to the Town Planner for site plan approval and planned unit development or to the Zoning Administrator for a special use permit. The Town Planner and Zoning Administrator shall notify the applicant of the date and time of the pre-application conference, and post the date and time of the pre-application conference on the Town's website calendar. The public is invited and encouraged to attend the pre-application conference. The pre-application conference shall include review of the concept of the proposal, compliance with this chapter's requirements, and discuss any potential site plan and development issues. The pre-application review shall be nonbinding. Prior to the pre-application conference, each applicant is encouraged to discuss the concept proposal with adjacent and potentially impacted property owners and ascertain local concerns and consider mitigation measures early in the design process. Within seven business days of the pre-application conference, the Town Planner and/or the Zoning Administrator shall post a summary of items reviewed and list of attendees on the Town's website.

§280-50 Notice of public hearing.

- E. Supplemental notice of public hearing. Within seven days of filing an application for site plan approval, special use permit, or planned unit development, and at least ten

days before the scheduled public hearing, the applicant shall post placards with required notice at the subject property as follows:

1. Placard. Each placard shall contain the required notice on a board measuring a minimum of 24 x 36 inches, placed in a weather protective covering, and posted at a height of five feet. The applicant shall maintain the placards and required notice during the review process.
2. Required notice. The notice shall state in a minimum 36 size font that:

THE PROPERTY LOCATED AT (STREET ADDRESS) IS
SUBJECT TO AN APPLICATION BY (NAME OF APPLICANT)
FOR (PROJECT DESCRIPTION). THE
APPLICATION IS AVAILABLE FOR PUBLIC INSPECTION AT
THE BUILDING DEPARTMENT AND/OR PLANNING
DEPARTMENT.

3. Approval. The Town Planner for site plan approval and planned unit development, country hamlet, and major subdivision applications and the Zoning Administrator for special use permit applications shall approve the content of the proposed notice and the number and locations of the placards, and is authorized to amend this subsection's requirements as appropriate.
4. Affidavit of Compliance. The applicant shall submit an affidavit attesting to the posting of the required supplemental notice to the Town Planner or Zoning Administrator at least five days before the scheduled date of the public hearing.

SECTION 2. SEQRA Determination.

The Town Board declares that amending Chapter 280 to add the proposed preapplication conference and supplemental notice provisions is an Unlisted Action under the State Environmental Quality Review Act and determines that it will not have a significant impact upon the environment and that a negative determination should issue.

SECTION 3. Inconsistency.

Any local law, ordinance, resolution or portions thereof of the Town of Guilderland not consistent with this Local Law in whole or in part shall be repealed.

SECTION 4. Severability.

If any provision of this Local Law or the application thereof shall be adjudged invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Local Law shall not be affected thereby.

SECTION 5. Effective Date.

The Local Law shall become effective upon filing with the Office of the Secretary of State.