

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Greenwood Lake

FILED
STATE RECORDS

FEB 27 2024

DEPARTMENT OF STATE

Local Law No. 1 of the year 2024

A local law Enacting Chapter 21 of the Code of the Village of Greenwood Lake "Planning Board and
(Insert Title)
Zoning Board of Appeals" and Amending Chapter 120 (Zoning) of the Village Code.

Be it enacted by the Village Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Greenwood Lake

as follows:

See Attached Local Law

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2024 of the (County)(City)(Town)(Village) of Greenwood Lake was duly passed by the Board of Trustees (Name of Legislative Body) on February 21 2024, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

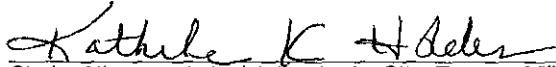
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 2/23/24

(Seal)

LOCAL LAW NO. 1 of 2024

**ENACTING CHAPTER 21
OF THE CODE OF THE VILLAGE OF GREENWOOD LAKE
“PLANNING BOARD AND ZONING BOARD OF APPEALS” AND
AMENDING CHAPTER 120 (ZONING) OF THE VILLAGE CODE**

BE IT ENACTED by the Village Board of the Village of Greenwood Lake, New York as follows:

Section 1. Legislative Intent.

The Board of Trustees of the Village of Greenwood Lake is authorized to abolish the Village’s existing Planning Board and transfer all Planning Board functions to the Zoning Board of Appeals which shall have the same powers and duties as both a Planning Board and a Zoning Board of Appeals. This law is enacted pursuant to the Village Law and § 10 of the Municipal Home Rule Law.

Section 2. Chapter 21 of the Village Code of the Village of Greenwood Lake is hereby enacted as follows:

Chapter 21 Planning Board and Zoning Board of Appeals.

§ 21-1 Combined Planning Board and Zoning Board of Appeals.

A. The Village of Greenwood Lake Planning Board as currently constituted and comprised is hereby abolished and is consolidated into the existing Village of Greenwood Lake Zoning Board of Appeals. All powers of the Village of Greenwood Lake Planning Board are hereby conferred to the Village of Greenwood Lake Zoning Board of Appeals which shall hereinafter be known as the Planning Board and Zoning Board of Appeals of the Village of Greenwood Lake.

B. Wherever the terms “Zoning Board,” “Planning Board,” or “Village Planning Board” other than references to the Orange County Planning Board, appear in the Code of the Village of Greenwood Lake, said terms shall hereinafter mean and refer to the Planning Board and Zoning Board of Appeals established by this Chapter.

C. To the extent any parts of this Chapter or any other chapter of the Code of the Village of Greenwood Lake are inconsistent with or conflict with any of the provisions of this section, the terms of this section shall control.

D. In the event that a determination is required to be made concerning the establishment, membership, training or appointment of alternates to the Planning Board and Zoning Board of Appeals, the Village Board shall render such determination by resolution.

§ 21-2 Zoning Board of Appeals.

Pursuant to § 7-718 of NYS Village Law, the Zoning Board of Appeals previously established under local law and still in existence at the time of this Chapter's enactment shall hereby be continued and the provisions of Chapter 120 regarding the establishment, training, alternates and removal shall apply to the Zoning Board of Appeals, which shall hereafter be referred to as the Planning Board and Zoning Board of Appeals of the Village of Greenwood Lake.

Section 3. Chapter 120 of the Village Code is hereby amended as follows:

Section 120-8.1 is hereby repealed and replaced as follows:

§ 120-8.1 Planning Board

A. Upon the effective date of Chapter 21 of the Village Code, the responsibilities of the Planning Board shall be transferred to the Village Zoning Board of Appeals which Zoning Board of Appeals shall hereafter be known as the Planning Board and Zoning Board of Appeals of the Village of Greenwood Lake.

B. The requirements for establishment, membership, training and alternates of the Planning Board and Zoning Board of Appeals established by Chapter 21 of the Village Code shall be in accordance with Section 120-65 of the Village Code.

C. Wherever the terms "Zoning Board," "Planning Board," or "Village Planning Board" other than references to the Orange County Planning Board, appear in the Code of the Village of Greenwood Lake, said terms shall hereafter mean and refer to the Planning Board and Zoning Board of Appeals established pursuant to Chapter 21 of the Village Code.

Section 120-65 is hereby repealed and replaced as follows:

§ 120-65 Planning and Zoning Board of Appeals established; membership; training; alternate members and removal.

A. There shall be a Planning and Zoning Board of Appeals with five members appointed by the Village Board of Trustees. Each member shall serve for a five-year term, and one member's term shall expire each year. Any existing member of the Zoning Board of Appeals who has been appointed to a term upon the effective date of Chapter 21 of the Village Code shall continue in their term as a member of the Planning Board and Zoning Board of Appeals.

B. The Chairperson of the Planning Board and Zoning Board of Appeals shall be appointed by the Mayor, subject to approval of the Board of Trustees and shall serve in the role of Chairperson at the pleasure of the Mayor.

C. The Village Board, recognizing the community's need for a complete Planning Board and Zoning Board of Appeals, in its discretion, may appoint two alternate members, who shall serve for one-year terms.

D. The Planning Board and Zoning Board of Appeals Chairperson may designate an alternate member to substitute for a Planning Board and Zoning Board of Appeals member when such member is unable to participate due to a conflict of interest or is otherwise unavailable to participate on an application or matter before the Board, provided that the Village Board has appointed such alternate member to the position of alternate member.

E. When so designated, such alternate member shall have all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Planning Board and Zoning Board of Appeals meeting at which the designation occurred.

F. Each regular and alternate, member shall attend such course of study or program of continuing education and/or training for members of the Planning Board and Zoning Boards of Appeals developed by the Secretary of State and as may be administered by the Orange Municipal Planning Federation or the New York State Planning Federation or other agencies. Such training should include topics appropriate for planning boards and zoning boards and shall not be less than four (4) hours per year, unless otherwise approved by resolution of the Village Board. Members may carry over training in excess of four (4) hours into subsequent years during their term of office. Training formats may include electronic media, video, distance learning and traditional classroom training as approved by the Village Board.

G. Any regular member who fails to attend four consecutive meetings of the Planning Board and Zoning Board of Appeals or fails to attend more than half of the given meetings in any calendar year, will be deemed deficient in the performance of his or her duty and such would be grounds for an action to remove such person from his or her appointed position.

H. Any alternate member who, when called upon, fails to attend four (4) consecutive meetings of the Planning Board Zoning Board of Appeals will be deemed deficient in the performance of his or her duty and such would be grounds for an action to remove such person from his or her position.

I. All other provisions of law relating to Zoning Board of Appeals member training, and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal and service on other boards shall also apply to alternate members.

J. Removal of members of the Planning Board and Zoning Board of Appeals shall be pursuant to the provisions of New York State Village Law § 7-712(9).

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, 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 Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. State Environmental Quality Review Act (SEQRA).

Pursuant to 6 NYCRR 617.5 (26) and (33) this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 6. Code Preparation.

The Village Code preparation contractor is authorized, without further action of the Village Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this Local Law.

Section 7. Effective Date.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.