



TOWN OF GREENBURGH

OFFICE OF THE TOWN BOARD

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December 22, 2025

Ms. Claudia Zuck
General Code Publishers
781 Elmgrove Road
Rochester, NY 14624

Re: Local Law #8 - 2025

Dear Ms. Zuck:

Enclosed please find one copy of Local Law No. 8 - 2025 of the Town of Greenburgh. This Local Law is amending Chapter 605 of the Code of the Town of Greenburgh entitled, "Planning Board and Zoning Board of Appeals," as it relates to the composition of Planning Board, by increasing the number of alternates from one to two and decreasing the membership from seven to five, with a one year re-evaluation period of the reduction pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Articles 8 (SEQR).

The Town Board duly adopted said Local Law No. 8 on December 10, 2025.

Sincerely,

Holly Cancro
Town Council Aide

Encl.

cc: Joseph Danko, Town Attorney



TOWN of GREENBURGH

Local Law No. 8 /2025

A local law amending Chapter 605 of the Code of the Town of Greenburgh entitled "Planning Board and Zoning Board of Appeals" pursuant to New York State Constitution Article IX and New York Municipal Home Rule Law Section 10, New York Environmental Conservation Law Article 8 (SEQR).

BE IT ENACTED by the Town Board of the Town of Greenburgh:

- § 1. Purpose.**
- § 2. Amendments to § 605, Planning Board and Zoning Board of Appeals.**
- § 3. Supersession.**
- § 4. Severability.**
- § 5. Effective Date.**

§ 1. Purpose.

This law is entitled "A local law amending Chapter 605 of the Code of the Town of Greenburgh entitled 'Planning Board and Zoning Board of Appeals.'" The Town Board of the Town of Greenburgh finds it in the best interest of the Town to amend Chapter 605 of the Code of the Town of Greenburgh (1) to update the total number of Planning Board members, from seven (7) to five (5); and (2) to provide for one (1) additional alternate member to be appointed to the Planning Board, to provide time to evaluate prospective Planning Board members and to familiarize prospective Planning Board members with the Planning Board's duties and processes.

§ 2. Amendments to Chapter 605, Planning Board and Zoning Board of Appeals.

Chapter 605 of the Code of the Town of Greenburgh is hereby amended as follows (deleted text in strikethrough; new text underlined):

~~Article I Alternate Members~~

~~§ 605-1 Title.~~

This article is entitled "~~Alternate Members, Planning Board and Zoning Board of Appeals.~~"

~~§ 605-2~~ § 605-1 **Legislative intent.**

The members of the Planning Board and the Zoning Board of Appeals review, hear and decide cases. ~~This brought before them. The number of members is reduced to six~~ when a member resigns from a Board, leaving a vacancy that may not be filled for many months. Illnesses, scheduled vacations, absences and the possibility of a member's recusal on an application further reduce the number of members and could affect the quorum ~~of four members~~ needed to conduct official business. ~~It is~~ In addition to temporarily reducing the legislative intent of number of Planning Board members to five members, the Town Board seeks to provide for the appointment of ~~an~~ up to two alternate ~~member~~ members to the Planning Board and ~~another one~~ alternate member to the Zoning Board of Appeals as a reasonable response to such concerns.

~~§ 605-3~~ § 605-2 **Definitions.**

As used in this ~~article~~ chapter, the following terms shall have the meanings indicated:

ALTERNATE MEMBER

An individual appointed by the Town Board to serve on the Planning Board or Zoning Board of Appeals in conformity with provisions of §§ 271 and 267,¹ respectively, as codified and modified by local law, to participate in all meetings of the board, with voting privileges only when so designated by the Chairperson when a member is unable to attend a board meeting or is recused on a specific application, or when a member has resigned.

MEMBER

An individual appointed by the Town Board to the Planning Board ~~or~~ pursuant to Town Law to serve a five-year term, or to the Zoning Board of Appeals pursuant to Town Law to serve a seven-year term, or, when filling a vacancy, the remainder of a ~~the five- or seven-year term, respectively.~~

PLANNING BOARD

The Planning Board of the Town of Greenburgh as established by the Town Board of the Town of Greenburgh, by local law or ordinance, pursuant to the provisions of § 271 of ~~the~~ Town Law.

ZONING BOARD OF APPEALS

The Zoning Board of Appeals of the Town of Greenburgh as established by the Town Board of the Town of Greenburgh, by local law or ordinance, pursuant to the provisions of § 267 of ~~the~~ Town Law.

¹ Editor's Note: See Town Law §§ 271 and 267.

~~§ 605-4~~ § 605-3 **Appointment; term; voting privileges.**

- A. The Town Board of the Town of Greenburgh hereby enacts this ~~article~~ chapter to provide a process for appointing ~~one up to two~~ alternate member members to the Planning Board and one alternate member to the Zoning Board of Appeals. These individuals shall serve as voting members of the ~~Board~~ Board to which they are appointed, when so designated by the Chairperson, when a member is absent or unable to participate on an application or matter before the board, or when a vacancy exists on the ~~Board~~ Board.
- B. An alternate member of the Planning Board and Zoning Board of Appeals shall be appointed by the Town Board for a term of one year, renewable annually.
- C. Alternate members shall be allowed to fully participate in all meetings of the ~~Board~~ Board, as members do, but cannot vote until designated to do so by the Chairperson.
- D. The Chairpersons of the Planning Board and Zoning Board of Appeals may designate an alternate member to substitute for a member when such member is absent or unable to participate on an application or matter before the ~~Board~~ Board. The Chairperson may also designate the alternate member when a vacancy exists on the ~~Board~~ Board. When so designated, the alternate member shall have the same voting privileges as members of the ~~Board~~ Board. Such designation of voting privileges shall be entered into the minutes of the initial Planning Board or Zoning Board of Appeals meeting at which the substitution is made.
- E. All provisions of state law relating to Planning Board and Zoning Board of Appeals member eligibility, vacancy in office, removal, compatibility of office and service on other boards, as well as any provisions of a local law or ordinance relating to training, continuing education, compensation and attendance, shall also apply to alternate members.

§ 605-4 Planning Board Composition.

- A. The Planning Board shall be composed of five (5) members, who shall be appointed by the Town Board pursuant to Town Law.
- B. Planning Board members shall serve a term of five (5) years or, when filling a vacancy, the remainder of a five-year term.
- C. Appointment terms shall be staggered, such that no two terms end in the same year.

D. Where feasible, the Town Board shall take into consideration the geographic distribution within the Town of current and potential Planning Board members when considering appointing a new member or alternate member.

E. Any current members of the Planning Board at the time of the enactment of this local law shall be entitled to finish the terms of their appointment.

§ 3. Supersession.

Pursuant to New York Municipal Home Rule Law Section 22, this law is intended to supersede any other inconsistent provision of law.

§ 4. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or its application to the person or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

§ 5. Effective Date.

This law shall take effect immediately upon filing with the Secretary of State.



TOWN of GREENBURGH

Local Law No. 8 /2025

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§ 605-1 Legislative intent.

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five members, the Town Board seeks to provide for the appointment of up to two alternate members to the Planning Board and one alternate member to the Zoning Board of Appeals as a reasonable response to such concerns.

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§ 605-3 Appointment; term; voting privileges.

- A. The Town Board of the Town of Greenburgh hereby enacts this chapter to provide a process for appointing up to two alternate members to the Planning Board and one alternate member to the Zoning Board of Appeals. These individuals shall serve as voting members of the Board to which they are appointed, when so designated by the Chairperson, when a member is absent or unable to participate on an application or matter before the board, or when a vacancy exists on the Board.
- B. An alternate member of the Planning Board and Zoning Board of Appeals shall be appointed by the Town Board for a term of one year, renewable annually.

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- E. Any current members of the Planning Board at the time of the enactment of this local law shall be entitled to finish the terms of their appointment.

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