

TOWN OF GUILDERLAND

LOCAL LAW NO. 2 OF 2026 AMENDMENTS TO TOWN CODE CHAPTER 280 (Adding § 280-42.2 (Referrals to Albany Pine Bush Preserve Commission Technical Committee))

Be it enacted by the Town Board of the Town of Guilderland that Chapter 280 (Zoning) of the Town Code is amended.

SECTION 1. The following section is added:

§ 280-42.2: Referrals to Albany Pine Bush Preserve Commission Technical Committee

A. Purpose.

This section implements a goal of the Comprehensive Plan Update and Albany Pine Bush Preserve Management Plan by ensuring that land use decisions within the Albany Pine Bush Preserve ecosystem are informed by scientific and technical expertise. This referral process aims to protect rare inland pine barrens, mitigate habitat fragmentation, and maintain the ecological integrity of the Preserve.

B. Applicability.

The following applications shall be referred to the Albany Pine Bush Preserve Commission Technical Committee (“Technical Committee”) for review and recommendation when the subject property is located in the Albany Pine Bush Study Area (“Study Area”) as defined on the Albany Pine Bush Preserve Commission Vision Map:

1. Subdivision application (Major and Minor) under Article 247
2. Country Hamlet application under § 280-14.
3. Planned Unit Development under § 280-17.
4. Residential cluster/conservation development under § 280-35.
5. Use Variances under § 280-51.
6. Special Use Permit under § 280-52.

7. Site Plan Review under § 280-53.
8. Zoning amendment under § 280-58.
9. Any other matter deemed appropriate by a reviewing committee.

C. Technical Committee Referral Process.

1. Upon receipt of a complete application, the reviewing board (Planning Board, Zoning Board of Appeals, Town Board) shall forward a copy of the application and all supporting materials to the Technical Committee within five (5) business days of receipt of a complete application.
2. The Technical Committee may require the applicant to attend a Technical Committee meeting to present the application.
3. The Technical Committee shall have thirty (30) days from the date of referral to provide written comments and recommendations to the Town.
4. The Technical Committee's review may include, but is not limited, to:
 - a) Impacts on rare or endangered species (e.g., Karner Blue Butterfly).
 - b) Preservation of remnant dunes and unique topography.
 - c) Consistency with fire management practices and prescribed burns.
 - d) Habitat connectivity and buffer requirements.
5. The reviewing board shall consider the Technical Committee's written comments in its SEQRA determinations and deliberations. If the reviewing board acts contrary to a recommendation of the Technical Committee, it shall state the reasons for such action in the public record.

SECTION 2. SEQRA Determination.

The Town Board declares that this Local Law's amendments to Chapter 280 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 declaration shall be issued.

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.

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